AGENDA

1. Call to order at 7:00 p.m.

2. The Pledge of Allegiance.

3. PUBLIC MATTERS NOT ON THE AGENDA
   Any person may address the Planning Commission regarding matters not on the agenda and within the purview of the Commission.

4. INFORMATION/CORRESPONDENCE – For Information Only.

5. ADMINISTRATIVE MATTERS
   A. Approval of Planning Commission meeting minutes of February 13, 2017.

6. PUBLIC HEARINGS – 7:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD. Discussion/Action.
   A. CONDITIONAL USE PERMIT – ANN JOHNSON – VACATION RENTAL
      39 Elm Street – APN 018-201-011
      Ann Johnson has submitted an application for approval of a Conditional Use Permit to allow vacation rental use of a remodeled, above the garage, secondary unit, as a short term vacation rental unit. Zoning & General Plan Designations = Residential (R1) (RSF). Design Standards = Historic District. The Commission will review the findings, conditions of approval, and CEQA compliance and provide direction to staff.

   B. REVISED – CONDITIONAL USE PERMIT – THE PARK AT HANFORD COURTE
      Steve Desedare and Randi Kutnewsky have submitted an application for a REVISED Conditional Use Permit to expand the use of their approved wedding event center commercial property to include community and special events, fundraisers, and the like. Zoning & General Plan Designations = C2 – Commercial. Design Standards = Historic District. The Commission will review the findings, conditions of approval, and CEQA compliance and provide direction to staff.

7. REPORTS
   A. Planning Commissioner Reports – Discussion Item Only
   B. Design Review Committee Update – Discussion Item Only
   C. Planning Department Reports – Discussion Items Only

ADJOURNMENT

The next meeting of the Planning Commission will be held on Monday, July 10, 2017.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>June 02, 2017</td>
<td>All Day Planning Commission Completed Agenda Posting &amp; Distribution</td>
</tr>
<tr>
<td>June 07, 2017</td>
<td>1:00 PM - 2:00 PM Design Review Committee -- Auditorium</td>
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<tr>
<td>June 12, 2017</td>
<td>7:00 PM - 10:00 PM Planning Commission Regular Meeting</td>
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<tr>
<td>June 15, 2017</td>
<td>All Day Applicant submittal of final documents - Staff determination of completeness and prep for Architectural Review</td>
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<tr>
<td>June 16, 2017</td>
<td>All Day Planning Dept. completion of Staff Report for Public Hearing Matters</td>
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<tr>
<td>June 21, 2017</td>
<td>1:00 PM - 2:00 PM Design Review Committee -- Auditorium</td>
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<tr>
<td>June 26, 2017</td>
<td>All Day Public Hearing 500' Adjacent Property Owner Notification</td>
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<td>All Day Public Hearing Notification to ALD</td>
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<td>June 29, 2017</td>
<td>All Day APPLICATION DEEMED COMPLETE - ALL REQUIREMENTS HAVE BEEN MET - Continue to Architectural Review</td>
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<td>All Day COMPLETED Sign Permit Applications Due</td>
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1. Call to order. Chairman Kirkley called the meeting to order at 7:01 p.m.

MEMBERS PRESENT:
  Michael Kirkley, Chairman
  Frank Cunha, Vice Chairman
  Mark Koenig
  Alan Ross

MEMBER ABSENT: Ed Arata

2. The Pledge of Allegiance. Chairman Kirkley led the Pledge of Allegiance.

3. PUBLIC MATTERS NOT ON THE AGENDA. None.

4. INFORMATION/CORRESPONDENCE – Accepted.
   A. Monthly Calendar – March, April, May 2017.

5. ADMINISTRATIVE MATTERS
      M/S Cunha/Ross to approve as presented. Motion carried 4-0-1 with the following vote:
      
      AYES: Cunha, Kirkley, Koenig, Ross.
      NOES: None.
      ABSENT: Arata.
      ABSTAIN: None.

   B. Sign Permit: Uphill Vineyards at 46 Main Street (APN 018-161-008). Zoning = DTC. Request by Beth Rosenthal for approval of one (1) 40”x24” double-sided (13.33 sq.ft.) hanging sign and one (1) 36”x42” window decal (5.25 sq.ft.). Total signage request: 18.58 sq.ft.
      M/S Cunha/Koenig to approve as presented. Motion carried 4-0-1 with the following vote:
      
      AYES: Cunha, Kirkley, Koenig, Ross.
      NOES: None.
      ABSENT: Arata.
      ABSTAIN: None.
6. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT – JUDITH PARKINSON – VACATION RENTAL

60 Randolph Street – APN 018-163-003

Judith Parkinson has submitted an application for approval of a Conditional Use Permit to allow vacation rental use of one bedroom and one bathroom in her owner occupied residential dwelling. Zoning & General Plan Designations = Residential (R1) (RSF). Design Standards = Historic District. The Commission will review the findings, conditions of approval, and CEQA compliance and provide direction to staff.

Chairman Kirkley opened the Public Hearing at 7:09 p.m.

Secretary Van Voorhis reported a message received from neighbors Dan & Pat Asvitt, 45 Randolph, Sutter Creek in support of Ms. Parkinson’s permit approval; however, they were unable to attend this meeting.

Lindsay Way, Sutter Creek, distributed information related to Air B&B’s to the Planning Commissioners from hotelmarketing.com. She feels that a home business is different than motel, hotel, and overnight lodging and that the municipal code should be changed. Commissioner Cunha directed Ms. Way to discuss this matter with the City Council.

Louis Boitano, 90 Fullen Street, Sutter Creek, stated that business needs should not override the character of a residential neighborhood. He stated Randolph Street is busy. He urged the City Council to review the Use Permit process in approving vacation rentals in residential zones. He stated the integrity of the community is most important to him.

Ms. Parkinson stated she is well aware of the traffic on Randolph Street. She indicated her rental would be available a maximum of 10 days per month, with a one night minimum, and has adequate off-street parking. She feels she is able to provide an affordable option for Sutter Creek visitors.

Chairman Kirkley closed the Public Hearing at 7:19 p.m.

M/S Cunha/Koenig to approve as presented. Motion carried 4-0-1 with the following vote:

AYES: Cunha, Kirkley, Koenig, Ross.
NOES: None.
ABSENT: Arata.
ABSTAIN: None.

7. 2017 GENERAL PLAN UPDATE – WORKSHOP

The Planning Commission conducted a workshop to review the 2017 General Plan Update and provide direction to staff.

Planning Consultant Anders Hauge provided a power-point presentation and overview of Volumes I, II, III, IV. He discussed the updates required for the Transportation and Circulation Element.

Commissioner Kirkley requested City staff to update all Volume III documents with the City Manager’s input.

Mr. Hauge continued review with the Commission, outlined the upcoming process, and reviewed the upcoming GIS mapping process.

By consensus, the Commission agreed to proceed with the 2017 General Plan Update workshops on the 4th Monday of each month beginning at 5:00 p.m. Mr. Hauge encouraged the Commissioners to continue review and prepare comments on the documents and maps provided for the next meeting scheduled for March 27, 2017.
Mr. Hauge indicated that the GIS consultant will attend an upcoming meeting to review the maps and has the ability to make changes, at that time, based on Commissioner input.

8. REPORTS
   A. Planning Commissioner Reports
      Commissioner Cunha reported on the Knight Foundry Alliance. He stated donation letters had been sent out to 1125 interested persons.

      Commissioner Cunha reported that the Grammar School Foundation is seeking individuals to conduct adult education classes. Two rooms are currently available for use and a third room will soon be available.

   B. Design Review Committee Update.
      Secretary Van Voorhis reported the February 1, 2017 meeting approved a new solar installation at 131 Mill Street and the Committee also approved the “Chinese” red door color at Buffalo Chips.

   C. Planning Department Reports.
      Secretary Van Voorhis introduced Storey-ellen Mack as the new part-time Administrative Services Technician for the City. She will also be performing zoning code compliance duties. She is scheduled to work 16 hours per week.

ADJOURNMENT: The meeting adjourned at 8:45 p.m.

Respectively submitted,
Mary Beth Van Voorhis, Administrative Analyst
MEETING DATE:       June 12, 2017

FROM:             Mary Beth Van Voorhis, Administrative Analyst

SUBJECT:    Conditional Use Permit
            Ann Johnson – Vacation Rental (second unit)
            39 Elm Street (APN 018-201-011)
            Zoning = R1 (Single Family Residential) – (HD) Historic District
            General Plan Land Use Designation = Residential Single Family

RECOMMENDATION

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 16-17.approving a Conditional Use Permit for Ann Johnson to operate a
   Single-Family Vacation Rental (secondary unit) at 39 Elm Street based on the proposed Findings
   and subject to the proposed Conditions of Approval.

BACKGROUND

Property owner Ann Johnson has submitted an application for a Conditional Use Permit (Exhibit A) to
use a remodeled, above the garage, secondary unit, as a short term, vacation rental unit. The existing
residential dwelling is located in the R1, Single Family Residential Zone, within the Historic District, at
39 Elm Street.

The site is located in an existing single family residential neighborhood, zoned R1, and within easy
walking distance to the Downtown Commercial District (DTC), shown in Map 1 below. Figure 1 shows
the existing residential structure.

Map 1. Parcel location of Proposed CUP.
DISCUSSION
General Plan and Zoning
The house is located in the Historic District and will require Design Review prior to building permit issuance for the proposed exterior renovations. The main home on the property is 1,295 square feet, has two (2) bedrooms and one (1) bathroom. The proposed short term vacation rental will utilize the upstairs portion of the garage as a one (1) bedroom (existing) and the proposed improvements will add (1) bathroom, and a kitchenette unit. The conversion of the existing upstairs area into living space will require the owner, upon building permit final, to pay a monthly sewer fee for the second unit. Vacation Rental Units are functionally equivalent to Bed and Breakfast Inns. Bed and Breakfast Inns are permitted in any zone upon securing a Conditional Use Permit. (Municipal Code Section 18.60.020(B)
Parking
Parking requirements for the project are established in Municipal Code Section 18.48.030 Parking Requirements by Land Use, Transient occupancy. The requirement is one (1) space for each guest room plus one (1) space for each five (or less) guest rooms. The on-site parking, as shown above, is suitable for four (4) vehicles, two spaces for the main home and two spaces for guest use and meets the parking requirement.

Environmental Considerations
This use qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines.
USE PERMIT APPLICATION

INSTRUCTIONS TO APPLICANT: Type or print legibly. Use additional sheets as necessary. Attach plans, diagrams, etc. as appropriate.

Owner(s): Ann Johnson
Name(s) ___________________ 39 Elm Street, Sutter Creek, CA 95685
Telephone: 805-886-0987  E-Mail Address: SUNQN@AOL.COM

Agent or Representative (if not owner):
Name: ___________________  Mailing Address, City, State, ZIP: ___________________
Telephone: ___________________  E-Mail Address: ___________________

Project Location:

a. Assessor Parcel Number(s): 018-021-011-000
b. Physical Address(es): 39 Elm Street, Sutter Creek, CA 95685

c. Deed references (book and page): ___________________

d. General description of location (cross street, name of existing business etc.): Lot 20 Block 22

Zoning District: Residential  General Plan Land Use Designation: ___________________

Complete the following:

- a. I am requesting a Use Permit in order to allow the following use which is not specifically allowed in the above zoning district to be conducted on the above referenced property according to an attached site plan: Short term rental of a portion of a residential unit at 39 Elm.

- b. I believe the above requested use and the attached site plan is essential and desirable to the public convenience or welfare and is in conformance with the City's General Plan because: Over the past few years, short term rentals are becoming more common and popular. Short term rentals add to the local economy by providing an additional income stream to property owners. In Sutter Creek, short term rentals are an important component of the city's economy. The benefits of local tourism continue to have a positive impact on Sutter Creek's economy.

ENVIRONMENTAL INFORMATION

1. Describe Project: Renovation of a 2nd Floor Bedroom above current garage structure with already improved enhancements to interior.

2. Existing use of property(ies): Single Family Residence

3. Will grading occur on slopes of 10% or more? ☑ Yes ☐ No

4. Will any springs or wet areas be affected as a result of this project? ☑ Yes ☐ No

5. Estimated length of proposed roads and driveways: No changes.
6. Estimated type and amount (acreage or number) of vegetation to be disturbed for grading, roads, driveways, building sites, or other alteration. (Examples: Approx. 1 acre of manzanita and other brush to be cleared for building pads; over 100 small shrubs and oak trees to be cleared, etc.):

7. Project description: Use space below and/or attach additional sheets giving project description in sufficient detail to allow adequate evaluation of potential effects.
   a. Proposed facilities: Remodel garage, Apartment, Bedroom, + Repair Siding
   b. Lot Size: 3434 SF
   c. Building Sizes: 440 sq ft, or less
   d. Access: Extreme Difficulty
   e. Parking: driveway + garage (3 + 4 cars total)
   f. Water Source: Amador Water Agency (Act 
   g. Estimated Water Consumption: Minimal. Consumption Changes
   h. Method of Sewage Disposal: City of Sutter Creek (Act 
   i. Nature of Business: Rental unit renovation
   j. Estimated Daily Volume of Traffic: 1-2 cars
   k. Estimated Number of Employees: 1 employee
   l. Estimated Energy Consumption: Minimal Change/Inconsumption
   m. Percentage of lot to be covered by buildings/paving: Building exists already. (Demolition/Removal only)
   n. Construction schedule: 2 months
   o. Any historical/archeological features on property: N/A
   p. Other (please explain):

8. Describe special circumstances of the project or project site which may result in problems or adverse environmental effects. (Example: steep slopes, drainages, noisy equipment, hazardous access, lack of services):
   - Replacement of deck due to decay. + removal of wood deck. + elements contributing to deck replacement. + removal. + compliance with current structural requirements. + replacement. + construction type. + noise. + structural design. + materials + code.

9. Indicate mitigation measures which may lessen problems or adverse environmental effects (including energy conservation) to be incorporated into project to eliminate or reduce adverse effects:
   - Appropriate measures to be followed in removal of exterior structures + garage for noise and safety. + demolition + removal (as original structures are unserviceable + not in code).

10. Describe most logical alternatives to project and how these alternatives would change the problems or effects discussed in items 13 and 14 above (include the alternative of “no project”):

Use Permit Application 07/012
Applicant certification, signature(s), and agreement to pay application processing costs.

I hereby certify that the statements furnished herein and on any attached pages present the data required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

I hereby certify that I own or am the authorized representative of the owner of the land hereby requesting a Use Permit approval and that I am aware of and do agree to pay the hourly rates as established by Resolution of the City of Sutter Creek for the time spent by the City staff as necessary to process, review and provide consultation to the City concerning this application. I am also aware that said hourly charges are in addition to set fees required for preliminary review and administration and may also include charges to monitor compliance with conditions of approval if my request is approved.

Printed Name: ANN JOHNSON
Signature: ____________________________ Date: 4/10/11

USE PERMIT FEE: $1,600 Deposit *plus Staff Costs
*20% City Administrative cost will be added to professional fees.
*Clerical $50.00/hour
*City Sanitary Engineer $135.00/hour
*City Planner $130.00/hour
*City Engineer $180.00/hour
*City Attorney $175.00/hour

Payment: $1600.00 (22/500) Check #: 89 Date: 4/10/11 By: ____________________________
WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, June 12, 2017, hold a public hearing on a Conditional Use Permit for Ann Johnson for Vacation Rental Use for a secondary unit (one (1) bedroom, one (1) bath, kitchenette), over the garage, on her single-family residential property located at 39 Elm Street, Assessor Parcel No. 018-201-011 after properly noticing said hearing; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 32 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Conditional Use Permit for Ann Johnson based on the Findings attached hereto as "Exhibit A," and subject to the Conditions of Approval attached hereto as "Exhibit B."

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 12th Day of June, 2017 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

ATTEST:  

__________________________________________
Michael Kirkley, Chairman

Mary Beth Van Voorhis, Administrative Analyst
EXHIBIT A

FINDINGS

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.

2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Residential Single Family Land Use designation.

3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone – One Family Dwelling Zone and Historic District.

4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.

5. The proposed use of the property, implements the Sutter Creek General Plan and the purposes of the Planning Title, because the General Plan and Zoning Ordinance recognize the importance of providing visitor lodging to promote and encourage commercial activity in the community.
EXHIBIT B

CONDITIONS OF APPROVAL

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence.

2. Two (2) off-street parking spaces are available for use by one vacationing single family.

3. Maintain a valid City of Sutter Creek Business License.

4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.

5. Compliance with the Design Standards is required for any exterior modifications.

6. Meet the ordinance requirements of the Sutter Creek Fire District.

7. Meet the ordinance requirements of the Amador Water Agency.
MEETING DATE: June 12, 2017

FROM: Mary Beth Van Voorhis, Administrative Analyst

SUBJECT: REVISED - Conditional Use Permit
The Park at Hanford Courte, Steve Desedare & Randi Kutnewsky
128/130 Hanford Street (APN 018-061-014 & 018-061-015)
Zoning = C2 (Commercial) – (HD) Historic District
General Plan Land Use Designation = Commercial

RECOMMENDATION:
1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 16-17-** approving a REVISED Conditional Use Permit for The Park at Hanford Courte for owners Steve Desedare & Randi Kutnewsky to operate an event center at 128-140 Hanford Street based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND:
Property owners Steve Desedare & Randi Kutnewsky have submitted an application for a REVISED Conditional Use Permit (Exhibit A) to expand the use of their approved wedding event center commercial property to include additional events. The existing commercial use is located in the C-2, Commercial Zone, within the Historic District, at 128/130 Hanford Street.

The site is located in an existing commercial zone (C-2) and within easy walking distance to the Downtown Commercial District (DTC), shown in Figure 1 below. Figure 2 provides the aerial view of the site and Figure 3 provides a street view at the park entrance.

The Hanford Courte Wedding Center Conditional Use Permit was originally approved by the Planning Commission on November 10, 2003 and further revised by City Council on December 1, 2003 (Exhibit B). At the time of approval in 2003, this type of use was “new” within Sutter Creek and, as a result, many conditions of approval were placed on the permit that have since been met or are no longer applicable. The last annual review was performed in June 2005 when the Planning Commission required them to complete site paving prior to their annual approval. The applicant appealed the Planning Commission’s decision to the City Council in August 2005 where the City Council, on a 3-0-1-1 vote, granted the appeal of Condition #7, and revised the condition to require total pavement to be 12’ wide chip seal or asphalt if approved by the City Engineer and then Condition #7 could be removed. At this time, The Hanford Courte Wedding Center has operated successfully for fourteen years, yet there have largely been no concerns, issues, or complaints.
Figure 1. Parcel location of Proposed CUP.

Figure 2. Arial Photo – 128/140 Hanford Street.
DISCUSSION:
General Plan and Zoning
APN 018-061-014 is 32,234 sq.ft. (.74 acres) and APN 018-061-015 is 23,522 sq.ft. (.54 acres). APN 018-061-015 has one (1) building that is 915 sq.ft., for a combined total of 55,756 sq.ft. (1.28 acres). The building on APN 018-061-015 is a stand-alone commercial building and, although currently vacant, is rented independently of the event use. Both parcels are located in the Historic District. There are no proposed changes to the existing lay-out or structures on the property. Any future exterior modifications will require Design Review Committee approval prior to permit issuance.

Exhibit B provides the original Conditions of Approval from June 13, 2005 which were amended on December 1, 2005.

In November 2016, staff began review of the current status of The Hanford Courte Wedding Center. The City Engineer was consulted and directed to perform a site review to determine the existing status of the conditions and compliance with the 2007 Conditions of Approval. Refer to Exhibit C.

At this time, The Hanford Courte Wedding Center seeks to revise and update their Use Permit as the original conditions of approval have been met or are no longer required.

The only requested addition, at this time, is to expand their approved “wedding event center” to include Community Events, Fundraisers, and the like while maintaining maximum attendance of 200 guests.

Beginning on the next page, you will find the original conditions of approval with the current staff recommendation for approval of a REVISED Use Permit:
Hanford Courte Outdoor Wedding Center  
Conditional Use Permit

CONDITIONS OF APPROVAL of June 13, 2005  
With status at June 2017 and Staff Recommendations

All conditions of approval shall be met prior to the first wedding event.

1. This Conditional Use Permit is limited to weddings and wedding receptions only.
   Status: Applicant has requested to amend this condition to allow weddings and wedding receptions, with the addition of Community Events and Fundraisers.
   **RECOMMENDATION: AMEND USE PERMIT TO ALLOW “EVENT” CENTER USE, INCLUDING WEDDINGS, WEDDING RECEPTIONS, COMMUNITY EVENTS, PRIVATE EVENTS, FUNDRAISERS, AND THE LIKE.**

2. Permanent on-site restroom facilities shall be developed. Sewer connection plans shall be reviewed and approved by the City Sanitation Engineer.
   Status: Under Building Permit #2768 in 2005, two adjacent restrooms were constructed (men and women) and are available and open for use during every event.
   **RECOMMENDATION: REMOVE THIS CONDITION.**

3. The sewer service connection on Parcel 18-061-014 shall be replaced with a new plastic pipe as approved by the City Sanitation Engineer.
   Status: Construction completed in 2005 under Building Permit #2768, with a 4” plastic line.
   **RECOMMENDATION: REMOVE THIS CONDITION.**

4. Applicants shall enter into a Deferred Improvement Agreement with the City to pay a proportionate share of improvements to Hanford Street (including but not limited to curb, gutter and sidewalk across the property frontage, lane widening, and drainage improvements), and when so determined by the City.
   Status: The City has not initiated a Deferred Improvement Agreement, and at this time feels this condition is not warranted.
   **RECOMMENDATION: REMOVE THIS CONDITION, NO LONGER APPLICABLE.**

5. Conduct a drainage study and construct on-site and off-site drainage system improvements and a commercial driveway to City Standards and Caltrans Standards as approved by the City Engineer and Caltrans.
   Status: On August 1, 2005 the City Council removed the requirement for paving of the parking areas. Pursuant to a site inspection performed by City Engineer Gary Ghio and his memo dated January 26, 2017, “there will be no significant increase in drainage from this site.”
   **RECOMMENDATION: REMOVE THIS CONDITION.**

6. On-site grading shall conform to Appendix Chapter A33 of the Uniform Building Code.
   Status: All site grading was completed under a building permit which was finalized in 2005.
   **RECOMMENDATION: REMOVE THIS CONDITION.**

7. Parking areas shall be surfaced with 2-inches of asphaltic concrete over a 4-inch Class 2 aggregate base, signed and striped as required by the City Engineer.
   Status: On August 1, 2005 the City Council modified this condition to require a paved driveway, 12’ wide, chip seal or asphalt, if approved by the City Engineer and removed the
requirements for paving any parking areas. Per City Engineer comment, January 26, 2017 this item has been completed.

RECOMMENDATION: REMOVE THIS CONDITION.

8. An Encroachment Permit shall be required from Caltrans for any work within the State highway right-of-way.

Status: Hanford Street is now within the City of Sutter Creek jurisdiction.

RECOMMENDATION: REMOVE THIS CONDITION AS IT IS NO LONGER APPLICABLE.

9. All vehicles exiting the site will be restricted to a right-turn only onto Hanford Street. Appropriate striping and signage shall be provided at the exit driveway.

Status: City Engineer comment, January 26, 2017: “This condition required vehicles exiting the site to be restricted to right turn only on to Hanford Street along with appropriate signing and signage at the exit driveway. Based upon the field review I see no issues with sight distance along Hanford Street and since the traffic levels have been reduced significantly since the street was relinquished to the City and is no longer a state highway, I also see no issue with removal of condition of approval number 9.”

RECOMMENDATION: REMOVE THIS CONDITION AS IT IS NO LONGER APPLICABLE.

10. Applicants shall pay a Regional Traffic Mitigation Fee of $2,340 and a City Traffic Mitigation Fee of $5,580.

Status: Completed, June 6, 2005.

RECOMMENDATION: REMOVE THIS CONDITION AS THE FEE HAS BEEN PAID.

11. Secure a written contract in accordance with City Ordinance Section 18.48.100 for adequate off-street parking for weddings larger than 144 guests and not to exceed 200 guests.

Status: Written contract with Days Inn.

RECOMMENDATION: Maintain contract with Days Inn for Special Event Parking.

12. In no case shall more than 200 guests be allowed at any wedding or wedding reception.

Status: Continued compliance required.

RECOMMENDATION: Retain this condition.

13. Parking considerations shall be reviewed by the Planning Commission on an annual basis.

Status: Under this condition, continued monitoring is required. The goal of the revised use permit is to maintain compliance at all time without monitoring.

RECOMMENDATION: Refer to COA #11. REMOVE THIS CONDITION.

14. Provide dense landscape planting adjacent to the property lines on the north, east, and south side of the project site.


RECOMMENDATION: REMOVE THIS CONDITION.

15. Noise levels at the property line shall not exceed the ambient noise level; or 60 decibels, A-scale (dB(A)), whenever the ambient noise level is below 60 dB(A).

Status: Complies.

RECOMMENDATION: REMOVE THIS CONDITION. APPLICANT IS REQUIRED TO COMPLY, AT ALL TIMES, WITH CITY MUNICIPAL CODE SECTION 10.50, NOISE REGULATIONS.
16. On-site activities shall be limited to the hours of 7:00 AM to 10:00 PM.
   Status: Complies. Music events end at 9:00 p.m. and clean-up is completed by 10:00 p.m.
   **RECOMMENDATION: TO MEET THE REQUIREMENTS OF MUNICIPAL CODE SECTION 10.50 NOISE REGULATIONS, EVENT ACTIVITIES SHALL BE LIMITED TO THE HOURS OF 7:00 A.M. TO 9:00 P.M.**

17. Meet the ordinance requirements of the Sutter Creek Fire District.
   Status: Complies.
   **RECOMMENDATION: RETAIN THIS CONDITION.**

18. Meet the ordinance requirements of the Amador Water Agency.
   Status: Complies.
   **RECOMMENDATION: RETAIN THIS CONDITION.**

19. At least 30-days prior to the first scheduled event, staff shall verify that all conditions have been met.
   Status: With approval of a REVISED Use Permit to allow for all event types, there will be no need to monitor this condition.
   **RECOMMENDATION: REMOVE THIS CONDITION.**

20. Traffic control signage shall be provided as required by the Chief of Police.
   Status: Complies.
   **RECOMMENDATION: REMOVE THIS CONDITION.**

* * * * *

Environmental Considerations
This use qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines.
Exhibit A - Application

Use Permit Application

INSTRUCTIONS TO APPLICANT: Type or print legibly. Use additional sheets as necessary. Attach plans, diagrams, etc. as appropriate.

Owner(s): STEVEN DESZARE
Name(s): RANDI KOTNIEWSKY
Mailing Address, City, State, ZIP: 125 HAIFORD STREET, SC, CA, 95657
Telephone: 209-267-1750
E-Mail Address: HANIFORD COURT LLC @ GMAIL.COM

Agent or Representative (if not owner):
Name: 
Mailing Address, City, State, ZIP: 
Telephone: 
E-Mail Address: 

Project Location:
- Assessor Parcel Number(s): 018-061-014-000 & 018-061-015-000
- Physical Address(es): 140 * 128 HAIFORD STREET, SUTTER CREEK
- General description of location (cross street, name of existing business etc.): HAIFORD COURT WEDDINGS & EVENTS

Zoning District: C2
General Plan Land Use Designation: COMMERCIAL

Complete the following:

a. I am requesting a Use Permit in order to allow the following use which is not specifically allowed in the above zoning district to be conducted on the above referenced property according to an attached site plan. EXISTING WEDDING AND EVENT CENTER, CONTINUED USE AS SAME.

b. I believe the above requested use and the attached site plan is essential and desirable to the public convenience or welfare and is in conformance with the City’s General Plan because: WEDDINGS BRING MANY VISITORS TO SC. THEY CONTRIBUTE TO THE FINANCIAL SUCCESS OF SC BUSINESSES. PROPERLY ADD TO OVERALL CHARM OF SUTTER CREEK.

ENVIRONMENTAL INFORMATION

1. Describe Project: NO NEW PROJECTS OR PLANS.

2. Existing use of property(ies): NO NEW PROJECTS OR PLANS.

3. Will grading occur on slopes of 10% or more? NO NEW PROJECTS OR PLANS.

4. Will any springs or wet areas be affected as a result of this project? NO NEW PROJECTS OR PLANS.

5. Estimated length of proposed roads and driveways: NO NEW PROJECTS OR PLANS.
6. Estimated type and amount (acreage or number) of vegetation to be disturbed for grading, roads, driveways, building sites, or other alteration. (Examples: Approx. 1 acre of manzanita and other brush to be cleared for building pads; over 100 small shrubs and oak trees to be cleared, etc.):

7. Project description: Use space below and/or attach additional sheets giving project description in sufficient detail to allow adequate evaluation of potential effects.
   a. Proposed facilities:
   b. Lot Size:
   c. Building Sizes:
   d. Access:
   e. Parking:
   f. Water Source:
   g. Estimated Water Consumption:
   h. Method of Sewage Disposal:
   i. Nature of Business:
   j. Estimated Daily Volume of Traffic:
   k. Estimated Number of Employees:
   l. Estimated Energy Consumption:
   m. Percentage of lot to be covered by buildings/paving:
   n. Construction schedule:
   o. Any historical/archaeological features on property:
   p. Other (please explain):

8. Describe special circumstances of the project or project site which may result in problems or adverse environmental effects. (Example: steep slopes, drainages, noisy equipment, hazardous access, lack of services):

9. Indicate mitigation measures which may lessen problems or adverse environmental effects (including energy conservation) to be incorporated into project to eliminate or reduce adverse effects:

10. Describe most logical alternatives to project and how these alternatives would change the problems or effects discussed in items 13 and 14 above (include the alternative of "no project"):
Applicant certification, signature(s), and agreement to pay application processing costs.

I hereby certify that the statements furnished herein and on any attached pages present the data required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

I hereby certify that I own or am the authorized representative of the owner of the land hereby requesting a Use Permit approval and that I am aware of and do agree to pay the hourly rates as established by Resolution of the City of Sutter Creek for the time spent by the City staff as necessary to process, review and provide consultation to the City concerning this application. I am also aware that said hourly charges are in addition to set fees required for preliminary review and administration and may also include charges to monitor compliance with conditions of approval if my request is approved.

Signed: [Signature]
Printed Name: [Printed Name]
Date: May 22, 2017

USE PERMIT FEE: $1,000.00 Deposit * plus Staff Costs

*20% City Administrative cost will be added to professional fees.
*Clerical: $50.00/hour
*Clerical Engineer: $135.00/hour
*Clerical Planner: $150.00/hour
*Clerical Engineer: $180.00/hour
*Clerical Attorney: $175.00/hour

Payment: $ [Check #] (22590) Date: 5/23/17

By: [Signature]
Hanford Courte Outdoor Events Center
140 Hanford Street
Sutter Creek

Project Description
As proposed by the Applicants, Randi Kutnewsky and Steve Desedare, the Events Center would provide an outdoor venue for a variety of events and activities. The project site consists of two parcels with a total of 1.3 acres fronting on the east side of Hanford Street (State Route 49) just north of the downtown business district. (Refer to attached Vicinity Map and Parcel Map.) The project site consists of an Amphitheater with a bandstand/stage; a Celebration Garden; landscaped terraces as part of the Amphitheater; an Upper Parking Area with 16 parking spaces and a Lower Parking Area with 20 parking spaces. Handicapped parking spaces would be provided on each parking level. A restroom facility will be added to the existing upper-level building. (Refer to attached Site Plan and Layout Plan.)

As determined by the Planning Commission, the project proposal is being processed as a Conditional Use Permit.

Specific uses are as follows:

Weddings and Wedding Receptions
Outdoor weddings would take place in the Celebration Garden or in the Amphitheater, with an average of 100 guests. Weddings can be small and intimate (20 guests) or on occasion, larger weddings (up to 200 guests). It is anticipated that wedding ceremonies would occur on Saturday and Sunday during the late morning, afternoons or early evenings from April through October. Approximately 30 weddings per season are anticipated at full operations.

On-site wedding receptions would occur in the Celebration Garden or in the Amphitheater area, with outdoor seating in a garden setting. Approximately 15 wedding receptions are anticipated at full operations. Evening receptions would be completed by 10:00 P.M.

Arts and Craft Fairs
Approximately four times per year, the venue would host a fine art show and exhibits, craft fairs and similar displays of handcrafted merchandise. These events would occur on weekends (and perhaps a Monday Holiday) from 10:00 AM to 6:00 PM. Setup would occur from 8:00 to 10:00 AM and takedown from 8:00 to 10:00 PM. The arts and craft shows would occur in the Amphitheater area and the landscaped terraces.

Music or Theater in the Park
The Amphitheater with its bandstand/stage would be available to host a variety of musical events such as the Arts Council's Friday concert-in-the-park series, acoustical music groups, and similar entertainment. The Amphitheater could also host festivals (multiple performances over several days), a series (a single play, for example, with up to six performances), and individual events (musical performances, talent shows, fundraisers, lectures, special religious services).

Priority for use of the facility will be given to weddings as the primary planned activity at the site.
CONDITIONS OF APPROVAL

All conditions of approval shall be met prior to the first wedding event.

1. This Conditional Use Permit is limited to weddings and wedding receptions only.

2. Permanent on-site restroom facilities shall be developed. Sewer connection plans shall be reviewed and approved by the City Sanitation Engineer.

3. The sewer service connection on Parcel 18-061-014 shall be replaced with a new plastic pipe as approved by the City Sanitation Engineer.

4. Applicants shall enter into a Deferred Improvement Agreement with the City to pay a proportionate share of improvements to Hanford Street (including but not limited to curb, gutter and sidewalk across the property frontage, lane widening, and drainage improvements), and when so determined by the City.

5. Conduct a drainage study and construct on-site and off-site drainage system improvements and a commercial driveway to City Standards and Caltrans Standards as approved by the City Engineer and Caltrans.

6. On-site grading shall conform to Appendix Chapter A33 of the Uniform Building Code.

7. Parking areas shall be surfaced with 2-inches of asphaltic concrete over a 4-inch Class 2 aggregate base, signed and striped as required by the City Engineer.

8. An Encroachment Permit shall be required from Caltrans for any work within the State highway right-of-way.

9. All vehicles exiting the site will be restricted to a right-turn only onto Hanford Street. Appropriate striping and signage shall be provided at the exit driveway.

10. Applicants shall pay a Regional Traffic Mitigation Fee of $2,340 and a City Traffic Mitigation Fee of $5,580.

11. Secure a written contract in accordance with City Ordinance Section 18.48.100 for adequate off-street parking for weddings larger than 144 guests and not to exceed 200 guests.
12. In no case shall more than 200 guests be allowed at any wedding or wedding reception.

13. Parking considerations shall be reviewed by the Planning Commission on an annual basis.

14. Provide dense landscape planting adjacent to the property lines on the north, east, and south side of the project site.

15. Noise levels at the property line shall not exceed the ambient noise level; or 60 decibels, A-scale (dBa), whenever the ambient noise level is below 60 dBa.

16. On-site activities shall be limited to the hours of 7:00 AM to 10:00 PM.

17. Meet the ordinance requirements of the Sutter Creek Fire District.

18. Meet the ordinance requirements of the Amador Water Agency.

19. At least 30-days prior to the first scheduled event, staff shall verify that all conditions have been met.

20. Traffic control signage shall be provided as required by the Chief of Police.

* * * * *

Note: Proposed Conditions of Approval as revised by the Planning Commission on November 10, 2003 and further revised by the City Council on December 1, 2003.
TO: Mary Beth VanVoorhis, Administrative Analyst
FROM: Gary S. Ghio, City Engineer
SUBJECT: Park at Hanford Courte – 130 and 140 Hanford Street
DATE: January 26, 2017

Mary Beth, our office has completed its review of the documentation provided regarding the conditional use permit for the park at Hanford Courte. Documents provided to our office included a memorandum from Jeff Kelley dated August 13, 2007 to the Sutter Creek Planning Commission, the original conditions of approval for the conditional use permit, a copy of City Council meeting minutes granting an appeal of condition number 7, and a copy of an agreement for construction of public improvements between the proponent and the City of Sutter Creek.

Based upon review of these items, it appears the owner of the development had not complied with the original conditions of approval numbers 4, 5, 7 and 9 as of August 13, 2007. Subsequent to this, the City Council modified condition number 7 to require a paved driveway, 12’ wide, chip seal or asphalt, if approved by the City Engineer and removed the requirements for paving any parking areas.

Based upon the site review I performed with you on January 24, 2017, the proponent has completed the 12’ wide minimum asphalt driveway as required by the revised condition number 7.

As the City Council removed the requirement for paving of the parking areas, there will be no significant increase in drainage from this site; and therefore, I see no issue with the City deleting condition of approval number 5 which originally required the drainage study and subsequent drainage system improvements.

Condition number 9 required vehicles exiting the site to be restricted to right turn only on to Hanford Street along with appropriate signing and signage at the exit driveway. Based upon the field review I see no issues with sight distance along Hanford Street and since the traffic levels have been reduced significantly since the street was relinquished to the City and is no longer a state highway, I also see no issue with removal of condition of approval number 9.

Should you have any questions, please contact me at your convenience.

#1021/mlm
Hanford Court Park 2017-01-26
WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, June 12, 2017, hold a public hearing on a REVISED Conditional Use Permit for Steve Desedare and Randi Kutnewsky for continuation of Event Center use at their commercially zoned properties located at 128 & 130 Hanford Street, Assessor Parcel No. 018-061-014 & 018-061-015 after properly noticing said hearing; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 32 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a REVISED Conditional Use Permit for Steve Desedare and Randi Kutnewsky for continuation of an Event Center based on the Findings attached hereto as "Exhibit A," and subject to the Conditions of Approval attached hereto as "Exhibit B."

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 12th Day of June, 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

______________________________
Michael Kirkley, Chairman

Mary Beth Van Voorhis, Administrative Analyst
EXHIBIT A

FINDINGS

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important and tourist-related service to the community.

2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Commercial Land Use designation.

3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the Commercial Zone – and within the Historic District.

4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.

5. The proposed use of the property, implements the Sutter Creek General Plan and the purposes of the Planning Title, because the General Plan and Zoning Ordinance recognize the importance of providing commercial activity in the community.
EXHIBIT B

CONDITIONS OF APPROVAL

1. This Conditional Use Permit is for the operation of an event center including weddings, wedding receptions, community and private events, fundraisers, and the like.

2. In no case shall more than 200 guests be allowed at any event. Events greater than 200 persons will require approval of Special Event Permit.

3. Maintain a contract with Days Inn for overflow parking.

4. On-site activities shall be limited to the hours of 7:00 a.m. and 10:00 p.m.

5. Comply with City Noise Regulations as defined in Municipal Code Section 10.60 which requires the use of amplified sound to be discontinued at 9:00 p.m.

6. Design Review Committee approval is required for any exterior modifications.

7. Meet the ordinance requirements of the Sutter Creek Fire Protection District.

8. Meet the ordinance requirements of the Amador Water Agency.