

MINUTES

**REGULAR MEETING
CITY OF PLACERVILLE PLANNING COMMISSION
TUESDAY, OCTOBER 18, 2016, 6:00 P.M.
TOWN HALL, 549 MAIN STREET, PLACERVILLE, CALIFORNIA**

Call to Order and Pledge of Allegiance to the Flag

Chair Wolfe called the meeting to order at 6:00 p.m. then led those in attendance in the Pledge of Allegiance.

Roll Call:

Members Present: Frenn, List, Lowry, Wolfe, Robey

Members Absent: None

*Staff Present: Executive Secretary and City Planner Painter,
Development Services Director Rivas*

1. CONSENT CALENDAR:

1.1 Agenda: Regular Meeting, October 18, 2016

1.2 Minutes: Regular Meeting, September 20, 2016

The Consent Calendar was adopted viva voce. Member Frenn abstained due to his absence on September 20, 2016.

2. ITEMS PULLED FROM CONSENT CALENDAR (IF APPLICABLE)

None

3. ITEMS OF INTEREST TO THE PUBLIC (PUBLIC COMMENT) – ITEMS NOT ON AGENDA

None

4. WRITTEN COMMUNICATIONS

Executive Secretary Painter announced the distribution of an Errata Sheet for Page 11 for Item 5.3 to Members and the applicant.

5. PUBLIC HEARINGS

5.1 385 Main Street – SPR 16-05

Description: Request for awning on commercial building listed on the City’s Historic Resource Inventory

Applicant: Gregory Phelps. **Owner:** Henry Cavigli Trust; **Zoning/Land Use:** CBD (Central Business District); **Legal Description:** APN: 001-212-11

City Planner Painter presented staff’s report and its recommendation. Applicant Gregory Phelps addressed the Commission.

After Commission discussion, the motion by Member List, seconded by Member Lowry, was approved on a 4-1 vote (Member Frenn voting no) to:

I. Find as Follows:

A. The project is exempt from environmental review pursuant to §15301 of the California Environmental Quality Act Guidelines, in that the request includes minor alterations to existing structures involving no expansion of the existing commercial use.

B. The project site located at 385 Main Street, APN 001-212-11, contains one two-story structure that is located at the southeast corner of Main Street and Stage Coach Alley, at the Bell Tower Plaza in downtown Placerville.

C. The site address, 385 Main Street, is listed in the City’s Historic Resources Inventory.

- D. *The project is consistent with General Plan Community Design Element Goal B and Policies 2 and 9 of Goal B, in that by approving the request the City is promoting the enhancement of the commercial building at 385 Main Street along with the addition of new awning for shading outdoor seating.*
- E. *The project was reviewed and is consistent with the purpose, intent and criteria of Zoning Ordinance §10-4-9: Site Plan Review, and §10-4-10: Historical Buildings in the City, that are intended to protect the integrity of historic buildings within the City.*
- II. *Approve SPR 16-05 involving the installation on the Plaza Building of a motorized retractable awning of acrylic fabric, color Nutmeg Tweed, with dimensions of twenty feet (20') in width, and that would extend out from the building approximately twelve feet (12'), subject to the following conditions.*
 - 1. *Approval. The project, SPR 16-05, is approved as shown in Exhibit 1 of staff's October 18, 2016 staff report, and as conditioned or modified below.*
 - 2. *Project Location. The Project site is located at 385 Main Street, Placerville; APN: 001-212-11. SPR 16-05 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. *These 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. *Expiration. The Project, SPR 16-05, shall expire and become null and void eighteen (18) months after the date of Planning Commission approval unless a building permit has been obtained for the work authorized by the Commission prior to the date of expiration.*
 - 6. *Revisions: Any proposed future change to the site or modification to the application beyond what is authorized under this Project shall be submitted to the Development Services Department for a determination of appropriate procedures.*
 - 7. *Plans for construction shall be reviewed and stamped by a California licensed engineer or architect, then submitted (three copies) to the Building Division for review to obtain construction permit. The design shall be of fire resistive material.*

5.2 3110 Forni Road – SPR 08-03, VAR 15-01, VAR 15-02, EA 08-01

Description: Request for twelve month extension of entitlements for the project known as the Forni Road Hotel

Applicant: Jim Fisher, R.E.Y. Engineers, Inc. Owner: Business Park LLC; Zoning/Land Use: HWC (Highway Commercial); Legal Description: APN: 325-230-23

City Planner Painter presented staff's report and its recommendation. Applicant Jim Fisher addressed the Commission. Public comment was received from Michael Drobesh.

After Commission discussion, the motion by Chair Wolfe, seconded by Member List, was approved on a 5-0 vote to:

- I. *Adopt the Staff Report as part of the public record.*
- II. *Make the following finding of fact in support of the one year extension for SPR 08-03, VAR 15-01, VAR 15-02 and EA 08-01:*
 - A. *A Mitigated Negative Declaration (EA 08-01) was prepared and adopted by the Planning Commission for SPR 08-03 in conjunction with conditional approval of SPR 08-03 on January 19, 2010.*

- B. *In 2015 the Planning Commission found that VAR 15-01 and VAR 15-02 were categorically exempt from environmental review.*
- C. *Changes to Zoning Ordinance Section 10-4-9 (Site Plan Review), and the addition of Section 10-6-1 to 10-6-17 (Water Efficient Landscape Regulations) involving parking lot shading and water efficient landscape and irrigation have been adopted by the City since project approval, resulting in the applicant providing revised landscape and irrigation plans that conceptually meet these changed Zoning Ordinance sections.*
- III. *Grant a one year extension of Site Plan Review 08-03, VAR 15-01, VAR 15-02 and EA 08-01, from November 19, 2016, extending the expiration of these entitlements to November 19, 2017, subject to the following conditions:*
 - 1. *The developer/property owner shall submit landscape and irrigation plans, consistent with the shading and water efficiency requirements under Section 10-4-9 and 10-6-1 to 10-6-17 of the Municipal Code, to the Development Services Department for review and approval prior to issuance of a construction permit for the hotel building.*
 - 2. *All Conditions of Approval approved by the Planning Commission on January 19, 2010 for SPR 08-03, and as modified by the Planning Commission on May 19, 2015 in conjunction with the Major Change to SPR 08-03 and VAR 15-01 and VAR 15-02, shall remain in effect and shall be included by reference with the twelve month extension request approval.*

5.3 1125 Broadway Court – CUP 15-02, SPR 15-03, EA 15-03

Description: Request for the installation and use of a wireless communication facility, consisting of the installation of six (6) antennas mounted on a 75-foot high monopine with imitation bark, and branches and faux pine needles; one 900-square foot (30-feet by 30-feet) equipment compound lease area surrounded by 8-feet in height split-faced block concrete masonry unit wall with corrugated steel access gate

Applicant: Mark Lobaugh, Epic Wireless on behalf of Verizon Wireless

Owner: Beals-Stupek Properties; Zoning/Land Use: C (Commercial); Legal Description: APN 002-181-14

City Planner Painter presented staff's report and its recommendation. Applicant Mark Lobaugh addressed the Commission. Public comment was received from Michael Drobesh and Kathi Lishman.

After Commission discussion, the motion by Member Frenn and Chair Wolfe, seconded by Vice Chair Robey, was approved on a 5-0 vote to:

- I. *Make the following findings regarding the City's environmental determination regarding (Environmental Assessment 15-03) the request:*
 - A. *Per section 21067 of the Public Resources Code, and Section 15367 of the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000, et seq.), the City of Placerville is the lead agency for the proposed Project.*
 - B. *In accordance with State CEQA Guidelines section 15063, the City completed an environmental assessment for the Project and prepared an Initial Study.*
 - C. *Based on the information contained in the Initial Study, the City determined that any impacts of the Project could be mitigated to a less than significant level with the mitigation measures outlined in the Mitigation Monitoring and Reporting Program.*
 - D. *Because those impacts could be reduced to a less than significant level, the City determined that a Mitigated Negative Declaration should be prepared pursuant to Public Resources Code sections 21064.5 and 21080(c), State CEQA Guidelines section 15070, et seq.*

E. Per State CEQA Guidelines section 15073, the Mitigated Negative Declaration was circulated for a 30-day review period from August 26, 2016, through September 26, 2016.

F. During the public comment period, copies of the Mitigated Negative Declaration and technical appendices were available for review and inspection at Placerville City Hall, located at 3101 Center Street, Placerville, CA 95667.

G. The City of Placerville received written comment letters on the Mitigated Negative Declaration from the United Auburn Indian Community of the Auburn Rancheria (UAIC) and the Central Valley Regional Water Quality Control Board.

H. Whereas the City amended Mitigated Negative Declaration Mitigation Measure CR-1 in response to the UAIC's request to be notified if tribal cultural resources are identified in the project area during ground disturbing activities.

II. Receive, adopt and file the Mitigated Negative Declaration (Environmental Assessment 15-03) prepared for Conditional Use Permit 15-02 and Site Plan Review 15-03, including the Mitigation Measures and Mitigation Monitoring and Reporting Program contained within the Initial Study and Exhibit B.

III. Make the following findings for Conditional Use Permit 15-02.

A. The proposed wireless communication facility is essential and desirable for the development of the community, and necessary for the public convenience within Placerville and the greater Placerville community.

B. The granting of this request will not be materially detrimental to the public health, safety and general welfare, nor injurious to property or improvements in the vicinity and the zone in which the proposed facility is located, in that the operation of the wireless communication facility must comply with the Federal Communication Commission guidelines limiting public exposure to radio frequency energy.

C. This request as conditioned will not adversely affect the General Plan of the City of Placerville, in that the proposed design, utilizing a faux pine (monopine) with faux pine branches, serves to protect community character by minimizing the visual impact of development on US Highway 50, a Caltrans designated as a scenic highway corridor, in that the monopine design would blend in with existing trees in the vicinity of the site. Project design would therefore be consistent with Goal I and Policy 7 of Goal I of the Natural, Cultural and Scenic Resources Section of the General Plan relating to the protection and enhancement of scenic resources.

IV. Make the following findings for Site Plan Review 15-03:

A. This request as conditioned will not adversely affect the General Plan of the City of Placerville, in that the proposed design, utilizing a faux pine (monopine) with faux pine branches, serves to protect community character by minimizing the visual impact of development on the Caltrans designated US Highway 50 as a scenic highway corridor, in that the monopine design would blend in with existing trees in the vicinity of the site. Project design would therefore be consistent with Goal I and Policy 7 of Goal I of the Natural, Cultural and Scenic Resources Section of the General Plan relating to the protection and enhancement of scenic resources.

B. The project was reviewed and is consistent with the purpose, intent and criteria set forth within City Code Section 10-4-9, Site Plan Review.

V. Approve Conditional Use Permit 15-02 and Site Plan Review 15-03 subject to the Conditions of Approval as follows:

1. Project Description: Verizon Wireless is hereby granted Conditional Use Permit 15-02 and Site Plan Review 15-03 to construct and operate a wireless telecommunications facility that includes an 75' monopine cell tower (with branches reaching 80' in height) with 6 antennas and 12 remote radio units; a 900 square foot

(SF) enclosed equipment compound lease area consisting of 4 cabinets and a 132 gallon standby 30kVA emergency diesel powered generator within an 8 feet in height split-faced wall with corrugated steel access gate along the lease area perimeter. A 15-foot wide access easement between the wireless communications facility lease area to Broadway Court is proposed. The project is approved as shown in Attachment A of staff's October 18, 2016 staff report, and as conditioned or modified below.

2. *Conditional Use Permit 15-02 and Site Plan Review 15-03 shall expire and become null and void eighteen (18) month after the Planning Commission approval, unless a building permit has been obtained for the facility and final inspection approved. All conditions must be completed prior to or concurrently with the establishment of the granted use.*
3. *Failure to comply with the conditions specified herein as the basis for approval of this Use Permit constitutes cause for the revocation of said permit per the Placerville Zoning Ordinance Section 10-3-6(D), the provisions set forth in the Placerville Zoning Ordinance Section 10-3-8: Enforcement, Section 10-3-9: Abatement and Section 10-3-10: Penalties.*
4. *The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assigns of the Permittee.*
5. *Weekly testing of the diesel generator is limited to thirty (30) minute duration within the hours of 8:00am to 5:00pm, Monday through Friday.*
6. *A construction permit from the Development Services Department is required. Submittal shall include two complete construction sets of plans. One additional plan set for the county tax assessor showing the footprint and the proposed tower.*
 - a. *The construction plan set can be similar to the CUP proposal with additional details of the tower footing and include the project engineer's wet signature and stamp on plans and supporting structural calculations.*
 - b. *Include construction details of the 8' CMU wall and footings, reviewed by the project engineer with stamp and signature on the plans.*
7. *A encroachment permit shall be obtained from the Development Services Department for project activities located within the right-of-way of Broadway Court, the bridge spanning Randolph Canyon Creek and the El Dorado Trail.*
8. *The project developer shall notify the City of Placerville Community Services Department one month prior to construction to avoid scheduling conflict with groups that may have planned activities through this department along the trail.*
9. *Environmental Mitigation Measures*

CR-1 If, during the course of implementing the project, cultural resources (i.e., prehistoric sites, historic sites, and/or isolated artifacts) are discovered, work shall be halted immediately by the developer, their agents and/or assigns. Temporary orange fencing shall be placed by the development contractor, their agents or assigns, around a culturally discovery to prevent unnecessary equipment movement inside these areas during and after a discovery. The City of Placerville Development Services Department and the Cultural Resource Manager of the United Auburn Indian Community shall be notified immediately. The development contractor, their agents or assigns shall retain a professional archaeologist that meets the Secretary of the Interior's Standards and Guidelines for Professional Qualifications in archaeology and/or history to determine the significance of any unanticipated discovery.

The City shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Standards and Guidelines for

Professional Qualifications in archaeology and/or history for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project developer / applicant shall be required to implement any mitigation necessary for the protection of cultural resources.

CR-2 If, during the course of implementing the project, any paleontological resources are discovered, work shall be halted immediately, the applicant or his/her successors, heirs, or assigns shall notify and the City of Placerville Development Services Department. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist with the cost of such investigation born upon the project developer/applicant.

The City shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries of paleontological resources. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project applicant shall be required to implement any mitigation necessary for the protection of paleontological resources.

CR-3 If, during the course of implementing the project, human remains are discovered, all work shall be halted immediately on site, the applicant or his/her successors, heirs, or assigns shall notify the City of Placerville Development Services Department; the applicant shall also contact the El Dorado County Coroner to investigate and determine that no investigation of the cause of death is required. If the Coroner determines the remains are those of a Native American origin, the coroner must notify the California Native American Heritage Commission, who will notify and appoint a Most Likely Descendent (MLD). The MLD will work with a qualified archaeologist to decide the proper treatment of the human remains and any associated cultural objects.

NOI-1 To reduce the potential impact of construction noise within the vicinity of the project site, all construction shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and 7:00 a.m. and 5:00 p.m. on Saturday. No construction shall occur on Sunday, or on City or Federal recognized holidays.

El Dorado County Fire Protection District

10. The following plan review documents are based on the 2013 California Building Code (i.e., 2012 IBC, et al, as amended by the State of California) unless otherwise noted and El Dorado County Fire Department Ordinance.

For clarity, specify on cover sheet that the 2012 IBC (2013 CBC), 2012 UMC (2013 CMC), 2012 UPC (2013 CPC), 2012 IFC (2013 CFC), 2010 NEC (2013 CEC) as amended by State of California are applicable to this project:

- a. Include the architect's/ [engineers] "wet" stamp, signature, registration number and expiration date on all sheets of plans [all sheets of plans depicting structural designed elements] and cover sheets of specifications and calculations. IBC 106.*
- b. The following code comments reflect a review of building plans only. If site-related comments are applicable to this project, they will be generated by others i.e. Engineering, Public Works, Health, etc.*
- c. Install a fire extinguisher within 75 feet of the generator, size shall be a minimum rated 2A20BC. Please see the appropriate page with the clouded correction.*
- d. Install a low security Knox lock on the front gates. Applications can be found online and under the El Dorado County Sheriff's Department.*
- e. A person who owns, leases, controls, operates or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands,*

grass-covered lands or land that is covered with flammable material shall maintain defensible space of 100 feet from each side and from the front and rear of the structure. (for the purposes of clarification, defensible space shall conform to the Applied forest Management Report, PRC 4291 fire safe clearance)

- f. Vegetation control is required inside the fence perimeter.*
- g. Provide and install DOT 704 placards for the generator and the cabinets containing the batteries or hazardous materials.*

Member Frenn provided comment echoing testimony as to the need for improved cellular wireless communications within the upper Main Street and lower Broadway portion of the City.

5.4 485 Pierroz Road – SPR 88-18-R

Description Request for Major Change to existing SPR to allow the construction and use of four carport structures mounted with PV solar panels on an existing commercial property.

Applicant: Jonathan Yarnell, Horizon Solar Power Owner: George Glicksman

Zoning/Land Use: C (Commercial): Legal Description: APN: 323-450-03

City Planner Painter presented staff's report and its recommendation. Property owner George Glicksman and Jonathan Yarnell addressed the Commission.

After Commission discussion, the motion by Chair Wolfe, seconded by Member List, was approved on a 5-0 vote to:

I. Make the following findings:

A. CEQA Findings:

A.1 The proposed project is exempt from environmental review pursuant to Sections 15311 [Accessory Structures] and 15303(e) [New Construction or Conversion of Small Structures] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Section 15311 exempts the additions of accessory structures to existing institutional facilities. Section 15303 exempts the construction of small structures, including accessory structures, such as carports. The project consists of the construction of carports, affixed with solar panels, within an existing paved yard, with electricity generation to serve the existing Hidden Springs Villa MHP and the electric grid. As a result, the project is exempt from CEQA.

B. Findings for SPR 88-18-R:

B.1 The project's installation and use of solar panels promotes energy conservation and is therefore consistent with Goal F and Policy 2 of Goal F of the Natural, Cultural and Scenic Resources Element of the General Plan.

B.2 Project design characteristics of contemporary modern architecture and modern solar panel modules as conditioned, are complimentary to the contemporary modern architecture of the existing buildings and site improvements. Therefore the project is consistent with the development criteria set forth in Section 10-4-9(G): Site Plan Review of the Zoning Ordinance.

II. Conditionally approve SPR 88-18-R subject to the Conditions of Approval provided as follows:

- 1. Approval. The project (SPR 88-18-R) is approved as shown in Exhibit 1 of staff's October 18, 2016 staff report, and as conditioned or modified below.*
- 2. Project Location. The Project site is located at 485 Pierroz Road, Placerville; APN: 323-450-03. SPR 88-18-R 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. *Expiration. The Project shall expire and become null and void eighteen (18) months after the date of Planning Commission approval unless a building permit has been obtained for the work authorized by the Commission prior to the date of expiration.*
5. *Revisions: 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.*
6. *Applicant shall submit three copies of construction drawings and engineering to the Building Division, and copies as required by the El Dorado County Fire Protection District for review and a construction permit by the Development Services Department.*
7. *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.*
8. *All Conditions of Approval approved by the Planning Commission on November 1, 1988 for SPR 88-18 and CUP 88-12 shall remain in effect and shall be included by reference with the Major Change approval.*

5.5 Sidewalk Dining – Zone Change 16-02

Description: Proposed text amendments to the City’s zoning code (ZC 2016-02) to allow and regulate outdoor sidewalk dining with the public right-of-way.

Applicant: City of Placerville

Director Rivas presented staff’s report and its recommendation. Public comment was received from Ben Butler.

The motion by Chair Wolfe, seconded by Member List, was approved 4-1 (Member Frenn voting no) to recommend that City Council approve the text amendments to Title 10 Placerville Zoning Ordinance, Chapter 4 General Regulations adding Section 10-4-19 Sidewalk Dining to the City Code to regulate outdoor sidewalk dining areas within the public right-of-way (File # ZC 2016-02), with the addition that smoking and/or vaping may not be allowed within the outdoor dining areas.

6. MATTERS FROM PLANNING COMMISSIONERS:

Member Frenn addressed concern of City street light brightness/glare from fixture in front of Courthouse.

7. MATTERS FROM STAFF

City Planner Painter reported that the 618 Main Street parking lot project recently approved by the Commission was appealed to City Council with hearing date on November 8, 2016; that City Council on October 11, 2016 adopted the ordinance regarding the keeping of hen chickens in residential zones; on October 25, 2016 City Council will consider the Planning Commission recommendation regarding amendments to the General Plan, Zoning Ordinance and The Ridge at Orchard Hill Planned Development authorizing the Housing Opportunity Overlay on two parcels, and no Commission meeting will be heard on November 1, 2016.

8. ADJOURNMENT

Chair Wolfe adjourned the meeting at 7:53 p.m.



Andrew Painter, Executive Secretary
Placerville Planning Commission