

CITY OF FOLSOM
HISTORIC DISTRICT COMMISSION MINUTES
June 15, 2011

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Chair Candy Miller, Vice Chair Daron Bracht, Commissioners: Lance Klug, Brian Martell, Susan Mehring, Mark Roberts

ABSENT: Commissioner Dorothy Cormack

CITIZEN COMMUNICATION: None

MINUTES: The Historic District Commission minutes of March 16, 2011 were approved as submitted.

NEW BUSINESS:

1. **PN11-156, Burgers and Brew Commercial Design Review, 929 Sutter Street**

Senior Planner Steve Banks introduced new Associate Planner Kei Zushi.

Associate Planner Kei Zushi gave the staff report stating this was an application for commercial design review. The proposal includes minor modifications to the existing site and building located at 929 Sutter Street. An aerial photo was shared with the Commission. Associate Planner Zushi stated that across Sutter Street to the northwest there is an existing light rail station; there is also a public alley at the rear of the site. The project is located within the Sutter Street Subarea. The applicant proposes to construct 2 new trellis structures (one on Sutter Street side and one on Reading Street side); the proposal also includes several improvements to the building and site.

A proposed site plan was shared with the Commission along with elevations of the proposed trellis structures. Minor improvements include 5-foot-wide fire feature; and 10-foot-tall pipe column. Proposed awnings would be at the main entrance as well as a new bi-folding door and gate. The applicant also proposes to install overhead festival lighting in the outside kitchen area.

Renderings of the proposed improvements were shared with the Commission. The applicant submitted three sets of colors and materials for the proposed awning - the Commission was requested to give the applicant direction as to its preference.

Photographs of the project site were shared with the Commission.

Associate Planner Zushi added that all the designs, scales and colors of the improvements will match the existing building and the proposed trellis structures, and festival lights are compatible with the existing building. Staff believes that the project is consistent with the Historic Guidelines as well as the zoning code. Staff recommended approval of the proposed commercial design review with findings and conditions included with the staff report.

Commissioner Bracht noted that there weren't any seating / floor plans provided in the staff report.

Associate Planner Zushi stated that it was his understanding that the applicant was providing some outdoor seating near the main entrance.

Planning Manager Scott Johnson explained that the Commission would not be reviewing interior improvements; the focus is on exterior modifications. The applicant will have to go through the building permit process. If there are other changes that surface during this process that affect the exterior, staff would be obligated to bring it back for the Commission's review.

Chair Miller asked if the applicant applied for a liquor license would they have to come back for a Conditional Use Permit approval.

Planning Manager Johnson replied that because this was considered a restaurant and not a bar, it doesn't require a Conditional Use Permit. The applicant can clarify any issues the Commission may have.

Commissioner Roberts noted that he didn't see anything with regard to parking in the staff report.

Planning Manager Johnson explained that for new development, staff provides that analysis; with existing structures staff relies on surface parking and the parking garage. Because this is a permitted use, that analysis wouldn't be provided - the Commission is just looking at design considerations.

In response to Commissioner Roberts, Planning Manager Johnson replied that it was his understanding that all improvements were on private property and not in the public right-of-way; he wanted to hear confirmation from the applicant. He added that both trellises would be "open-trellises."

Commissioner Klug stated that it seemed that this was a specific use previously and now the use changed. He would be interested in parking counts, floor plans, grease trap access, etc.

Planning Manager Johnson reiterated that this was a permitted use so it falls within the category of staff's discretion - it's really the exterior modifications that triggered the review by the Historic District Commission. Staff could make that information available to the Commission.

In response to Chair Miller, Associate Planner Zushi replied the festival lighting would only cover the outdoor kitchen area.

Philippe Masoud, applicant, stated that they were not new to the area; similar facilities are located in Sacramento, Davis, and Chico. This was a family restaurant and they were not going to change anything except adding trellis structures to help with the outdoor seating. Building plans have been submitted and the layout does not change the structure. There will be a grease trap, but it would be installed in the premises. All improvements are on private property.

In response to Chair Miller, Mr. Masoud replied that the restaurant would be opened for lunch and dinner and on the weekends for brunch. Because of the size of the structure, there would not be many seats indoors and that was why they were building the trellis on the Reading Street side. The outdoor kitchen would not be used and would probably be converted to a seating/bar area.

Marvin Maldonado, Inform Design, addressed the Commission stating that the outdoor lighting would only cover the outdoor kitchen area. In response to Commissioner Robert's question regarding the trellis, Mr. Maldonado explained that the 12-foot-tall trellis (on Reading Street) would have a roof. They have submitted awning materials and materials that would be congruent with whatever they use to create an all-weather type structure. He reiterated that they would like the Commission's direction with regard to the color palette they submitted.

Commissioner Martell requested elevations for the awnings. He asked what was the maximum occupancy for inside and outside.

Mr. Maldonado replied that there was another engineer that was responsible for that; his scope of work was for exterior improvements.

In response to Commissioner Martell, Mr. Masoud replied that their hours of operation was Monday-Thursday, 11:00 a.m. to 3:00 a.m. They would not be selling alcohol past 1:00 a.m. They would be serving only beer and wine.

Mr. Maldonado replied to Commissioner Martell, stating that there were interior elevations that were submitted to the Building Division, but it was not required as part of this submittal.

Commissioner Klug stated that for projects like this he would like to see seating arrangements and interior elevations. He added that this was a great site/building and he wanted to help the applicant succeed. If

someone is going to make this kind of investment, he thought that it was important that it have fire sprinklers. He didn't feel that the packet was complete; he felt that he just got half the information to approve a use, but all he has to look at is the trellis.

Director David Miller stated that there was a very low parking requirement in the Historic District. He didn't think parking would be an issue because the parking structure was just next door. With regard to the seating arrangement that was reviewed with respect to ADA, Fire requirements, Occupancy load, etc., by the Fire Department and Building Division as part of the building permit process. This is a permitted use in this zone and parking is provided. If there are external design issues or other issues, the Commission could address those. Staff felt that this was a good use for the site.

Commissioner Martell thought that the concept was great, but because 90% of the dining was outside and opened until 3:00 a.m., he voiced concern regarding noise because it was very close in proximity to residents.

Director Miller replied that where you have business abutting residential, the Commission might set some sort of condition that if there were complaints, the hours of operation would need to be reconsidered and brought back to the Commission.

Mr. Masoud invited the Commission to visit the site noting that they have had no complaints from other restaurant sites. There was no live music; they were not a bar. Most of the noise in the area comes from people outside.

Mr. Maldonado stated that the difference in grade between the alley and street level was approximately 15-20 feet so there was a huge sound barrier in the back of the building. Also closing off one side of the Trellis on Reading Street will help mitigate some of the sound that escapes on Reading Street.

Commissioner Mehring interjected stating that she lives off Figueroa Street and the noise was not from the bars themselves, but people in the street after the bars close - the sound carries right up on to Figueroa.

Director Miller stated that unless there was a Conditional Use Permit, there is a problem in regulating the hours of operations because it's a permitted use.

City Attorney Cline explained that the challenge is that this was a permitted use for a C-2 zone; ideally there would be an overlay for a CUP for a change of use like this, but that is not the case.

Director Miller suggested conditioning it not so much on the regulation of hours, but regulating the operation so that if noise becomes an issue that they would have to put noise mitigating structures up or keep the restaurant activity inside the building.

Derar Zawaydeh, Applicant, stated that there were not many places you could go to in Folsom after a certain time; they are a family restaurant. Staying open until 3:00 a.m. may help with noise because people would come to restaurant and be off the streets. Also there was no place in Folsom to go for Sunday brunch without waiting 1-2 hours. The restaurant would be great for the community.

Chair Miller noted that they haven't made any references regarding parking on Sutter Street in a very long time. It used to be done when they were considering assessing businesses to pay for the parking structure. That idea was dropped. With regard to the color choices submitted by the applicant, it was agreed that all three colors would be compatible in the Historic District.

In response to Chair Miller regarding Condition 4, Planning Manager Johnson explained that because of this was a restaurant, the condition served as a warning that the applicant has to comply with Sacramento County's regulations (i.e. Health Department).

Chair Miller opened the Public Hearing; no one came forward to speak, the Public Hearing was closed.

In response to Commissioner Bracht regarding limiting the hours of operation, City Attorney Cline reiterated that this was a permitted use and there were no hours of operation limits contained within the FMC and there was no requirement for a Conditional Use Permit.

Commissioner Klug asked for clarification regarding the applicants' ability to get credits for the grease interceptor.

Director Miller explained that they could apply for credits against the county sewer impact fee from the City.

Commissioner Bracht voiced concern about future noise impacts to residents in the early morning hours.

COMMISSIONER MARTELL MOVED TO APPROVE COMMERCIAL DESIGN REVIEW FOR THE MINOR MODIFICATIONS TO THE EXISTING SITE AND BUILDING LOCATED AT 929 SUTTER STREET AS ILLUSTRATED IN ATTACHMENTS 3 AND 11 WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL PROJECT FINDINGS "A" THRU "C," AND CEQA FINDING "D;" AND CONDITIONS 1 THRU 5.

COMMISSIONER MILLER SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES:	ROBERTS, MARTELL, MEHRING, KLUG, MILLER
NOES:	NONE
ABSTAIN:	BRACHT
ABSENT:	CORMACK

2. PN11-123, La Rosa Blanca Commercial Design Review, 402 Natoma Street

Associate Planner Zushi gave the staff report, stating this was a proposal for the addition of a 224-square-foot storage/office room to an existing restaurant building located at 402 Natoma Street. An aerial photograph was shared with the Commission. The site is located at the corner of Natoma Street and Coloma Street within the Natoma/Riley/Bidwell Subarea District. There is a 20-foot-wide alley at the rear of the site and the room addition is proposed to be on the northwest corner of the existing building. A site plan was shared with the Commission. Currently, there are 4-foot sidewalks and rolled curbs around the property line and no defined driveway entrance area. Proposed elevations were shared with the Commission. The applicant is also proposing to install four new windows on the alley side of the project and three new windows on the Coloma Street side. As a result of the proposal, the deck will not be fully closed.

Photographs of the project site were shared with the Commission. In response to Chair Miller, Associate Planner Zushi stated that the applicant would be retaining the tree on the project site.

Associate Planner Zushi added that the new windows would be compatible with the existing building colors, materials, and scale. Because there was no defined driveway area on the site, staff wanted to make sure that there would be a driveway entrance area after the project was complete. Staff is recommending that a landscape planter strip be installed along the Coloma Street side and southeast corner of the project site (minimum of 3 feet in width). Because of the modifications, parking space #20 will be eliminated. Currently, there is no ADA pathway that connects the existing right-of-way to the project site, but those requirements would be determined at the time of the building permit process.

Associate Planner Zushi added that the applicant has concurred with the condition to screen roof-top equipment. Staff recommended approval of the project with the findings and conditions included in the staff report.

In response to Commissioner Roberts, Associate Planner Zushi pointed out the location of the landscape planter strip. The details of the planter strips would be worked out with the City's arborist.

Director Miller stated that staff was looking at areas along Natoma Street that were mostly concrete/asphalt to try to beautify the corridor as much as possible. The project site in question has no landscaping. He didn't think frontage landscaping was a big expense for a restaurant. Over time, this beautification will make a big difference on the street. Staff has been told by City Council that there were selected locations along Natoma that they feel really need major cleanup – and this was one.

Commissioner Martell agreed pointing to the improvement that landscaping has made at the Circle K site.

Commissioner Klug acknowledged sensitivity that these kinds of improvements are a big expense to the smaller businesses. Director Miller replied that they would be requesting the applicant to submit a landscape plan and details of that plan would be examined by staff as far as circulation was concerned. Staff will try to minimize as much cost as possible.

In response to Commissioner Roberts, Associate Planner Zushi stated that the setback requirement for the site was five feet from the internal property line and 10 feet from the alley side.

Chair Miller opened the Public Hearing; no one came forward to speak so the Public Hearing was closed.

COMMISSIONER MILLER MOVED TO APPROVE COMMERCIAL DESIGN REVIEW FOR THE ADDITION OF A 224-SQUARE-FOOT STORAGE/OFFICE ROOM TO THE EXISTING RESTAURANT BUILDING LOCATED AT 402 NATOMA STREET AS ILLUSTRATED ON ATTACHMENTS 3 THROUGH 5 WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL PROJECT FINDINGS "A" THROUGH "C," CEQA FINDING "D," AND CONDITIONS 1 THRU 12.

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES:	ROBERTS, KLUG, BRACHT, MEHRING, MARTELL, MILLER
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	CORMACK

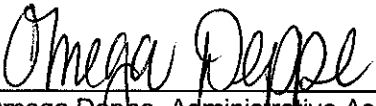
STAFF/COMMISSION COMMENTS:

Director Miller stated that staff was working on the encroachment issue in the Historic District and will be bringing something forward for the Commission to review.

In response to Chair Miller, Planning Manager Johnson confirmed the rumor regarding the possibility of the railroad museum car being put back in the spot where the pavilion was to be placed. It would stay until funds were available to purchase the pavilion.

There being no further business, the meeting was adjourned at 6:15 p.m.

RESPECTFULLY SUBMITTED,



Omega Deppe, Administrative Assistant

APPROVED:



CHAIR CANDY MILLER