

**CITY OF FOLSOM  
HISTORIC DISTRICT COMMISSION MINUTES  
July 17, 2013**

**CALL TO ORDER HISTORIC DISTRICT COMMISSION:** Chair Daron Bracht, Vice Chair Candy Miller, Commissioners: Dorothy Cormack, Mark Roberts, Tom Scott

**ABSENT:** John Arnaz, Susan Mehring

**CITIZEN COMMUNICATION:** None

**MINUTES:** Minutes of June 19, 2013 were approved as submitted.

**NEW BUSINESS**

1. **PN12-399, Westwood Family Cellar and Commercial Building, Conditional Use Permit, Commercial Design Review, Parking Variance, 925 Sutter Street**

Planning Technician II Andrew Lesa gave the staff report, stating this was a proposal for a commercial mixed-use building. The applicant is requesting approval of a Conditional Use Permit, Commercial Design Review, and Parking Variance. The proposal is for a 3,693-square-foot, 2-story mixed-use building located at 925 Sutter Street. The proposal includes retail and office use, and the applicant is also seeking a parking variance (no on-street parking is proposed). A total of 12 parking spaces would be required by the FMC.

The 5,600-square-foot site is vacant and located in the Sutter Street Subarea, which includes a mix of restaurants, specialty shops, museums and offices coordinated through a design theme representing a time frame between 1850 and 1950. An aerial photograph showing the location of the site was shared with the Commission, along with a proposed site plan.

With regard to the Parking Variance, no on-site parking space is proposed; however, the City provides on-street parking, surface parking lots, and a parking garage, which is across the street. The site is encumbered due to the 40-foot-wide narrow lot, which makes it difficult to provide parking. The site is adjacent to public transportation.

Proposed building elevations, floor plans and renderings were discussed with the Commission.

Staff recommended approval of the project.

Planning Manager Johnson referenced a modification to Condition 46 relating to historical resources to include, but not limited to, a well, privy pit, foundations, old tunnel, cellar, trash deposit or other historic or prehistoric features.

In response to Commissioner Roberts, Planning Manager Johnson stated that typically the approval has been for one year for a remodel or modification. With regard to hours of operation, the facility would not be opened past 11:00 p.m.

Commissioner Miller asked if there was an example of what the proposed metal lettering would look like. Planning Technician Lesa replied that the applicant did not provide a sample, but it was his understanding that it would be metal, wrought iron channel lettering.

With regard to Condition 6, Commissioner Miller noted that hours were being limited from 8:00 a.m. to 6:00 p.m. for the office use. She asked if that meant that someone couldn't come to work at 7:00 a.m.

Planning Manager Johnson replied that was not the intent. Commissioner Miller requested that the condition be change to have the hours start at 7:00 a.m., even if the business doesn't choose to open until 8:00 a.m.

Commissioner Roberts stated that he thought that language was pulled out and those hours were only limiting wine tasting.

Planning Manager Johnson agreed stating that reference to those office use hours could be eliminated.

Commissioner Miller referenced Condition 7 asking for a definition of acoustic music. Does that mean someone could come in with a 3-piece band or does that mean that it's recorded music?

Director Miller suggested that it be defined as unamplified music or the Commission could limit the hours that unamplified music could be played.

Chair Bracht understood the intention of amplifying an acoustic guitar, but it was really a decibel issue. He thought the FMC contained language specifying 70-80 decibels. He asked if the FMC could just be referenced.

Director Miller felt that it may be a little more difficult to monitor. One of the problems is measuring noise that was intermittent versus continuous. The noise that is regulated is the noise that is continuous. If the Commission thinks it's appropriate, the hours could be limited or it could be monitored through complaints.

Commissioner Miller referenced Condition 26 noting that it refers to standard construction specifications and the design and procedures manual and improvement standards for the curbs, gutters, etc. She asked if there is a specific Historic District section in that document or was it citywide.

Planning Manager Johnson replied that it was the citywide specifications. In this case there aren't any frontage improvements.

Commissioner Miller requested that when projects are done in the Historic District that the Historic District Design Guidelines be referenced as well. Referencing Condition 47, Commissioner Miller felt strongly that the likelihood that they were going to find something was great and she recommended that an archeologist be on site during any major digging.

Commissioner Scott referenced Condition 19 regarding the formation of a parking district within the Historic District. He asked if the applicant was aware of this condition. It was indicated that the applicant was aware of this condition.

In response to Commissioner Scott, Director Miller stated that paying into the Housing Trust Fund was a standard condition and all commercial projects have a per-square-foot fee that they pay.

Commissioner Scott noted that there would be more than wine tasting; it's a wine tasting/restaurant. He asked if this was a fully-functioning restaurant.

Planning Technician Lesa replied that it was his understanding that there would be small-portioned appetizers to pair with the wine.

In response to Commissioner Scott with regard to no sound being heard within 50 feet of the premises, Planning Manager Johnson stated it was a fairly new condition, and staff was trying to address a problem that it has with other establishments on Sutter Street. This is a standard that was discussed with the Police Department.

Commissioner Scott stated that with regard to parking, they were compounding and adding to the issue of parking. He voiced concern about the impact – he understood that the lot was narrow.

Director Miller stated in older downtowns, you have zero lot lines. Staff has been going through a series of studies to look into methodologies other communities are using to fund parking in their downtowns and Kimley-Horn just finished a study. There have been a number of people coming to the City Council from the neighborhood asking about parking. Staff is going to go the next step to hire a financial consultant to look at the most appropriate set of financing tools to use in this community given the economics of this community to try to raise funds for a second parking structure. With the parking structure right across the street, staff felt comfortable with the findings for the Variance.

In response to Commissioner Scott, Planning Technician Lesa explained that the applicant intends to put in planters and trees in the outside seating area. A landscape plan has not been developed at this point.

Chair Bracht asked if behind the trash enclosure, if it would be residential-style trash cans or a dumpster. Planning Technician Lesa stated that he believed it would be a dumpster, but the applicant was still working with Solid Waste. Chair Bracht asked about traffic before and during construction and what would traffic be like after construction for deliveries.

Planning Technician Lesa stated that the applicant would be working with the Building Division in housing some of the construction materials onsite as well as potentially offsite across the street to limit some of the impact to the neighborhood.

Chair Bracht asked if deliveries could be made on Sutter Street rather than the alley.

Planning Manager Johnson replied that a condition could be added to limit deliveries only to Sutter Street for access.

Commissioner Scott noted that commercial deliveries could occur up until 10:00 p.m. Commissioner Miller stated that 10:00 p.m. seemed a little late for delivery trucks.

There was a consensus that deliveries be limited to 8:00 p.m.

Curt Westwood, applicant, explained that the alleyway primarily will be used by them to make deliveries of wine. So pallets would be off-loaded with a forklift and it might also entail wine barrels. Their office would be on the second floor (4 offices) and there is no parking in the back. The wine/retail operation is all downstairs so anything else that needs delivery could use Sutter Street. He concurred with the 8:00 p.m. limit for deliveries, but they had to store the wine upstairs in a special refrigerated room. The wine has to be delivered in the alley. If he was delivering today, it would probably be a pickup truck with a trailer - the first delivery would probably be much more.

With regard to the restaurant operation, Mr. Westwood stated that focus was going to be on wine tasting, but more and more wineries are offering food to compliment the wine. They have a kitchen that was large enough to serve as a restaurant, but the dining room was not very big. It was not in their best interest to be pouring cocktails and soft drinks. He added that he was hoping to associate themselves with someone from the fine-dining industry to provide the food pairings. Primarily, the focus is on wine.

In response to Commissioner Scott, Mr. Westwood replied that their vineyard was 30 acres and he felt that eventually it would be able to produce about 5,000 cases of wine a year. Only their wine would be served at this facility. He added that it would take years to build the business. They don't want loud music or concerts and they don't want to be a restaurant. He has to be realistic about the fact that he doesn't know what is going to happen.

Chair Bracht opened the Public Hearing.

June Chan, resident, stated that she set on the original Historical Committee and all the parking should have been in the back. She added that she didn't like the style of the building; it didn't fit in - it was more circa 1930s prohibition era. She requested that a speed limit sign be placed in the alley. Loading in front of the building was unrealistic - Sutter Street can be crowded. The building was imposing and not historical. She voiced concern about echo vibration going over to 917 Sutter Street.

Jane Lee, resident, stated that living in the area, when you talk about this much construction, it become quite compacted around 3:00-4:00 p.m. She suggested that someone monitor the traffic. She stated that this style of business was only fully functional when the weather was good. She further voiced concern about where people would be waiting, since the building was built right out to the sidewalk.

Chair Bracht closed the Public Hearing.

In response to Commissioner Roberts, Planning Manager Johnson replied that the use permit runs with the land; if there was a cease in operation for greater than six months, the use permit expires.

Commissioner Miller added that if there was a new applicant for this use permit, they would have to operate the same kind of facility. Planning Manager Johnson agreed stating that the use would have to exactly the same.

Assistant City Attorney Wang stated that whoever came after this applicant would have to comply with the conditions of this use permit, if approved this evening. The entitlements remain with the land. There could be problems later if the use change - it would depend on how much of a change there was. That is why staff is recommending the conditions in the staff report.

Planning Manager Johnson added that the use could change to a permitted use and then the use permit conditions wouldn't apply. If hours of operation were changed or any other major part of the project, they would have to come back to the Commission.

Commissioner Scott referenced the style of the building stating that it doesn't look like it fits the architecture in the Historic District. He asked Commissioner Miller if she thought the building fit in.

Commissioner Miller stated not every building that was built in downtown was made out of brick; there were a lot of plaster-type buildings that were built back in that time frame. The lettering used on top of building was very common during this time. She felt comfortable with the design.

Commissioner Scott supported the project; he liked the concept. He was a total pro-business person and wants businesses to succeed and be there forever.

COMMISSIONER MILLER MOVED TO APPROVE THE CONDITIONAL USE PERMIT AND COMMERCIAL DESIGN REVIEW APPLICATIONS FOR A 3,693-SQUARE-FOOT, TWO-STORY, MIXED USED BUILDING LOCATED AT 925 SUTTER STREET, INCLUDING A PARKING VARIANCE, (PN12-399) WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS "A" AND "B," CEQA FINDING "C," CONDITIONAL USE PERMIT FINDING "D," PARKING VARIANCE FINDINGS "E" THROUGH "H," DESIGN REVIEW FINDING "I"; AND CONDITIONS 1 THROUGH 5, CONDITION 6 MODIFIED TO DELETE THE OFFICE HOURS AND ONLY SPECIFY WINE/BAR RESTAURANT HOURS, CONDITION 7 THROUGH 25, CONDITION 26 MODIFIED TO ADD HISTORIC DISTRICT DESIGN GUIDELINES; CONDITION 27 THROUGH 43, MODIFY CONDITION 44 TO CHANGE THE DELIVERY HOURS FROM 7:00 A.M. TO 8:00 P.M., CONDITIONS 45, 46, MODIFY CONDITION 47 TO REQUIRE AN ARCHAEOLOGIST SHALL BE ON SITE DURING MAJOR EXCAVATION, CONDITION 48 THROUGH 52.

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

AYES:           ROBERTS, BRACHT, CORMACK, SCOTT, MILLER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        KLUG ARNAZ

Due to the time, Chair Bracht asked staff if they would like to continue agenda item 2.

Planning Manager Johnson replied that obviously, there's not enough time to get very far, but the Commission could hear staff's presentation and the balance of the item could be continued to August 21<sup>st</sup>.

Chair Bracht announced that there was a Planning Commission meeting at 6:30 and the Commission will not be able to complete the following agenda item. He encouraged the members of the audience to fill out guest speaker cards.

2. **PN10-252, Leidesdorff Village Mixed-Use Project, Rezone, Zoning Code Text Amendment, Tentative Subdivision Map, Conditional Use Permit, and Planned Development Permit, 1108 Sutter Street**

Senior Planner Steve Banks gave the staff report, stating that the project site is 4.25 acres in size and adjacent to the City's corporation yard. It is surrounded by residential development of the east and south and next to the VFW Hall to the west.

There are 59 for-sale residential condominium units associated with the project; and there is also 4,431 square feet of ground-floor retail space. Two phases are being proposed with the project: Phase 1 includes a 3-story building which houses 17 condominium units and of those 17 units, 5 ground floor units will be live/work spaces. Also the first phase has a 3-story building that has 19 units and a 2-story common house for use by the residents of the condominium buildings. There is also a pool amenity, a playground, and outdoor areas associated with the common house area. Two single-family homes are proposed with Phase 1 of the project; accessible only from Sutter Street via car. There are 3 single-story garage structures proposed for parking for Phase 1 of the project; in addition to open parking spaces. Phase 2, which is referred to as the "Sibley Corner" is a 3-story building and includes 21 residential flats (located on 2<sup>nd</sup> and 3<sup>rd</sup> floors), and 4 ground-floor retail spaces.

A chart was shared with the Commission that showed a break-down of the buildings and square footages of the units. A lot of units are less than 600 square feet in size and a number of units are 1,600-1,700 square feet in size.

The project currently has a commercial land use designation of Specialty Commercial; the existing zoning is General Apartment District, which is inconsistent with each other. Part of the challenge with this project is to bring the zoning and general plan into consistency with each other. The applicant is proposing to change the zoning from R-4 to HD which is Historic District, associated with that the applicant is proposing a zoning code text amendment – currently half the site resides in the Resort Subarea and half the site resides in the Riverway Subarea. The applicant is proposing to bring all the parcels into the Riverway Subarea. The applicant is proposing a Tentative Subdivision Map to provide condominium units that are for-sale and also proposing two single-family lots. Senior Planner Banks stated that one of the conditions relates to the Tentative Subdivision Map. The property lines were not shown for the single-family lots on the Tentative Subdivision Map so one of the conditions of approval that staff has added was that those lot lines be shown for the two single-family homes situated on Sutter Street. The applicant is required to obtain a Conditional Use Permit – the Riverway Subarea requires a Use Permit if you have three or more dwelling units and it also requires a Use Permit if it's a large-scaled project (over 5,000 square feet in size). Lastly, the applicant is requesting approval of a Planned Development Permit to establish development standards for this project.

A colored site plan which showed Phase 1 and Phase 2 of the project was discussed. Senior Planner Banks pointed out that the HD zoning doesn't have specific development standards and the purpose is to rely on the underlying subarea to establish the development standards and the uses permitted in this area. Riverway Subarea is the underlying subarea for the area so that is where staff would look for the development standards and permitted uses. A map showing the subareas was shared with the Commission. With this proposal all the parcels would be incorporated into the Riverway Subarea. It was brought to staff's attention that there may be a text error that occurred in the past and that perhaps currently the entire project is within the Riverway Subarea. More research was needed.

A chart outlining the development standards for the project was shared with the Commission. The most notable is the maximum lot coverage and the project does include a lot of open space areas.

As far as density, they're developing at 13.9 units per acre; this is fairly consistent with a lot of small lot subdivisions that have been approved recently. Obviously that's denser than the adjacent subdivisions. Staff does feel that this is a transition zone between the Resort Subarea and the existing residential uses, and staff is comfortable with the density of the project. The project is also oriented towards the Leidesdorff Street right-of-way. As noise study was prepared for this project – it looked more at the existing noise sources and their impact to the project than vice versa. In this case with the Corporation Yard adjacent to the project site, there were a lot of concerns about the noise impacts from the solid waste vehicles and their impact on the proposed project. One of the mitigation measures is to construct a 6-foot-tall noise barrier along the northern property boundary to screen the project from existing noise sources. There are also limitations on the hours of operation for the outdoor pool area and guest house associated with the project and limitations on delivery hours for deliveries to the retail portion of the project (7:00 a.m. to 9:00 p.m.).

The applicant is proposing 101 parking spaces. It's predominately a residential project with 44 PM Peak Hour Trips so a very low number of trips are expected with the project; it is not expected to impact any Levels of Service at any of the nearby street intersections.

Frontage improvements will be constructed on Sibley Street as well as Leidesdorff Street. Leidesdorff Street is a little bit unknown in that there are no immediate plans to extend Leidesdorff Street through to Forest Street. Staff doesn't know if the full 8-foot right-of-way on Leidesdorff Street will be utilized. Staff has placed a condition on the project that the applicant enters into a deferred improvement agreement so that they can share their fair share cost of the ultimate improvements that will be placed on Leidesdorff Street in the future. With this project, all they are proposing is a 27-foot-wide roadway for emergency vehicles, curbs, sidewalks and gutters.

The City has done a study within the last year and the study did indicate that there is sufficient capacity to handle any additional sewer needs that would be generated by this project.

There was a lot of mining activity on the site in the past; there was a residence on the site for a number of years and most important is the Young Wo Benevolent Hall and Temple was on the site roughly from the 1820s to the 1880s. A cultural resource study was prepared for this project but did not identify any artifacts that were considered significant from a CEQA perspective, however from a local historic perspective, staff wants to make sure that if there are artifacts on the site that an archaeologist be on site during any clearing or grading activities. There is significant number of oak trees proposed for removal and the applicant is required to mitigate for the loss of those oak trees. There is a single elderberry bush on the site and the applicant will be required to mitigate for the shrub as well.

The City recently modified its Inclusionary Housing Ordinance and the applicant is proposing to provide 6 affordable units for low- and very-low income households on the project site. The applicant will be required to provide an Inclusionary Housing Plan.

The applicant is proposing 101 on-site parking spaces; the Riverway Subarea establishes standards for parking requirements. Within the north and south buildings, there is a combination of 1 and 2 bedroom units. For the 1-bedroom units, 1 parking space is required and that is what the applicant is providing. For the 2 bedroom units, 2 parking spaces are required. For the single-family homes on Sutter Street initially a single-car garage and a parking space outside the required front yard setback area would be acceptable, but after further discussion and looking at the existing subdivision to the south, staff has modified their position and are requiring that the single-family homes provide a covered 2-car parking garage for each of those units. Regarding parking for Phase 2, there will be parking underneath in a garage and the applicant is proposing stackable parking spaces. In looking at this building specifically, there are 13 1-bedroom units and staff feels that 1 parking space for each of those units is appropriate. For the 2-bedroom units, it was the applicant's intent to have 1 parking space for each of the 2-bedroom units but staff doesn't feel that it is appropriate and is recommending that 2 parking spaces be provided for each of the 2-bedroom units. This means that staff is asking for 108 parking spaces be provided; staff is giving the applicant the option as to where to put those parking spaces. Staff's solution is to increase the number of stackable parking spaces within the garage area. If the applicant has alternative ideas to solving this issue, staff is open to those ideas.

In response to Commissioner Miller, Senior Planner Banks noted that this proposal does not have any designated visitor parking spaces.

There will be 1 space per 350-square-foot of floor area for the retail commercial component of project.

A slide showing what stackable parking spaces looked like was shared with the Commercial.

With regard to architecture and design, staff has worked very closely with the applicant over the last two years to improve and enhance the design of the buildings. Building elevations were shared with the Commission. Staff is supportive of the concept and has worked with the applicant to come up with this design.

The common house/guest house is 2 stories on the lower level, transitioning to a single-story structure facing Sutter Street. Elevations of the single-family homes were shared with the Commission. Staff feels that it blends very well with the design of the guest house. Overall, staff feels that the applicant has done a very good job with the architecture over the last two years.

Staff recommended approval of the project.

CHAIR BRACHT MOVED TO CONTINUE THE PROJECT TO AUGUST 21, 2013 HISTORIC DISTRICT COMMISSION MEETING.

VICE CHAIR MILLER SECONDED THE MOTION, WHICH CARRIED WITH THE FOLLOWING VOTE:

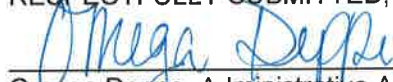
AYES: CORMACK, ROBERTS, SCOTT, BRACHT, MILLER  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: ARNAZ, MEHRING

**REPORTS:**

**Historic District Commission/Planning Manager:**

There being no further business, the meeting was adjourned at 6:24 p.m.

RESPECTFULLY SUBMITTED,

  
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Omega Deppe, Administrative Assistant

APPROVED:

  
\_\_\_\_\_  
CHAIR DARON BRACHT