CITY OF ANGELS
PLANNING COMMISSION
REVISED

A G E N D A

November 8, 2018
6:00 PM

City of Angels Fire House
1404 Vallecito Road
Angels Camp, California

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 November 8, 2018.

APPROVAL OF MINUTES

1. Approval of Regular Meeting Minutes of October 11, 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.
PUBLIC HEARING

1. 1230 South Main Street - Angels Theater: AMEND Condition #8 of Conditional Use Permit/Resolution 2018-13B to reduce the required age for persons serving beer and wine at the Angels Theatre from 21 to 18. 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).

PLANNING COMMISSION MATTERS

2. Boundary Line Adjustment/Resolution 2018-17 to adjust the boundary line between Assessor Parcel Numbers 058-011-032 (Broglio/389 North Main Street) and 058-011-033 (Stammerjohan/349 North Main Street).

3. Ethics training

4. Meeting procedures and conduct

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 December 13, 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.
CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES

Regular Meeting of Thursday October 11, 2018
City Fire House 1404 Vallecito Road
Angels Camp, California

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, and Commissioner Johnston
Commissioners Absent: Commissioner Moncada
Staff Present: City Planner Amy Augustine and Deputy City Clerk Jennifer Preston

APPROVAL OF AGENDA

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER JOHNSTON AND CARRIED 4-0 TO APPROVE THE OCTOBER 11, 2018 PLANNING COMMISSION AGENDA AS PRESENTED.

APPROVAL OF MINUTES

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

MOTION BY COMMISSIONER JOHNSTON AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 4-0 TO APPROVE THE REGULAR MEETING MINUTES OF SEPTEMBER 13, 2018.

PUBLIC COMMENTS

OPENED AT 6:02 P.M.

Debbie Ponte – DAC Executive Director
Ms. Ponte stated DAC provides public information to the citizens of Angels Camp. Ms. Ponte talked about a handout (attachment 1) regarding Measure C and that it is not an endorsement of a yes or no vote. Ms. Ponte stated that you can watch a video on YouTube from Citygate regarding the state of the City’s finances. Ms. Ponte stated that she also volunteers for the Mark Twain Wild West Fest coming up on October 20th and she hopes to see many commissioners and
citizens there. This festival brings around 7,000 visitors to the City and has over 70 vendors and entertainers.

CLOSED AT 6:06 P.M.

PUBLIC HEARINGS

1. 1230 South main Street – Angels Theater: Conditional Use Permit to allow the sale of beer and wine at the Angels Theater. Beer and Wine may be served at the concession counter or served in the theater 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).

Planner Amy Augustine presented the staff report and Resolution 2018-13 of the City of Angels Planning Commission for Project#18-28 Angels Theater Conditional Use Permit for the sale of beer and wine located at 1230 S. Main Street APN 060-012-003 with the addition of Condition of Approval stating “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, and 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 as 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.”

PUBLIC HEARING OPENED: 6:08 P.M.

Jeff Olson – Angels Theater Manager
Mr. Olson stated that the company that he works for has 17 theaters and the company is moving forward to do this in all of its theaters. The company follows all ABC regulations for serving alcohol, and no one is getting drunk at the theaters that already do this. Mr. Olson stated that staff has turned movie goers away that had too much to drink before they show up at the theater, and there is a limit to how much staff can serve during one showing. Mr. Olson stated that in six more years the theater will have its 100th year anniversary. Mr. Olson stated that this is just another revenue service to help the theater stay open and make money.
Debbie Ponte – DAC Executive Director
Ms. Ponte read into the record a letter from DAC supporting the sale of beer and wine at the theater (see attachment 2).

Mike Fullaway – 155 S. Main Street
Mr. Fullaway stated that he agrees with what Debbie just shared and he fully supports the theater to sale beer and wine. Mr. Fullaway stated that anything that helps a small business increase revenue is a good thing, it will increase their revenue and sales tax for the City.

PUBLIC HEARING CLOSED: 6:12 P.M.

Commissioner Gonzalez stated that she does have concerns with youths being in the theater where alcohol is served, but is satisfied with the resolution and the conditions of approval and does not have a problem passing this conditional use permit.

Commissioner Johnston stated that she would like to know how the theater will monitor the drinking.

Mr. Olson stated that the staff of the theater will monitor it very well, the staff monitors inside the theaters often for multiple reasons.

Commissioner Gordon stated that he is also concerned with youths being in the theater where alcohol is being served because it is a family theater, it sends a message to youths that alcohol is ok everywhere. Commissioner Gordon also stated that he has personally seen Mr. Olson escort someone that was intoxicated from the premises and that Mr. Olson handled the situation very well. Commissioner Gordon stated that he would like to see a raise of hands of people in favor of the project from the audience. Many people raised their hands, but the clerk was unable to count how many. Commissioner Gordon stated that he supports it since the community would like to have it.

Chair Broeder asked if Mr. Olson had ever been to Sister’s Movie House, there they serve dinners along with alcohol and he would like to know if the theater plans on expanding services to food.

Mr. Olson stated that the theater plans on selling food once the theater puts in loungers with a table on them. The theater definitely wants to expand services.

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

MOTION BY COMMISSIONER JOHNSTON AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 4-0 TO ADOPT RESOLUTION 2018-13 A RESOLUTION BY THE CITY OF ANGELS PLANNING COMMISSION APPROVING PROJECT #18-28 ANGELS THEATER CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE LOCATED AT 1230 SOUTH MAIN STREET APN 060-012-003 WITH THE ADDITION OF THE NEW CONDITION OF APPROVAL.
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 site, with the proposed additions, will be 10 units. Assessor’s Parcel Number: 057-012-006. General Plan: High Density Residential (HDR). Zoning: Multi-Family Residential (R-3).

Planner Amy Augustine presented the staff report and Resolution 2018-14, a Resolution by the City of Angels Planning Commission approving a site plan review and conditional use permit for Project# 18-13 Dogtown Road Apartments located at 167 Dogtown Road APN 057-021-006.

**PUBLIC HEARING OPENED: 6:24 P.M.**

Scott Griffiths – 167 Dogtown Road
Mr. Griffiths stated that this project has an existing duplex on it and over the last year they have taken steps to get this project started, such as a topography map of the parcel. Mr. Griffiths stated that he is trying to add more rental properties within the City.

Commissioner Gonzalez stated that she has concerns with the current resident parking garages and the in tandem parking.

Planner Augustine stated that affordable housing gives three incentives and one is in tandem parking and the current parking will not have to be reorganized.

Commissioner Gordon stated that he likes the fiber cement siding, but he is concerned with how each unit of the 4 plex looks identical. Commissioner Gordon stated that he would like to see different color doors and shutters to make each unit feel unique.

Mr. Griffiths stated that he is open to making those changes.

Chair Broeder stated along with Commissioner Gordon’s suggestions he would like to see gable end overhangs, small porches on some with a shed roof, post and railings.

Mr. Griffiths stated that he is open to all of those changes.

Debbie Ponte – DAC Executive Director
Ms. Ponte read into the record a letter from DAC supporting the project at 167 Dogtown Road (see attachment 3).

Mike Fullaway – 155 S. Main Street
Mr. Fullaway stated that his employees have a hard time finding housing in this area and hopefully the City will work with the applicant and try and find cost savings to help this get built. Mr. Fullaway stated he is in full support of this project.

**PUBLIC HEARING CLOSED: 6:39 P.M.**

Chair Broeder stated that he is hesitant about making the applicant bring updated drawings with the added suggestions back to the Planning Commission.
Planner Augustine stated the commission can add a condition of approval of the suggestions to be reviewed by the Planning Department.

Commissioner Gonzalez questioned the right in and right out Caltrans requirement at the Dogtown Road and SR 49 intersection, when will that happen.

Planner Augustine stated that staff should have comments back from Caltrans in about a month.

The added condition of approval is: “Submit amended building elevations adding variably-colored doors, extending the roof overhang, adding “shed roof” window overhangs or shutters to break up the front elevations, and adding porches if feasible. Improvements shall be included to the extent that they do not significantly add to the construction costs. Plans shall be submitted for review and approval by the Planning Department”.

**MOTION BY COMMISSIONER GONZALEZ AND DULY SECONDED BY COMMISSIONER GORDON AND CARRIED 4-0 TO APPROVE RESOLUTION 2018-14 A RESOLUTION BY THE CITY OF ANGELS PLANNING COMMISSION APPROVING A SITE PLAN REVIEW AND CONDITIONAL USE PERMIT FOR PROJECT 18-13 DOGTVOWN ROAD APARTMENTS LOCATED AT 167 DOGTVOWN ROAD APN 057-021-006 WITH THE ADDED CONDITION OF APPROVAL.**

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).**

Planner Amy Augustine presented the staff report and Resolution 2018-15, a Resolution by the City of Angels Planning Commission approving a site plan review for Project 18-23 The Inn at Greenhorn Creek located at 711 McCauley Ranch Road APN 058-046-007. Ms. Augustine stated that she attended a meeting on September 27th in Greenhorn Creek that around 45 people attended that had concerns or supported the project. In addition, staff received a letter dated October 10, 2018 and provided each commissioner with a copy (see attachment 4). Ms. Augustine stated that this project was accepted on application and reviewed by the planning department based on current conditions. When Greenhorn Creek development was established it had a developer agreement that recognized that in the future there will be a hotel, but it did not say where it would be located or the size. Staff relied on the C-PD zoning code which requires a site plan review of a hotel for this area. The project can be exempt from CEQA based solely on that there are not significant impacts, the lot is currently vacant and has been graded once before, no cultural resources are on the site and it is a vacant lot that is surrounded by developed parcels.

**PUBLIC HEARING OPENED: 6:49 P.M.**

Mike Kristoff – Motherlode Investors
Mr. Kristoff stated the location was chosen because it is next to the Club House and check-in will be at the Pro Shop, the festivities will be at the Club House and the hotel will only be a hotel, the site has nice views of the 9th and 10th fairways. The target market will be for people
interested in buying houses in the area, tourist, conferences, and weddings. This project will help Greenhorn Creek Resort to continue to attract people to the area for golfing, wine tasting and to enjoy the City and County’s attractions. The zoning has been C-PD since 1994 and the zoning allows up to 50 feet in height and the pad has been dropped by 2 feet and the building height is going to be 32 feet. The developer doesn’t want to move dirt that they don’t have to because that adds cost to the project. The developer believes that they have followed all the zoning guidelines. Mr. Kristoff stated that they are trying to add another quality facility to the area and help enhance the City. Mr. Kristoff read into the record an email from the Calaveras Visitors Bureau Executive Director Lisa Boulton (see attachment 5). The owners of this project have owned the property for 20 years and they take pride in their property, the owners look forward to being here long term and to attract visitors to the area by providing them with nice accommodations to successfully acquire future home owners.

Commissioner Gordon questioned the use of stucco on the back of the buildings, the red clay in the dirt starts to color the stucco over time and stucco is not traditionally used in the Mother Lode.

Dave Jagoe - Architect for project
Mr. Jagoe stated the biggest design idea for the start of this project was not to copy the Club House and to keep it looking more residential in nature, using hardy batten board, stone, metal roof, high end landscaping to help with screening on the east side and then the stucco will be sealed to prevent the clay from soaking into it.

Commissioner Gonzalez stated that she is concerned with putting so much on a small piece of land.

Mr. Jagoe stated that sites always look smaller than they actually are once it is built on. The footprint of this project is like a large home with a detached garage. The developer decided to only use two units upstairs, so by code only one staircase was needed and then the bottom center unit is fully ADA compatible.

Chair Broeder stated that it looks like a couple of feet could be taken off to lower the pad elevation without having to do tie-backs or large retaining walls, also you gain a couple of feet by changing the pitch of the roof from 8 in 12 to 6 in 12.

Mr. Kristoff stated 1.7 feet of dirt could be removed, with added cost, without going below the parking lot as to not affect the drainage, and the retaining walls will be tiered with no tie-backs used. Mr. Kristoff stated that they would consider using the 6 in 12 pitch to get the project approved.

Jeff Bailey – 305 Blair Mine Road
Mr. Bailey stated that he is a small business owner and when he invites his high-end clients up to visit he would like to be able to book them 4-star accommodations and there just isn’t any within the City currently, so he is in favor of the project.

Darrin Phillips – General Manager of Greenhorn Creek
Mr. Phillips stated that membership is stagnant and without accommodations the Club is not a real resort. The Club needs to have a place for people to stay when they book conferences or
weddings and currently the Bunkhouse is the only location but it is not large enough. This project will help the Club continue into the future and help keep the golf course intact.

Jason Jarman – 397 Blair Mine Road
Mr. Jarman stated he thinks the project is a good idea and that the area has been a blight, so what they are proposing would look better than what is currently there. Mr. Jarman stated that he likes the look of 8 in 12 than 6 in 12. Mr. Jarman stated he believes that the design is perfect and maybe there is some compromise in lowering the pad.

Debbie Ponte – DAC Executive Director
Ms. Ponte read into the record a letter from DAC supporting the project at 711 McCauley Ranch Road (see attachment 6).

Mike Fullaway – 155 S. Main Street
Mr. Fullaway stated that this project will be an asset for the City, it’s a positive thing and will help raise more tax dollars.

Brad Fullenbach – 620 Edgewood Loop
Mr. Fullenbach stated he doesn’t oppose the development just that he would like to see a reduced footprint and drop the road ridge by 10 feet and see Camps use the Wyndam Hotel that is already there. Mr. Fullenbach stated that he paid a lot of money for his house and for his view, he doesn’t believe that a 9-unit hotel will be the salvation for Greenhorn Creek. He believes that they will build more units in the future.

Sue Parker – 616 Edgewood Loop
Ms. Parker stated that is her forever home and it has a beautiful view. She is not opposing the project and she hopes it is successful for the City. Ms. Parker would like the pad dropped by 8 to 10 feet and be level with the street and for them to save the large oak tree on the site.

Mike Evans – DeNova Homes Project Manager
Mr. Evans stated this commission required DeNova Homes to have full wrapped siding on our homes and it makes the homes look impeccable. The CEQA documents being utilized are from a 20-year-old EIR, and EIR’s require updates every so often if there are impacts. Ms. Augustine stated that the impacts are so low that it doesn’t require this to be done. There has been no traffic study completed and he believes it needs to be. Mr. Evans stated that there is a 3-acre parcel across the street that could be used, they could remove the 2nd story of the building, but we have not had time to sit down with the applicant and talk about issues. Mr. Evans stated that he doesn’t know if the applicant is compliant with water efficiencies. Mr. Evans stated that the applicant has stated they will have a 46% vacancy so why not build only 7 units and take off the 2nd story. Mr. Evans stated that the developer’s agreement mentions a hotel but not where it will be located and he would like to see this public hearing continued so that they can sit down with the applicant and staff to try and fix some of the issues brought up today.

Dave Sanson – 565 Spyglass Circle
Mr. Sanson stated he works for the developer of The Gallery but he has been in Angels Camp since the 1990’s. Mr. Sanson stated that they would like a chance to meet with staff and the applicant regarding the design, they fully support them building an inn to make Greenhorn Creek a resort, but just wished that Grupe built it a couple of years ago. Grupe built the cottages that
helped bring destination golfers to the area. Mr. Sanson stated the reason he is here tonight is for the home owners that have bought homes in The Gallery, when DeNova sold the homes we did not know that a hotel or inn was going to be built on this site. Mr. Sanson stated that there are other sites that Groupe could develop on. Mr. Sanson stated that DeNova has requested documents from Groupe regarding this project and have not received anything from them yet, and there are no documents at this meeting that actually state what this hearing is even about. Mr. Sanson stated that this is a great idea but it needs to be better vetted. Mr. Sanson stated that DeNova has not seen any design criteria regarding this project and he believes that the Planning Commission owes it to the home owners and future home owners to get this right. Mr. Sanson referred to the picture of attachment 4 page 6, that once this project goes in it will block 80 to 90 percent of the view that the home owners on Edgewood Loop have, the picture on the left is their current view and the picture on the right is what it would be once the building is there. Mr. Sanson stated that the pad could be lowered, the roof pitch could be lowered and the roof could be lowered. Mr. Sanson stated that DeNova asked for sections, elevations and any other information from Groupe regarding this project and have received nothing, so it hard to make a decision on this project. Mr. Sanson stated the information in the Planning Commission packet doesn’t show the slopes of the property, it shows the elevation of the building at parking lot level and not above the parking lot. Mr. Sanson stated that Groupe is trying to put too much onto this property site and that is the only reason they need a retaining wall to begin with and that it is only 3 feet from the property line.

Commissioner Gordon questioned if the hotel could be moved across the street into the current parking lot.

Mr. Kristoff stated that the zoning at the parking lot is open-space and the current zoning of the project site is commercial-planned development. To change the site would cause us to do a rezone and general plan amendment, plus more hoops and money.

Mr. Sanson stated that if the hotel was in the original developer’s agreement he doesn’t believe it was supposed to go on this site. Mr. Sanson stated that no one thinks of a hotel only being nine units. Mr. Sanson that he thinks it would a lot better for the community long term if Groupe would do a rezone and general plan amendment than try to put it on the current location. Mr. Sanson stated that no one could know after reading the developer’s agreement that a hotel would go on this site.

Mr. Kristoff stated that we have a developer protecting their homeowners’ interest that is a discloser issue that isn’t Groupe’s fight.

Mr. Sanson stated that he is here because he is a resident and a member of the community, the hotel is great opportunity for the resort and he agrees with staff recommendations in a lot of regards. Mr. Sanson stated that if this goes forward then the residents need to be taken into consideration, if the hotel was there first then there would not be an issue. Mr. Sanson stated that it is his responsibility as a developer on the behalf of our homeowners to state what the expectations are and what they should be. Mr. Sanson stated that he wants to corporate with Groupe because they want them to succeed to make the community thrive, but it needs to be done in a thoughtful way so all are happy and he thinks the application should be continued so that everyone can meet and discuss the design.
Mr. Kristoff stated that there is a lot of information to digest from this hearing, but Grupe is trying to make Angels Camp a better place to visit. Mr. Kristoff stated that he believes that Grupe has been considerate by lowering the pad a little bit and lowering the pitch of the roofs, it is zoned so that they could do a three-story building there, but Grupe is trying to make it look more residential in use. Grupe wants to work with the City and our neighbors but we are limited to the commercial zone that we currently have that was zoned C-PD since 1994. Grupe is trying to take advantage of the proximity of the hotel location to the Club House.

PUBLIC HEARING CLOSED: 7:45 P.M.

Planner Augustine stated that there is reason that cities do planned developments, the proposal of moving the hotel to the parking lot across the street will not work because that parking was put into place when the Fireside Room was built and it is part of a reciprocal parking agreement so that parking can not be moved. If they want to move the parking or rezone it starts a domino effect, that is why Greenhorn Creek was master planned to avoid things like the issues brought up today. Ms. Augustine stated that this is not a CEQA issue, staff did not rely on the developer’s agreement, staff used the zoning for the parcel which is C-PD which requires a site plan review for a hotel. Ms. Augustine stated that the standards for C-PD for height are 50 feet and this project meets that standard. Ms. Augustine stated that under a site plan the planning commission could do a finding of general welfare, the reason staff did not make this finding is that this project blocks one person’s view a lot and one person’s view slightly. Ms. Augustine stated that the Planning Commission could try and make some changes to the design of the project to make everyone happy, but under CEQA, blocking a view is not an adverse effect because we do not have a view shed adopted nor is there an easement for that view. Ms. Augustine stated that this is about the project fitting into the neighborhood and getting along with the neighbors, it is not about a developer’s agreement issue, not a general plan or zoning issue and not a CEQA issue. Ms. Augustine stated that she would like the commission to base any decisions made on the General Welfare findings. Ms. Augustine stated things such as water efficiency landscaping are state law and the City is required to do them with or without CEQA or an EIR. Ms. Augustine stated that a traffic study was not done with this project because the size of the project, the applicant will pay the traffic mitigation fee required and there is no unsafe intersection with this project. Ms. Augustine stated that there is an oak tree being removed but the applicant is complying with our oak tree mitigation and adding additional trees to help screen the other properties. Ms. Augustine stated that you could not have predicted that a hotel would go on this location but it is zoned commercial planned development and if this project doesn’t go there then other things could go there such as a fire station, spas or swimming pools etc.

Commissioner Gordon questioned about removing the 2nd story of the building and putting the two units on ground level.

Dave Jagoe - Architect for project
Mr. Jagoe stated that they can not move the two units to the ground level due to landscaping and parking regulations.

Chair Broeder stated that the developer has acknowledged that they are willing to make the pad a little lower and to change the pitch of the roof. The picture (attachment 4 page 6) doesn’t help because it is a 2D rendering on a 3D picture, so it is not a real version of what the hotel would look like. Chair Broeder stated that it would have been nice to have a 3D photo like rendering
of what the hotel would look like on the site from all 4 elevations. If the commission approves this resolution the applicant should make every attempt to satisfy the complaints that have been presented that is finically responsible. Chair Broeder questioned the applicant if they can give an amount plus or minus 6 inches that the pad can be lowered.

Mr. Kristoff stated that the pad can be lowered to 1.7 feet because the parking lot is at 1446 elevation and we could go to 1447 without making drainage issues.

Planner Augustine stated that the commission could add a condition of approval to say that "Submit an amended grading/site plan and elevations to the Planning Department for review and approval lowering the pad to as close to 1446/1447± feet as financially feasible and without creating a drainage issue with the parking lot (approximately 1.7± feet lower) and changing the pitch of the roof from 8 in 12 to 6 in 12".

Commissioner Gordon questioned if DeNova Homes knew if a building could go onto that site.

Planner Augustine stated that they would not know what would go there but it is zoned C-PD and the standards for that zone are 50 feet in height, zero feet setbacks and lot coverage up to 100 percent.

MOTION BY COMMISSIONER GONZALEZ AND DULY SECONDED BY COMMISSIONER JOHNSTON AND CARRIED BY THE FOLLOWING ROLL CALL VOTE TO APPROVE RESOLUTION 2018-15 A RESOLUTION OF THE CITY OF ANGELS PLANNING COMMISSION APPROVING A SITE PLAN REVIEW FOR PROJECT #18-23 THE INN AT GREENHORN CREEK LOCATED AT 711 MCCAULEY RANCH ROAD APN 058-046-007 WITH THE ADDED CONDITION OF LOWERING THE PAD APPROXIMATELY 1.7 FEET AND CHANGING THE PITCH OF THE ROOF FROM 8 IN 12 TO 6 IN 12.
ROLL CALL VOTE:
COMMISSIONER JOHNSTON: YES
COMMISSIONER GONZALEZ: YES
VICE-CHAIR GORDON: YES
CHAIR BROEDER: YES
COMMISSIONER MONCADA: ABSENT
RESOLUTION PASSED 4-0

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

Planner Amy Augustine stated that she will let the applicant Anne Forrest present the wooden angels project.

PUBLIC HEARING OPENED: 8:16 P.M.

Anne Forrest – ACBA
Ms. Forrest stated that ACBA would like to use angels in the downtown during Christmas time and Jim Turner had some that were used in the 80’s, she brought a sample of one to show the commission. Ms. Forrest stated that Vern Johnston is the Bret Harte High School woodshop
teacher and he will be making new ones with small holes around them to place LED lights in them and they will be painted with reflective paint to be seen at night better. The angels would set in between the banner post at the top of the light post, they are 3 feet tall and then another angel on the other side with some wire tying the two together. The ACBA Board meets next week and they can get started on this, they are open to change the design as long as it is simple.

The discussion that followed was that the commission would like to see a refined design and it brought back to the commission for approval, or make a committee to review it.

Ms. Forrest stated that she believed that there isn’t enough time to get everything done this year because this is all done by volunteers.

PUBLIC HEARING CLOSED: 8:26 P.M.

MOTION BY COMMISSIONER GONZALES AND DULY SECONDED BY COMMISSIONER GORDON AND CARRIED 3-0-1 WITH COMMISSIONER JOHNSTON ABSTAINING TO DENY RESOLUTION 2018-16 FOR CHRISTMAS ANGELS IN THE HISTORIC DOWNTOWN WITHOUT PREJUDICE.

PLANNING MATTERS
None

COMMITTEE REPORTS
None

COMMISSIONER’S REPORTS

Commissioner Johnston stated that she attended the City Council meeting, she attended the meet the candidates’ function.

Chair Broeder and Commissioners Gordon and Gonzalez had nothing to report.

STAFF REPORTS
None

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

MEETING WAS ADJOURNED AT 7:52 P.M.

ATTEST:

John Broeder, Chairman

Jennifer Preston, Deputy City Clerk
City of Angels - Measure C Fact Sheet

Imposing a Half of Cent (.5%) Transaction & Use (sales) Tax Increase Within The City of Angels

Which Equals A Nickel For Every $10 Spent or $1 For Every $200 Spent

What is Measure C?

Measure C is a City of Angels ballot initiative which asks registered voters within the city limits whether or not they would support a half a cent (.5%) transaction and use (sales) tax increase on the November 6, 2018 general election. This is reflective of Resolution 18-26 passed unanimously by the City of Angels City Council on June 5, 2018.

What is the current sales tax in the City of Angels & how is it divided?

The current sales tax is 7.25%. If Measure C is successful the sales tax rate would increase from 7.25% to 7.75% This would become effective January 1, 2019. The following is the current division of the 7.25% sales tax:

State of California - 6%  
City of Angels - 1%  
Calaveras County - .25%

If Measure C passes by a majority plus one vote, the additional .5% increase brings the City of Angels allocation to 1.5%. The .5% increase will stay with our local government body - the City of Angels.

Why is Measure C on the ballot?

The City has been experiencing financial pressure due to slow economic growth after a recession, flat revenues from property and transient occupancy taxes and rising material and labor costs.

The City has made the following changes to address deficit spending:

• Eliminated and reorganized positions;
• Placed a freeze on most hiring and wage increases;
• Deferred maintenance on infrastructure and city buildings as much as possible.

Earlier this year, the City undertook an independent review with Citygate & Associates to study the City's finances for the past five years. The preliminary report indicated most City services are now at or below minimal levels and that alternate funding resources are necessary to rebuild and sustain key City services.

Currently, the City cannot:

• Adequately repair and maintain City infrastructure such as: streets and sidewalks, parks, the fire house, museum and City Hall;
• Adequately fund police and fire services;
• Purchase necessary equipment and technology upgrades.

For the complete report, please view the August 7, 2018 City Council meeting on YouTube.

Attachment 1
How will Measure C funds be spent?
The additional sales tax is estimated to generate approximately $400,000 per year based on the City’s 2017/2018 retail sales history. These funds will be used to better serve residents to sustain City services including police, fire, street and sidewalk maintenance, parks and museum.

How many votes are needed to pass Measure C?
Measure C needs a majority plus one vote of the registered voters who vote on November 6, 2018 and reside within the City of Angels city limits to be successful.

What is a Transaction & Use (sales) Tax?
The state Transaction (sales) Tax and Use (sales) Tax are “mutually exclusive” which means either the Transaction Tax of the Use Tax may apply to a single transaction, but not both.

A Transaction Tax is also known as a sales tax and is imposed on all California retailers. This tax is applied to all retail sales in California for merchandise of taxable items such as clothing, office products, furniture, tools, tires and gifts items.

A Use Tax is also a sales tax on purchases made outside of California for taxable items such as new furniture, tools, clothing, appliances and vehicles that will be used, stored or consumed in your home and on which no tax was collected in the state where the purchase was made.

How does the City of Angels Sales Tax of 7.25% compare to other cities?
The following are the sales tax rates in the following cities and counties within an hours drive:

- City of Sonora - 7.75%
- City of Jackson - 7.75%
- City of Modesto - 7.880%
- City of Riverbank - 7.875%
- City of Oakdale - 8.375%
- City of Manteca - 8.25%
- City of Stockton - 9.00%
- City of Lodi - 7.75%, proposing 8.25% on November 6 ballot

For More Information
On behalf of the City of Angels, Destination Angels Camp has prepared this Measure C Fact Sheet in an effort to help inform and educate our community on the sales tax initiative. If you would like to learn more and or have any questions please feel free to contact:

Destination Angels Camp.  *  209-738-0088  *  admin@destinationangelscamp.com
City of Angels   *  209-736-2181
October 13, 2018

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

Dear Fellow Planning Commissioners:

Destination Angels Camp is pleased to support the Angels Theater’s Conditional Use Permit application to allow the sale of beer and wine.

With technology at their fingertips to downstream movies and such in the comfort of their homes, movie theatre owners find themselves looking for creative ways to increase their sales and maintain their market. This particular project is a good example of how small business can retool themselves to compete in today’s marketplace and meet consumer demands in today’s fast-pace marketplace. Angels Theatre is a destination in Historic Downtown Angels Camp for residents and visitors and draws thousands of people to Angels Camp from the region.

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.
October 11, 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 proposed 167 Dogtown Road Duplex Project and offers its full support of this project to develop this 8 unit housing project on the 1-plus acre parcel. The need for apartment/duplex living for our residents is much needed which has also been identified in the Housing element of the General Plan 2020.

This project will bring much needed housing for our workforce which in turn will help support our economic strategy to bring jobs to our city and our region. The location is within walking distance to retail, eateries, school and potential employment opportunities. The neighborhood and the City will see improved property values and infrastructure which in turn will increase property tax dollars that support special districts such as our schools, our cemetery district and our healthcare district.

We thank you for the time you have committed to this project and look forward to the approval and build out of this project.

Sincerely,

Larry Cornish
Larry Cornish, Chair

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

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October 10, 2018

VIA EMAIL tuolandplanner@gmail.com and U.S. MAIL

Amy Augustine, AICP
Augustine Planning Associates, Inc.
Contract Planner, City of Angels Camp
270 S. Barretta, Suite C
Sonora, CA 95370

Amy Augustine, AICP
Contract Planner
City of Angels Camp
200 B Monte Verda St.
Angels Camp, CA 95222

RE: Application for Greenhorn Creek Hotel

Dear Ms. Augustine:

As you know, Calaveras County New Communities, LLC ("CCNC") owns 15 homes and/or lots within 300 feet of the land upon which there is a proposal by Mother Lode Investors, LLC to build a Greenhorn Creek Hotel (the "Project").

As current owners of 533 Spyglass Circle, 536 Spyglass Circle, 537 Spyglass Circle, 540 Spyglass Circle, 541 Spyglass Circle, 545 Spyglass Circle, 600 Edgewood Loop, 604 Edgewood Loop, 608 Edgewood Loop, 612 Edgewood Loop, 624 Edgewood Loop, 628 Edgewood Loop, 632 Edgewood Loop, 636 Edgewood Loop, and 640 Edgewood Loop (the "Adjacent Properties"), we have a vested interest in the Project application currently pending.

Although we have twice asked you for information related to the Project (including a verbal request at the September 27, 2018 community meeting and by follow-up letter dated October 4, 2018), we have not received the requested information and therefore reserve the right to supplement this comment letter once that environmental and planning documentation is made available by the City. This letter is based upon our review of all publicly-available information and your Staff Report dated October 4, 2018.

Putting aside the purely design-level comments that we have about the Project (which we will address in greater detail at the hearing), our primary concern is with the Staff Report’s indication that this Project is categorically exempt from CEQA review.

The Staff Report states, in very broad and conclusory terms, that 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…” The Staff Report then briefly considers and concludes (without

Attachment 4 10F6

20
presentation of substantial evidence) that the categorical exemption applies in large part based upon general plan consistency.

We disagree with the Staff Report’s recommendation to approve the Project using a categorical exemption under CEQA.

First, from a high-level common sense point of view, the Project is part of the larger Greenhorn Creek development, for which environmental review was required and completed roughly 25 years ago. To claim that this component of the Greenhorn Creek development is “infill” and therefore does not require CEQA review is patently absurd. The Project is a portion of a larger (albeit slow-to-complete) project that required environmental review. Since categorical exemptions are classes of projects that the Secretary of Resources has found do not have a significant effect on the environment (Pub. Res. Code § 21084(a)), and the Project was part of a larger development that necessarily required environmental review, it is difficult to understand how City Staff now claims that this portion of the larger development is categorically exempt.

Second, it is important to note that the Angel’s Camp General Plan was adopted on February 3, 2009, and we can find no public document that indicates it has been updated since that time. All publicly-available documents on the Angel’s Camp website show a 2009 date, and it was this information that was used to analyze what information we currently have about the Project. If City Staff’s analysis is based upon General Plan consistency, and the General Plan was adopted pursuant to an EIR completed nearly a decade ago, the City lacks substantial evidence to demonstrate that there is no significant impact to the environment.

Third, a Class 32 Categorical Exemption for Infill Development applies to projects meeting the following criteria:

1) 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;

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

3) The project site has no value as habitat for endangered, rare or threatened species;

4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and

Attachment 4 2096
5) The site can be adequately served by all required utilities and public services.

(CEQA Guidelines § 15332.) A project that satisfies all of these criteria may qualify for the Class 32 Categorical Exemption criteria if it is not subject to one of the exceptions contained in CEQA Guidelines Section 15300.2.

We believe that the Class 32 criteria and exceptions discussed below provide a fair argument that the proposed Project is not categorically exempt — or, at the very least, cannot be deemed categorically exempt in such conclusory terms.

A. General Plan and Zoning Consistency (CEQA Guidelines, § 15332(a))

The City Staff Report indicates that the proposed Project is consistent with the General Plan and all General Plan policies, and the City’s Zoning Code based upon the fact that the Development Agreement establishes a C-PD zoning district that allows for the hotel, subject to site plan review.

General Plan Goal 1B, and the policies adopted thereunder, requires the City to minimize conflicts between adjacent land uses as necessary to maintain natural, scenic, recreational and cultural resources, rural character and the quality of life in Angels Camp while recognizing the economic, social, health and safety needs of the community.

This proposed Project puts a two-story commercial building three feet off of the backyard fence of a residential lot, destroying scenic views. (See Exhibit 1.) The architecture, which calls for a building height of more than 32 feet, blocks views and light for surrounding land uses. That architecture is not consistent with the General Plan Goal 1B to minimize conflicts between adjacent land uses.

General Plan Goal 1C requires the City to preserve and enhance the natural, scenic and cultural resources and rural character of Angel’s Camp. The implementation of that Goal 1C, at 1.C.a, includes establishing four different commercial districts. The proposed Project is supposed to be a “Community Commercial” project, but it fails to meet the objectives outlined in the General Plan in terms of both use and location.

The Development Agreement sets the site zoning, and requires site plan review. Although hotels are a permitted use, site plan review is necessary in order to ensure consistency with adjacent uses.
Site plan review includes a review of site layout, open space and
 topography, orientation and location of buildings, vehicular access, circulation and
 parking, setback, height, walls, fences, public safety and similar elements. The Staff
 Report fails to review the site layout, open space, topography, and orientation
 elements of site plan review. Despite knowing that neighbors are extremely
 concerned about these elements of the Project in particular, the entire analysis is as
 follows:

**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.

When reviewing these particular site plan elements, utilizing the City's
General Plan policies (that harmonizing adjacent land uses, and preservation of
scenic resources), there is no substantial evidence of compliance or consistency.

While City Staff may argue that the proposed Project meets the objective
criteria of a Community Commercial development, the Staff Report wholly fails to
address those portions of the Project application that are most critical for
surrounding neighbors, including the building height, site layout, topography, and
orientation to existing approved development. (See Exhibit 1.) There is no
substantial evidence of compliance with the General Plan policies emphasizing
harmony between adjoining uses.

B. Significant Effects Relating to Traffic, Noise, Air quality, or Water
Quality (CEQA Guidelines, § 15332(d))

A project must qualify for a categorical exemption without modification; an
agency cannot adopt mitigation measures in order to ensure that the project fits
within a categorical exemption. (*Salmon Protection and Watershed Network v.
County of Marin* (2004) 125 Cal.App.4th 1098.) Although standard conditions of
approval can be used, the conditions proposed by City Staff read like mitigation
measures. (See, e.g., Condition of Approval 18 regarding equipment emissions to
regulate air quality.)
C. Class 32, Exceptions

In this instance, a fair argument can be made that there is a reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances and the Project results in damage to scenic resources.

First, even though City Staff has claimed that the Project is consistent with the General Plan, the General Plan EIR, and the underlying assumptions are well beyond five years old. There is no reasonable way to tell if the proposed Project would result in any new or more severe cumulative impacts than those studied in the General Plan EIR (which, as noted above, has been requested from the City but not provided).

Second, the Project involves unusual circumstances. The “unusual circumstances” exception applies if there is, inter alia, “some feature of the project . . [that] distinguishes the project from other features in the exempt class,” or a project challenger demonstrates that the “project will have a significant environmental impact.” (Walters v. City of Redondo Beach (2016) 1 Cal.App.5th 809, 819-20.) Here, the Project proposes to develop a hotel adjacent to approved, single-family homes that were specifically designed to meet the City’s General Plan policies to allow for large, open yards with scenic views. Now, with the proposed Project, those homes will be facing views of a 32 foot structure only three feet from their backyard fence. The Project does not implement the City’s vision as set forth in the General Plan. Aesthetics and noise have not even been considered in the Staff Report.

Third, the Project will damage a scenic resource. The Municipal Code does not define a “scenic vista” and the Staff Report did not discuss the public views benefitting the community at large, or significant features, including golf course views. The Project site is surrounded by uses that have been carefully planned to incorporate scenic views and vistas. The Staff Report does not consider the impact to those views.

Consequently, and in light of the information contained in this letter, subject to revision upon receipt of the documents we have previously requested, we ask that the City Planning Commission delay a vote on the proposed Project until such time as further analysis can be completed. Thank you.

Sincerely yours,

David B. Sanson

Attachment 4 5656
BEFORE HOTEL BUILT

AFTER HOTEL BUILT – 32’ TALL
Dear Planning Commission,

The Calaveras Visitors Bureau is hopeful that Greenhorn Creek Resort’s 9 room lodging property project will be approved and moved along swiftly. This project has the potential to bring in significant tax contributions to Angels Camp’s economy, and will benefit not only Greenhorn Creek Resort, but the wider tourism industry through ancillary spending, from guests looking to expand their entertainment and recreation. We are looking forward to promoting the hotel on completion, and excited for this addition to Angels Camp’s inventory of tourist attractions.

Sincerely,

Lisa Boulton
Executive Director
Calaveras Visitors Bureau & Film Commission
Office: 209.736.0049 | Cell: 209.481.5824
GoCalaveras.com | FilmCalaveras.org
October 11, 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 has reviewed the site plan and related documents for the 9-unit hotel for Greenhorn Creek at 711 McCauley Road in Angels Camp. We encourage your approval of this application.

We find the proposed project is in compliance with the Greenhorn Master Plan approved in the late 1990’s and zoning is appropriate as indicated in the General Plan 2020. We find the project is aesthetically conducive to the neighborhood with its style of architecture and landscaping.

This project will bring a variety of benefits to our City and the Greenhorn Creek community with 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.

The proposed 9-unit hotel will bring increase transient occupancy tax which is at 10 percent in the City of Angels and paid by the guest. A conservative estimate of $50,000 in TOT may be collected with distribution of this tax to support City services with additional monies allocated to public safety, roads and tourism promotion.

The increase in visitor stays will generate additional dollars spent within in our local economy. The additional sales tax dollars from these sales will help to support our City services such as public safety, maintenance of streets and sidewalks, city parks and the museum.

Approval and completion of this project is one step closer in completing the Greenhorn Creek Master Plan which is the goal to such projects of this magnitude.

Sincerely,

Larry Cornish
Larry Cornish, Chair

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CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
NOVEMBER 8, 2018
STAFF REPORT
ANGELS THEATRE
CONDITIONAL USE PERMIT FOR BEER AND WINE SERVICE
AMENDMENT TO CONDITION #8 – Reducing Server’s Age from 21 to 18

ITEM NO. 1

DATE: November 8, 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).

BACKGROUND/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. On October 11, 2018, the Planning Commission approved a conditional use permit for the sale of beer and wine at the Angels Theatre.

Subsequent to the public hearing, the applicant requested a change in Condition of Approval #8 to allow persons 18 years of age or older (instead of 21 years of age or older) to serve beer and wine at the theatre in accordance with the attached guidelines issued by the California Alcohol Beverage Control (ABC) Division.
Department of Alcoholic Beverage Control (ABC-533) which, in brief, states that only a person 21 years of age or older may serve as a bartender; however, a person 18 years of age or older may serve beer and wine "incidentally" to other uses:

**Concession Stands:** A person who is at least age 18 but not yet 21 may serve alcohol, as an incidental part of his or her duties, at a fixed concession stand that sells food products, soft drinks, and alcohol.

Based on the preceding, the following amendment to Condition #8 as approved on October 11, 2018, is proposed:

8. Persons serving (wait and concession staff) shall be at least 18 years of age or older, and persons purchasing and/or drinking alcoholic beverages shall be at least 21 years of age.

The findings, as detailed in the attached staff report from October 11, 2018, are unchanged for the proposed amendment.

**ENVIRONMENTAL FINDINGS:**
The Project remains exempt pursuant to the California Environmental Quality Act State Guidelines 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 AMENDED Resolution 2018-13 (Resolution 2018-13B) amending Condition #7 of the conditional Use Permit to serve beer and wine at the Angels Theatre and subject to the attached conditions, as amended.

**ATTACHMENTS:**

ABC-533 Regulations
Planning Commission Resolution 2018-13B with Amended Conditions of Project Approval
Employment of Minors

To the Licensee: This handout explains legal age for employees who sell or serve alcohol. The legal age differs based upon the type of business where employed, the employee's duties, and where those duties are performed.

Definitions: The term "On-sale" premises means businesses such as bars, restaurants and clubs, where alcohol is sold for consumption on the premises (e.g., Type 40, 41, 42, 47, 48, 49, 59 and 61 license). The term "Off-sale" means package stores where alcohol is sold for consumption off the premises (Type 20 and 21 license). The term "Minor" means a person under 21 years of age.

25663(a). Employment of minors (on-sale premises).

Every person who employs or hires the services of any person under the age of 21 years in or on any portion of any premises, during business hours, which are primarily designed and used for the sale and service of alcoholic beverages for consumption on the premises is guilty of a misdemeanor.

In other words:

You may not employ a person under age 21 on the portion of any premises which is primarily designed and used for the sale and service of alcohol for consumption on the premises.

Restaurants: In a bona fide public eating place, persons age 18 or older may serve alcohol in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties. Bartenders and cocktail waitresses must be 21.

Concession Stands: A person who is at least age 18 but not yet 21 may serve alcohol, as an incidental part of his or her duties, at a fixed concession stand that sells food products, soft drinks, and alcohol.

Pizza Parlors: A person under age 21 may not serve alcohol while working behind a fixed counter where only soft drinks, alcohol, and other beverages are dispensed and food items are served at another counter within the premises.

Source: Instructions, Interpretations and Procedures

Exception to above: Minor musicians (see reverse)

25663(b). Employment of minors (off-sale).

Any off-sale licensee who employs or uses the services of any person under the age of 18 years for the sale of alcoholic beverages shall be subject to suspension or revocation of his or her license, except that a person under the age of 18 years may be employed or used for those purposes if that person is under the continuous supervision of a person 21 years of age or older.

In other words:

Persons age 18 and older may sell alcohol unsupervised. Persons age 17 and younger may sell alcohol if under the continuous supervision of a person 21 or older.

"Continuous supervision" means that an adult person must be present on the premises to provide direction and assistance, if needed.

Source: Instructions, Interpretations and Procedures

25667. Service by minors (on-sale premises).

Nothing in this division shall be construed to prohibit the service of any alcoholic beverage by any person between 18 and 21 years of age in any bona fide eating place as defined in Section 23038 and 23038.1, which is licensed for the on-sale of alcoholic beverages, where such person is not acting in the capacity of a bartender and the service occurs in an area primarily designed and used for the sale and service of food for consumption on the premises.
25663.5. Minor musicians. (on-sale premises)

Notwithstanding Section 25663 or any other provision of law, persons 18 to 21 years of age may be employed as musicians, for entertainment purposes only, during business hours on premises which are primarily designed and used for the sale and service of alcoholic beverages for consumption on the premises, if live acts, demonstrations, or exhibitions which involve the exposure of the private parts or buttocks of any participant or the breasts of any female participant are not allowed on such premises. However, the area of such employment shall be limited to a portion of the premises that is restricted to use exclusively of musicians or entertainers in the performance of their functions, and no alcoholic beverages shall be sold, served, consumed, or taken into that area.

In other words:

Musicians who are at least age 18 but not yet 21 can be employed in all types of on-sale premises, only if the following conditions exist:

(a) There is no topless or nude entertainment, either live or on film;
(b) The area of employment is restricted for the exclusive use of musicians and entertainers;
(c) No alcohol is sold, served, or consumed in the restricted entertainment area;
(d) The restricted area is readily identifiable. It must be a room, a stage, or an area bounded by partitions or other barriers at least 30 inches high;
(e) While performing, the musician must remain in the restricted area.

At a bar or tavern (license Type 42, 48, or 61) the minor musician must remain in the restricted area at all times, except when:

(a) Entering or leaving the premises,
(b) Setting up equipment,
(c) Visiting restrooms,
(d) Resting or changing clothing in a room which is not used for sale, service, or consumption of alcohol by the public,
(e) Auditioning when the place is not open for business.

An entertainer is a musician if the bulk of his or her performance involves making music with an instrument or his or her voice.

Source: Instructions, Interpretations and Procedures

Section 23790.5(d). Concurrent sales.

... establishments engaged in the concurrent sale of motor vehicle fuel with beer and wine for off-premises consumption shall abide by the following conditions:

(6) Employees on duty between the hours of 10 p.m. and 2 a.m. who sell beer or wine shall be at least 21 years of age to sell beer and wine...

Section 25617. Punishment for misdemeanor.

Every person convicted for a violation of any of the provisions of this division for which another penalty or punishment is not specifically provided for in this division is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars ($1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Source: California Business and Professions Code
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2018-13B

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, as amended:

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 November 8, 2018 by _____________ and duly seconded by Commissioner ______________.

PASSED AND ADOPTED THIS 8th day of November, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
John Broeder, Chairman

ATTEST:

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

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

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. 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.

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

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

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

6. 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."

7. 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.

8. Persons serving (wait and concession staff) shall be at least 18 years of age or older, and persons purchasing and/or drinking alcoholic beverages shall be at least 21 years of age.

9. 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.

10. No more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction.

11. 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.

12. 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.

13. 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
NOVEMBER 8, 2018
STAFF REPORT

Boundary Line Adjustment between 389 and 349 North Main Street

ITEM NO. 2

DATE: November 8, 2018

FROM: Amy Augustine, AICP – City Planner

OWNER/APPLICANT: California Gold Development, Matthew Stammerjohann

LOCATION: 289 and 349 North Main Street, Angels Camp, CA

ASSESSOR’s PARCEL NUMBERS: 058-011-032 and 058-011-033

GENERAL PLAN/ZONING: Business Attraction and Expansion (general plan)
Business Attraction and Expansion (zoning – pending)

PROJECT DESCRIPTION:
Boundary Line Adjustment between Assessor Parcel Numbers 058-011-032 (Broglio/389 North Main Street) and 058-011-033 (Stammerjohann/349 North Main Street).

BACKGROUND/ANALYSIS:
Pursuant to Section 16.16.020 of the Angels Municipal Code (AMC), a tentative map is not required for any conveyance or agreement made solely for the purpose of relocating a boundary common to abutting lots (i.e., a boundary line adjustment). Pursuant to the State Subdivision Map Act [Government Code Section 66412(d)], a boundary line adjustment must be approved by the local agency or its designated advisory agency.

(d) A lot line adjustment between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment.

BLA Tractor Supply and Stammerjohann Chiropractic – 1
except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment...

Pursuant to AMC Section 16.08.030 "Advisory agency," for the purposes of the State Subdivision Map Act, means the City of Angels Planning Commission.

Based the preceding, while a public hearing is not required for this action (as would be required for a parcel map), the State Subdivision Map Act does require that a formal action for the boundary line adjustment be taken by the City of Angels Planning Commission. The City Council will be considering an ordinance in the coming month to amend this requirement to allow for boundary line adjustments to be approved by City Staff in the future.

In conjunction with designing the Tractor Supply Project on APN 058-011-032, the applicant and the neighboring landowner (APN 058-011-033) identified the need to provide landscaping, improve drainage, and increase the side setback for the existing chiropractic office located next door to the proposed Tractor Supply Project. Therefore, the Tractor Supply parcel is providing a small portion of APN 058-011-032 to 058-011-033.

Both parcels carry a general plan land use designation of Business Attraction and Expansion (BAE). The BAE zoning district is consistent with the BAE general plan land use designation pursuant to Table I-5 of the General Plan. The City Council approved BAE rezoning on APN 058-011-032 on October 16th (effective November 16th) for consistency with Table I-5 of the General Plan.

APN 058-011-033 is currently zoned Suburban (Shopping Center) Commercial (SC) and is not consistent with the BAE general plan land use designation. The City Council considered the rezoning for APN 058-011-033 to BAE on November 6th and set November 20th for a second reading. With the second reading of the Ordinance rezoning APN 058-011-033 to BAE, the proposed boundary line adjustment will be between two parcels zoned Business Attraction and Expansion consistent with the general plan and Angels Municipal Code.

Pursuant to AMC Section 17.37.030 (BAE), the minimum lot area for new lots zoned BAE is ten thousand square feet. APN 058-011-033 is currently 13,900± square feet and 058-011-032 is in excess of 2.8 acres. Therefore, with the proposed boundary line adjustment, both parcels will be consistent with this requirement.

A minimum side setback of five feet is required for buildings in both the Suburban/Shopping Center Commercial (SC) and BAE zoning districts. The existing chiropractic office is less than five feet from the side parcel boundary (nonconforming). The proposed boundary line adjustment will increase the side setback for the office bringing it closer to compliance with the AMC.
Based on the preceding, the proposed lot line adjustment is consistent with the general plan and City of Angels Municipal Code, subject to the attached conditions.

ENVIRONMENTAL FINDINGS:
The project is exempt from the state guidelines for the implementation of the California Environmental Quality Act (CEQA), Section, 15305, Class 5 which states that alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments, not resulting in the creation of any new parcel, are exempt from CEQA. The proposed project moves the existing common parcel boundary between APNs 058-011-032 and 058-011-033 slightly west of its current location on land of less than 20% slope. The adjustment does not create a new parcel, will not change the primary land uses on the properties and will not allow for increased density on either lot.

RECOMMENDATION:
Staff recommends the Planning Commission adopt Resolution 2018-17 approving the boundary line adjustment between Assessor's Parcels 058-011-032 and 058-011-033.

ATTACHMENTS:
Map
Resolution 2018-17 and Project Conditions
LEGAL DESCRIPTION
TRACTOR SUPPLY COMPANY
AFTER LOT LINE ADJUSTMENT

All that real property in the City of Angels City, County of Calaveras, State of California, described as follows:

All that portion of the Southwest Quarter of the Northeast Quarter of Section 29, Township 3 North, Range 13 East, Mount Diablo Base and Meridian, more particularly described as follows:

Parcel "A" as shown on that certain map recorded April 18, 1991 in Book 8 of Parcel Maps, at Page 56, Calaveras County Records.

EXCEPTING THEREFROM that portion of said Parcel "A" more particularly described as follows:

COMMENCING at the northeast corner of said Parcel "A", said point lying on the south right-of-way line of State Highway 49, said point being marked with a 5/8" rebar with a plastic cap stamped RCE 18299; thence along the east line of said Parcel "A" South 12°41'59" West, a distance of 94.44 feet to the POINT OF BEGINNING; thence South 42°41'59" West, a distance of 4.00 feet to a point on a line lying 2.00 feet west of and parallel with the east line of said Parcel "A"; thence along last said parallel line South 12°41'59" West, a distance of 87.03 feet; thence South 13°26'52" East, a distance of 4.53 feet to an angle point in the east line of said Parcel "A", said point being marked with a 5/8" rebar with a plastic cap stamped RCE 18299; thence along the cast line of said Parcel "A" North 12°41'59" East, a distance of 94.56 feet to the POINT OF BEGINNING.

TOGETHER WITH all that real property as described in Document No. 2007-6434, Calaveras County Records, more particularly described as follows:

BEGINNING at a 3/4" pin at a point on the westerly boundary of Lot 10 of the Subdivision of Glen Acres, the Official Map of which is now on file and of record in the Office of the Recorder of the County of Calaveras, State of California, distant thereon South 0°07' East, 76 feet from a 3/4" iron pin at the northwest corner of said Lot 10, whence the southwest corner of Lot 11 of said Glen Acres bears South 0°07' East, 236.9 feet distant, whence the Quarter Section Corner between Sections 28 & 29, Township 3 North, Range 13 East, M.D.B.&M., bears North 89°05' East, 1677.3 feet distant, and running thence North 89°12' West, 430 feet to a 3/4" iron pin; thence North 47°29' West, 364 feet to a 3/4" iron pin; thence North 1°05' East, 300 feet to a 3/4" iron pin; thence South 68°39' East, 86 feet to a 3/4" iron pin; thence South 82°40' East, 287.6 feet to a concrete State Highway monument on the southerly right-of-way line of Mother Lode State Highway; thence South 78°18' East, along said Highway right-of-way line, 333.3 feet to a point on the westerly boundary of a parcel of land conveyed December 31, 1947 by Douglas G. Worley and Alverda I. Worley to C.W. Bayes and Sarah E. Bayes, recorded December 31, 1947 in Block 45 of Official Records, Page 452, et seq., in the Office of the Recorder of the County of Calaveras, State of California; thence South 0°07' East, along said westerly boundary of said
parcel of land and along the westerly boundary of a parcel of land conveyed January 4, 1947 by C.A. Brooke and Lily E. Brooke to C.W. Bayes and Sarah E. Bayes, recorded January 14, 1947 in Book 39 of Official Records, Page 497 et seq., in the Office of the Recorder of the County of Calaveras, State of California, and also along the westerly boundary of aforesaid Lot 10 of Glen Acres, 416.4 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion thereof conveyed to the State of California for Highway purposes, recorded September 6, 1932 in Book 89 of Deeds, Page 111, Calaveras County Records.


CONTAINING 4.16 acres, more or less.
LEGAL DESCRIPTION
TRACTOR SUPPLY COMPANY
AFTER LOT LINE ADJUSTMENT

All that real property in the City of Angels City, County of Calaveras, State of California, described as follows:

All that portion of the Southwest Quarter of the Northeast Quarter of Section 29, Township 3 North, Range 13 East, Mount Diablo Base and Meridian, more particularly described as follows:

Parcel “B” as shown on that certain map recorded April 18, 1991 in Book 8 of Parcel Maps, at Page 56, Calaveras County Records.

TOGETHER WITH that portion of Parcel “A” of above said Parcel Map more particularly described as follows:

COMMENCING at the northeast corner of said Parcel “A”, said point lying on the south right-of-way line of State Highway 49, said point being marked with a 5/8” rebar with a plastic cap stamped RCE 18299; thence along the east line of said Parcel “A” South 12°41’59” West, a distance of 94.44 feet to the POINT OF BEGINNING; thence South 42°41’59” West, a distance of 4.00 feet to a point on a line lying 2.00 feet west of and parallel with the east line of said Parcel “A”; thence along last said parallel line South 12°41’59” West, a distance of 87.03 feet; thence South 13°26’52” East, a distance of 4.53 feet to an angle point in the east line of said Parcel “A”, said point being marked with a 5/8” rebar with a plastic cap stamped RCE 18299; thence along the east line of said Parcel “A” North 12°41’59” East, a distance of 94.56 feet to the POINT OF BEGINNING.

CONTAINING 0.32 acres, more or less.
CITY OF ANGELS PLANNING COMMISSION
Resolution No. 2018-17
RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS PLANNING COMMISSION FOR
BOUNDARY LINE ADJUSTMENT BETWEEN APNS 058-011-032 AND 058-011-033
LOCATED AT 389 AND 349 NORTH MAIN STREET

WHEREAS, the City received an application for a boundary line adjustment between APNs 058-011-032 and 058-011-033; and

WHEREAS, the City of Angels Municipal Code requires that such development requires review and approval 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 15305, Class 5 (Minor alterations to land);

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby approves the boundary line adjustment based on the following findings A through B and subject to the attached conditions.

A. The proposal is consistent with the general plan, and
B. The proposal is consistent with the Angels Camp Municipal Code.

The foregoing resolution was introduced and moved for adoption November 8, 2018 by ____________ and duly seconded by Commissioner ____________.

PASSED AND ADOPTED THIS 8th day of November, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ABSENT:

__________________________
John Broeder, Chairman

ATTEST:

__________________________
Jennifer Preston, Deputy City Clerk
City of Angels
CONDITIONS OF PROJECT APPROVAL
BOUNDARY LINE ADJUSTMENT BETWEEN APNS 058-011-032 AND 058-011-033
LOCATED AT 389 AND 349 NORTH MAIN STREET

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. The lot line adjustment shall record after the second reading of the ordinance rezoning APN 058-011-033 to Business Attraction and Expansion (BAE) scheduled for November 20, 2018 by the City of Angels City Council.