The Planning Commission appreciates your interest and encourages your participation. Regularly scheduled meetings are held the 2nd Thursday of each month.

**Note:** The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chair or other Commission Members. All request shall be directed to the Chair who, at his/her discretion, will refer to staff.

**Recording:** All meetings are tape-recorded pursuant to Municipal Code Section 17.85.170.B.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Chair John Broeder, Vice-Chair Gary Gordon, Commissioner Patsy Gonzalez, Commissioner Robert Moncada, and Commissioner Jessica Johnston

**APPROVAL OF AGENDA**

Approval of Regular Agenda for October 11, 2018.

**APPROVAL OF MINUTES**

1. Approval of Regular Meeting Minutes of September 13, 2018.

**PUBLIC COMMENTS**

At this time any person may comment on any item that is not on the agenda. Please state your name and address for the record, and write your name and address on the sign-up sheet (you may decline to provide this information). Action will not be taken on any item. If a non-agendized item requires action, it will be referred to staff and/or placed on the next agenda.
1) 1230 South Main Street - Angels Theater: Conditional Use Permit to allow the sale of beer and wine at the Angels Theatre. Beer and wine may be served at the concession counter or served in the theatre auditorium by wait staff. Up to 70 persons in up to 6 auditoriums could be served beer and wine at the same time during peak operating hours (e.g., Friday or Saturday evening) with fewer persons served during non-peak hours (e.g., weekday afternoons and evenings). The Zoning and General Plan land use designation is Historic Commercial (HC).

2) 167 Dogtown Road: Site Development Permit to construct one four-plex and two duplexes (8 units total) on a 1.1± acre site. An existing residence on site is used as a duplex. Total units on the site, with the proposed additions, will be 10 units. Assessor’s Parcel Number: 057-021-006. General Plan: High Density Residential (HDR). Zoning: Multi-Family Residential (R-3).

3) 711 McCauley Ranch Road: Site Plan Review for a 9-unit hotel (Greenhorn Creek Hotel) on a portion of a 2.86± acre parcel (Vacant lot across the parking lot from Camps Restaurant). Two units will be 2-story and 7 units will be single-story. 10 parking spaces are proposed. Assessor’s Parcel Number: 058-046-007. The General Plan land use designation for the site is Community Commercial (CC) and the zoning is Commercial: Planned Development Combining District (C-PD).

4) Angels Camp Historic District Design Review Permit to install decorative wooden Angels on light posts in the historic district for the holidays.

PLANNING COMMISSION MATTERS

COMMITTEE REPORTS
Information item only, no action will be taken

COMMISSIONER’S REPORTS
Information items only, no action will be taken

STAFF REPORTS
Information items only, no action will be taken

ADJOURNMENT
The next regularly scheduled meeting of the Planning Commission is November 8, 2018.

Availability of Public Records: All public records relating to this notice, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public review at the Community Development Dept, 200B Monte Verde Street, Angels Camp for 10 days prior to the public hearing date.

Accessibility: In compliance with Title II of the Americans With Disabilities Act, 28 CFR Part 36, if you require any disability related modification or accommodation, including auxiliary aids or services in order to participate in this meeting, please contact Angels Camp City Hall at (209)736-2181 or fax your request to (209)736-0709. Notification must be made 72 hours in advance of the hearing to ensure accessibility. Agendas and other writings may also be requested in alternative formats, as outlined in Section 12132 of the Americans with Disability Act.

Appeals: Any decisions of the Planning Commission may be appealed to the City Council with 15 days of final action, by submitting a written request and applicable fee to Angels Camp City Hall.
CALL TO ORDER

Chair Broeder called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Gordon, Commissioner Gonzalez, Commissioner Moncada and Commissioner Johnston

Commissioners Absent: None

Staff Present: City Planner Amy Augustine, City Attorney Vincent Vu and Deputy City Clerk Jennifer Preston

APPROVAL OF AGENDA

MOTION BY COMMISSIONER JOHNSTON AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 5-0 TO APPROVE THE SEPTEMBER 13, 2018 PLANNING COMMISSION AGENDA AS PRESENTED.

APPROVAL OF MINUTES

1. Approval of the Regular Meeting Minutes of July 12, 2018.

Corrections to Minutes of June 12, 2018.
Page 1, under Reorganization, 2nd paragraph, change “Gonzales” to “Gonzalez”.
Page 2, under Approval of Minutes, 1st line, change “May” to “June”.

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER MONCADA AND CARRIED 5-0 TO APPROVE THE REGULAR MEETING MINUTES OF JULY 12, 2018 AS AMENDED.

PUBLIC COMMENTS

OPENED AT 6:02 P.M.

CLOSED AT 6:03 P.M.
PUBLIC HEARINGS

1. Resolution 2018-12, a Resolution passed and adopted by the City of Angels Planning Commission recommending to the City Council approval of a Mitigated Negative Declaration with Mitigation Monitoring and Reporting Plan, Rezoning from Suburban Commercial to Business Attraction and Expansion, Site Plan Review, Variance, Parcel Merger, Tree Removal Permit, and Demolition Permit for Project 18-08 Tractor Supply Company located at 389 and 407 North Main Street APNS: 058-011-010 and 058-011-032.

Chair Broeder asked if any of the commissioners had any ex parte with anyone regarding this public hearing.

Commissioner Johnston stated that she met with the developer along with Amy Augustine and walked the site and talked with different members of the public.

Commissioner Gordon stated the he talked with the developer by phone and spoke with different members of the public.

Commissioner Gonzalez stated that she did not talk with the developer but had some communication with the public.

Commissioner Moncada stated that he did not talk with the developer but had some communication with the public.

Chair Broeder stated that he had not talked with anyone regarding the public hearing.

Planner Amy Augustine presented the staff report dated September 5, 2018 and a slide presentation of the site plan. Planner Amy Augustine reviewed items such as, traffic, driveways, acceleration and deceleration lanes, oak tree removal, economic impacts on existing businesses, general plan land use and zoning, fire flow and the cultural resources of the property.

PUBLIC HEARING OPENED: 6:17 P.M.

Scot Patterson – California Gold Development Corporation.
Mr. Patterson stated that he and his brother are life long members of the foothill community and for the last 10 years they have developed 13 Tractor Supply Companies (TSC) across northern California and Nevada. Mr. Patterson stated that TSC has been in business since 1938 and are mostly in rural America to provide items to home owners and small ranches. TSC also supports many charities such as 4-H and FFA. This TSC plans to hire 10 to 15 people and hire local subcontractors to build the project. TSC will help keep the sales tax base local instead of leaking elsewhere and it will increase the property taxes of the parcel. TSC has worked with the Caltrans engineers and will provide safe access to Main Street. TSC is an infill redeveloped project, they will donate the greenhouse, donate the oak wood to a charity, donate the barn wood for reuse and the fire department can use the house for training proposes. Mr. Patterson stated that they have tried to meet with the adjoining property owners and addressed their concerns. Mr. Patterson stated that they have met with the local Miwuk Tribe and worked with them to preserve around
16,000 sq. ft. at the back of the property and agreed to have a representative from the tribe to be present at the time of grading. Mr. Patterson stated that the design of the building will be a farm style look and he passed out a picture of one they developed (See attachment 1). TSC has complied with all Caltrans requirements but would be open to reducing speed to 35 mph in front of the property. Mr. Patterson stated that TSC is consistent with the General Plan and the Business Attraction and Expansion zoning district. TSC has address all request from stakeholders, the City and Caltrans to the best of their ability and agree with the Conditions of Approval as presented.

Tom Holloway – KLA Landscape Architect.
Mr. Holloway stated that KLA will be planting at least 60 native oak trees onsite to provide south and north screening of adjacent properties along with some parking lot and street trees. Some existing trees will remain onsite along with the largest valley oak towards the back of the property. KLA will use a landscape pallet of shrubs, trees and some grasses to have a layering effect. KLA has designed the landscape to only use about 20% of the water that California has set for restrictions.

Larry Cornish – DAC Chairman.
Mr. Cornish read into the record a letter of support from DAC (See attachment 2).

Matt Stammerjohan – Property owner south of TSC.
Mr. Stammerjohan stated that California Gold Development has addressed all his concerns regarding noise, driveway access and the landscaping that will provide privacy that he doesn’t currently have now. This site needs to be redeveloped.

Troy Williams – resident of the City of Angels.
Mr. Williams stated that he was born and raised in Angels Camp. Mr. Williams stated that he can remember as a child that people complained about the shopping centers that came into town, but now everyone loves Starbucks and CVS. Mr. Williams stated that Angels Camp must continue to grow or the City will die.

Anne Forrest – DAC member.
Ms. Forrest stated that TSC is compatible with the General Plan and as an infill project will improve the area, bring shoppers from different areas and boost sales tax and property taxes. DAC sees TSC as a benefit to Angels Camp and to the County. Ms. Forrest stated that TSC will give consumers a choice of where to shop and competition is good for the consumers.

Jeff Rasmussen – Next Home Utica Properties.
Mr. Rasmussen stated he is working for both the buyer and seller of this project. Mr. Rasmussen stated as member of the community he has watched Angels Camp develop over the years and he is involved in committees such as the school board and others. He has chosen to live and work in this community. The general public will decide where they are going to spend their money. Mr. Rasmussen stated that Angels Camp needs to embrace things that will bring the town into the future and make opportunities for future generations to raise their families here. Mr. Rasmussen stated that when the City has a responsible project that comes here, the City needs to handle it appropriately so that the next business will want to work with the City and see that we are business friendly. Mr. Rasmussen stated that the future of our town depends on small decisions that the policy makers make.
Debbie Ponte – Executive Director of DAC.
Ms. Ponte stated that DAC is in support of the project. The mission of DAC is to help create a vibrant business environment, and to help the business infrastructure and create economic development for Angels Camp. DAC keeps track of a commercial database that lets developers know what properties are for sale or might be for sale or lease and TSC used this tool to locate this property. DAC also helped with locating charities that might use the oak wood that will be cut down, and located someone that wanted the greenhouse. DAC has found that this developer was willing to listen to the community and their concerns and mitigate those concerns. Ms. Ponte stated that this is one of the most thorough studies that she has seen in a long time, it addresses most of the concerns from the community.

Deputy City Jennifer Preston read an email into the record (See attachment 3).

Patti Spence – Owner of Spence’s Feed Store.
Ms. Spence questioned that one person says that this will create 10 to 15 jobs and another says 7 jobs, which one is correct. Ms. Spence questioned why it is so important to rezone this property. Ms. Spence stated that the traffic is already a mess and the suicide lane area needs to be reduced to 35mph before someone gets killed there. Ms. Spence stated that the City supposedly did traffic studies at Dollar General and it is a mess and she doesn’t feel safe pulling out onto Hwy 49 there. Ms. Spence stated that the current owner of the property didn’t want her property rezoned to BAE 5 years ago, but now it is suddenly important to rezone it. Ms. Spence stated that TSC is going to add jobs, but she believes that those jobs will be mostly part-time jobs at minimum wage and TSC runs a very minimal crew. Ms. Spence stated that TSC and her store sell a lot of the same items and she feels that it is only going to cut her tax dollars and not make new tax dollars because it is out of the same pie, just smaller pieces. Ms. Spence stated that that the Planning Commission is the one commission that listens to the citizens and cares about the community. Ms. Spence stated that she knows that the City needs to grow but believes that this is the wrong way to grow, what the City needs is new population.

Bob Middleton – Business owner across street from TSC.
Mr. Middleton stated that he is not against the project but he is concerned about traffic and the driveways being across from one another, an accident will happen there, it’s just a matter of time. Fire flow needs to be addressed and the City needs to make sure that there is enough water and sewer availability. Mr. Middleton stated that he is not interested in changing any of the accesses to his shopping center and on Friday’s the traffic is backed up past his shopping center.

Mike Fullaway – Owner of Calaveras Lumber.
Mr. Fullaway questioned if the commission has seen the poll completed by Calaveras Enterprise and he handed out a copy of the poll (See attachment 4). Mr. Fullaway agrees that the City needs to grow and that competition is a good thing for consumers, and competition is not his concern but the health of the City is. Mr. Fullaway stated that he has seen the track record from planning in Angels Camp and the planning of CVS, 4 and 49 intersection, and the Dogtown Road intersection concerns him because the they don’t handle the traffic that is already here. Mr. Fullaway is concerned about future traffic and the suicide lane and hopes that the commission takes the future into account. Mr. Fullaway stated that it is important that the City grows, but when we grow it needs to be done correctly, unlike the dirt bank next to Dollar General not being cut back like it was suppose to so you can see better when you exit the parking lot.
Bob Middleton stated that Caltrans said that the City has the right to change the traffic speeds along Hwy 49, right now it is 45 mph in front of his shopping center and he would like to see it dropped to 35 mph and lowered at Spence’s from 55 mph to 45 mph, the speed limits need to be lower throughout that area.

Jessica Hitchcock – Works at Aspen Street Architects. Ms. Hitchcock stated that the traffic is bad in that area and she wanted to know what the cost of the traffic mitigation fee was going to be for TSC.

Ms. Augustine stated that traffic mitigation fees are different for each type of land use, but TSC fees will be around $100,000.00 and TSC will receive some discounts for the existing uses.

Ms. Hitchcock stated that $100,000.00 doesn’t pay for a traffic light and she is not sure what that amount would actually do to improve that area. Ms. Hitchcock stated that in the Mitigated Negative Declaration that road area is already failing. Ms. Hitchcock stated that she visited the Sonora TSC and it definitely crosses over with what Calaveras Lumber and Spence’s sales. Ms. Hitchcock stated that she is an urban economist and she looks at how cities function along with their retail areas, she believes that the types of businesses that do well bring people from outside Angels Camp to shop. Ms. Hitchcock stated that if existing businesses are impacted by a new business it could be detrimental and the City doesn’t have to accept every business that comes here, the City should only accept a business if it adds to the base. Ms. Hitchcock stated that the City can say that we don’t want any national retailers. Ms. Hitchcock stated that she has a young family and TSC doesn’t make her want to stay here, it’s a vibrant downtown and all the small businesses.

Mr. Fullaway stated he wanted the commission to make sure that Hwy 49 doesn’t become Washington Street in Sonora where the traffic is horrible. Scot Patterson stated that he agrees with the reduction in speed to 35 mph in front of the store and that TSC only creates 1% more traffic during peak hours according to the traffic counts. Caltrans engineers have asked TSC to have the driveways directly across from one another. Mr. Patterson stated that having a CHP or radar trailer on Hwy 49 will help slow traffic down. Mr. Patterson stated that it is not the job of the Planning Commission, City Council or any form of government to pick the winners and losers in business, competition is the way capitalism works. TSC is not trying to hurt others businesses, they are only trying to conduct business to the best of their ability. TSC has told him that they hire between 10 and 15 people, he doesn’t know what the percentages are of full-time or part-time jobs will be, but both the Sonora and Jackson TSC are doing well. Mr. Patterson stated that the reason this parcel needs to be rezoned is so that it is compliant and consistent with the City’s General Plan.

PUBLIC HEARING CLOSED: 7:11 P.M.

Commissioner Moncada stated that the property value will increase with the new development and that will increase the City’s tax money. TSC will look better than what is currently there. Commissioner Gonzalez stated that the environmental document was done very well. She was happy that the Native American monitor came out and met with the developer and that the developer complied with what the Native Americans wanted done. Commissioner Gonzalez
stated that these other businesses see to the needs of the community and try to work with what the population here needs and she feels that TSC is a good fit for the area, that it will fill a need but it will have to compete with current businesses.

Commissioner Gordon stated that he wished that TSC could save the old barn and have it as a center piece. Commissioner Gordon stated that he would like to see TSC save more of the older oak trees, because he would not see the growth of the new trees to the current oak trees sizes in his life time and he believes that TSC could redesign the building, parking or retention pond to save more oak trees. Commissioner Gordon stated that the structure blends with the foothills but he is not in favor of box stores. The tourism and financial growth that the City receives or needs is mostly downtown and he would like to see more eating establishments and small niche stores, the tourist don’t want box stores. TSC is a fine project but it duplicates what the city already has. Commissioner Gordon stated that traffic will only worsen and not only because of TSC. Commissioner Gordon stated that the City needs to fix the infrastructure before allowing more construction. Commissioner Gordon stated that the City needs to take a stance for what our values are, people move or visit here because of our small population. Commissioner Gordon stated we need to promote tourism and not have box stores, we need more clothing stores and restaurants within the City.

Commissioner Johnston stated that she appreciates the transparency of TSC with this project and their tendency to mitigate what issues they could. Commissioner Johnston questioned how the City or Caltrans can reduced the speed through that area.

Ms. Augustine stated that it is the responsibility of the City and Caltrans to work together to get the speed reduced in the area, hopefully we can meet in the near future to start the process.

Commissioner Johnston stated that she believes that the city needs responsible growth, but there is also a lot of retail leakage to other communities. When people shop at a TSC they also usually go to lunch and to other stores which helps the over all retail community. Commissioner Johnston stated that she believes that a TSC will bring additional people into the city.

Chair Broeder stated you can’t fix the traffic in town until you get more people here which in turn makes more traffic. Chair Broeder stated that you don’t invite stores or businesses here just because you want them here, each business has their own criteria or thresholds and once those thresholds are reached then that business looks to come to that area. There are restaurants in town and do well, if more restaurants come to town they might do ok or not. Chair Broeder responded to the poll that Mr. Fullaway give to the commission called “What do People Want?”; the poll says people want Target or a Walmart here, the City put in an ordinance to limit these types of large box stores. The poll also says that most people don’t want any new stores here. Chair Broeder stated that 20 cars lined up here is not a nightmare, he stated that he lived in a place that would have over 500 cars lined up to get through a stop light. Chair Broeder stated that he recently drove 6500 miles and there are places that have no traffic at all, but there is nothing there and then there are places that have tons of traffic and are really nice places, so it seems that the two go together.

Corrections to Resolution 2018-12.
5th Whereas, add “proposed” before “Project”.

6
MOTION BY CHAIR BROEDER AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED BY THE FOLLOWING ROLL CALL VOTE TO ADOPT RESOLUTION 2018-12 RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PLAN, REZONING FROM SUBURBAN COMMERCIAL TO BUSINESS ATTRACTION AND EXPANSION, SITE PLAN REVIEW, VARIANCE, PARCEL MERGER, TREE REMOVAL PERMIT AND DEMOLITION PERMIT FOR PROJECT #18-08 TRACTOR SUPPLY COMPANY LOCATED AT 389 AND 407 NORTH MAIN STREET APNS: 058-011-010 AND 058-011-032 AS AMENDED:

COMMISSIONER JOHNSTON:  AYE
COMMISSIONER MONCADA:  AYE
COMMISSIONER GONZALEZ:  AYE
VICE-CHAIR GORDON:  NO
CHAIR BROEDER:  AYE

RESOLUTION 2018-12 PASSED 4-1.

PLANNING MATTERS

1. Presentation and Update (Anne Forrest): Installing 49± Historical Plaques in the Historic District.

Anne Forrest -- ACBA.
Ms. Forrest stated that this project was approved in 2011 by the planning commission that is no longer part of this commission and she just wanted to let the commission know that these 12” x 14” plaques will start to be placed in the downtown. There will be 36 plaques that are made with Corian, then etched and the etched parts will be painted black. The frames are aged metal. These plaques will be placed on buildings in the downtown to let people know the history behind the buildings, and in some places where the building no longer exist they will be placed on monuments with 3 to 4 plaques.

COMMITTEE REPORTS

GPI - General Plan Implementation Committee – Amy Augustine, Contract Planner

Ms. Augustine stated that there is nothing to report.

COMMISSIONER’S REPORTS

Commissioner Moncada had nothing to report.

Commissioner Gonzalez stated that she attended a county homeless task force meeting.

Vice-Chair Gordon stated that he attended the City Council meeting.

Commissioner Johnston stated that she attended the City Council meeting, she attended the state of the county breakfast and a community club concert.
Chair Broeder stated that on his vacation he was amazed by towns of 200 to 300 people that had beautiful large parks.

**STAFF REPORTS**

Ms. Augustine stated that items coming to the commission in October and November will be the GHC Hotel, an ABC license for the Angels Theatre, and the Dogtown Apartments. The Utica Hotel will be buttoning things up on the outside for the coming winter and the owners are projecting a month and half for the bar to be open.

**MOTION BY COMMISSIONER GONZALEZ AND DULY SECONDED BY COMMISSIONER JOHNSTON AND CARRIED 5-0 TO ADJOURN THE MEETING.**

MEETING WAS ADJOURNED AT 7:52 P.M.

__________________________
John Broeder, Chairman

ATTEST:

__________________________
Jennifer Preston, Deputy City Clerk
August 17, 2018

City of Angels – Planning Commission
P.O. Box 667
Angels Camp, CA 95222

Dear Fellow Planning Commissioners:

The Board of Directors of Destination Angels Camp reviewed the Tractor Supply Initial Study and Mitigated Negative Declaration as prepared by the City of Angels Planning & Building Department during its August Board meeting. Upon the review and discussion, the Board of Director voted to support the Tractor Supply Study as presented. We look forward to this project coming before the Planning Commission to be reviewed in a public forum and action taken.

It was noted by members of the DAC Board that this project report was very thorough and addressed a variety of issues that were mitigated that appeared fair and reasonable.

This project will bring a variety of benefits to our residents, city government and special districts. The location will see improved property values and infrastructure which in turn increase property tax dollars that support special districts such as our schools, our cemetery district and our healthcare district. It is estimated that this project will bring 7 to 9 new jobs to our City with those payroll dollars multiplying 3 to 4 times in our local area supporting a multitude of purchases of goods and services. Lastly, the sales taxes generated from this type of ag-related retail store will generate new sales tax dollars to the City of Angels which will help sustain basic city services such as public safety, maintenance of streets and sidewalks, city parks and the museum.

We thank you for the time you have committed to this project and look forward to working with you.

Sincerely,
Larry Cornish
Larry Cornish, Chair

The “GO-TO” Place for Anything Business in Angels Camp

Our Mission: To Create a vibrant business environment showcasing Angel’s Camp strengths and uniqueness; Cultivate social and educational opportunities; and Improve upon tourism infrastructure year round for residents, businesses and visitors through Economic Development.
Very sorry but I am behind on emails.....can this be read for the record? Thanks, ME

Dear Ms. Eads and the Angels Camp Planning Commission:

We have reviewed the letter of notification you sent us a copy of and commend the city on their ability to mitigate any problems and allow the developer and Tractor Supply to move forward with this wonderful project.

We completely approve of the handling of the plans by Amy Augustine and the City, and like most others in the area, look forward to shopping at the new Tractor Supply. The additional sales tax the city receives from a large project like this will assist it in moving forward.

Thank you for your attention to this project,

Ron and Donna Broglio, current owners of 389 and 407 North Main in Angels Camp
Learn more about the 2018 Elections.

Click here

Online Poll

What large retail chain would you most like to see open in Calaveras County?

What large retail chain would you most like to see open in Calaveras County?

Walmart
Target
Home Dep...
Tractor Su...
Costco/Sa...
Trader Joe's
None. Kee...

Back

Current e-Edition

New director at Blue Mountain Coalition
Coach wins cancer bout

CALAVERAS ENTERPRISE

Attachment 4
CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
OCTOBER 11, 2018
STAFF REPORT
ANGELS THEATRE
CONDITIONAL USE PERMIT FOR BEER AND WINE SERVICE

ITEM NO. 1

DATE: October 4, 2018

FROM: Amy Augustine, AICP – City Planner

OWNER/ APPLICANT: David Corkill

LOCATION: 1230 South Main Street

ASSESSOR’s PARCEL NUMBER: 060-012-003

GENERAL PLAN/ ZONING: Historic Commercial (HC)

PROJECT DESCRIPTION:
Conditional Use Permit to allow the sale of beer and wine at the Angels Theatre. Beer and wine may be served at the concession counter or served in the theatre auditorium by wait staff. Up to 70 persons in up to 6 auditoriums could be served beer and wine at the same time during peak operating hours (e.g., Friday or Saturday evening) with fewer persons served during non-peak hours (e.g., weekday afternoons and evenings).

ANALYSIS:
Pursuant to Angels Camp Municipal Code (AMC) Section 17.06.130, a conditional use permit is required for any business selling alcoholic beverages in any zoning district.

Pursuant to 17.78.010 of the AMC, the purpose of a conditional use permit is to allow public review and City discretion in the control of certain uses which may be necessary but which may cause public concern, affect property values or disturb the character of a neighborhood if they are not carefully located and controlled. The use permit process is necessary to carry out review and exercise control over this category of potentially harmful or inappropriate uses. Use permits may be approved or denied by the planning commission. They are usually conditional when

Angels Theatre CUP – 1
they are approved. They may be revocable or valid for a term period. Guarantees to ensure compliance with terms and conditions may be required.

Pursuant to 17.78.030 of the AMC, the following findings are required for issuance of a conditional use permit:

FINDING A: The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this chapter are needed to make said use compatible with land uses in the neighborhood; and

FINDING B: The site for the proposed use is related to street and highways adequate in width and surface type to carry the quantity and kind of traffic generated by the proposed use
The use will be entirely contained within the existing theatre, therefore the site is of adequate size and shape and served by adequate streets to accommodate the use. All features (e.g., setbacks, parking) required by the AMC already have been established for the building’s use as a theatre. Therefore, findings A and B can be made.

FINDING C: The proposed use will have no significant adverse effect on affected property.
Beer and wines will be served inside the existing theatre, therefore proposed beer and wine service will not alter the property and finding C can be made.

FINDING D: The conditions stated in the decision are deemed to protect the public health, safety and general welfare
Advisory agencies reviewed the proposed use and have required the conditions necessary to ensure the health, safety and general welfare of theatre patrons and the general public. Adoption of the conditions attached to Resolution 2018-13 will allow for finding D to be made.

Finding E: The proposed use is in compliance with the general plan and this title
General Plan Policy 10.A.1 states that the City will: Encourage a mix of uses and activities that will maintain the economic vitality of the downtown area. The introduction of alcohol service at the local theatre encourages a mix of entertainment activities that helps support the economic vitality of the historic district. In addition, General Plan Implementation Program 10.C.f states that the City will encourage the retention of existing businesses through ongoing monitoring and updates to the Angels Camp Municipal Code. While the proposed use does not necessitate a change or update to the Angels Camp Municipal Code, the ability to attract a broader audience to the theatre through the service of beer and wine will assist the City in retaining this essential entertainment component of the downtown area. Therefore, approval of the proposed use may be found to be in compliance with the general plan.

Pursuant to Angels Camp Municipal Code (AMC) Section 17.06.130, a conditional use permit is required for any businesses selling alcoholic beverages in any zoning district. Approval of the
subject use will allow the use to be in compliance with the Angels Camp Municipal Code and finding E can be made.

**ENVIRONMENTAL FINDINGS:**
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA pursuant to Section 15301, Class 1, Existing Facilities, because the Project involves licensing (an Alcohol Beverage Control license) for an existing structure (the theatre) involving no expansion.

The Project does not involve any of the exceptions to this categorical exemption as established in Section 15300.2(b-f) of the guidelines (i.e., does not contribute cumulatively to a significant impact, will not result in any potentially significant impact, will not impact a scenic highway, does not involve a hazardous waste site, and will not create a substantial adverse change to the significance of a historical resource).

**RECOMMENDATION:**
Staff recommends the Planning Commission adopt Resolution 2018-13 approving the conditional Use Permit to serve beer and wine at the Angels Theatre and subject to the attached conditions.

**ATTACHMENT:**
Planning Commission Resolution 2018-13 and Conditions of Project Approval
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2018-13

RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS
PLANNING COMMISSION FOR
PROJECT # 18-28 ANGELS THEATER CONDITIONAL USE PERMIT
SALE OF BEER AND WINE
LOCATED AT 1230 SOUTH MAIN STREET
APNS: 060-012-003

WHEREAS, the City received an application for a Conditional Use Permit to allow the sale of beer and wine at the Angels Theatre. Beer and wine to be served at the concession counter or served in the theatre auditorium by wait staff. Up to 70 persons in up to 6 auditoriums to be served beer and wine at the same time during peak operating hours (e.g., Friday or Saturday evening) with fewer persons served during non-peak hours (e.g., weekday afternoons and evenings).

WHEREAS, the City of Angels Municipal Code requires that such development requires a Conditional Use Permit; and

WHEREAS, the City of Angels Municipal Code establishes that a Conditional Use Permit requires review by the City of Angels Planning Commission, and;

WHEREAS, it has been determined that the Project complies with the applicable sections of the City of Angels Municipal Code and is consistent with the City of Angels General Plan; and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state guidelines for the implementation of CEQA Section 15301, Class 1; and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered public input on the proposed project;

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby approves the Conditional Use Permit based on the following findings A through E and subject to the attached conditions 1 through 12:

A. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features
required by this chapter are needed to make said use compatible with land uses in the neighborhood; and

B. The site for the proposed use is related to street and highways adequate in width and surface type to carry the quantity and kind of traffic generated by the proposed use; and

C. The proposed use will have no significant adverse effect on affected property; and

D. The conditions stated in the decision are deemed to protect the public health, safety and general welfare; and

E. The proposed use is in compliance with the general plan and this title.

The foregoing resolution was introduced and moved for adoption October 11, 2018 by _______________ and duly seconded by Commissioner _______________.

PASSED AND ADOPTED THIS 11th day of October, by the following vote:

AYES: ____________________________

NOES: ____________________________

ABSTAIN: ____________________________

ABSENT: ____________________________

_________________________________
John Broeder, Chairman

ATTEST:

_________________________________
Jennifer Preston, Deputy City Clerk
City of Angels
CONDITIONS OF PROJECT APPROVAL

CONDITIONAL USE PERMIT
BEER AND WINE SALES - ANGELS THEATRE
1230 SOUTH MAIN STREET
APN: 060-012-003

1. Prior to commencing beer and wine sales, the Fire Marshall shall confirm that all fire/life
   safety City of Angels Fire Department inspection items have been completed and all
   provisions of the California Fire Code and City of Angels Municipal Code have been met.

2. At all times when the premises is exercising the privileges of their license, the sale of
   food shall be offered or available for purchase.

3. The Project proponent shall remain in compliance with all provisions of the ABC license
   issued for the Project site at all times.

4. Beer and wine sales and consumption shall be confined to inside the theatre building
   only (lobby, theatres or screening rooms).

5. Except as provided for in Condition #8, sales and service of alcoholic beverages for
   consumption in the general spectator seating areas shall be made only from concession
   stands, portable stands or bars, or fixed bars and shall not be sold, served or delivered
   to customers by individual ambulatory vendors, commonly known as "hawkers."

6. Except as provided for in Condition #8, all points of sale of alcoholic beverages shall be
   for the exclusive sale and service of alcoholic beverages and no other products. Said
   points of sale shall not be within the theatre auditoriums.

7. Persons serving (wait and concession staff) and persons purchasing and/or drinking
   alcoholic beverages shall be at least 21 years of age.

8. Alcoholic beverages may be sold by wait staff in the general spectator areas under the
   following conditions:

   a. Only persons occupying seats in the designated theatres shall be permitted to order
      and be served alcoholic beverages.

   b. Orders from patrons seated in the theatres must be made to the wait staff serving in
      that area, and the alcoholic beverages must be personally delivered to the patron by
      the wait staff who took the order.

   c. Wait staff serving in the theatres shall not carry a supply of unordered alcoholic
      beverages.

Angels Theatre CUP – 6
9. No more than two (2) alcoholic beverages shall be sold or served to any one (1) person
   during any transaction.

10. Alcoholic beverages shall be served in containers that significantly differ in appearance
    from those containers used for non-alcoholic beverages (e.g., soda). Containers of beer
    shall not exceed 16 ounces. This condition does not preclude the service of alcoholic
    beverages in their original containers.

11. At all times when the premises is exercising the privileges of this permit, an employee of
    the premises shall enter and monitor the activity within the theatres on a regular basis,
    but no less than once every 30 minutes.

12. Calls to the Angels Camp Police Department (or other law enforcement agency) for
drunk and/or disorderly conduct related to the service of alcohol at the theatre and
resulting in a verifiable law enforcement response and the removal of an individual or
individuals from the premises by law enforcement in excess of three times in a single
calendar year is grounds for immediate revocation of this conditional use permit.
Revocation may occur after written notice of intent to revoke the permit by the City to the
theatre owner containing notice of a public hearing before the City Council. At the
public hearing before the City Council, the City Council may immediately revoke this
conditional use permit permanently or temporarily with or without condition(s).
CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
OCTOBER 11, 2018
STAFF REPORT: DOGTOWN ROAD APARTMENTS

ITEM NO. 2

DATE: October 4, 2018

FROM: Amy Augustine, AICP – City Planner

OWNER/APPLICANT: Scott Griffiths

OTHER CONTACT: Rob Westerhoff - Architect

LOCATION: 167 Dogtown Road.

ASSESSOR'S PARCEL NUMBER: 057-021-006

PROJECT DESCRIPTION:
Site Plan Review and Conditional Use Permit to construct one four-plex and two duplexes (8 new units total) on a 1.1± acre site. An existing duplex occupies the site. Units on site with the proposed new units will total 10 units. The applicant is proposing to make 3 of these units (30%) work force housing. The current income levels for work force housing are:

<table>
<thead>
<tr>
<th>Number of Persons in household</th>
<th>Income Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$40,500</td>
</tr>
<tr>
<td>2</td>
<td>$46,300</td>
</tr>
<tr>
<td>3</td>
<td>$52,100</td>
</tr>
<tr>
<td>4</td>
<td>$57,850</td>
</tr>
<tr>
<td>5</td>
<td>$62,500</td>
</tr>
</tbody>
</table>
Figure 1: Site Plan
Dogtown Apartments

Griffiths Development

Roofing
Composition shingles
Forest Brown - Owens Corning – Trudefination
Duration Cool Shingles

Siding
Fiber Cement Lap Siding
Sag Harbor Gray – HC-95 – Regal Select Exterior High-Build, Low Luster – Benjamin Moore

Trim Color #1 – Field Trim
Gloucester Sage – HC-100 - Regal Select Exterior High-Build, Soft Glass – Benjamin Moore

Trim Color #2 – Door & Window Trim
Midnight Summer – 2134-20 - Regal Select Exterior High-Build, Soft Glass – Benjamin Moore
**ANALYSIS:**

**General Plan and Zoning**
The general plan land use designation for the site is High Density Residential (HDR). Zoning is Multi-Family Residential (R-3). Pursuant to general plan Table I-5, the R-3 zoning district is consistent with the HDR general plan land use designation.

Pursuant to the Angels Municipal Code (AMC) Section 17.24.040, a conditional use permit is required for seven or more dwelling units. However, pursuant to the recently adopted Angels Municipal Code (AMC) Section 17.34.080, a site plan review is required for the project. Due to this code inconsistency, both a site plan review and conditional use permit are being processed for this proposal with fees waived for the conditional use permit. Staff is drafting an AMC revision to eliminate the requirement for conditional use permit and re-establish code consistency requiring only a site plan review.

**Work Force Housing Incentives: Lot Coverage and Parking**
Pursuant to the AMC Section 17.06.190, because the applicant has agreed to make three of the units (30% of the total proposed) work force housing, the City may provide three development incentives for the Project. For this project, the following three incentives apply:

- Reduced on-site parking requirements, Alternative parking configuration
- Increased lot coverage

**Parking**
Pursuant to AMC Section 17.69.040, the following parking standards apply (in the absence of work force housing):

<table>
<thead>
<tr>
<th>Description</th>
<th>Standard</th>
<th># of units</th>
<th>Required parking spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duplex (2)</td>
<td>2 per unit</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Four-plex (1)</td>
<td>2 bedrooms or more – 2</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>spaces per each unit/</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guest parking</td>
<td>25% of total</td>
<td>25% of 16 spaces</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Total Parking Required</td>
<td></td>
<td>20</td>
</tr>
</tbody>
</table>

*All units are proposed 3-bedroom units

Covered spaces are not required for work force housing units. However, it is noted that 8 of the proposed 16 parking spaces are covered.

The proposal includes 16 parking spaces which is sufficient for residents. Four additional parking spaces are required for guest parking. Pursuant to 17.06.190, the applicant qualifies for reduced on-site parking requirement and alternative parking configuration due to the provision of work force housing. Specifically, the Project may provide some parking "in tandem." Guest parking may be reduced by 2 spaces. Therefore, a total of 18 parking spaces will be required rather than 20. The two added parking spaces may be configured as "in tandem" parking spaces. Ample room to accommodate the two in-tandem guest parking spaces appears to exist along the southeasterly parcel boundary. Prior to issuance of a building permit, a revised parking plan will be submitted identifying the two additional parking spaces.
Lot Coverage
Pursuant to AMC Section 17.24.070, building coverage shall not exceed 35%. The parcel totals 1.1 acres, or 47,916 square feet. Therefore, building coverage (which includes parking areas) shall not exceed 16,771 square feet. Total building and parking areas (including existing development) are estimated to total 24,320 square feet or 50.1%—approximately 15% more than the 35% building coverage limit for the R-3 zoning district. Pursuant to 17.06.190, increased lot coverage may be granted due to the provision of three units of work force housing. Therefore, the lot coverage is consistent with the AMC.

FINDINGS: Pursuant to the AMC Section 17.06.190 Work Force Housing Incentives shall be granted so long as the following findings do not apply based on substantial evidence:

1. The incentive(s) would have a specific adverse impact as defined in Government Code Section 65589.5(2)(d) upon public health, safety, or the physical environment or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact(s) without rendering the development unaffordable to very low, lower or moderate income households;

2. The Incentive(s) would be contrary with state and federal law;

3. The incentive is not required in order to provide for affordable housing costs or affordable rents as defined in Health and Safety Code Section 50052.5.

As described in the “Environmental Findings” section of this study, no specific adverse impacts as defined in Government Code Section 65589.5(2)(d) upon public health, safety, or the physical environment or on any real property listed in the California Register of Historical Resources are anticipated for the Project (whether or not work force housing is provided). The incentives provided are specifically allowed pursuant to the AMC which reflects the state’s housing laws and, therefore, the incentives are not contrary to either state or federal law. The incentives will allow the appropriate level of development necessary on the particular parcel as necessary to allow for the provision of work force housing. Without the incentives, the costs of the housing provided would increase as would the corresponding rents. Therefore, the incentives are required as necessary to provide work force housing.

Based on the preceding, the findings required pursuant to AMC Section 17.06.190 can be made.

Site Plan Review
Pursuant to 17.60.040 of the AMC, the following findings shall be considered for a site plan review:

FINDING A: General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development; and

FINDING B: The approval of this plan is in the best interest of the public health, safety and general welfare
Site Layout/Open Space/Topography/Building Location
The project design includes three separate buildings facing the center of the parcel where a large, blue oak tree will be retained as the centerpiece of the site. In addition, as an alternative to a large paved parking area, the site incorporates clusters of parking throughout the site and leaves the area within the dripline of the oak unpaved.

Based on the preceding, the proposal is consistent with City standards relative to site layout, open space, topography, orientation and location of buildings.

Vehicular Access and Circulation
Access is via an existing driveway off Dogtown Road. On-site, the driveway becomes a circular drive looping around the central large oak.

The encroachment onto Dogtown is located near a slight curve and hill. Site distance is obstructed, in part, by large branches of an oak that extends into the road shoulder. Similarly, a privet uphill of the access drive partially blocks sight distance. Consistent with AMC Section 17.24.070, a vision clearance (site) distance of 35 feet is required. In order to meet this criterion, as a condition of project approval, the existing privet along the parcel frontage along Dogtown Road and the large oak just off-site and uphill shall be trimmed to improve site distance.

One adjoining landowner expressed concerns related to traffic generation from the project. The intersection of Dogtown Road/SR 49 operates at a level of service F. The project will contribute incrementally to traffic at the intersection of SR 49 and Dogtown. The intersection is the subject of extensive regional transportation planning effort. Caltrans, in conjunction with reviewing the proposed project, responded that the agency has determined that Dogtown Road will be converted to a right-in/right-out roadway at SR 49/Dogtown intersection in the future with the installation of a median barrier in the center of the Dogtown/SR 49 intersection. The project proponent will pay the applicable Traffic Impact Mitigation Fee to offset incremental, cumulative impacts to citywide traffic.

Pursuant to Government Code Section 65569.5(2)(d) Work Force Housing cannot be denied unless substantial evidence indicates that a specific adverse impact as defined in Government Code Section 65569.5(2)(d) upon public health, safety, or the physical environment will occur. As was the legislation's intent, this requirement raises the threshold for denying an affordable housing project based on traffic impacts above the normal CEQA Standard.

As noted in the environmental evaluation, the addition of 8 housing units meets the criteria for a categorical exemption pursuant to the state guidelines for the implementation of the California Environmental Quality Act Section 15332, Class 32. Specifically, the project is as an infill project based on its relatively small size and the existence of surrounding urban development. This, coupled with Caltrans' plans to restrict turning movements at the Dogtown/SR 49 intersection and the City's requirement to pay traffic impact mitigation fees to offset cumulative contributions to regional traffic impacts (such as those that may be generated by the project), support a finding that 8 housing units on Dogtown Road will not result in an adverse impact on public health, safety or the physical environment. In short, substantial evidence threshold relative to impacts to public health and safety cannot be established relative to traffic or circulation impacts. Therefore, Finding B can be made relative to Project traffic and circulation.
Site Development Standards

Pursuant to AMC Section 17.24.070, the following site development standards apply to development in the R-3 zoning district.

<table>
<thead>
<tr>
<th>Item</th>
<th>Standard/a/</th>
<th>Project Proposed</th>
<th>Complies with City Standard?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (new lots)</td>
<td>8,725 square feet</td>
<td>N/A /c/</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum lot width (new lots)</td>
<td>80 feet</td>
<td>N/A /c/</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot depth (minimum, new lots)</td>
<td>120 feet</td>
<td>N/A /c/</td>
<td>N/A</td>
</tr>
<tr>
<td>Building Height</td>
<td>35 feet</td>
<td>25’11”</td>
<td>Yes</td>
</tr>
<tr>
<td>Front setback</td>
<td>20</td>
<td>N/A /b/</td>
<td>Yes</td>
</tr>
<tr>
<td>Side setback</td>
<td>5</td>
<td>10’1”</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear setback-principal building</td>
<td>10</td>
<td>25</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear setback-accessory building</td>
<td>10</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Distance between buildings</td>
<td>10</td>
<td>20 (shortest distance)</td>
<td>Yes</td>
</tr>
<tr>
<td>Impervious surfaces</td>
<td>60%</td>
<td>50.1%</td>
<td>Yes</td>
</tr>
<tr>
<td>Density</td>
<td>15 dwelling units/acre</td>
<td>8+2 existing=10</td>
<td>Yes</td>
</tr>
</tbody>
</table>

/a/ Where inconsistencies exist between the general plan 2020 standards and the Angles Municipal Code, General Plan 2020 standards apply

/b/ Proposed new buildings are located at the rear of the parcel

/c/ No new lot creation is proposed

Walls, fencing

Landowners within 300 feet of the project were notified of the proposed project. Two requested that a solid privacy fence be constructed between existing residences and the proposed apartment units. The applicant is in agreement with this proposal. Therefore, solid privacy fencing along (at a minimum) the west, southwest and southeast parcel boundaries is incorporated into project design.

Based on all of the preceding, findings A and B can be made subject to proper implementation of the identified conditions.

FINDING C: General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signage and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings.

The design of the proposed buildings is simple. The building nearest Dogtown Road is located more than 120 feet off Dogtown Road. Buildings are visible only from single family residences immediately adjoining the rear of the parcel. The addition of solid privacy fencing will block the view of the majority of the buildings except for individuals on site. Pursuant to conditions of project approval, exterior lighting shall be aimed downward to eliminate glare on adjacent properties. No signage is proposed.
Based on the preceding, the proposed project meets the preceding criteria and Finding C is supported subject to the attached conditions.

**FINDING D:** General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public.

A portion of the site already is landscaped. Multiple oaks will be retained on site further contributing to site landscaping. AMC Section 17.63.040 requires that, for each one hundred square feet of developed area, there shall be at least six square feet of landscaped area. The "developed area" includes buildings and parking areas. Buildings and parking will cover approximately 19,920 square feet (new development). Therefore, approximately 1,195 square feet of landscaping is required per the AMC. Prior to issuance of a building permit, a landscaping plan providing a minimum of 1,195 square feet of landscaping shall be provided.

Conditions of project approval (as required pursuant to the AMC) also include requirements for irrigation, ongoing maintenance and replacement of dead and dying plants over the life of the project.

Numerous native oaks occupy the proposed development area. Prior to issuance of a building permit, an oak tree removal plan specifying the diameter at breast height and species of each oak to be removed shall be submitted to the Planning Department in compliance with Chapter 17.64 of the AMC (Oak removal ordinance). For each oak removed, two replacement oaks shall be planted on site. Alternatively, fees may be paid to the City of Angels Oak Tree Preservation Fund.

Based on the preceding, Finding D is supported subject to the attached conditions.

**FINDING E:** The provisions of Chapter 17.60, (Site Plan Review) are complied with. The primary intent and purpose of the Site Plan Review Process, pursuant to AMC Section 17.60.010, is to make certain that City standards, as established in the AMC, are incorporated into Project design as necessary to ensure well-designed new development compatible with the character of the City.

Based on the preceding analyses in support of Findings A-D above relative to consistency with the AMC for parking, setbacks, landscaping, site layout, architectural design, and considerations for health and safety, Finding E is supported subject to the attached conditions.

**Conditional Use Permit**

**FINDING A:** The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this chapter are needed to make said use compatible with land uses in the neighborhood

As described in the above site plan review analysis, Finding A and C, the site for the proposed use is sufficient to accommodate all requirements of the Angels Camp Municipal Code. The project is compatible with the existing, on-site duplex and, subject to implementation of the

Dogtown Road Apartments - 10
identified conditions, is compatible with adjacent single-family residences. Therefore, Finding A can be made.

**FINDING B:** The site for the proposed use is related to street and highways adequate in width and surface type to carry the quantity and kind of traffic generated by the proposed use.
As described in the above site plan review analysis, Finding A (Vehicular Access and Circulation), Finding B can be made.

**FINDING C:** The proposed use will have no significant adverse effect on affected property.
As described in the above site plan review analysis (e.g., installation of privacy fencing along property boundaries between adjacent residences and the Project site; and the analysis of vehicular access and circulation) and the environmental analysis that follows, Finding C can be made.

**FINDING D:** The conditions stated in the decision are deemed to protect the public health, safety and general welfare.
The conditions attached to the project are necessary to ensure sufficient fire protection, ingress and egress, ensure safe site distance, protect privacy between the proposed apartments and adjacent single-family residences; control noise, dust and fumes during construction; maintain the existing noise levels of the existing neighborhood; protect adjoining properties from on-site run-off and similar conditions to protect the public health, safety and general welfare.
Therefore, Finding D can be made.

**FINDING E:** The proposed use is in compliance with the general plan and this title.
As described in the above site plan review analysis, Finding A, the proposed use is in compliance with the general plan and the Angels Municipal Code.

**ENVIRONMENTAL FINDINGS:**
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA pursuant to Section 15332, Class 32: In-Fill Development Projects because the Project meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
The general plan land use designation for the site is High Density Residential (HDR). Zoning is Multi-Family Residential (R-3). Pursuant to general plan Table I-5, the R-3 zoning district is consistent with the HDR general plan land use designation.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
The proposed Project occurs in the City of Angels on a 1.1± acre site surrounded by urban residential development on three sides. Therefore, the proposed Project occurs in the City limits on a site less than 5 acres and is surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

Dogtown Road Apartments - 11
Based on site visits conducted by the City's on-staff biologist and a review of the California Natural Diversity Database, the site is not occupied by and does not have habitat that may support endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As described herein, the Project is not expected to result in any significant effects related to traffic. Pursuant to the conditions of project approval, the Project proponents will pay the applicable traffic impact mitigation fee in effect at the time of issuance of a Building permit (unless fees are deferred to occupancy) to offset incremental contributions to traffic circulation impacts citywide. Based on the nature of the proposed Project and conditions requiring compliance with the general plan's noise standards, significant effects related to noise are not anticipated. Based on the size of the proposed Project, construction emissions are not anticipated to result in significant air quality impacts provided condition pertaining to dust control and construction best management practices as required by the conditions of project approval are properly implemented and maintained. A drainage study, drainage plan and erosion control plan are required pursuant to conditions of project approval. Proper implementation will ensure that no significant impacts to water quality will occur.

(e) The site can be adequately served by all required utilities and public services. City water and sewer are available to the site. Adequate police and fire services are available to serve the Project. As contained in the conditions of project approval, the Project proponents are required to pay all applicable service impact mitigation fees established by the City to offset the Project's incremental contributions to City service impacts citywide.

RECOMMENDATION:
Staff recommends the Planning Commission adopt Resolution 2018-14 approving the site plan review and conditional use permit based on the following findings and subject to the attached conditions.

ATTACHMENTS:
Planning Commission Resolution 2018-14 and Conditions of Project Approval
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2018-15

RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS
PLANNING COMMISSION APPROVING A SITE PLAN REVIEW AND CONDITIONAL
USE PERMIT FOR
PROJECT # 18-13 DOGTOWN ROAD APARTMENTS
167 Dogtown Road
APN: 057-021-006

WHEREAS, the City received an application to construct one four-plex and two duplexes (8 new
units total) on a 1.1± acre site including 3 units of work force housing. An existing duplex
occupies the site. Total units on site with the proposed new units will total 10 units; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a Site
Plan Review and Conditional Use Permit; and

WHEREAS, the City of Angels Municipal Code requires that such a development plan requires
review by the City of Angels Planning Commission, and;

WHEREAS, it has been determined that the Project complies with the applicable sections of the
City of Angels Municipal Code and is consistent with the City of Angels General Plan; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act
and state guidelines for the implementation of CEQA pursuant to Section 15332, Class 32
(Infill), and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered
public input on the proposed project;

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels
hereby approves the site plan review based on the following findings and subject to the
attached conditions:

A. General site considerations, including site layout, open space and topography,
orientation and location of buildings, vehicular access, circulation and parking,
setbacks, height, walls, fences, public safety and similar elements have been
designed to provide a desirable environment for the development;

B. The approval of this plan is in the best interest of the public health, safety and
general welfare;

C. General architectural considerations, including the character, scale and quality of the
design, the architectural relationship with the site and other buildings, building
materials, colors, screening of exterior appurtenances, exterior lighting and signing

Dogtown Road Apartments - 13
and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings;

D. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public; and

E. The provisions of Chapter 17.60 (Site Plan Review) are complied with;

The Planning Commission of the City of Angels hereby approves the conditional use permit based on the following findings and subject to the attached conditions:

A. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this chapter are needed to make said use compatible with land uses in the neighborhood; and

B. The site for the proposed use is related to street and highways adequate in width and surface type to carry the quantity and kind of traffic generated by the proposed use; and

C. The proposed use will have no significant adverse effect on affected property; and

D. The conditions stated in the decision are deemed to protect the public health, safety and general welfare; and

E. The proposed use is in compliance with the general plan and this title.

The Planning Commission of the City of Angels hereby approves three work force housing development incentives for the Project based on the following findings A-C and subject to the attached conditions.

A. The incentive(s) will not have a specific adverse impact as defined in Government Code Section 65589.5(2)(d) upon public health, safety, or the physical environment or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact(s) without rendering the development unaffordable to very low, lower or moderate income households;

B. The incentive(s) are not contrary with state and federal law;

C. The incentives are required in order to provide for affordable housing costs or affordable rents as defined in Health and Safety Code Section 50052.5.

The foregoing resolution was introduced and moved for adoption October 11, 2018 by Commissioner ______________________ and duly seconded by Commissioner ______________________.

Dogtown Road Apartments - 14
PASSED AND ADOPTED THIS 11th day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

________________________
John Broeder, Chairman

ATTEST:

________________________
Jennifer Preston, Deputy City Clerk
City of Angels
Conditions of Project Approval
PROJECT # 18-13
DOG TOWN ROAD APARTMENTS
APN: 057-021-006

General:

1. To the fullest extent permitted by law, Applicant shall defend, indemnify, and hold harmless City and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, "City's Agents") from any and all liability arising out of a claim, action, or proceeding against City, or City's Agents, to attack, set aside, void, or annul an approval concerning the project, any applicable Permit, or subsequent City approvals. Applicant's duty to indemnify and hold harmless shall not extend to any claim, action, or proceeding arising from the gross negligence or willful misconduct of City or City's Agents.

Upon receiving notice of a claim, action, or proceeding, Applicant shall assume the defense of the claim, action, or proceeding through the prompt payment of all attorneys' fees and costs, incurred in good faith and in the exercise of reasonable discretion, of City's counsel in defending such an action. City shall have the absolute and sole authority to control the litigation and make litigation decisions, including, but not limited to, selecting counsel to defend City and settlement or other disposition of the matter. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

2. All improvement plans shall be prepared by a licensed professional engineer or architect. Plans will be approved before any construction starts.

Prior to site disturbance:

3. A Geotechnical Report shall be prepared, reviewed and approved by the City. The report shall include recommendations for all onsite improvements including cut slopes, fill, compaction and other improvements and shall be reviewed by the City Engineer. Any mining structures found shall be evaluation by a Geotechnical Engineer and all construction shall comply with their recommendations.

4. A Grading Plan shall be prepared, reviewed and approved by the City. All grading, earthwork, and/or excavation must comply with California Building Code and City Standards. Any grading material removed from the site and disposed elsewhere will require an additional grading permit through the appropriate department.

5. All structures and grading shall comply with the setbacks established in the 2016 California Building Code.

6. In accordance with the CA Building Code, all structures shall meet accessibility requirements and egress from windows shall be provided in bedrooms.
7. A drainage plan shall be prepared, reviewed and approved by the City Engineer. The estimated volume of runoff and the disposal method shall be noted in the plans.

8. A water and sewer utility improvement plan shall be prepared and submitted to the City for review and approval by the City Engineer. All utility construction shall comply with City Standards and state regulations unless otherwise approved by the City Engineer. Plans will include:

- All connections to public sewer shall include a cleanout installed at the property line or other appropriate location approved by the City.
- A sewer cleanout shall be installed on the existing sewer line.
- If used, the design and supporting data for an on-site lift station and force main shall be submitted to the City Engineer for review and approval.
- A sewer connection fee and an inspection fee shall be paid prior to constructing the new service line to the sewer main or to the service lateral.
- The water main in Dogtown Road, from the end of the existing 6” water main along the project frontage, shall be replaced with a 6” diameter pipe for an approximately distance of 105 feet. This replacement is part of the City’s planned upgrades to the water distribution system and is reimbursable for $81.38 per lineal foot of pipe installed.
- The onsite water main from Dogtown Road water main to the onsite fire hydrant shall also be 6”. This water main is not reimbursable.
- There is an existing water service connection to the water main in Dogtown Road, this service must either be used or abandoned in accordance with City standards. If the service is used, the existing valve must be exposed and inspected prior to any additional connections, the extension of the service line shall be installed per City and AWWA standards and the service line shall terminate in either a blow-off assembly or wharf style fire hydrant. All water meters shall be accessible to City staff.
- Any repairs to Dogtown Road due to utility construction shall be to City standards.

9. An oak tree removal plan specifying the diameter at breast height and species of every oak to be removed shall be submitted to the Planning Department in compliance with Chapter 17.64 of the AMC (Oak removal ordinance). For each oak removed, two replacement oaks shall be planted on site. Alternatively, fees may be paid to the City of Angels Oak Tree Preservation Fund.

10. Road encroachment plans shall be prepared and submitted to the City for review and approval by the City Engineer. An encroachment permit shall be obtained from the City prior to any construction in the City right of way. All construction, repairs, and/or improvements in the road right of way shall be to City Standards unless otherwise approved by the City Engineer. Encroachment plans shall specifically address:

   A. As necessary to improve site distance at the encroachment, the existing privet shall be removed and the branches of the large oak located immediately uphill.
of the parcel along Dogtown Road shall be trimmed up to allow for oncoming traffic and traffic exiting the project site to achieve sufficient site distance.

B. All road construction and dedications shall comply with Caltrans Standard and City Codes and improvements plans unless otherwise approved by the City Engineer.

C. The driveway shall be a minimum of 20 foot width and meet City Standards. The driveway shall have at least the minimum sight distance for driveways as required by City Standards. It is noted that the tree in the road right-of-way located east of the project driveway will probably have to be removed.

D. A stop sign shall be installed at the end of the driveway.

E. All parking shall be on-site. Parking on Dogtown Road is prohibited

11. Improvement plans shall include a minimum 20’ driveway width for life safety. Driveways and traveled areas shall be paved.

12. A storm drain study and stormwater pollution prevention plan shall be prepared and submitted to the City for review and approval by the City Engineer for both onsite and offsite drainage. Improvements shall comply with City Standards.

13. Landscaping plans shall be submitted to the City for review and approval. Plans shall include:

    A. Solid 6-foot high privacy fencing around the project perimeter

    B. Oak replacement plantings incorporating two native oaks for each native oak removed in accordance with Condition #9.

    C. A minimum landscaping area of 1,195 square feet

14. A lighting plan shall be submitted to the City for review and approval. All exterior lighting will be shielded and aimed downward so as to not illuminate any adjacent residential areas.

15. A fire/life safety improvement plan shall be submitted to the City for review and approval by the City Fire Marshall and include:

    A. Plans for an automatic fire sprinkler system in all dwelling units

    B. Plans for a monitored fire alarm system to include all living/dwelling areas as well as covered patios and stairwells.

    C. Plans addressing the location for installing 2 new fire hydrants (1 near Dogtown Road and one near the end of the driveway with final locations to be determined in consultation with the fire department as necessary to meet the California Fire Code requirements)

    D. A Fire flow test to determine available water system capabilities. That test shall determine the calculations for the sprinkler system as well as the need (if any) for additional hydrants or hydrant configurations beyond those currently on site.

    E. Applicant and Fire Marshal shall meet and confer on the location of the fire department connection for the sprinkler system as well as the location for a knox box.
F. Applicant shall comply with all applicable requirements of the California Fire Code 2016 edition pertaining to:
   - Access/Egress
   - Exit signage/emergency lighting
   - Fire Extinguishers
   - Electrical equipment clearance distances
   - Trash enclosures
   - LPG tank safety

16. An Erosion Control Plan shall be submitted for approval and implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved and implemented plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures.

All soils disturbed by grading shall be reseeded or hydromulched or otherwise stabilized as soon as possible and before the rainy season begins, by October 15 of the construction year, and emergency erosion control measures shall be used as reasonably requested by the City.

17. A revised site plan providing for two additional on-site parking spaces (for a total of 18).

18. The Project Proponent shall pay all applicable City fees (e.g., Traffic impact mitigation, City services impact fees, water and sewer hook-up fees)

19. The Project Proponent shall enter into an Affordable Housing Agreement or other form of agreement as approved by the city attorney, establishing the terms of affordability of the 3 workforce housing units to be executed prior to issuance of a building permit. The applicant shall agree to, and the City shall ensure, continued affordability 3 workforce housing units that qualified the applicant for the award of the development incentives for 30 years and as otherwise provided in AMC Section 17.06.190 (L). This condition may be deferred to prior to occupancy if substantial progress towards completing the agreement has been made.

Throughout Project Construction:

20. Improvements shall be installed or implemented in compliance with approved plans.

21. Project construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday unless an emergency situation exists. No work will be performed on Sundays and City holidays, except in emergency situations.

22. A water truck shall be present on the construction site throughout construction activities and shall be available for use on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and
at all other intervals, as need dictates, to control dust. All fugitive dust emissions caused by land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled using application of water.

23. The Project Proponent shall be responsible for equipment emissions including:
   • Ensuring that all construction equipment and vehicles are properly tuned and maintained and that low-sulfur fuel is used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans' Standard Specifications, Section 14-9).
   • Heavy-duty diesel-powered construction equipment is prohibited from idling for more than five minutes during periods when the equipment is not in use.
   • Grid (electrical) power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.

24. If a cultural resource is discovered during construction activities, the construction contractor shall comply with the following provisions:
   A. The person discovering the cultural resource shall notify the City of Angels by telephone within 4 hours of the discovery or the next working day if the department is closed.
   B. When the cultural resource is located outside the area of disturbance, the City's designated qualified cultural resource professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, driveways or utility lines, grading and vegetation removal areas, plus 100 feet.
   C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the City's designated qualified cultural resource professional may continue. The City's designated qualified cultural resource professional shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource, which evaluation shall be complete within 2 weeks of the discovery unless extraordinary circumstances require additional time.
   D. When the cultural resource is determined to be not significant, the City's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified professional.
   E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by the City's designated qualified cultural resource professional or a cultural resource management plan shall be prepared by the City's designated qualified professional to establish measures formulated and implemented in accordance
with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The City’s designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the City’s designated qualified cultural resource professional. All further activity authorized by this permit shall comply with the cultural resources management plan, if necessary.

For the purposes of implementing this measure, a “qualified cultural resource professional” is an individual (e.g., historian or archaeologist) meeting the Secretary of the Interior’s Qualification Standards. A “cultural resource” is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Calaveras County, the State of California, or the nation which is 50 years of age or older or has been listed on or is eligible for listing on the National Register of Historic Places, the California Register of Cultural Resources, or any local register.

25. If human remains, burial, cremation or other mortuary features are uncovered during construction activities; upon discovery, secure the location, do not touch or remove remains and associated artifacts; do not remove associated spoils or go through them; document the location and keep notes of activity and correspondence. All work within 100 feet of the discovery shall stop until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to obtain the Most Likely Descendent (MLD) and follow state law (PRC 5097.98 and Health and Safety Code 7050.5(c)). No further work or disturbance shall occur within 100 feet until all of the preceding actions, as applicable to the discovery, are implemented and completed. Preservation in situ is the preferred treatment of human remains and associated burial artifacts. [Public Resources Code Sections 5097.94, 5097.98 and Health and Safety Code Section 7050.5(c) and Section 15004.5 of the California Code of Regulations implementing the California Public Resources Code, Sections 21000-21177]

Prior to issuance of an Occupancy Permit:

26. Fencing shall be installed as per approved landscaping plans.

Throughout the life of the Project:

27. All trash enclosures and mechanical equipment (e.g. HVAC) shall be screened from view from public rights-of-way and adjoining residences by decorative walls, fencing and/or landscaping. Trash enclosures shall be placed at the furthest possible location away from existing residences.

28. Property owner shall be responsible for maintaining, or cause the maintenance of, landscape plants in a healthy and attractive condition. Dead or dying plants shall

Dogtown Road Apartments - 21
be replaced with materials of equal size and similar variety. (Angels Municipal Code 17.63.070)

29. Roof mounted appliances, equipment or other structures shall be effectively screened from view by adjoining residences.

30. Noise levels generated by the apartments shall not exceed the noise limits established by the General Plan Figure 5-1. Specifically, noise levels at the parcel boundary between the apartments and adjoining residences should not exceed 60 decibels.
CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
OCTOBER 11, 2018
STAFF REPORT: THE INN AT GREENHORN CREEK

ITEM NO. 3
DATE: October 4, 2018
FROM: Amy Augustine, AICP – City Planner
OWNER/APPLICANT: Mother Lode Investors, LLC/Grupe Operating Company
LOCATION: 711 McCauley Ranch Road. Vacant lot across the parking lot from Camps Restaurant.
ASSESSOR's PARCEL NUMBER: 058-046-007

PROJECT DESCRIPTION:
Site Plan Review for a 9-unit hotel/inn on a 0.3± acre portion of a 2.86± acre parcel. The Project will be divided into two separate buildings. Building one will include two, two-story units and five one-story units (for a total of 7 units). Building two will consist of two single-story units. 10 parking spaces are proposed. Check-in and food service will be at the clubhouse. Recreational amenities shall be at the clubhouse or other club facilities (i.e. not located at the hotel/inn itself which is intended primarily for use as sleeping quarters).
Building B
Greenhorn Creek Hotel

Left-Side/West Elevation

Front/South Elevation

Right-Side/East Elevation

Rear/North Elevation
VIEW TO THE SOUTH

3D Perspective
Greenhorn Creek Hotel

VIEW TO THE NORTH
ANALYSIS:

General Plan and Zoning
The general plan land use designation for the site is Community Commercial (CC). Zoning is Commercial: Planned Development Combining District (C-PD). Pursuant to general plan Table I-5, the C-PD zoning district is consistent with the Community Commercial (CC) general plan land use designation.

Pursuant to the Development Agreement establishing the Greenhorn Creek (City of Angels Ordinance Number 335, June 16, 1994, page 12), permitted uses for the Property included a golf course and country club, residential units and a hotel and conference center. The location of a potential future hotel is not identified in the Development Agreement. However, implementation of the Development Agreement resulted in the creation of various zoning districts to guide future development in Greenhorn Creek. The Commercial-Planned Development (C-PD) zoning district was established to guide future development in Greenhorn Creek, including the Project site.

Per Angels Municipal Code (AMC) Section 17.31.010: The C-PD district is intended to provide a range of retail sales and services that would relate to the varied needs of public use of Greenhorn Creek and the City. The zone is designed to partially implement the C, commercial (or Community Commercial), land use category of the City's general plan.

Pursuant to AMC 17.31.030, hotels and inns are permitted subject to a site plan review in the C-PD zoning district. Therefore, the proposed use is consistent with the general plan, and, subject to a site plan review, is consistent with the C-PD zoning district.

Site Plan Review
Pursuant to 17.60.040 of the AMC, the following findings shall be considered for a site plan review:

FINDING A: General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;

Parking
Pursuant to AMC Section 17.69.040, hotels require one parking space per guest room plus 1 space per every 2 employees on the largest shift, plus required spaces for accessory uses. Therefore, the Project requires 9 spaces (one per guest room) plus one space for 2 employees (house-keeping) for a total of 10 parking spaces. No accessory uses are proposed. The proposal includes 10 on-site parking spaces and, therefore meets the AMC's required number of parking spaces. On-site parking shall be used for guests of the Inn at Greenhorn Creek and staff (e.g., cleaning staff) only.

Construction access to the site will remove 2 parking spaces from the clubhouse parking lot. The applicant may either create two new parking spaces within the clubhouse site boundaries or pay the City's in-lieu parking fee for two spaces prior to occupancy of the hotel.
It is noted that, at a meeting held by the applicant on September 27, 2018 at GHC, some residents indicated a desire for both fewer parking spaces and for more parking spaces on the site. The AMC establishes parking standards based on anticipated “normal” Project use over time.

At the September 27th meeting, it was noted that, during special events (e.g., golf tournaments) approximately one-half dozen times per year (per the applicant), parking areas adjacent to the proposed hotel site may over-fill. The GHC management is currently working to establish shuttles and related facilities to address these off-site parking constraints during special events. Parking requirements for the proposed Project are expected to address the needs of the 9-unit hotel/inn and ensure that hotel users have sufficient parking for normal hotel use and ensure that the addition of the hotel does not add to any off-site pre-existing temporary parking shortages that may occur.

Based on the preceding, and subject to the condition identified herein, the project meets the City’s parking standards.

Site Development Standards
Pursuant to AMC Section 17.31.070, the following site development standards apply to development in the C-PD zoning district.

<table>
<thead>
<tr>
<th>Item</th>
<th>Standard</th>
<th>Project Proposed</th>
<th>Complies with City Standard?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (new lots)</td>
<td>5,000 square feet</td>
<td>13,800± square feet of 124,582± square foot lot</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum lot width (new lots)</td>
<td>40 feet</td>
<td>96± feet (front)</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>55± feet (rear)</td>
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</tr>
<tr>
<td>Lot depth (minimum, new lots)</td>
<td>80 feet</td>
<td>180± feet</td>
<td>Yes</td>
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<tr>
<td>Building Coverage</td>
<td>100%</td>
<td>72% (buildings and parking lot)</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Height/a/</td>
<td>50 feet</td>
<td>32 feet at peak of second floor units</td>
<td>Yes</td>
</tr>
<tr>
<td>Front setback</td>
<td>0 feet</td>
<td>10 feet (nearest point)</td>
<td>Yes</td>
</tr>
<tr>
<td>Side setback</td>
<td>0 feet</td>
<td>3' - 4.25±” (nearest point)</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear setback-principal building</td>
<td>0 feet</td>
<td>6± feet (nearest point)</td>
<td>Yes</td>
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<tr>
<td>Rear setback-accessory building</td>
<td>0 feet</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Distance between buildings</td>
<td>0 feet</td>
<td>65 feet (nearest point)</td>
<td>Yes</td>
</tr>
<tr>
<td>Impervious surfaces</td>
<td>80%</td>
<td>Approx. 72%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

/a/ See discussion under Finding B regarding general welfare for input from adjacent property

Based on the preceding, the proposed hotel/inn meets City standards as reflected in the C-PD zoning district.

Vehicular Access and Circulation
Vehicles will enter the hotel site through the existing clubhouse parking lot off the existing encroachment from McCauley Ranch Road. The driveway into the hotel/inn will be approximately in the middle of the parcel with access directly from the parking lot. Because ingress and egress will be via existing routes already used by automobiles, the project is not anticipated to result in impacts related to access and circulation. However, the Project will contribute cumulatively to traffic impacts city-wide. Therefore, the Project will be required to pay the City’s applicable Traffic Impact Mitigation Fee.

Walls, fencing
The project does not propose fencing. Existing fencing (approximately 4 feet high, black metal “picket” see-through vertical fencing) forms a boundary between DeNova Home lots and the hotel/inn. Retaining walls ranging from 2-7± feet are proposed between DeNova Homes and Building A of the proposed inn (the two-story portion of the proposed hotel will be cut into the slope that separates the hotel from adjacent DeNova homes). Retaining walls also will be installed surrounding the front and sides of Building A (see following discussion relative to the elevation of the Project site in comparison to the adjacent parking lot). The AMC does not establish a height restriction for retaining walls. Other zoning districts in the City generally establish a height limit of 6 feet for retaining walls. The proposed retaining walls for the inn will be tiered and landscaped. Due to the combination of tiered retaining walls plus landscaping and the height of the highest walls being near in height to those required in most zoning districts in the City; retaining walls are considered consistent with City standards for the C-PD district.

Site Layout/Open Space/Topography/Building Location
As noted above, setbacks in the C-PD zoning district are zero. Therefore, the proposal is consistent with City standards for setbacks and building location.

Building height in the C-PD district is 50 feet, as reflected in the location of the commercial zoning districts within Greenhorn Creek. The proposed Project, which reaches a height of 32 feet, is consistent with the City’s development standards.

Based on the preceding, Finding A can be made.

FINDING B: The approval of this plan is in the best interest of the public health, safety and general welfare;
No public health or safety issues have been identified for the proposed project. City standards related to fire flow, sprinklering buildings, and ingress and egress as included in the conditions of project approval will address public health and safety issues.

Surrounding land uses are zoned either Open Space (golf course) or Commercial Planned Development (C-PD). DeNova Homes (also zoned C-PD) adjoins the Project site to the east, the clubhouse parking lot and clubhouse/Camps borders the site to the west, McCauley Ranch Road and a golf course fairway borders the site to the south. Golf course also borders the site to the north. Other permitted uses in C-PD include (subject to a site plan review): Retail sales and service located within a building, time shares, bed and breakfast inn, professional offices, restaurant, sit-down/cocktail lounge, residential hotel/motel, places of assembly, spa and related facilities, swimming pool/sport courts, and fire stations. With a conditional use permit, the zone also could allow a service station or multi-family residential housing.
Based on the array of potential uses allowed in the C-PD zone and the existing clubhouse/restaurant use of the parcel coupled with adjacent single-family residences, a boutique inn/hotel is expected to generate traffic and noise levels significantly less than might occur with other uses allowed in C-PD. Landowners within 300 feet were notified of the proposed project and provided the following input relative to "general welfare:"

Landowner Brad Fuellenbach, (Lot 39) has objected to the height of the two-story section of the hotel and describes the hotel plans as "blocking 60-70 of my back view." He is requesting that the roof lines of proposed hotel be reduced by 8 feet, either by eliminating the 2 story structure, or excavating the property to be at the existing parking lot level and changing the pitch of the roof to reduce the height by 8-10 feet. Landowner Sue Parker (Lot 38) indicates that she would like to see the property on which the hotel is to be built graded (lowered) by 6-8 feet to make the end result more aesthetically pleasing. Brian Connery (a resident of DeNova Homes, not adjacent to the site) has requested that the grade level be lowered by 5 feet.

The Project is separated into two buildings - Building B with two-units at the rear of the lot and overlooking the golf course and Building A with 7-units (two units are 2-story) adjacent to McCauley Ranch Road and overlooking the golf course. Parking separates the two buildings in the middle of the Project site and is screened from McCauley Ranch Road by Building B and from the golf course by Building A.

The project site is elevated above the adjacent clubhouse parking lot and sits at the base of a tall slope. At the top of the slope sits DeNova Homes. Lot 39 (620 Edgewood Loop, owned by Mr. Fullenbach) overlooks the proposed two-story portion of the proposed inn and Lot 38 (Parker) directly overlook the proposed one-story portion of the Project.

The Project site itself slopes from a high of 1552± feet (McCauley Ranch Road side of the proposed hotel) to approximately 1449± to the north (golf course side of the proposed hotel). 1,449± feet will be the finished foundation elevation of both Buildings A and B. The peak of the 2-story section of Building A is approximately 32 feet—an elevation of 1,481± feet.

DeNova Home Lot 39 overlooks the two-story portion of the proposed hotel. The finished floor elevation of the home on Lot 39 is 1,471.6 feet. Therefore, the highest point (roof peak) of the 2-story portion of the hotel is 9.4± feet higher than the porch on DeNova Home Lot 39. Therefore, a person between 5 and 6 feet in height standing on the Lot 39 back patio (an eye level elevation of between 1476.6± and 1,477.6± feet) and looking towards the 2-story portion of the hotel would have between 4.4± and 3.4± feet of their view obstructed (straight line-of-sight) at the highest point of the hotel. Figure 1 provides a view from the porch on Lot 39 towards the proposed hotel.

Based on the preceding analysis, staff finds that the proposed two-story hotel will block the foreground view of trees and vegetation from Lot 39 (the most impacted by the proposed hotel) and preserve a portion of the distant view of the hillsides and hilltops—to a lesser extent, the view of Lot 38 also will be partially blocked. For the purposes of a finding of "general welfare," however, staff finds that the majority of the homes and surrounding land uses will not be affected by the proposed hotel and the general welfare of the community will be preserved with

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1 Parking lot elevation ranges between 1,442 and 1,445 feet above mean sea level.
approval of the proposed hotel. Therefore, staff is not recommending a reduced building height elevation based on the AMC standards and concludes that Finding B can be made.

The Planning Commission may, upon receiving further input at the public hearing, find it to be in the best interests of the general welfare of the City to require a reduced building height. Staff notes that, a substantial decrease in the building height could result in increased retaining wall heights and this indirect change should be considered should the Commission pursue a reduced building height.
FINDING C: General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings.

The Project architect states that the design of the building intentionally does not mimic that of the clubhouse which is intended to be a stand-alone, unique structure. Instead, the building mimics more closely the cottage, residential vibe of surrounding homes using a combination of stucco, wood siding and stonework. Colors are neutral. Lighting shall be aimed downward, per conditions of project approval, to avoid glare on adjacent residences. A sign permit shall be secured in accordance with AMC Chapter 15.12 prior to installation.

Based on the preceding, the proposed project meets the preceding criteria and Finding C is supported subject to the attached conditions.

FINDING D: General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public.

Pursuant to AMC Section 17.63.040, for each one hundred square feet of developed area, there shall be at least six square feet of landscaped area. The “developed area” includes buildings and parking areas. These total approximately 9,800 square feet of the site. Therefore, approximately 588 square feet of landscaping is required. More than double this amount of landscaping is proposed. Therefore, the project meets City standards for the amount of required landscaping.

The project site already is separated from the existing clubhouse parking lot by a row of mature mulberry and sycamore trees. As illustrated, in the Project landscaping plans, two mulberry trees will be removed and replaced in kind at the same location (i.e., within the planting median between the existing clubhouse parking area and the proposed inn). On-site, a combination of moderate-sized vitex (Chaste tree) and redbud will be complemented by lower-growing ceanothus, manzanita, contoneaster, nandina, and currant, with accents of bush anemone, turf grass and deer grass. Vines that will help soften retaining walls include rosemary and Boston ivy. Portions of walls will be softened with magnolia espaliers.

A single live oak will be removed. Pursuant to AMC Chapter 17.64, this native oak shall be replaced at a 2:1 ratio. Therefore, as a condition of project approval, two native oaks will be re-planted on site.
Conditions of project approval (as required pursuant to the AMC) include requirements for irrigation, ongoing maintenance and replacement of dead and dying plants over the life of the project.

Based on the preceding, Finding D is supported subject to the attached conditions.

Landowners within 300 feet were notified of the proposed project. One landowner suggested incorporating mature landscaping on the east side of the hotel structures to help buffer the view from DeNova homes located in close proximity to the proposed hotel. One mature oak currently exists (and will be retained) between DeNova homes and the Project site.

Pursuant to landscaping plans for DeNova homes, trees planted on the slope between the homes on lots 38 and 39 and the proposed inn include three live oaks, four blue oaks, and one sweet bay in addition to low growing shrubs and grasses. Given the mature size that these trees will reach and the existing mature oak, the addition of a few trees is feasible, but will likely provide the most effective screen if planted on the DeNova properties between the proposed hotel and lots 38 and 39. Conditions of project approval include provisions to plant up to three additional trees, at least 5 gallon in size, including species to be selected from DeNova's approved landscaping list.

FINDING E: The provisions of Chapter 17.60, (Site Plan Review) are complied with. The primary intent and purpose of the Site Plan Review Process, pursuant to AMC Section 17.60.010, is to make certain that City standards, as established in the AMC, are incorporated into Project design as necessary to ensure well-designed new development compatible with the character of the City.

Based on the preceding analyses in support of Findings A-D above relative to consistency with the AMC for parking, setbacks, landscaping, site layout with consideration to protecting cultural resources and topography, architectural design, and considerations for health and safety, Finding E is supported subject to the attached conditions.

ENVIRONMENTAL FINDINGS:
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA pursuant to Section 15332, Class 32: In-Fill Development Projects because the Project meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The general plan land use designation for the site is Community Commercial (CC). Zoning is Commercial: Planned Development Combining District (C-PD). Pursuant to general plan Table I-5, the C-PD zoning district is consistent with the Community Commercial general plan land use designation. Pursuant to the AMC, a hotel or inn is a use allowed in the C-PD zoning district subject to securing a site plan review permit. As shown in the preceding discussion, the proposal...
meets all site development regulations required for development in the C-PD zoning district. Therefore, the proposed project is consistent with the general plan designation, applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed Project occurs in the City of Angels on a 0.3± acre portion of a 2.86± acre site surrounded by urban residential development to the east and northeast, commercial golf club and restaurant facilities to the west, and a golf course to the northwest and south. Therefore, the proposed Project occurs in the city limits on a site less than 5 acres and surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

Based on site visits conducted by the City’s on-staff biologist and a review of the California Natural Diversity Database, the site is not occupied by and does not have habitat that may support endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As described herein, the Project is not expected to result in any significant effects related to traffic. Pursuant to the conditions of project approval, the Project proponents will pay the applicable traffic impact mitigation fee in effect at the time of issuance of a Building permit (unless fees are deferred to occupancy) to offset incremental contributions to traffic circulation impacts citywide. Based on the nature of the proposed Project and conditions requiring compliance with the general plan’s noise standards, significant effects related to noise are not anticipated. The adopted general plan noise limits will be applied to the project. Based on the size of the proposed Project, construction emissions are not anticipated to result in significant air quality impacts provided condition pertaining to dust control and construction best management practices as required by the conditions of project approval are properly implemented and maintained. A drainage study, drainage plan and erosion control plan are required pursuant to conditions of project approval. Proper implementation will ensure that no significant impacts to water quality will occur.

(e) The site can be adequately served by all required utilities and public services.

City water and sewer are available to the site. Adequate police and fire services are available to serve the Project. As contained in the conditions of project approval, the Project proponents are required to pay all applicable service impact mitigation fees established by the City to offset the Project’s incremental contributions to City service impacts citywide.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution 2018-15 approving the site plan review permit based on the following findings and subject to the attached conditions.
ATTACHMENTS:
Planning Commission Resolution 2018-13 and Conditions of Project Approval
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2018-15

RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS
PLANNING COMMISSION APPROVING A SITE PLAN REVIEW FOR
PROJECT # 18-23 The INN AT GREENHORN CREEK
711 McCauley Ranch Road
APN: 058-046-007

WHEREAS, the City received an application for a Site Plan Review for a 9-unit hotel/inn on a
0.3± acre portion of a 2.86± acre parcel. The Project will be divided into two separate
buildings. Building one will include two, two-story units and five one-story units (for a total of
7 units). Building two will consist of two single-story units. 10 parking spaces are proposed.
Check-in and food service will be at the clubhouse. Recreational amenities shall be at the
clubhouse or other club facilities (i.e. not located at the hotel/inn itself which is intended
primarily for use as sleeping quarters); and

WHEREAS, the City of Angels Municipal Code requires that such development requires a Site
Plan Review; and

WHEREAS, the City of Angels Municipal Code requires that such a development plan requires
review by the City of Angels Planning Commission, and;

WHEREAS, it has been determined that the Project complies with the applicable sections of the
City of Angels Municipal Code and is consistent with the City of Angels General Plan; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act
and state guidelines for the implementation of CEQA pursuant to Section 15332, Class 32
(Infill), and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered
public input on the proposed project;

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels
hereby approves the site plan review based on the following findings and subject to the
attached conditions.

A. General site considerations, including site layout, open space and topography,
orientation and location of buildings, vehicular access, circulation and parking,
setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;

B. The approval of this plan is in the best interest of the public health, safety and general welfare;

C. General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings;

D. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public; and

E. The provisions of Chapter 17.60, (Site Plan Review) are complied with.

The foregoing resolution was introduced and moved for adoption October 11, 2018 by Commissioner ________________________ and duly seconded by Commissioner ________________________.

PASSED AND ADOPTED THIS 13th day of September, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

______________________________
John Broeder, Chairman

ATTEST:

Jennifer Preston, Deputy City Clerk
City of Angels
Conditions of Project Approval

PROJECT # 18-23 THE INN AT GREENHORN CREEK
711 MCCAULEY RANCH ROAD
APN: 058-046-007

General:

1. To the fullest extent permitted by law, Applicant shall defend, indemnify, and hold harmless City and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, "City’s Agents") from any and all liability arising out of a claim, action, or proceeding against City, or City’s Agents, to attack, set aside, void, or annul an approval concerning the project, any applicable Permit, or subsequent City approvals. Applicant’s duty to indemnify and hold harmless shall not extend to any claim, action, or proceeding arising from the gross negligence or willful misconduct of City or City’s Agents.

Upon receiving notice of a claim, action, or proceeding, Applicant shall assume the defense of the claim, action, or proceeding through the prompt payment of all attorneys’ fees and costs, incurred in good faith and in the exercise of reasonable discretion, of City’s counsel in defending such an action. City shall have the absolute and sole authority to control the litigation and make litigation decisions, including, but not limited to, selecting counsel to defend City and settlement or other disposition of the matter. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

2. All improvement plans shall be prepared by a licensed professional engineer or architect. Plans will be approved before any construction starts.

Prior to site disturbance:

3. A Geotechnical Report shall be prepared, reviewed and approved by the City. The report shall include recommendations for all onsite improvements and be reviewed by the City Engineer. Any mining structures found shall be evaluation by a Geotechnical Engineer and all construction shall comply with their recommendations.

4. A Grading Plan shall be prepared, reviewed and approved by the City. All grading, earthwork, and/or excavation must comply with California Building Code and City Standards. Any grading material removed from the site and disposed elsewhere will require an additional grading permit through the appropriate department.
5. All structures and grading shall comply with the setbacks established in the 2016 California Building Code.

6. Engineered plans shall be prepared for retaining walls taller than 4 feet or with surcharge loading.

7. A drainage plan shall be prepared, reviewed and approved by the City. Plans will, at a minimum, address the potential for flooding in Unit 5 (Per preliminary drawings, the northeast corner of Unit 5 will act as part of the retaining wall. If the private ditch to the east backs-up or overflows, this could cause flooding in Unit 5 during large runoff events).

8. A water and sewer utility improvement plan shall be prepared and submitted to the City for review and approval by the City Engineer. All utility construction shall comply with City Standards including:
   - All utility pipe spacing shall comply with Department of Health Services Memo 2003-02.
   - Sewer connections shall have a cleanout on the property line per City Standard SS-3.
   - Sewer laterals from each building may be combined into one sewer lateral connection.
   - All water services shall have a backflow prevention device installed per City Standards.
   - All connection fees shall be paid prior to installing a new service line and connecting to the existing lateral or main.

9. Road encroachment plans shall be prepared and submitted to the City for review and approval by the City Engineer. An encroachment permit shall be obtained from the City prior to any construction in the City right of way. All construction, repairs, and/or improvements in the road right of way shall be to City Standards unless otherwise approved by the City Engineer.

10. A storm drain study and stormwater pollution prevention plan shall be shall be prepared and submitted to the City for review and approval by the City Engineer. for both onsite and offsite drainage. Improvements shall comply with City Standards.

11. Revised landscaping plans shall be submitted to the City for review and approval. Plans shall include:
   A. The addition of three trees along the eastern project boundary between the hotel and DeNova homes on lots 39 and 38. Tree shall be a minimum 5 gallon in size of a species selected from DeNova’s approved landscaping plans. The Project
proponent shall be responsible for the cost of purchase and installation of the trees. Trees that are dead or dying prior to 5 years shall be replaced at the project proponent’s expense. Once established (5 year survival), tree maintenance shall revert to the DeNova homeowner’s association.

B. Incorporate a minimum of two native oak trees in the landscaping plans within the Project boundaries to offset impacts related to the removal of the on-site live oak. Subject to review and approval by the Planning Department, the two native oaks may be located off-site in close proximity to the Project site.

12. A lighting plan shall be submitted to the City for review and approval. All exterior lighting will be shielded and aimed downward so as to not illuminate any adjacent residential areas or create visible glare to traffic along McCauley Ranch Road.

13. A fire/life safety improvement plan shall be submitted to the City for review and approval by the City Fire Marshall and include:

A. Plans for a commercial automatic fire sprinkler system
B. Plans for a commercial monitored fire alarm system to include all living/dwelling areas as well as covered patios and stairwells.
C. A Fire flow test to determine available water system capabilities. That test shall determine the calculations for the sprinkler system as well as the need (if any) for additional hydrants or hydrant configurations beyond those currently on site.
D. Applicant and Fire Marshal shall meet and confer on the location of the fire department connection for the sprinkler system as well as the location for a knox box.
E. Applicant shall comply with all applicable requirements of the California Fire Code 2016 edition pertaining to:
   - Access/Egress
   - Exit signage/emergency lighting
   - Fire Extinguishers
   - Electrical equipment clearance distances
   - Trash enclosures
   - LPG tank safety

14. An Erosion Control Plan shall be submitted for approval and implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved and implemented plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures.

All soils disturbed by grading shall be reseeded or hydromulched or otherwise stabilized as soon as possible and before the rainy season begins, by October 15 of
the construction year, and emergency erosion control measures shall be used as reasonably requested by the City.

15. The Project Proponent shall pay all applicable City fees (e.g., Traffic impact mitigation, City services impact fees, water and sewer hook-up fees)

Throughout Project Construction:

16. Improvements shall be installed or implemented in compliance with approved plans.

17. Project construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday unless an emergency situation exists. No work will be performed on Sundays and City holidays, except in emergency situations.

18. A water truck shall be present on the construction site throughout construction activities and shall be available for use on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. All fugitive dust emissions caused by land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled using application of water.

19. The Project Proponent shall be responsible for equipment emissions including:
   - Ensuring that all construction equipment and vehicles are properly tuned and maintained and that low-sulfur fuel is used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans' Standard Specifications, Section 14-9).
   - Heavy-duty diesel-powered construction equipment is prohibited from idling for more than five minutes during periods when the equipment is not in use.
   - Grid (electrical) power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.

20. If a cultural resource is discovered during construction activities, the construction contractor shall comply with the following provisions:

   A. The person discovering the cultural resource shall notify the City of Angels by telephone within 4 hours of the discovery or the next working day if the department is closed.
B. When the cultural resource is located outside the area of disturbance, the City's designated qualified cultural resource professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, driveways or utility lines, grading and vegetation removal areas, plus 100 feet.

C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the City's designated qualified cultural resource professional may continue. The City's designated qualified cultural resource professional shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource, which evaluation shall be complete within 2 weeks of the discovery unless extraordinary circumstances require additional time.

D. When the cultural resource is determined to be not significant, the City's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified professional.

E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by the City's designated qualified cultural resource professional or a cultural resource management plan shall be prepared by the City's designated qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The City's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the City's designated qualified cultural resource professional. All further activity authorized by this permit shall comply with the cultural resources management plan, if necessary.

For the purposes of implementing this measure, a "qualified cultural resource professional" is an individual (e.g., historian or archaeologist) meeting the Secretary of the Interior’s Qualification Standards A "cultural resource" is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Calaveras County, the State of California, or the nation which is 50 years of age or older or has been listed on or is eligible for listing on the National Register of Historic Places, the California Register of Cultural Resources, or any local register.
21. If human remains, burial, cremation or other mortuary features are uncovered during construction activities; upon discovery, secure the location, do not touch or remove remains and associated artifacts; do not remove associated spoils or go through them; document the location and keep notes of activity and correspondence. All work within 100 feet of the discovery shall stop until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to obtain the Most Likely Descendent (MLD) and follow state law (PRC 5097.98 and Health and Safety Code 7050.5(c)). No further work or disturbance shall occur within 100 feet until all of the preceding actions, as applicable to the discovery, are implemented and completed. Preservation in situ is the preferred treatment of human remains and associated burial artifacts. [Public Resources Code Sections 5097.94, 5097.98 and Health and Safety Code Section 7050.5(c) and Section 15064.5 of the California Code of Regulations implementing the California Public Resources Code, Sections 21000-21177]

Prior to issuance of an Occupancy Permit:

22. The Hotel will annex into the Greenhorn Creek Landscape Lighting District.

23. The Project Proponent shall pay in-lieu parking fees to the City to offset the removal of two spaces. Alternatively, the Project Proponent may construct two new parking spaces meeting City standards and in a location reviewed and approved by the City.

24. The Project Proponent shall secure a sign permit from the City prior to installing project signage. Signs shall be in compliance with Angels Municipal Code Chapter 15.12.

Throughout the life of the Project:

25. Hotel units shall be for overnight temporary guest use only. Use shall not to exceed 30 consecutive days. Units may not be used for residential purposes until and unless an amendment to this permit is first obtained from the City.

26. Employees shall not park on McCauley Ranch Road at any time

27. All trash enclosures and mechanical equipment (e.g. HVAC) shall be screened from view from public rights-of-way and adjoining residences by decorative walls, fencing and/or landscaping.

Greenhorn Creek Inn - 31
28. Property owner shall be responsible for maintaining, or cause the maintenance of, landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. (Angels Municipal Code 17.63.070)

29. Roof mounted appliances, equipment or other structures shall be effectively screened from view by passing pedestrians and motorists and adjoining residences.

30. Noise levels generated by the hotel shall not exceed the noise limits established by the General Plan Figure 5-1. Specifically noise levels at the parcel boundary between the hotel and residences should not exceed 60 decibels.
CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
OCTOBER 11, 2018
STAFF REPORT
DESIGN CONSIDERATION
HISTORIC DOWNTOWN CHRISTMAS ANGELS

ITEM NO. 4

DATE: October 4, 2018

FROM: Amy Augustine, AICP – City Planner

OWNER/APPLICANT: Anne Forrest for Angels Camp Business Association (ACBA)

LOCATION: Historic Downtown Street Lamps

GENERAL PLAN/ZONING: Historic Commercial (HC)

PROJECT DESCRIPTION:
Design consideration of 26 Christmas angels to be attached to the 13 downtown light poles as holiday decorations in the historic district. Two angels will be placed back-to-back on each light pole so that the angels may be seen by pedestrians and traffic traveling in both directions along South Main Street. See the attached summary for a detailed description of the proposed design and construction materials.

ANALYSIS:
Pursuant to the Angels Municipal Code Section 17.26.080, within the Historic Commercial (HC) District, structures in the Historic Commercial district, shall as to their exterior appearance within public view substantially conform to the Mother Lode type of architecture. "Mother Lode type of architecture" shall consider building materials, colors, finish, lighting, and ornamental devices and signs as described in the Secretary of the Interior's Standard for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstructing Historic Buildings manual with corresponding color charts. AMC Chapter 17.26 notes that the "Mother Lode type of architecture" involves the use of wood, stone and brick as primary materials.

The AMC does not expressly address the design of Christmas decorations. Because the proposed Christmas Angels are similar in design and construction to non-advertisement signs; the AMC's Historic District sign design guidelines (AMC Section 17.26.090) are used herein to evaluate the design of the proposed Christmas Angels:
No signs shall be placed, erected, altered or relocated on any property within the historical district unless such sign shall as to its exterior appearance be compatible with the Mother Lode type of architecture, and unless it complies with all of the following requirements and is approved by the planning commission:

- No sign shall project more than six feet from the face or vertical surface of the building where applicable. Sign must not constitute a hazard to pedestrians or vehicular traffic.
- No sign shall project above the eave or the parapet line of the building.
- No sign shall contain any flashing, blinking, or moving letters, characters, or other elements, and the sign itself shall not move.
- No sign shall contain any outline tubing.
- The sign shall not be made of plastic;
- The sign must be historical in nature (wood, metal, scroll writing, etc.)

Based on the preceding, the use of plywood material used for the Christmas angels is consistent with Mother Lode architecture.

LED lights outlining the angels are proposed. Lighting is consistent with the historic district provided it is not flashing or blinking.

Colors proposed include a red ribbon and white or silver paint with a fluorescent coating for night visibility. The use of the Planning Commission’s pre-approved color palette Benjamin Moore Historical Color Collection (or as otherwise approved by the Planning Commission) will ensure that selected colors and coating are consistent with the historic district.

ENVIRONMENTAL FINDINGS:
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed project is categorically exempt from CEQA pursuant to Section 15311, Class 11, Accessory Structures, because the Project involves the placement of minor structures (angels), including seasonal and temporary items (Christmas decorations), in generally the same location (street lights) from time to time (holidays) on or in facilities designed for public use (street lights). The Project does not involve any of the exceptions to this categorical exemption as established in Section 15300.2(b-f) of the guidelines (i.e., does not contribute cumulatively to a significant impact, will not result in any potentially significant impact, will not impact a scenic highway, does not involve a hazardous waste site, and will not create a substantial adverse change to the significance of a historical resource).

RECOMMENDATION:
Staff recommends the Planning Commission adopt Resolution 2018-16 approving the design of the Christmas Angels subject to the attached conditions.

ATTACHMENTS:
A. Project Design Description
B. Planning Commission Resolution 2018-16 and Conditions of Project Approval
Background: The Angels Camp Business Association has for well over 25 years taken charge of Christmas decorations and events along Main Street and particularly in the historic downtown. Over 20 years ago, ACBA purchased the cross-the-street decorations that are still being used; it organizes the pine boughs that are hung the full length of Main Street; it buys and installs the lighted pine garlands on the 13 downtown light poles; and it organizes the annual Christmas parade which is now in its 27th year and the wine stroll and merchant open house that occur at the same time – drawing over 3,000 people to the downtown and into the shops.

This year we would like to improve the downtown decorations by putting 'Angels' back in Angels Camp. Over 20 years ago, the merchants had wooden angels hanging downtown. Jim Turner of Turner’s Wild West still has some in storage.

The Project: We propose to hang angels from the 13 light poles in the historic downtown. The angels will be made of outdoor plywood cut into an angel shape and will be installed at the top of each light pole just under the light globe. Our plans call for two angels to a pole, placed back to back with the pole in between and placed perpendicular to the street so they can be seen by vehicles as well as walkers along the sidewalk.

Design and Construction:

The angels will measure 30 inches high and 16 inches at the widest point. They will be cut from outdoor plywood in a shape similar to the one in the attached photo. They will be painted white or silver with a fluorescent coating so they are visible at night. We are planning to drill holes along the edge and insert small LED lights to outline the angel. The lights would be plugged into the outlet at the top of the light pole. They may have a red ribbon but it won’t be like the one in the photo.

The angels will be hung at the top of the pole just below the large globe. There will be two angels per pole, back to back with the pole in between. We are still figuring out the best way to secure them to each other and to the pole. The downtown light poles are approximately 16 feet above the pavement and the base usually starts about 8 to 10 inches from the edge of the
curb. The glass globe at the top takes just over 12 inches. Therefore, we believe that there will be plenty of clearance from the sidewalk to the bottom of the angel, and that the angel will not extend past the curb, except for perhaps the tip of its wing.

The angels will be machine cut and drilled by Verne Johnson at Bret Harte High School. Painting and lighting will be done by ACBA volunteers. Installation will be done by ACBA volunteers when they install the lighted pine garlands around the poles.

We hope that the Commission will approve this project so that we can ensure the Angels are back in Angels Camp before the 2018 Christmas Parade.

Submitted:

Anne Forrest, ACBA board member
WHEREAS, the City received an application to install Angels for Christmas decorations along the 13 street lights in the historic district; and

WHEREAS, the City of Angels Municipal Code established the Historic Commercial District to preserve the historic character and distinctive architecture of the historic district as an attractant to tourists and visitors augmenting the economy and general welfare of the City and its inhabitants; and

WHEREAS, the Historic Commercial District was established for the preservation of the architectural appearance of the surrounding properties within the district as essential to the economic and cultural life of the City and recognizes that a departure from the established type of architecture in the district would tend to depreciate the values of all properties within the district; and

WHEREAS, in order to promote the public health, safety, and the general welfare, the Angels Municipal Code deems it necessary, to provide for special conditions and regulations for the protection of the Historic District, its enhancement and perpetuation, and to provide appropriate and reasonable control of the appearance of neighboring property within public view; and

WHEREAS the Planning Commission has reviewed the design of the proposed Christmas Angels and found that they are consistent with the purpose and intent of the Historic Commercial zoning district; and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state guidelines for the implementation of CEQA Section 15311, Class 11; and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered public input on the proposed project;
NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby approves the design and placement of the Christmas Angels subject to the attached conditions.

The foregoing resolution was introduced and moved for adoption October 11, 2018 by _____________ and duly seconded by Commissioner _____________.

PASSED AND ADOPTED THIS 11th day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____________________________________
John Broeder, Chairman

ATTEST:

____________________________________
Jennifer Preston, Deputy City Clerk
City of Angels
CONDITIONS OF PROJECT APPROVAL

HISTORIC DOWNTOWN CHRISTMAS ANGELS

Prior to installing Angels on lamp posts in the Historic District:

1. The Angels Camp Business Association (ACBA) and the City of Angels will verify whether or not Caltrans requires an encroachment permit for the decorations. ACBA will secure an encroachment permit from Caltrans, if required.

2. ACBA and the City of Angels Public Works Department will establish the appropriate mechanism for attaching the Christmas Angels to light posts.

3. ACBA will meet with City Administration to execute applicable indemnification and/or insurance agreements, if necessary.

4. Final colors (including coating) shall be from the City’s approved *Benjamin Moore Historical Color Collection* color palette or as otherwise approved by the Planning Commission.

5. Lighting shall be steady lit and not blinking or flashing.