

**REGULAR MEETING MINUTES
PLACERVILLE PLANNING COMMISSION
TUESDAY, OCTOBER 17, 2023, 6:00 P.M.
TOWN HALL, 549 MAIN STREET, PLACERVILLE, CALIFORNIA**

CLOSED SESSION: None Scheduled

6:00 P.M. OPEN SESSION

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG:

Vice Chair Kiehne called the meeting to order at 6:00 p.m. and the Pledge of Allegiance to the Flag was recited.

2. ROLL CALL:

Members Present: Carter, Vice Chair Kiehne, Smith

Members Absent: Lepper, Chair Frenn

Staff Present: Development Services Director Rivas, Associate Planner Hunter, Senior Management Analyst McCargar

3. CLOSED SESSION REPORT:

None scheduled.

4. ADOPTION OF AGENDA:

Motion: In a single motion Commissioner Carter, second by Commissioner Smith, moved to approve the Agenda as presented. Motion carried 3-0.

5. CONSENT CALENDAR:

5.1. Approve the Minutes of the Regular Planning Commission Meeting of October 3, 2023

Commissioner Carter pulled the Draft Minutes of October 3, 2023, for discussion.

6. ITEMS PULLED FROM CONSENT CALENDAR (if applicable)

Commissioner Carter identified changes to the Draft Minutes of October 3, 2023.

In a single motion Commissioner Carter, seconded by Commissioner Smith, moved to approve the Minutes as amended. Motion carried 3-0.

7. ITEMS OF INTEREST TO THE PUBLIC – NON-AGENDA ITEMS: *None.*

8. WRITTEN COMMUNICATIONS – NON-AGENDA ITEMS: *None received.*

9. PRESENTATIONS AND EDUCATIONAL WORKSHOP SESSIONS: *None.*

10. ENVIRONMENTAL ASSESSMENTS/PUBLIC HEARINGS:

10.1. Site Plan Review (SPR) 23-11: Historic District Review. Consideration of a Site Plan Review application within the Single-Family Residential / Historic District Zone to modify an existing single-family residence to: (1) Remove and replace previously repaired (not consistent) siding with consistent wood lap siding; (2) Remove and replace or repair old wood lap siding with in-kind materials; and (3) Find the project categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 and Section 15331. Location: 2968 Coloma Street, Placerville, CA. APN: 001-161-014. Property Owner: Alan Ming (CGC Renovations, LLC) and Chris Kalsbeek. Staff: Kristen Hunter.

Associate Planner Hunter presented the Staff Report and Memorandum dated October 17, 2023. Director Rivas and Associate Planner Hunter answered questions of the Commission.

Public comment was heard by the applicant, Alan Ming.

In a single motion, Commissioner Carter, seconded by Commissioner Smith, moved to approve Site Plan Review (SPR) 23-11 as recommended; and to:

- I. Adopt the Staff Report as part of the public record.*
- II. Make the following findings in support of the SPR 23-11 request:*
 - 1. The request is exempt from environmental review, in that the project qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15301 and Section 15331, as the project includes the repair to an existing structure that will result in no expansion of the existing use and that the project would complete the maintenance and reconstruction in a manner consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Restoring, and Reconstructing Historic Buildings.*
 - 2. The project site, APN 001-161-014, 2968 Coloma Street, contains a single-family residential dwelling that is located within the Spring Street-Coloma Street Historic District.*
 - 3. The project request is consistent with Placerville General Plan Community Design Element Goal C, in that the visual qualities of the proposed exterior alterations are compatible with the visual attributes of neighboring structures within the Historic District. Further, the project shall not alter distinctive materials, features, finishes, construction techniques, and/or examples of craftsmanship that characterize the subject property through the replacement of the siding with in-kind material and style. The project is consistent with Goal I of the Community Design Element in that it includes the restoration and reuse of older structures which contribute to Placerville's character and sense of historical and cultural identity.*

4. *The project request is consistent with Placerville General Plan Housing Element Goal F Policy 4 and Natural, Cultural and Scenic Resources Element Goal G Policy 6 in that the project preserves existing housing stock and would restore and maintain an existing older structure within the Spring Street-Coloma Street Historic District.*
 5. *The project request is consistent with the purpose, intent, and criteria of Zoning Ordinance §10-4-9: Site Plan Review, §10-4-10: Historical Buildings in the City, and the Development Guide that are intended to protect the integrity of the Residential Historic District and individual structures located therein.*
 6. *The project request is consistent with City of Placerville Development Guide design guidelines for structures within a historic district.*
- III. *Conditionally Approve SPR 23-11 located at 2968 Coloma Street, based on the project information and findings included in the Staff Report, and subject to the recommended Conditions of Approval:*

1. *Approval SPR 23-11 to modify an existing single-family residence to: (1) Remove and replace previously repaired siding with wood lap siding; (2) Remove and replace or repair old wood lap siding with in-kind materials located at 2968 Coloma Street, APN 001-161-014.*

Approval is based upon the analysis provided in Staff's October 17, 2023, report to the Planning Commission, and limited to compliance with the project description and Applicant Submittal Package listed below (i - iii) as well as all other Conditions of Approval set forth herein.

- i. *Historic District Review Application (August 21, 2023);*
 - ii. *Site Plan (August 21, 2023);*
 - iii. *Site Photographs (August 21, 2023); and*
 - iv. *Paint color scheme similar to that presented by the applicant (October 17, 2023).*
2. *The siding removed shall be replaced with the wood lap siding.*
 3. *Site Plan Review 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. 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 project when granting the extension.*
 4. *Runs with the Land. The terms and Conditions of Approval of the Site Plan Review (SPR) shall run with the land; shall be binding upon and be to the benefit of heirs, legal representatives, successors, and assignees of the property owner.*
 5. *Revisions. Any proposed changes to the Project Description or conditions of approval shall be submitted to the Development Services Department, Planning*

Division, for determination of appropriate procedures. Deviations from the above-described approval will constitute a violation of permit approval.

6. *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.*
7. *The Applicant is responsible for obtaining a Building Permit prior to construction.*
8. *Except as otherwise specified or provided for in the project plans in these Conditions, the Project shall conform to the development standards and design requirements adopted by the City of Placerville, specifically including but not limited to the Site Plan Review Criteria (City Code Section 10-4-9(G)).*
9. *All construction shall be limited to Monday through Friday between the hours of 7:00 am to 7:00 pm, Saturdays between the hours of 8:00 am and 5:00 pm with no construction permitted on Sundays or City or state recognized holidays.*

Action: Motion carried 3-0 on roll call vote:

Ayes: Carter, Kiehne, Smith

Nays: None

Absent: Frenn, Lepper

Vice Chair Kiehne informed the public that there is a 10-day appeal period.

10.2. Site Plan Review (SPR) 23-14. Bricks Exterior Lighting. Consideration of a Site Plan Review application within the Central Business District Zone to modify the existing exterior lighting for an existing restaurant (Bricks Eats & Drinks), including: (1) Addition of four (4) farm style goose-neck light fixtures along the front façade of the building; (2) Approval of existing unpermitted market or “bistro” lights along front façade of building; and (3) Find the project categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301. Location: 482 Main Street, Placerville, CA. APN: 003-131-009. Property Owner: Jess Oliver. Applicant: Jose Rodriguez, Bricks Eats & Drinks. Agent: Bob McGinnis, ABC Electric. Staff: Kristen Hunter.

Associate Planner Hunter presented the Staff Report and Memorandum dated October 17, 2023. Director Rivas and Associate Planner Hunter answered questions of the Commission.

Public comment was heard by an unnamed representative of the project.

In a single motion, Commissioner Carter, seconded by Commissioner Smith, moved to approve Site Plan Review (SPR) 23-15 as recommended; and to:

- I. *Adopt the Staff Report as part of the public record.*
- II. *Make the following findings in support of the modified SPR 23-14 request:*

1. *The request is exempt from environmental review, in that the project qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15301, as the project includes the minor alteration of an existing private structure that shall result in no expansion of the existing use.*
 2. *The project site, APN 003-131-009, 482 Main Street, contains a single-story restaurant (Bricks Eats & Drinks) located within Central Business District and downtown Placerville.*
 3. *The project request is consistent with Placerville General Plan Community Design Element Goal B, in that the revision of the existing exterior lighting on the subject parcel will be consistent with Zoning Ordinance Section 10-4-16, Exterior Lighting Regulations, shall be energy efficient, and will provide an element of safety to the sidewalk for pedestrians and customers.*
 4. *The project request is consistent with the purpose, intent, and criteria of Zoning Ordinance §10-4-9: Site Plan Review, §10-4-16: Exterior Lighting Regulations, and §10-5-14: CBD, Central Business District Zone.*
 5. *Approval is based upon the analysis provided in Staff's October 17, 2023, report to the Planning Commission, and limited to compliance with the project description and Applicant Submittal Package. The approval is only for the four (4) gooseneck and the proposed, existing market string lights are not approved and are to be removed.*
- III. *Conditionally approve SPR 23-14 located at 482 Main Street, based on the project information and findings included in the Staff Report, and subject to the recommended Conditions of Approval, including:*
1. *Approval of SPR 23-14 to: (1) Addition of four (4) farm style gooseneck light fixtures along the front façade of the building.*
Approval includes the following Applicant Submittal Documents:
 - i. *Plan Review Application (September 6, 2023).*
 - ii. *Scope of Work (September 6, 2023).*
 - iii. *Plans: Site Plan (Sheet A1.1) and Elevation (Sheet A1.2) (September 6, 2023).*
 - iv. *Site Photos (September 6, 2023).*
 - v. *Proposed Lighting Specifications Sheets (September 6, 2023) – Gooseneck Lighting Fixtures Only.*
 2. *Runs with the Land. The terms and Conditions of Approval of the Site Plan Review (SPR) shall run with the land; shall be binding upon and be to the benefit of heirs, legal representatives, successors, and assignees of the property owner.*
 3. *Site Plan Review 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. 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 project when granting the extension.

- 4. Revisions. Any proposed changes to the Project Description or conditions of approval shall be submitted to the Development Services Department, Planning Division, for determination of appropriate procedures. Deviations from the above-described approval will constitute a violation of permit approval.*
- 5. 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.*
- 6. The Applicant is responsible for obtaining a Building Permit prior to lighting installation if required.*
- 7. The Applicant is responsible for obtaining an Encroachment Permit from the Engineering Department prior to construction.*
- 8. Except as otherwise specified or provided for in the project plans in these Conditions, the Project shall conform to the development standards and design requirements adopted by the City of Placerville, specifically including but not limited to the Site Plan Review Criteria (City Code Section 10-4-9(G)).*
- 9. All construction shall be limited to Monday through Friday between the hours of 7:00 am to 7:00 pm, Saturdays between the hours of 8:00 am and 5:00 pm with no construction permitted on Sundays or City or state recognized holidays.*

Action: Motion carried 3-0 on roll call vote:

Ayes: Carter, Kiehne, Smith

Nays: None

Absent: Frenn, Lepper

Vice Chair Kiehne informed the public that there is a 10-day appeal period.

10.3. Special Temporary Use Permit (TUP) 23-04. Sidewalk Dining. Consideration of a Special Temporary Use Permit (TUP) application within the Central Business District Zone: (1) For a sidewalk dining area permit within the City's Main Street right-of-way, adjacent to the Bene! Ristorante Italiano business; and (3) To find the project categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15311. Environmental Determination: Categorically exempt from CEQA per CEQA Guidelines Section 15311. Location: 423 Main Street, Placerville, CA. APN: 001-211-011. Property Owner: Vivian Woo – Woo Family Trust. Applicant: Ben Butler, Bene! Ristorante Italiano. Staff: Kristen Hunter.

Associate Planner Hunter presented the Staff Report and Memorandum dated October 17, 2023. Director Rivas and Associate Planner Hunter answered questions of the Commission.

Public comment was heard by the applicant, Ben Butler.

In a single motion, Commissioner Carter, seconded by Commissioner Smith, moved to approve Special Temporary Use Permit (TUP) 23-04 as recommended; and to:

- IV. Adopt the Staff Report as part of the public record.*
- V. Make the following findings in support of the Special Temporary Use Permit (TUP) 23-04 request:*
 - 1. The request is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15311 of the CEQA Guidelines, in that it involves the placement of minor structures (chairs, tables, umbrellas and the wrought iron barrier) on the City sidewalk accessory to the existing Bene! Ristorante Italiano commercial business.*
 - 2. The project site, APN 001-211-011, 423 Main Street, contains a three-story commercial building included on the City's Historical Resources Inventory and that is located within downtown Placerville.*
 - 3. The project request is consistent with Placerville General Plan Land Use and Community Design Elements, in that the project will improve the pedestrian experience, enhancing, and enlivening the Main Street streetscape, and will attract customers and improve the economic vitality of the Main Street.*
 - 4. The project request meets the purpose and intent of the Sidewalk Dining Regulations (Zoning Ordinance Section 10-4-19) by allowing a limited encroachment of outdoor dining within ~~into~~ the public right-of-way, ancillary to the adjacent Bene! Ristorante Italiano food and beverage establishment, where the development layout as proposed and conditioned does not unduly restrict public access or detract from the appearance of the surrounding area.*
- VI. Conditionally approve TUP 23-04 located at 423 Main Street, based on the project information and findings included in the Staff Report, and subject to the recommended Conditions of Approval, including:*
 - 1. Special Temporary Use Permit (TUP) 23-04 approval is based upon and limited to compliance with the approved site plan, project description, the Conditions of Approval set forth below:*

Any deviations from the project description, conditions, or site plan exhibits shall be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit. Deviations without the above-described approval will constitute a violation of permit approval.
 - 2. This Special Temporary Use Permit is valid for one year from Planning Commission approval. Renewal permits may be extended for one-year periods by the Director of Development Services. Permit holders shall make renewal requests prior to the expiration date for renewal by the Director.*

3. *The applicant shall comply with all Development Standards and Operational Standards under Zoning Ordinance Section 10-4-19 (F), applicable during sidewalk dining operations, as follows:*

i. Development Standards

- 1. Facilities and equipment shall be of a quality and style that is consistent with the Design Guidelines adopted by the City and any other applicable design standards and policies. The design, quality, materials and colors used for chairs, tables, lighting and other fixtures shall complement the architectural style and colors used on the adjacent buildings. Sidewalk dining furniture, equipment, and other amenities shall be constructed of metal, unless an alternative material is approved by the Director or the Planning Commission.*
- 2. Sidewalk dining areas that have more than four tables or more than eight chairs shall separate the dining area from the walkway with fencing, swag roping, decorative plants, landscape planters, or other architectural barriers that prevent encroachment of tables and chairs into the five-foot pathway being maintained for pedestrian access. The Planning Commission may relax this standard when it is clear that there is no reasonable possibility of tables or chairs being moved to encroach on the required pedestrian pathway.*
- 3. Lighting will be required for sidewalk dining areas where food will be eaten during the evening hours. The lighting fixtures must be decorative and complement the architectural character of the building and area. Lights mounted on the building shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers along the street and public walkway, and should illuminate only the sidewalk area.*
- 4. Portable umbrellas may be permitted provided they do not obstruct the public right-of-way or walkway, and do not contain advertising. The minimum vertical clearance from the pedestrian surface for any overhead obstruction including umbrellas shall be eight feet.*
- 5. Furniture shall not be attached, drilled into, adhered to, chained to, or otherwise affixed to the sidewalk tree, pole, or other furniture, or to any permanent structure or building.*
- 6. Sidewalk dining furniture shall be placed immediately adjacent to and abutting the eating establishment and shall not be placed adjacent to the curb. Exceptions to this requirement may be made by the Director or Planning Commission for self-serve seating (i.e., no table service).*

7. *Dining areas serving alcohol shall delineate and separate the sidewalk dining area with a non-affixed, removable barrier/fence (e.g. a planter box, rope, fence, or other material) approved by the approving authority. Each such barrier shall be easy to remove and store. No barrier shall exceed 36 inches in height. Dining areas that do not serve alcohol are not permitted to delineate the sidewalk dining area with a barrier in order to keep the appearance of an open sidewalk.*
 8. *Use of sound amplification on the exterior of a sidewalk dining area is prohibited.*
 9. *Sidewalk dining area permits are interruptible and terminable licenses for use granted by the City. No property interest shall be conveyed to the eating establishment or to any other person. The City shall have the right and power, acting through the Director or Planning Commission, to revoke, prohibit, or limit operation and use of a sidewalk dining area permit at any time by reason of anticipated, threatened, or actual problems or conflicts in the use for the sidewalk area. Such circumstances may arise from, but are not limited to, changing patterns of sidewalk use, scheduled festivals or similar event, parades or marches, repairs to the street or sidewalk, or for any other reason.*
 10. *Any sidewalk dining area shall be temporary in nature and designed so that the entire dining area can be easily removed. Sidewalk dining area furniture, equipment, and other amenities must be removed from the public sidewalk dining area for extended periods of eating establishment closure (two weeks or more). The City may require removal during special events, etc. The City shall have the right to unilaterally remove unapproved exterior furniture and/or equipment from the sidewalk dining area, and costs of removal shall be borne by the eating establishment.*
- ii. *Operational Standards*
1. *The owner of the primary business is responsible for proper operation of the sidewalk dining area. Sidewalk dining shall be continuously supervised by management or employees. Food establishments serving alcoholic beverages shall have a supervisor, at least 21 years of age, on-site at all times of operation. Any behavior that disturbs customers or passersby on the sidewalk will constitute grounds for revocation of any permit(s) to operate an outdoor dining area.*

2. *Establishment is required to maintain all areas in and around the sidewalk dining area in a manner that is clean and free of litter and debris.*
 3. *The sidewalk dining hours of operation shall be limited to the hours of operation of the associated food or beverage establishment.*
 4. *All plans and permits for the sidewalk dining area approved by the City must be kept on the premises for public inspection at all times during which the associated establishment is open for business.*
 5. *Sidewalk dining areas shall be operated in a manner that meets all requirements of the El Dorado County Environmental Management Division and all other applicable regulations, laws, ordinances, and standards. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.*
 6. *Smoking and/or vaping of any substance shall not be permitted within any sidewalk dining or seating area authorized pursuant to this Section.*
4. *The applicant shall obtain all required on-sale licensing from state agencies that authorizes the sale of all types of wind and malt beverages (e.g., beer, porter, ale, stout, and malt liquor) for consumption on the premises.*
 5. *The applicant shall obtain an Encroachment Permit (if applicable) from the City Engineer before any sidewalk dining is permitted, and shall obtain and maintain general liability insurance per Zoning Ordinance Sections 10-4-19 (I) and 10-4-19 (E), respectively.*

Action: Motion carried 3-0 on roll call vote:

Ayes: Carter, Kiehne, Smith

Nays: None

Absent: Frenn, Lepper

Vice Chair Kiehne informed the public that there is a 10-day appeal period.

11. CONTINUED ITEMS: *None.*

12. NEW BUSINESS: *None.*

13. MATTERS FROM COMMISSIONERS AND STAFF:

13.1. Staff Reports:

Director Rivas informed the Commission that the Development Services Department received the building plans re-submittal from the Mackinaw Hotel on Monday October 16, 2023.

Director Rivas informed the Commission that escrow closed on the Cottonwood 4 & 6 subdivision on Monday October 9, 2023, and the lots are now owned by Williams Homes. The model homes have been submitted and approved. Staff anticipates permit applications for the model homes in the next week. Additionally, the final map is to be recorded this week.

Director Rivas provided an update on the appeal of SPR 23-05 and the decision of the City Council to grant the appeal by the applicant, Paul Coggiola, to allow installation of vinyl windows.

Director Rivas provided an update on the City compost event held on Saturday October 14, 2023, at El Dorado Disposal's Buy-Back Center located at 580 Truck Street. 40 tons of compost were delivered and, following the event, 20 tons were collected by participants. The event included food and educational booths. Compost is free and will be an ongoing program. The City is looking into future grant funding and the possibility of a second location within the City (Lions Park). The City anticipates a Spring event.

Director Rivas provided an update from the City Attorney regarding ex-parte communications.

Associate Planner Hunter informed the Commission that the next meeting will be held on November 7, 2023.

13.2. Planning Commission Matters: None.

13.2.1. Special Committee Report(s): Report by the Historic Review Special Committee to the Planning Commission.

Commissioner's Carter and Smith provided a brief update that the Memorandum identifying the list of priorities is still in progress. The Memorandum is anticipated to be on the December 5, 2023, Planning Commission agenda.

14. ADJOURNMENT

Vice Chair Kiehne adjourned the meeting at 7:37 p.m.

A handwritten signature in blue ink that reads "Pierre Rivas". The signature is written in a cursive style and is positioned above a horizontal line.

Pierre Rivas, Executive Secretary
Development Services Director