CITY OF FOLSOM

APPEAL FORM

NAME OF APPELLANT: Bob Delp

MAILING ADDRESS: [redacted]

Folsom, CA 95630

Interest in Matter: City of Folsom Historic District resident and property owner.

Daytime Phone: [redacted]

Action Being Appealed: HDC Design Review/CUP Approval and claimed CEQA exemption for Uncle Charlie's Firehouse and Brew (PN 22-158)

Date of Decision or Date Project was Heard: March 1, 2023

Reason for Appeal: Project does not qualify for a CEQA exemption and is insufficiently described and evaluated by staff. The HDC lacks final approval authority and the Project warrants consideration by the City Council (even in the absence of this appeal). See attached letter for additional detail and additional reasons.

Appellant's Signature

March 10, 2023
Date

STAFF USE ONLY:

Date Received: 3/10/2023

Fee Paid: $495.00

Planning Comm. or Historic District Comm. Decision Appeal

Type of Project/fee:
- Owner Occupied/Single Family Dwelling $246
- All Others $495

Admin. (staff decision) Appeal

Type of Project/fee:
- Owner Occupied $239
- All Other $479

Tentative Hearing Date: _____

Time Limit Waived: _____

Copies to:
Community Development Director _____
City Manager _____
City Attorney _____
City Clerk _____

Received by: Jennifer Jimenez

Appeal fees set by City Council Resolution No. 10479 approved 7/1/2020.

B. DELP

[redacted]

2698

[redacted]

3/10/2023
DATE

PAY TO THE ORDER OF City of Folsom $ 495.00

Four hundred ninety five and 00/100 DOLLARS

[redacted]

FOR UCFB Appeal

[redacted]

CITY OF FOLSOM
OFFICE OF THE CITY CLERK
50 NATOMA STREET
FOLSOM, CA 95630

RECEIPT DATE 3/10/2023 **No.** 43…

$ 495.00

RECEIVED FROM Bob Delp

Check [redacted] DOLLARS

○ FOR RENT
⊘ FOR UCFB Appeal - PN22-158 - HDC Appeal

ACCOUNT	
PAYMENT	495.00
BAL. DUE	

○ CASH
⊘ CHECK
○ MONEY ORDER
○ CREDIT CARD

FROM 010-2330-344 TO 66-01

BY Jennifer Jimenez

3-11

March 10, 2023

City of Folsom City Clerk's Office
Attn: Ms. Christa Freemantle, City Clerk
50 Natoma Street
Folsom, CA 95630
Hand Delivered and
via email to: cfreemantle@folsom.ca.us for filing and for distribution to City Council

SUBJECT: Uncle Charlie's Firehouse and Brew (PN 22-158) – Appeal of Historic District Commission Approval of PN 22-158 to City Council

Note to Readers: I apologize for the length and possible repetition in this letter. Given more time to review and understand this project, I might have been able to be more concise. However, although the City Council made decisions setting the wheels in motion to approve this project at least as far back as November 9, 2021, I became aware of the details only by way of the March 1, 2023, staff report to the Historic District Commission. Ten days later, I've done the best I can with limited time to explain my concerns.

Dear Ms. Freemantle and City Councilmembers:

I am appealing to the City Council the decision by the Historic District Commission ("HDC") approving Uncle Charlie's Firehouse and Brew (PN 22-158) design review and conditional use permit ("CUP") (collectively referred to here as "Project" or "UCFB"), and the HDC's determination that the Project is exempt from the California Environmental Quality Act ("CEQA"). Comments I submitted to the HDC are included in Attachment A. My arguments on appeal are provided in this letter, but I reserve the right to amend these arguments and to bring additional evidence and argument to the Council on appeal and in response to any staff report or additional information that may become available prior to the appeal hearing. Notwithstanding this appeal, I am committed to doing what I can to help minimize further delays in a final decision on UCFB and urge the Council to do the same while addressing the concerns in my appeal.

In this appeal, I am requesting that the City Council take, or direct the City Manager to take, the following actions the rationale for which is provided in the Explanation and Additional Argument sections of this letter:

1. Assess Community Development Department ("CDD") accountability for delaying the UCFB Project and for delaying progress on the lease of City property by intentionally and unnecessarily awaiting the outcome of litigation on a separate project and, while doing so, failing to move forward with the preparation of studies and the environmental document that could have already been prepared and will be necessary before the UCFB Project can be approved.
2. Rescind the HDC's approval of UCFB for reasons including:
    a. the approval is outside the authority of the HDC,
    b. the Project is thus far insufficiently described in terms of its operations and exterior modifications and the understanding of exterior modifications was further convoluted, not clarified, by the HDC's decision,
    c. the whole of the Project has not been sufficiently described, as the Project will include a discretionary lease with terms that have not yet been disclosed to the

public (e.g., duration of the lease, dedicated parking, dedicated accessible parking, required conditions on termination of the lease, financial security ensure lease termination conditions are achieved);

d. the Project is thus far insufficiently evaluated for potential impacts associated with aesthetics, air quality/odors, transportation/circulation/parking and related public safety issues, historic resources, and noise; and

e. the Project does not qualify for a CEQA exemption.

3. In acknowledging that the UCFB Project does not qualify for a CEQA exemption, direct CDD to prepare an Initial Study to determine the appropriate CEQA document for the Project, and to facilitate the Initial Study, direct CDD to require the applicant to submit:

   a. design illustrations and accurate renderings for all exterior building modifications, including design and illustrations of proposed doors, awnings, signage, and exhaust vents and other utility components of the project;

   b. an assessment of public services and utility requirements, including police and fire protection and water, sewer, electricity, and natural gas demand and required infrastructure to clarify the application's indication that the project would have a substantial effect on public services;

   c. an assessment by a qualified architectural historian of the proposed building modifications for consistency with Historic District Guidelines and for potential adverse effects on historic resources, including the historic property and historic buildings/resources that are located on the same parcel as the Project;

   d. an odor generation and impact analysis prepared by a qualified air quality or other expert and identifying specific ventilation design for all potential odor emitting components of the Project and which identifies and evaluates potential impacts on adjacent existing and approved land uses with occupants that could be impacted by Project-generated odors; and

   e. a vehicle circulation, parking demand/availability, and pedestrian safety study(ies) that consider both the immediate Project area as well as all residential neighborhood streets within three blocks of the 500 – 900 blocks of Sutter Street.

4. Direct CDD to provide Project information and the transportation study(ies) to the Traffic Safety Committee for review.

5. Direct the CDD to obtain complete applications and to verify the accuracy of information on applications prior to initiating further processing the application.

6. Direct the CDD to take immediate steps to improve the availability and consistency of information for all projects in the Historic District (e.g., design review, sign permit, and use permits) and status posted on the CDD's webpage to facilitate meaningful public notice and opportunity to understand and comment on Historic District projects.

7. Acknowledge the HDC's important, but limited, role as an *advisory* committee to the City Council, and cease the practice which is disallowed by the City Charter of treating HDC decisions as final approvals, this appeal became necessary only because the HDC's decision is being improperly treated as a final approval otherwise I would have simply been able to provide my comments to the City Council at a hearing on the Project after receiving a *recommendation* from the HDC.

8. Affirm that FMC section 2.08.060 allows a third-party nuisance complainant to appeal Code Enforcement Officer determinations to the City Manager and ultimately to the City Council, as such rights will be important in the event of odor nuisance associated with UCFB.
9. Affirm the City's commitment to enforce and apply conditions of approvals and applicable provisions of the Folsom Municipal Code on Historic District business, and demonstrate this commitment through City Council or City Manager acknowledgment that the Barley Barn project is null and void.
10. Direct CDD to either solicit public input on projects before producing a staff report recommending project approval or, at a minimum, to eliminate the template staff report section entitled "Public Comments" which portends to summarize public comments when public comments have not been solicited, and direct staff to accurately portray to the HDC if and how public comments were solicited for a given project.
11. Direct CDD to include as attachments to staff reports for development projects any and all comment letters, emails, or other correspondence received from public agencies. Sacramento Metropolitan Air Quality Management District provided a comment letter with specific recommended measures to mitigated odor impacts,
12. Direct the CDD to prepare a written staff report, signed by the Director, for each Historic District Commission meeting providing updates on all pending projects/applications and, to protect against inaccurate or policy-prohibited statements, to not allow staff to present that information as ad hoc oral comments.

EXPLANATION

In large part, this appeal reflects my concerns regarding the City's patterns and practices of insufficient review of proposed projects, failing to consistently hold approved projects accountable to their conditions of approval, selective interpretation or disregard of the City Charter and other parts of the FMC, and denial of administrative appeal opportunities associated with enforcement of the FMC.

This appeal comes with regret for potentially causing further delay to what generally appears to be a promising business with responsible and enthusiastic business owners, and in a location that would provide direct economic benefit to the City and a nice place for me to walk and enjoy a locally brewed beer. Apparently, the applicant and/or City staff have already delayed this project intentionally. Based on CDD staff comments to the HDC at its March 1st meeting (*after* the HDC voted to approve UCFB), it is my understanding that CDD and/or the applicant "held off on moving forward because they are using the same CEQA exemptions that Barley Barn used and they wanted that process to play out in the courts before they came forward to [the HDC]" (see Attachment B).

If staff was correct and the UCFB Project has been sitting idly for perhaps several months or longer, I suggest that approach was flawed. Regardless of the eventual outcome of the Barley Barn litigation, and for reasons outlined in this appeal, the UCFB Project does not qualify for the City-claimed CEQA exemptions. Rather than *waiting* for the Barley Barn project play out in court, the City could have prepared a CEQA document with meaningful impact analysis, identified mitigation measures to avoid significant effects, and brought the UCFB Project forward for approval hearings several months ago.

Further complicating matters for the UCFB Project is the City's recent and ongoing refusal to confirm that the Barley Barn project is null and void due to specific expiration terms in that project's conditions of approval and time periods specified in the FMC (discussed in Attachment B). This is a disappointing demonstration that the citizens of Folsom cannot depend on the City to enforce conditions imposed on businesses in the Historic District. Without instilling confidence through consistent demonstration that businesses will be held subject to their conditions of approval and the FMC, the City should expect resistance to projects that have the potential for adverse effects on the community if not properly regulated.

Moreover, the UCFB Project simply does not qualify for either of the two CEQA exemptions recommended by staff and claimed by the HDC in approving the UCFB Project. The Project would obviously substantially expand the use of the existing unoccupied retail space in the 905 Leidesdorff building and the Project involves modifications to a multi-level structure with a footprint of some 30,000 square feet and a total floor area of what must be nearly 100,000 square feet.[1] The claimed CEQA exemptions require that a project result in *no or negligible expansion in use* and that the project involves *a small structure* (specifically limited in the CEQA Guidelines to no more than 10,000 square feet). The City has presented no evidence or even qualified argument for how the claimed exemptions could conceivably apply to the Project. The Project does not meet the basic criteria of the claimed exemptions and in accordance with state law the City must prepare and adopt a CEQA document before it can approve the Project.

Preparing a CEQA document does not need to cause substantial additional delay and cost, and could very likely have been completed in the time that the Project has apparently been purposefully idle. With sufficient analysis and mitigation, an Initial Study/Mitigated Negative Declaration (IS/MND) may suffice for this Project's CEQA review. In fact, with demonstrated assurance that the City is committed to strict enforcement of conditions of approval and the FMC as applicable to all Historic District businesses and other activities in the City, I would be inclined to volunteer to assist the City in preparing the necessary CEQA document for UCFB. I expect we could knock that out in short order and all it would take is a commitment from the City to do what the City should already be doing.

ADDITIONAL ARGUMENT

1. The HDC can serve a very important role in reviewing projects and providing input to the City Council, however, the HDC does not have the authority to make final project approval decisions. That authority is disallowed by the City Charter. As outlined in a January 26, 2022, letter to the City Manager (Attachment C), the Folsom City Charter limits the HDC's authority to that of an *advisory* body to the City Council. Therefore, even in the absence of this appeal, the City Council must consider and make a final decision on whether to issue a CUP for the UCFB Project.[2]
2. The HDC's CUP decision was absent reference to a lease and on its face would appear to provide an entitlement to a third-party for use of City-owned property. Even if the HDC had CUP approval authority, in this instance it could not be exercised as a final decision as the HDC does not have the authority to authorize a third-party's use of, or modification to, City-owned property. Both the CUP entitlement and modifications to the parking structure must

[1] I do not find the actual square footage of the parking structure anywhere in the record.

[2] For that reason, I respectfully request that my appeal fee be returned as this appeal would be unnecessary if the Project approval decision was properly brought to the City Council based on an advisory recommendation by the HDC .

be predicated on a lease that, at least in the public's eye, has not yet been fully defined and executed. In considering the CUP on appeal (or in a subsequent hearing once a proper CEQA document has been completed), I suggest the City Council include a condition of approval to the CUP to clearly state that the CUP is non-transferable and is contingent on, and subordinate to, any lease that the City Council may choose to execute after conducting a public hearing for deliberation of the lease.

3. The March 1, 2023, staff report to HDC advised the HDC that the City Council's November 9, 2021, closed session was when, "Uncle Charlie's Firehouse and Brew was selected as the business to occupy the aforementioned retail tenant space in the parking structure." The meeting minutes for that item identify no details of the business model for Uncle Charlie's Firehouse and Brew, but from the staff report it is clear that the City Council had a full understanding of the business model.[3] The minutes also reflect that all five councilmembers participated in the November 9, 2021, decision, with no recusals and it is unclear whether councilmembers properly self-assessed potential conflicts of interest when participating in that closed session item.

4. Staff advised the HDC that "parking available to serve the project includes 318 parking spaces in the adjacent Historic Folsom parking structure, 25 parking spaces in an adjacent Railroad Block public parking lot, and another 25 spaces in a nearby Railroad Block public parking lot." Yet, these 368 public parking spaces are available for use by existing business employees and customers, light-rail users, Historic District visitors, and others under existing conditions and are not allocated to "serve the project". In considering the CUP on appeal, I ask that the Council identify the actual predicted parking demand of UCFB (regardless of what actions the Council might or might not take with regard to that demand) and identify if and how much parking, including parking designated for persons with disabilities, is specifically reserved for and/or allocated to the 905 Leidesdorff retail space.

5. Staff advised the HDC that, due to state law (Assembly Bill [AB] 2097 which added section 65863.2 to the Government Code), the City cannot impose parking requirements on the Project. Yet, staff's advice on this matter fails to recognize: 1) the new Government Code section is applicable to "development projects" and staff provided no analysis of whether a change in use at an existing building is considered a "development project" under the new law; and 2) that the space to be occupied by the UCFB is City-owned and the terms of any freely negotiated lease between the City and applicant are at the discretion of the Council. I suggest that the City Council determine the actual anticipated parking demand of UCFB and then make a reasoned decision of whether or not the City Council desires to impose parking requirements or any other related terms in a freely negotiated lease of City-owned property.

6. The intensity and degree to which odors generated by beer brewing might be considered pleasant or offensive was subject to much discussion at the HDC hearing. The brewery might result in a pleasant, mild aroma of fresh-baked bread as some suggested. But even the smell of fresh-baked bread can be overwhelming and unwelcome in certain contexts. The record

[3] By the name alone, one might well have thought "Firehouse and Brew" was a proposed candle and coffee shop. While each of the five City Councilmembers, the City Manager, and presumably at least some City staff were well aware during the Barley Barn appeal hearing on January 11, 2022, that the Council had decided to pursue a brewery and beer-serving retail business just three blocks away from the Barley Barn site, the Barley Barn appellants were unaware of the UCFB business model and were, therefore, unable to know about or consider the cumulative impact implications of UCFB as a reasonably foreseeable project. At no time during staff's presentation during the Barley Barn appeal hearing – even during staff's presentation of predicted future cumulative parking demand and parking availability in the Historic District – was there any mention by staff or the City Council of the USFB Project.

clearly indicates the brewing operation will create odors and hence the need for odor control provisions. If odors associated with UCFB brewing do create a nuisance, one administrative remedy would be to request investigation and action by the City Code Enforcement Officer in a nuisance complaint. However, Code Enforcement Officer decisions are not always sufficient to address ongoing nuisance, and it is important that the City have an available process to appeal Code Enforcement Officer decisions to the City Manager and ultimately the City Council to seek administrative remedy. Although FMC section 2.08.060 contains such an administrative appeal process, the City Manager has taken the position in a recent FMC-violating camping situation that Code Enforcement Officer determinations are final and unappealable and that an aggrieved party's only option if dissatisfied by the Code Enforcement Officer's determination is to seek a remedy in court (Attachment D). I suggest this is a misinterpretation of the FMC and that the FMC appeals process should be interpreted as applicable to code enforcement matters. Therefore, my appeal seeks to gain City Council assurance that FMC section 2.08.060 must be interpreted to allow for third-party complaints expressing legitimate code violation and/or nuisance complaints and to allow for appeal to the City Manager and City Council, if necessary, for administrative remedy.[4]

7. The UCFB project does not qualify for a CEQA exemption. The HDC's decision claimed the CEQA Class 1 and Class 3 exemptions. Notably, the staff report to the HDC contains some three pages of argument focused entirely on whether any of the *exceptions* to the exemptions apply, yet with no discussion of how the Project fits within either a Class 1 or Class 3 exemption.[5]

   a. The CEQA Class 1 exemption (CEQA Guidelines Section 15301, Existing Facilities) is limited to projects involving, "*the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features,* ***involving negligible or no expansion of existing or former use***" and further defines, "***[t]he key consideration is*** *whether the project involves* ***negligible or no expansion of use.***" The project fails on its face to qualify for this exemption. The Project would introduce both a beer-brewing operation and a retail beer-serving establishment inside and on a patio outside of a currently vacant space and which in the past has had no use anywhere close to the intensity of use that the UCFB Project would bring to the building. To be clear, that is not a negative observation about the Project; the increased use is exactly what the applicant and the City are looking to achieve. However, it does mean that the Project is not eligible for the Class 1 exemption. Staff's assessment provided no explanation or rationale for how the Project might conceivably fit within the Class 1 category; and it simply does not qualify.

   b. The CEQA Class 3 exemption (CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures) is limited to "***small structures***." Section 15303 specifically discusses that the building and size limitations are to be interpreted as the ***maximum*** *allowable on* ***any legal parcel*** and specifies commercial buildings "***not exceeding 10,000 square feet in floor area.***" The structure at 905 Leidesdorff within which UCFB is proposed to be located has a footprint and first floor area of some 30,000

[4] And I still would like the opportunity to appeal the Code Enforcement Officer's determination in the FMC-violating camping situation noted in Attachment D.

[5] Staff's sole focus on the *exceptions to the exemptions* without addressing the applicability of the exemptions is akin to attempting a belt-and-suspenders approach but forgetting to put pants on.

square feet and, when the additional floors (parking levels) are accounted for, a total floor area of what must be nearly 100,000 square feet.[6] Notably, the staff report to the HDC did not identify the total floor area of 905 Leidesdorff, nor did the staff report address the number or size of other buildings that are also located on the same legal parcel. Staff's assessment provided no explanation or rational for how the building within which the UCFB would be located might conceivably be considered a "small structure" under the Class 3 exemption. Furthermore, even if the City were to successfully argue that the structure qualifies as small, the Project still would not meet the Class 3 criteria of "*conversion of existing small structures* ***from one use to another.***" First, the Project would not change the use of the parking garage to another use. Second, there is no existing use in the vacant space that would be changed to another use; the space is currently unused. Thus, the Project would convert that space from *no* use to *a* use which is not covered by the Class 3 small structure conversion exemption.

8. Even if the Project were to qualify for one of the claimed CEQA exemptions, which it does not as discussed above, exceptions to the exemptions would disqualify the Project from a CEQA exemption as indicated by the Project's potential to result in significant environmental effects, cumulative impacts, and impacts to historic resources. Examples are below:

    a. The Project's contribution to daily and peak-hour vehicle trip volumes on streets within the Project area have not been assessed or disclosed in the City's evaluation. Although traffic congestion is not a CEQA impact, an understanding of existing and Project-related vehicle trips is essential for meaningful consideration of the Project's vehicle trip-related public safety, air quality, noise, and other impacts to Historic District businesses, visitors, and residents and to understand if there are any locations and/or time periods during which Project trips would exacerbate traffic conditions in a manner that would affect motorist, bicyclist, and/or pedestrian circulation or safety. The City's Local Road Safety Plan (adopted by City Council June 2021) identifies that key contributing factors to severe and fatal automobile collisions in the City are associated with irresponsible driver behavior including speeding and driving under the influence of alcohol. It is also evident that irresponsible driver behavior in the City is a substantial and increasing public safety concern. According to "Pedestrian Traffic Fatalities by State" (2021), "*[i]t is well established that alcohol consumption can lead to impairment for both drivers and pedestrians. Drunk driving remains a pervasive highway safety threat to all road users.*" Increased enforcement of driver infractions is identified in the City's Local Road Safety Plan as an important element in reducing severe and fatal collisions; yet, the City appears to have limited ability (or chooses otherwise) to increase Police Department traffic enforcement division staffing. The ample and increasing opportunities for alcohol consumption in the Historic District, the interaction of motorists and pedestrians in the Sutter Street and Leidesdorff Street business areas as well as in adjacent Historic District residential neighborhoods, and the increasing egregious behavior of some drivers must be considered by the Council in terms of a public safety impacts and to assess ways in which the City can both benefit from leasing its retail space to a brewery while identifying measures to ensure that public safety risks are not exacerbated by the proposed use.[7]

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[6] I have requested, but do not find the actual square footage of the structure anywhere in the record.

[7] It is disappointing to know that while this Project has apparently been sitting idle awaiting the outcome of Barley Barn litigation, staff did not take that opportunity to bring this Project to the Traffic Safety Committee for

b. The Project proposes to modify the exterior of the 905 Leidesdorff structure with changes to doors and ventilation, but without the specificity and degree of certainty needed to understand the effects of those modifications on the aesthetics/visual appearance of the structure and its context within the larger parcel and adjacent historic resources. The HDC's decision failed to fully define or disclose the actual modifications that would be made to the exterior of the City-owned parking structure. Apparently, some sort of ventilation exhaust structure is needed and the HDC's decision lacked detail on its design deciding something along the lines of *the taller the better, as long as it's not visible to the public*. This approach is insufficient in terms of understanding the visual changes and visual impacts of the Project and the idea that the exhaust ventilation can avoid public visibility is likely infeasible since the rooftop of the parking structure is a public space and anything on it is visible to the public. The City has not sufficiently defined the Project's proposed exterior modifications or appearance providing neither the City nor anyone else the ability to meaningfully assess the degree of visual impact of the Project.

c. The City did not analyze the odor potential of the Project and merely discussed it. The City's *discussion* of potential odors and whether the Project would result in significant odor impacts would be significant appears to be predicated on the premise that: 1) design measures that are ostensibly intended to minimize odors, but without any evaluation of the magnitude or dispersion of odors generated by the brewing and waste disposal process; 2) the expectation that the odors generated by the project will smell like fresh-baked bread (and perhaps Snook's chocolates) with no consideration of the fact that even odors that might typically be thought of as pleasant by most people can still cause a nuisance to many[8]; and 3) since there are other industries in Folsom that generate odors, more can be added without adverse impacts. The *analysis* doesn't hold water.[9] A meaningful analysis of the potential intensity and dispersion of odors from the brewing process and wastewater, and the proximity of existing and anticipated future odor-sensitive receptors in the Project area is needed. It is likely that feasible odor mitigation could be designed and implemented, but to ensure significant odor impacts are avoided, such mitigation would need to include a performance standard against which odors can be measured and managed. Otherwise, the City has insufficient basis for determining that significant odor impacts would not occur.

d. In attempting to defend the claimed CEQA exemptions, the staff report to the HDC stated that, "the existing building is not listed on the City's Cultural Resource Inventory List nor any other State or Federal historic or cultural resource inventory or list." The staff report failed to advise the HDC that the Project is located on a parcel containing at least two resources listed on the City's Cultural Resource's Inventory List (Attachment E), both of which are identified as National Register properties on the City's inventory (see locations on figure below):

> *5. SVRR/CPRR turntable site on Railroad· Block, National Register Property, factual dates 1856, 1867, 1900. Archaeological deposits on Railroad Block, circa 1856-1870.*

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consideration and possible recommendations of potential measures to aid in driver, bicyclist, and pedestrian safety in light of expected increased travel and visitation associated with the Project.

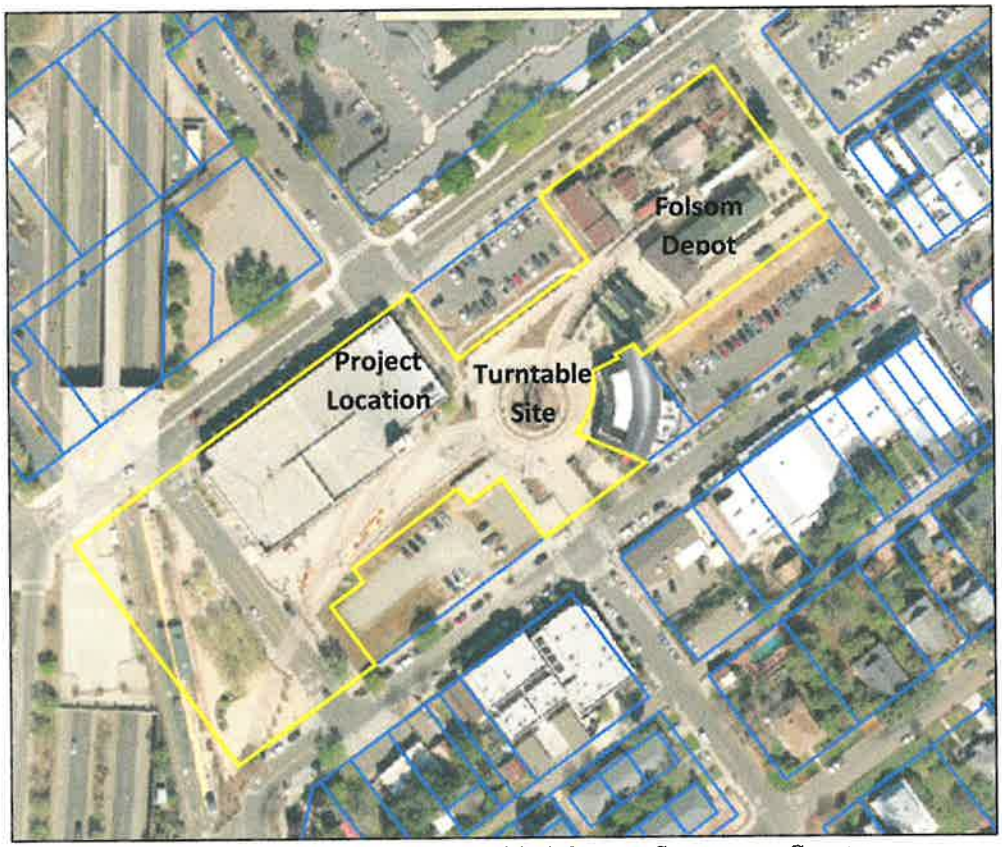
[8] Not unlike music. I'm a huge Dave Matthews fan, but there are certainly times when, if played to loudly or in an unwanted circumstance, even DMB would be adverse.

[9] Or, to stay on theme, beer.

9. Folsom Depot, National Register Property, factual 1906.

It is unclear that the HDC considered, or was even aware, of these resources and the Project's potential to adversely affect historic properties through potentially inconsistent architectural modifications to the 905 Leidesdorff structure. Public testimony by Loretta Hettinger (Heritage Preservation League of Folsom Board Member) during the HDC hearing advised the HDC that the glass doors proposed for UCFB would be incompatible with the historic design. It is understood that the building itself is not historic; it is a modern building with carefully designed architecture to fit within the historic context of the property and the Historic District. Yet, it appears that no meaningful consideration of how the Project's incompletely described exterior modifications (e.g., roll-up or foldable glass doors, exterior ventilation of some shape or form, etc.) might affect the historic architectural intent of the parking structure and might create incompatibilities and detract from the historic qualities of the two listed historic resources that are located near, and on the same parcel as, the Project. Uncertainties regarding the appearance of exterior modifications render City decisionmakers unable to determine that the Project would not result in adverse effects on adjacent historic properties within the Project parcel and prevent the public's ability to understand and provided input on those potential effects.

Project Parcel, Project Location, and Historic Resources per City of Folsom Cultural Resource's Inventory List



Base Image and Parcel Delineation (yellow/blue) Source: Sacramento County Assessor's Office Parcel Viewer, March 2023.

9. Project-related vehicle trips would increase traffic noise in the Historic District through the increased vehicle travel associated with workers and customers to and from the Project. Additionally, the City is experiencing proliferation of vehicles that have been intentionally

modified to increase exhaust noise and travel of these vehicles to/from and through the Historic District is creating an increasing impact on the health, safety, and welfare of Historic District residents. The General Plan Program Environmental Impact Report ("PEIR")[10] identified Impact NSE-1, "Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies; or a substantial permanent increase in ambient noise levels in the project vicinity above levels without the project" as an impact associated with development under the City of Folsom General Plan.[11] The PEIR concluded that the impact was significant and unavoidable even with implementation of mitigation. Mitigation Measure N-1, adopted by the City on certifying the PEIR and adopting the General Plan required Implementation Program SN-1 to be added to the General Plan implementation program. Implementation Program SN-1, "Adopt a Noise Reduction Program," specifies the following with implementation to begin by 2021:

> *The City shall adopt a citywide noise reduction program to reduce traffic noise levels along roadways where significant increases in traffic noise levels are expected to occur. The program shall include, but shall not be limited to, the following specific elements for noise abatement consideration where reasonable and feasible:*
>
> - *Noise barrier retrofits*
> - *Truck usage restrictions*
> - *Reduction of speed limits*
> - *Use of quieter paving materials*
> - *Building façade sound insulation*
> - *Traffic calming*
> - *Additional enforcement of speed limits and exhaust noise laws*
> - *Signal timing.*

It has been clear from recent annual General Plan status updates to the City Council, that the City has not undertaken additional enforcement of exhaust noise laws. While that may be because the City is unwilling or unable to pursue increased enforcement, the City nevertheless must acknowledge that in not implementing vehicle exhaust noise abatement as required by General Plan mitigation measures, the significant and unavoidable noise impact identified in the General Plan PEIR will significantly increase as compared to the degree of impact that would be expected if the City were to fully implement Measure SN-1's requirements for additional enforcement of vehicle exhaust noise laws.

CONCLUSION

As a resident of the Historic District, I frequently walk and ride my bicycle near 905 Leidesdorff to access trails along Lake Natoma. In the summer, I enjoy the opportunity to paddle my kayak and paddleboard on Lake Natoma (less than 650 feet from 905 Leidesdorff) at all times of the day and especially enjoy the calm water and fresh air of early mornings. I visit the farmers

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[10] *Folsom General Plan 2035 Final Program Environmental Impact Report* dated May 2018, incorporated in its entirety, including the Draft EIR, to this letter by reference.

[11] *Folsom General Plan 2035* adopted August 28, 2018, incorporated in its entirety to this letter by reference.

market held on the same parcel and immediately adjacent to 905 Leidesdorff. I visit restaurants and enjoy dining on outdoor patios near 905 Leidesdorff. Odors, vehicle noise, diminished quality of historic resources, and other potential impacts of the Project would have direct and adverse effects on my health, safety, and welfare, and on my private property rights.

For the reasons explained in this letter, I request that the City Council take a closer look at this Project, the City's land use enforcement practices, and CDD's patterns and practices in processing applications. Again, notwithstanding this appeal, I am committed to doing what I can to help minimize potential delays in a final decision on UCFB and urge the City Manager and City Council to do the same while addressing the concerns in my appeal.

Sincerely,

Bob Delp
Historic District
Folsom, CA 95630
[redacted]

LIST OF ATTACHMENTS

Attachment A. March 1, 2023, Bob Delp letter to Historic District Commission "Subject: Uncle Charlie's Firehouse and Brew (PN 22-158) Comments to HDC for March 1, 2023 Hearing" including:

> Attachment 1. Questions to Community Development Department Feb 27, 2023, Bob Delp Letter to Pam Johns "Subject: Uncle Charlie's Firehouse and Brew (PN 22-158) Request for Additional Information", and
>
> Attachment 2. Additional Questions to Community Development Department Feb 28, 2023, Bob Delp Email to Pam Johns "Re Uncle Charlies".

Attachment B. Bob Delp emails to Pam Johns between January 10, 2023, and March 1, 2023, requesting information on the status of Barley Barn building permit application and requesting verification that the Barley Barn entitlements are null and void.

Attachment C. January 26, 2022, letter to City Manager Elaine Andersen "Subject: Request to Respect City Charter Limitations on Historic District Commission Authority."

Attachment D. Bob Delp emails and letter to City Manager Elaine Andersen "Subject: Request for Enforcement of FMC Camping Prohibitions at ___ Mountain View Drive."

Attachment E. "City of Folsom Preliminary Cultural Resources Inventory" (Appendix D of "City of Folsom Historic Preservation Master Plan" November 5, 1998.)

March 10, 2023

Attachment A

March 1, 2023, Bob Delp letter to Historic District Commission "Subject: Uncle Charlie's Firehouse and Brew (PN 22-158) Comments to HDC for March 1, 2023 Hearing" including:

Attachment 1. Questions to Community Development Department Feb 27, 2023, Bob Delp Letter to Pam Johns "Subject: Uncle Charlie's Firehouse and Brew (PN 22-158) Request for Additional Information", and

Attachment 2. Additional Questions to Community Development Department Feb 28, 2023, Bob Delp Email to Pam Johns "Re Uncle Charlies".

March 1, 2023

City of Folsom Historic District Commission
50 Natoma Street
Folsom, CA 95630
via email to: pjohns@folsom.ca.us

SUBJECT: Uncle Charlie's Firehouse and Brew (PN 22-158) Comments to HDC for March 1, 2023 Hearing

Dear Historic District Commissioners:

One February 26, 2023, I became aware of a staff report issued for the subject project. On February 27th, I submitted a list of questions and concerns to the Community Development Department (Attachment 1) and on February 28th, after CDD made certain application materials available that had not been previously available, I provided additional questions about the application to CDD. As of 11a.m. today, the day you are scheduled to conduct a hearing on the project, I have received no feedback from CDD on my questions (with the exception of Ms. John's advisory that the application materials were now available on CDD webpage and advising that her staff would respond to my questions).

Please understand that although the staff report has a section "Public Comments," to my knowledge the project as currently proposed was never circulated for public review and comment prior to publication of the staff report. While my comments may seem late in coming, I have previously been given no opportunity to comment until publication of the staff report dated March 1, 2023, which I saw for the first time on February 26th.

To allow for fully informed public review and input on the project, I am requesting that the HDC Chair postpone a hearing on this item to allow time for staff to address important issues associated with this project that are currently not addressed in the staff report. In the event that the hearing proceeds tonight, my attached questions and comments to Ms. Johns are now provided for the HDC's consideration to the extent the HDC feels they may be relevant to your deliberations. Furthermore, I reserve the right to submit additional comments on any future hearing conducted by the HDC or any future appeal or other hearing conducted by the City Council on this project.

In addition to the attached, I have the following comments for your consideration:

1. As presented by staff, the CUP approval in the absence of any reference to a lease would appear to provide an entitlement and commit the City to allowing the use and essentially requiring the City to lease the site to Uncle Charlie's with little or no negotiation. I suggest that a condition of approval be added to avoid that and ensure that the CUP is contingent on, and subordinate to, any lease that the City Council may choose to execute. Something like: "*The entitlements granted by this approval shall be contingent on, and subordinate to all terms and conditions of, a lease for use of the space between the City Council and the permittee. The duration of the CUP granted by this approval shall be limited to the duration of any lease, or extension thereof, approved by the City Council and may be revoked for any reason at the discretion of the City Council.*"
2. Staff's discussion of parking issues fails to identify an actual predicted parking demand for the project. Regardless of whether the City has the ability to impose minimum parking standards (a limitation asserted in staff's analysis), an understanding of the project's actual parking demand is essential to understanding the project's effect on vehicle and pedestrian circulation and safety within the Historic District and is, therefore,

essential to the decisionmakers ability to make the findings required for issuance of a CUP. Please do not make an approval decision for this project without a clear understanding of the project's parking demand.

3. Staff's assertion that the City is limited in its ability to impose minimum parking standards fails to acknowledge that the space to be occupied by the project is City-owned and the City has full exercise of discretion of how that space is used and the terms of any lease that may be executed for the space. Surely, the City has the authority to decline to enter into a lease if the applicant is unwilling or unable to meet any requirement that the City seeks to impose, including providing parking. I do not assert that the project needs to provide parking or that the City Council should require the project to provide parking; and only assert that staff appears to be improperly limiting the City's authority over the use of City-owned property. Councilmember Kozlowski recently engaged in discussion with the City Attorney during a City Council meeting asking the City Attorney to think about creative ways that parking could be addressed in the Historic District in light of the restrictions imposed by state law. Staff's approach to imposing state law parking restrictions on a freely negotiated lease of City property appears to be about as uncreative as one could imagine.

4. Condition of Approval 20 states: "*Hours of operation (including private parties) shall be limited as follows: Wednesday-Sunday: 12:00 p.m. to 10:00 p.m. No expansion of business hours beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a discretionary Conditional Use Permit Modification.*" Yet the staff report discusses that brewing would occur on Mondays and Tuesdays. Brewing is a component of the operation, therefore, there needs to be a condition of approval specifying allowing brewing days. Furthermore, the staff report provides no basis for limiting the days of customer visitation to Wednesday-Sunday. If the owner wants to avoid subjecting customers to brewing odors, the owner should be left to decide whether or not to be open on Mondays and Tuesdays.

5. The staff report acknowledges that the project has the potential to result in significant odors and, without any analysis, provides mitigation ostensibly intended to address odor impacts. The surrounding land uses both on the remainder of the City-owned property and nearby involve a substantial number of people (e.g., amphitheater, seasonal skating rink and City Christmas tree, farmers market, outdoor dining, residences with balconies) that would be affected by any objectionable odors emitted by the project brewing operations and waste systems. The staff report provides no analysis of the degree of anticipated impact nor the effectiveness of mitigation measures recommended by staff. An evaluation of potential odor impacts is needed. Given staff's (and perhaps also the Sac Metro Air District in comments that have not been shared with the public) acknowledgement of potential odor impacts and imposition of mitigation, the project does not qualify for a CEQA exemption.

6. By the applicant's acknowledgement on the application form, the project would result in "substantial change in demand for municipal services (police, fire, water, sewage, etc.)" but without any additional explanation by the applicant or evaluation by staff. For compliance with CEQA, and evaluation of the project's demand for municipal services must be provided.

7. According to the application, "*[t]he subject property is listed on the Hazardous Waste and Substances Sites List*" per Gov Code 65962.5. CEQA statute 21084(d) expressly

prohibits using a categorical exemption on "*d) A project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code shall not be exempted from this division pursuant to subdivision (a).*" CEQA Guidelines 15300.2, Exceptions, subdivision "e" reiterates that a "*categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*" Given the application's statement that the project is on a Gov Code 65962.5 site and no information presented to the contrary, the project ineligible for a CEQA exemption.

Sincerely,

Bob Delp
Historic District Resident
Folsom, CA 95630
[redacted]

Attachment 1

Questions to Community Development Department Feb 27, 2023

February 27, 2023

City of Folsom Community Development Department
Ms. Pam Johns, Director
50 Natoma Street
Folsom, CA 95630
via email to: pjohns@folsom.ca.us

SUBJECT: Uncle Charlie's Firehouse and Brew (PN 22-158) Request for Additional Information

Dear Ms. Johns:

Item 3 of the Historic District Commission's March 1, 2023, meeting is "Uncle Charlie's Firehouse and Brew" (PN 22-158). To my knowledge, the Community Development Department's "Pending Development Applications" has never included and, as of 11am this morning (screenshot at end of letter), still does not include Uncle Charlie's as a pending development application.

As stated on the CDD webpage, the webpage is to include "those pending applications for discretionary planning entitlements that require a public meeting or hearing with the Planning Commission or Historic District Commission". A CUP and design review for the Uncle Charlie's project fits squarely into that category of projects. Yet, project information was not made available to the general public until release of CDD's staff report to the HDC dated March 1, 2023 (I saw it last night, Feb 26th, for the first time by checking the HDC's March 1 meeting agenda packet; posted on Feb 23rd or 24th, in any case, just a few days ago). Even with the recent availability of the staff report, the staff report does not provide the complete application nor does it include fully legible information that ostensibly defines much of what the HDC is being asked to approve (for example, see illegible graphics in staff report at Figures 2, 3, 4 and Attachment 6).

To allow for fully informed public review and input on the project, I am requesting that you postpone the HDC hearing on this item to allow CDD to post the complete application and fully legible materials on the Pending Development Applications webpage in advance of scheduling this item on a future HDC agenda.

On initial review of the staff report, I have the following questions for which I am hoping you can provide feedback; ideally, by addressing them in a revised staff report and allowing ample time for public review prior to an HDC hearing.

1. Can you please provide, or post to the Pending Development Applications webpage, the complete application, including all information required for CUP and design review applications (title report, notification map, etc.)?
2. Can you please provide information/records for when the public was notified that that City Council made the discretionary decision to lease the space to Uncle Charlies for use as a brewery? (According to the recent staff report, that discretionary decision was made by the Council on Nov 9, 2021, when "Uncle Charlie's Firehouse and Brew was selected as the business to occupy the aforementioned retail tenant space in the parking structure." That November 9, 2021, Council meeting was a Closed Session meeting with no minutes recorded and no announcement following the session pertaining to the Uncle Charlie's lease decision. I am aware of no public announcement or notice since that time of the Council's close session decision, nor of any CEQA document or notice of exemption filed for the discretionary Council decision that was made in closed session and never

announced to the public. To my knowledge, the first time that a member of the general public was notified and could have been aware of the Council's decision was publication of the CDD staff report dated March 1, 2023.)

3. Did all of the then-councilmembers participate in the Nov 9, 2021, discussion and the discretionary decision made by the Council to enter into a lease with Uncle Charlie's or did any councilmembers recuse themselves due to potential conflicts of interest (for instance, due to owning a business nearby that might benefit financially from leasing the space for use as a brewery)? Did the City Attorney during the closed session provide any guidance to Councilmembers present regarding whether they should recuse themselves due to potential conflicts?

4. Can you provide the square footage of the existing parking structure that would be modified by this proposal? (The staff report references an "existing 3,322-square-foot building" located within the first floor of the parking structure. This seems akin to referring to a portion of my house, say, my living room, as a building. The staff report should be corrected to reflect that the project is proposed to be located within a 3,322 sf portion of the larger parking structure building and the total square footage of the parking structure should be identified.)

5. Can you explain by what provision in the Folsom Municipal Code the HDC obtains the authority to 1) approve a private entity to make modifications to existing City-owned buildings and 2) approve use of an existing City-owned building by a private entity? (The staff report and recommendation that the HDC approve design review and a CUP to a private party seemingly disregards the fact that this project would be on City-owned property – both within a City-owned building and on what Sacramento County assessor's office identifies as a nearly 4.5-acre parcel. Both of these items would fit squarely within the HDC's role authorized by the FMC as "advisory" to the Council, whereby the HDC might properly review the proposed project and provide a recommendation to the City Council and the City Council would then make a final decision regarding building modifications, a CUP, and a lease for City-owned property. This would allow, for example, the CUP and lease to be linked by permitted use and duration which are important terms for both a CUP and a lease that should not be separately decided by two different decision-making bodies. The CUP as currently recommended by staff has no duration or relationship to lease terms established, or that may be established, by the City Council. Additionally, without understanding the lease terms that have been or will be established by the Council, the HDC has no basis on which to understand whether the building modifications would be acceptable to the City Council. The City Council should make the final decision regarding modifications to City-owned buildings; not the HDC.)

6. Can you please produce a staff report with legible figures and labels so the public and decisionmakers can understand what changes are proposed to the building? (Figures 2, 3, and 4, and Attachment 6 sheet A-1 are impossible to decipher in terms of existing structure and proposed modifications, and yet these figures would serve as the basis for illustrating and defining the recommended approval, so they need to be fully legible.)

7. Can you clarify CDD's interpretation of "parking available to serve the project"? (The staff report states, "parking available to serve the project includes 318 parking spaces in the adjacent Historic Folsom parking structure, 25 parking spaces in an adjacent Railroad Block public parking lot, and another 25 spaced in a nearby Railroad Block public parking lot." These 368 public parking spaces are available for use by existing business employees, light-rail users, Historic District visitors, etc., under existing conditions.

Unless these spaces are specifically allocated "to serve the" project, the staff report should be revised to clarify that these are shared spaces available on a first-come/first-served basis that "may be available" when not occupied by others.)

8. Can you please clarify how many parking spaces the project would provide? (If the answer is "zero," the staff report should clearly state that. As currently written the staff report misleadingly states that, "the project exceeds the minimum parking requirement by providing 318 permanent parking spaces." If the project proposes to provide 318 parking spaces, please describe where these spaces will be located.)

9. Can you please clarify the proposed hours of operation – both in terms of when the business would be open to serve the public and when the business would operate for the production of beer. Page 12 of the staff report (HDC packet page 124) discusses that one of the mitigating factors for potential odor impacts is that brewing times would be scheduled for Mondays and Tuesdays only. Yet, the "hours of operation" for the project (on that same page) are listed as 12pm to 10pm Wednesday through Sunday implying no operations on Mondays and Tuesdays. It appears that references to operations Wednesday through Sunday is intended to mean when the brewery would be open to the public; and that operations for brewing beer would be permitted to occur on Mondays and Tuesdays (during "daytime hours for greater odor dispersion" – a less-than-clear definition of permitted brewing hours). Clarification of the actual proposed hours of operation is needed with differentiation between hours when open to the public and hours when brewing is allowed.

10. Can you please explain what odor impacts are anticipated to result from the project? The "Odor Impacts" discussion (pg. 12 of staff report; HDC packet pg. 124) discusses release of steam and "other byproducts" from a vent in the roof, but doesn't explain the source, type, or intensity of anticipated odor sources (e.g., with the brewing process and byproduct simply generate a new mildly noticeable odor or will it stink to high hell several blocks away from the operation?) A bullet list of six items (five on packet pg. 124, one on pg. 125) is provided that appears to be mitigation-like measures to address odor impacts. Although no analysis of odor impacts is provided, a list qualitative requirements is apparently thought by staff to be sufficient to reduce whatever the odor impacts would be. Scheduling brewing times on Mondays and Tuesdays, when the operation would not be open to the public, as an odor impact mitigation measure implies that there is some anticipated odor that would be offensive to the public during brewing. Yet, while closing the business to customers during periods of brewing would avoid customer exposure, it would do nothing to reduce odor emissions and odor impacts to surrounding residents, businesses, and Historic District visitors. Odor impacts to adjacent existing and approved but not yet developed land uses (including residences), must be evaluated. The potential for significant odor impacts that need mitigation clearly creates an unusual circumstance associated with the proposed use creating a reasonable possibility that the project will have a significant air quality/odor impact. The project's potential odor impacts, unevaluated at present but acknowledged as requiring mitigation, creates an exception to the staff-asserted CEQA exemptions, and a full analysis of potential odor sources and the impacts to surrounding sensitive receptors is needed.

11. Can you provide copies of all comments from public agencies received on the project? The staff report references "recommendations provided by the Sacramento Air Quality Management District", but the staff report does not provide documentation of any comments provided by SMAQMD. It is also unclear as to when and how agency review and input on the project was solicited.

12. Has the CDD fully assessed the City obligations and liabilities associated with leasing this portion of the building to a private entity and for selling alcohol at a City-owned property? For air permits and possibly other regulatory permits, would the City, as the building/property owner have obligations or liabilities associated with compliance? Also, Banks' email to Joan Walter (packet pg. 175) references that he will follow-up regarding potential storage of hazardous materials, but I do not see follow-up or resolution of that issue in the staff report. Are hazardous materials – or even just obnoxious/nuisance materials (e.g., odor-causing byproducts) – associated with the project and, if so, what is the City's liability associated with such use? Issues of liability would appear to be well outside of the purview of the HDC, yet very relevant in a decision of whether or not to approve a CUP for the project. So, again, I question whether the HDC should be asked to approve or simply asked to serve in its more appropriate advisory function to the Council.

Sincerely,

Bob Delp
Historic District Resident
Folsom, CA 95630
[redacted]

Community Development Department "Pending Development Applications" Webpage List of Projects as of 11am, Feb 27, 2023

UPDATED PROJECT: 603 Sutter Street Mixed Use Project (February 2023) ›
Vintage at Folsom Senior Apartments ›
Folsom Corporate Center Apartments ›
Barley Barn (previously Folsom Prison Brews) ›
Barley Barn Tap House Appeals ›
Russell Ranch Phase 2 Lots 24 through 32 Minor Administrative Modifications ›
Dignity Health Folsom Ranch Medical Center ›
Alder Creek Apartments Project ›
Dignity Health Campus Project ›
AT&T Livermore Park Monopine Cellular Site ›
Kaiser Medical Office Building ›
311 Coloma Street ›

Attachment 2

Additional Questions to Community Development Department Feb 28, 2023

Re: Uncle Charlies

Bob Delp [redacted]

Tue 2/28/2023 6:03 PM

To: Pam Johns <pjohns@folsom.ca.us>
Cc: Rosario Rodriguez <rrodriguez@folsom.ca.us>;Karen Sanabria <ksanabria@folsom.ca.us>;kcolepolicy@gmail.com <kcolepolicy@gmail.com>;danwestmit@yahoo.com <danwestmit@yahoo.com>;Karen Sanabria <ksanabria@folsom.ca.us>;John Felts <john.felts@motivps.com>;John Lane <john_carrie_lane@sbcglobal.net>;Mark Dascallos <m.dascallos@yahoo.com>;Sari Dierking <sdierking@folsom.ca.us>;Elaine Andersen <eandersen@folsom.ca.us>;Steven Wang <swang@folsom.ca.us>

Thank you, Pam. Per review of the application materials now on the Pending Development Projects webpage, I have a few additional questions that I'm hoping can also be answered:

The application notes that the project is requesting a zone change from HD/C2 to M2. The General Info page also identifies "Rezone" as one of the requested entitlements. That's not discussed in the staff report, but is the project requesting to change the zoning of the parcel?

The application is to include the Property Owner's Signature, but that portion of the application is left blank. Isn't it necessary to have the property owner's signature for a building modification and CUP?

The question "Change in dust, ash, smoke, fumes, or odors in vicinity" is marked **YES** on the application, in which case additional explanation is to be provided with the application. I do not see that in the posted materials; where can I find that information?

The question "Substantial change in demand for municipal services (police, fire, water, sewage, etc.)" is marked **YES**, in which case additional explanation is to be provided with the application. I don't doubt that the answer is correctly identified as yes. There are likely additional police and fire protections needed for this operation, and I expect also increased water supply and wastewater conveyance utilities that weren't installed for the parking garage. However, notwithstanding the application's acknowledgement that the project would result in a substantial change in demand for services, I do not see any information about public services or utilities in the posted materials nor any attempt in the staff report to identify or evaluate the increased demand; where can I find that information?

The HazWaste Disclosure marks that "The subject property **IS** listed on the Hazardous Waste and Substances Sites List" per Gov Code 65962.5. CEQA statute 21084(d) expressly prohibits using a categorical exemption on "d) A project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code shall not be exempted from this division pursuant to subdivision (a)." CEQA Guidelines 15300.2, Exceptions, subdivision "e" reiterates that a "categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code." The application specifically states that the project **IS** on a Gov Code 65962.5 site. Why then is staff recommending that the project is exempt from CEQA?

Thank you,
-Bob

Bob Delp
916-812-8122
[redacted]

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, February 28, 2023 1:24 PM
To: Bob Delp <[redacted]
Cc: Rosario Rodriguez <rrodriguez@folsom.ca.us>; Karen Sanabria <ksanabria@folsom.ca.us>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Karen Sanabria <ksanabria@folsom.ca.us>; John Felts <john.felts@motivps.com>; John Lane <john_carrie_lane@sbcglobal.net>; Mark Dascallos <m.dascallos@yahoo.com>; Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>
Subject: RE: Uncle Charlies

Hi Bob,

Thank you for your comments. As always, we'll be sure to include your letter as part of the public comments received and will be prepared to address comments and questions at the Commission meeting on Wednesday.

We have posted the project information to the City's website under pending applications, which is not a requirement but is our practice. The project was previously posted and we're not sure when or how it was removed but we have re-posted the application materials.

Steve Banks will follow up to provide the additional information you requested.

Pam

CITY OF FOLSOM
DISTINCTIVE BY NATURE

Pam Johns
Community Development Director
City of Folsom
50 Natoma Street, Folsom, CA 95630
pjohns@folsom.ca.us
o: 916-461-6205 c: 916-764-0106
www.folsom.ca.us

From: Bob Delp [redacted]
Sent: Monday, February 27, 2023 12:17 PM
To: Pam Johns <pjohns@folsom.ca.us>
Cc: Rosario Rodriguez <rrodriguez@folsom.ca.us>; Karen Sanabria <ksanabria@folsom.ca.us>; kcolepolicy@gmail.com; danwestmit@yahoo.com; Karen Sanabria <ksanabria@folsom.ca.us>; John Felts <john.felts@motivps.com>; John Lane <john_carrie_lane@sbcglobal.net>; Mark Dascallos <m.dascallos@yahoo.com>; Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>
Subject: Uncle Charlies

Ms. Johns:

Please see attached letter requesting additional information regarding Uncle Charlie's Firehouse and Brew (PN 22-158) and requesting postponement of an HDC hearing on the project until sufficient information and time for public review is provided.

Thank you,
-Bob Delp
916-812-8122
[redacted]

March 10, 2023

Attachment B

Bob Delp emails to Pam Johns between January 10, 2023, and March 1, 2023, requesting information on the status of Barley Barn building permit application and requesting verification that the Barley Barn entitlements are null and void.

Re: Barley Barn Building Permit

Bob Delp · [redacted]

Fri 3/3/2023 12:23 PM

To: Pam Johns <pjohns@folsom.ca.us>
Cc: Steven Wang <swang@folsom.ca.us>;Sari Dierking <sdierking@folsom.ca.us>;Elaine Andersen <eandersen@folsom.ca.us>;Scott Johnson <sjohnson@folsom.ca.us>;Rosario Rodriguez <rrodriguez@folsom.ca.us>;YK Chalamcherla <ykchalamcherla@folsom.ca.us>;Sarah Aquino <saquino@folsom.ca.us>;Mike Kozlowski <mkozlowski@folsom.ca.us>

Pam:

Again, I am asking for you to confirm that the approvals issued for Barley Barn are null and void. Although your email below states that it is your policy to not comment on active litigation, Mr. Banks' comments to the Historic District Commission on March 1, 2023, are 1) inconsistent with that policy, 2) incorrect in too many ways to list here, and 3) failed to advise the HDC that the Barley Barn approvals have expired.

I do think there would be benefit of implementing a policy of refraining your staff from commenting on active (or any other) litigation. For the record, Mr. Banks' comments, with Ms. Dierking's interjection are quoted below.

Banks*: I wanted to update you on the Barley Barn saga. As you are aware the project was approved by the Commission, it was appealed by the Heritage Preservation League. The judge denied the appeal. That decision was appealed... that decision of the first judge was appealed up to I believe a series of three judges who denied that appeal and I believe they have one more opportunity to appeal.*
Dierking*: They essentially asked one judge to look at it again. They asked for a new trial to look at the issue again. And that request was denied.*
Banks*: So we don't know if they're going to utilize another appeal process, but that's the latest on the legal realm of things on the Barley Barn project. And it's also one of the reasons why this applicant [*apparently referring to Uncle Charlie's*] held off on moving forward because they're using the same CEQA exemptions that Barley Barn used and they wanted that process to play out in the courts before they came forward to this Commission. And so we felt comfortable enough with two appeals being denied that they were in good shape to apply those same exemptions.*

Bob Delp
[redacted]

From: Bob Delp · [redacted]
Sent: Thursday, February 23, 2023 7:44 AM
To: Pam Johns <pjohns@folsom.ca.us>
Cc: Steven Wang <swang@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Thank you, Pam.

To be clear, I am not asking about the Barley Barn CEQA litigation and would not expect you to comment on that. Instead, I am just asking you to acknowledge that the CUP and design review approvals are null and void pursuant to deadlines established by the municipal code and conditions of approval.

The Community Development Department must have a system for tracking active and expired approvals, and I am simply interested in confirming that the Barley Barn approval is properly categorized as expired.

Thank you,
-Bob Delp
[redacted]

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Wednesday, February 15, 2023 6:02 PM
To: Bob Delp [redacted]
Cc: Steven Wang <swang@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>
Subject: RE: Barley Barn Building Permit

Hi Bob,

It is the City's policy not to comment on active litigation.

Pam

From: Bob Del [redacted]
Sent: Wednesday, February 15, 2023 8:27 AM
To: Pam Johns <pjohns@folsom.ca.us>
Cc: Steven Wang <swang@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Hi, Pam. This is a reminder that after over a month since my original request I am still interested in your feedback regarding the Barley Barn project's null and void status.
Thank you,
-Bob

Bob Delp
[redacted]

From: Bob Delp <[redacted]
Sent: Wednesday, February 8, 2023 10:51 AM

To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Hi, Pam. This is a reminder that I'm still interested in your feedback regarding the Barley Barn's null and void status.
Thank you,
-Bob Delp

Bob Delp
[redacted]

From: Bob Delp [redacted]
Sent: Tuesday, January 31, 2023 8:05 AM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Hi, Pam. Are you able to provide feedback on this?
Thanks,
-Bob

Bob Delp
[redacted]

From: Bob Delp [redacted]
Sent: Wednesday, January 18, 2023 9:52 AM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Fw: Barley Barn Building Permit

Pam:

This is a reminder that I am awaiting your feedback on the Barley Barn's null and void status. Condition of Approval 3 and FMC 17.52.350 (both included below for ease of reference) are clear that the project approvals are null and void if the CUP hasn't been exercised or if a complete application for building permit hasn't been submitted within one year of approval and if no extension was granted by the HDC. You have confirmed that a building permit has not been submitted and I am aware of no request or action by the HDC to extend the approval. I realize Condition 3 states "null and void *without further action*," so I'm not asking or suggesting that you need to take any action on the expired project. But to close the loop, I would just like to have your reply confirming that status.

Thank you,
-Bob Delp

Condition of Approval 3 (as adopted by HDC on Nov 18, 2021; and not modified by City Council in Jan 11, 2022 appeal hearing):
The project approvals (Conditional Use Permit and Design Review) granted under this staff report shall remain in effect for one year from final date of approval (November 18, 2022). If the Conditional Use Permit has not been exercised within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, respectively, these approvals shall be considered null and void without further action. The owner/applicant may file an application with the Community Development Department for a permit

extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to Chapter 17.60 of the Folsom Municipal Code.

17.52.350 Expiration and extension of approval.

A. An approval by the historic district commission shall be null and void unless the applicant submits a complete application for a building permit within one year from the date of approval.

B. The historic district commission may extend an approval for an additional 1 year upon receipt of a written request accompanied by a fee, as may be established by resolution of the city council, and other information deemed necessary by the director of the department of planning, inspections and permitting. Requests for approval extension must be received 60 days prior to the expiration of the original approval. (Ord. 890 § 2 (part), 1998)

Bob Delp
[redacted]

From: Bob Delp <[redacted]
Sent: Wednesday, January 11, 2023 12:22 PM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Okay, thanks. Are the approvals null and void since it's been over a year?

Bob Delp
[redacted]

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Wednesday, January 11, 2023 10:35 AM
To: Bob Delp[redacted]
Subject: RE: Barley Barn Building Permit

Good morning, Bob.

I just checked the system and confirmed that we do not have any permit submittal for Barley Barn at 608 ½ Sutter Street.

Take care.

Pam

From: Bob Delp <[redacted]
Sent: Wednesday, January 11, 2023 7:50 AM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Barley Barn Building Permit

Thanks, Pam. I've looked on eTrakit and I don't see any permit activity for 608½ Sutter Street. It's possible I'm not using the search correctly, so would appreciate if you can confirm when you have a chance.
Thank you,

-Bob

Bob Delp
[redacted]

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, January 10, 2023 5:00 PM
To: Bob Delp [redacted]
Subject: RE: Barley Barn Building Permit

Happy New Year, Bob.

I am running out to grab a bite before City Council, but you can always search for permits in our system anytime you'd like. I've attached the instructions. If you prefer to have me look it up, I'll get back to you later this evening or early tomorrow.

Pam

CITY OF FOLSOM
DISTINCTIVE BY NATURE

Pam Johns
Community Development Director
City of Folsom
50 Natoma Street, Folsom, CA 95630
pjohns@folsom.ca.us
o: 916-461-6205 c: 916-764-0106
www.folsom.ca.us

From: Bob Delp [redacted]
Sent: Tuesday, January 10, 2023 5:13 PM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Barley Barn Building Permit

Hi and happy new year, Pam. Can you let me know if a building permit has been submitted for the Barley Barn project (PN19-174)?
Thank you,
-Bob

Bob Delp
[redacted]

March 10, 2023

Attachment C

January 26, 2022, letter to City Manager Elaine Andersen "Subject: Request to Respect City Charter Limitations on Historic District Commission Authority."

January 26, 2022

Ms. Elaine Andersen, City Manager
Ms. Pam Johns, Community Development Director
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to: Elaine Andersen (eandersen@folsom.ca.us); Pam Johns (pjohns@folsom.ca.us)
cc via email to: Steven Wang (swang@folsom.ca.us); Sari Dierking (sdierking@folsom.ca.us)

Subject: Request to Respect City Charter Limitations on Historic District Commission Authority

Dear Ms. Andersen and Ms. Johns,

This letter is to request that the Community Development Department cease its practice of treating decisions of the Historic District Commission (HDC) as final approvals and, instead, treat HDC decisions as advisory recommendations to the City Council in keeping with the limitations on HDC authority imposed by the Charter of the City of Folsom. I am requesting that this change in practice be implemented immediately and retroactively, including decisions made at the HDC's January 19, 2022, meeting, and that the projects considered at the HDC's January 19 meeting be brought to the City Council for a final decision without requiring that a formal appeal be filed. I am not intending to undermine the important review and advisory function of the HDC, but I am seeking an end to the practice of HDC decisions that exceed its authority.

The City of Folsom Charter at Section 4.07, "Boards and Commissions," establishes the City Council's authority to create Boards and Commissions and to prescribe the powers and duties of such Boards and Commissions. However, Section 4.07 of the City Charter expressly states that "[a]ll boards and commissions *only shall be advisory* to the Council." The City Charter may be amended only by a vote of the citizens of the City of Folsom, and the citizens of Folsom have not delegated final approval authority to the HDC. Neither City staff, the HDC, nor the City Council has the authority to amend or disregard this limitation on the HDC's authority. Therefore, to function within the limitations prescribed by the citizens of the City of Folsom in the City Charter, HDC decisions may not constitute final approvals. Instead, HDC decisions must be treated as advisory recommendations to the City Council for the City Council's final consideration and decision of whether to approve or otherwise take final action on a project.

For reasons discussed above, please consider this letter as 1) my objection to the City's past practice of treating HDC decisions as final approvals, 2) my request that the two projects ostensibly "approved" by the HDC on January 19, 2022, be brought to the City Council for a final decision prior to considering those projects "approved," and 3) to treat all future HDC decisions as advisory requiring any final action or approval to be made by the City Council.

Sincerely,

Bob Delp
Folsom, CA 95630
[redacted]

March 10, 2023

Attachment D

Bob Delp emails and letter to City Manager Elaine Andersen "Subject: Request for Enforcement of FMC Camping Prohibitions at ___ Mountain View Drive."

RE: Request for Enforcement of FMC Camping Prohibitions

Elaine Andersen <eandersen@folsom.ca.us>
Mon 10/17/2022 2:24 PM
To: Bob Delp [redacted]
Cc: Christa Freemantle <cfreemantle@folsom.ca.us>;Steven Wang <swang@folsom.ca.us>;Pete Piccardo <ppiccardo@folsom.ca.us>

Hello, Bob. Thanks for reaching out. Code enforcement matters are between the Code Enforcement Officer and the person charged with the violation. No third party may influence the independent determination of the Code Enforcement Officer. If a third party wishes to challenge the alleged violator, that would be via an action against the alleged violator in court.

Elaine Andersen
City Manager

City Manager's Office
50 Natoma Street, Folsom, CA 95630
O: 916.461.6012

CITY OF FOLSOM
DISTINCTIVE BY NATURE
www.folsom.ca.us

From: Bob Delp [redacted]
Sent: Monday, October 17, 2022 12:21 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Christa Freemantle <cfreemantle@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Pete Piccardo <ppiccardo@folsom.ca.us>
Subject: Re: Request for Enforcement of FMC Camping Prohibitions

Ms. Andersen:

First, I want to express my appreciation to Mr. Piccardo for reaching out to me last Friday (Oct 14) regarding investigation into the [redacted] Mountain View Drive camping situation. Based on my discussion with him, I understand that Mr. Piccardo has determined the use of the travel trailer on the property is in violation of the City's camping ordinance at least in so far as the trailer does not comply with the required side yard separation from the street by a fence or hedge. (Mr. Piccardo also mentioned the need for a concrete pad to be in place under the trailer, although I do see that requirement in the code.) Mr. Piccardo said he is working with the property owner to "bring him into compliance," and my impression is that neither an order to remove the trailer nor an order to cease illegal comping has been issued.

I mentioned to Mr. Piccardo that I read the City Camping Ordinance (FMC Section 9.100) as relevant to this situation as prohibiting camping (including placement/use of a travel trailer) on a private property unless, among other requirements, there is a "residence" at the property with "residence" defined as used throughout the FMC to mean a residential dwelling structure not simply a residential property. Mr. Piccardo apparently does not make that determination. There is no need for Mr. Piccardo and I to debate these circumstances, and I appreciate his efforts and verification that camping on the property is currently being done in a manner that does not comply with the FMC.

By way of this email, I would like to know if the City Manager's determination is the same and Mr. Piccardo's both in terms of the camping violation and in terms of the steps being taken to address the violation. I know I have the option to appeal a staff-level determination to the City Manager and that I ultimately have the option to appeal the City Manager's determination to the City Council who may hear my appeal or may refer my appeal to an outside and independent hearing officer for adjudication. Presently, I am asking for: 1) confirmation that my summary above accurately reflects Mr. Piccardo's position on the situation or a written clarification of Mr. Piccardo's position if it varies from my summary, and 2) your input as City Manager of whether you concur with Mr. Piccardo's position so I can know if I should be appealing Mr. Piccardo's determination to you or if I should be appealing the determination to the City Council.

Thank you,
-Bob Delp
[redacted]

From: Bob Delp <[redacted]
Sent: Thursday, October 13, 2022 11:15 AM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Christa Freemantle <cfreemantle@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>
Subject: Re: Request for Enforcement of FMC Camping Prohibitions

Good morning, Elaine. Can you let me know the status of any City actions taken or planned in response to my Oct 6 request for enforcement of camping prohibitions at [redacted] Mountain View Drive?
Thank you,
-Bob

Bob Delp
[redacted]

From: Bob Delp
Sent: Thursday, October 6, 2022 3:04 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Christa Freemantle <cfreemantle@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; [redacted]
Subject: Request for Enforcement of FMC Camping Prohibitions

Ms. Andersen:

Please see the attached request for enforcement of FMC camping prohibitions at [redacted] Mountain View Drive.

Thank you,
-Bob

Bob Delp
[redacted]

October 6, 2022

Ms. Elaine Andersen, City Manager
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to: eandersen@folsom.ca.us

SUBJECT: Request for Enforcement of FMC Camping Prohibitions at [redacted] Mountain View Drive

Dear Ms. Andersen:

According to City records and an October 3, 2022, article in the Sacramento Bee, an individual claims to be living in a travel trailer at [redacted] Mountain View Drive at which property a residence is apparently under construction, but a completed and occupiable residence does not exist.

Residing in a travel trailer is defined as "camping" pursuant to Folsom Municipal Code (FMC) section 9.100.020. Camping "anywhere, within the City of Folsom, whether on public or private property" is prohibited by FMC section 9.100, except for certain limited circumstances none of which appear to apply in the present circumstance.

By way of this letter, I am requesting that the City Manager investigate the circumstances at this property and enforce FMC section 9.100 camping prohibitions as may be applicable and necessary to cease any camping at the property in violation of the FMC.

For reasons that need not be stated here and of which you will undoubtedly be aware, the situation in this instance has broader implications not limited solely to compliance with the City camping ordinance. Therefore, as a citizen of the City of Folsom, I urge you to take this matter seriously and act swiftly while giving strong deference to the plain language of the FMC.

If you have any questions regarding this request, please feel free to contact me at the email address below.

Sincerely,

Bob Delp
City of Folsom Resident
[redacted]

cc: Ms. Christa Freemantle, City Clerk - cfreemantle@folsom.ca.us
Steven Wang, City Attorney - swang@folsom.ca.us
[redacted]

March 10, 2023

Attachment E

"City of Folsom Preliminary Cultural Resources Inventory" (Appendix D of "City of Folsom Historic Preservation Master Plan" November 5, 1998.)

APPENDIX D

CITY OF FOLSOM
PRELIMINARY CULTURAL RESOURCES INVENTORY

CITY OF FOLSOM
PRELIMINARY CULTURAL RESOURCES INVENTORY
(Numerical Index to Cultural Resources Map)

Ethnographic Features – Native American

1. BRM locations along American River below Rainbow Bridge

Historical Buildings/ Structures/ Features – Transportation-Related

2. Sacramento Valley Railroad Grade, factual date 1855
3. Granite Block Culvert beneath Folsom Boulevard near Willow Creek State Park, factual 1855
4. Alder Creek Trestle
5. SVRR/CPRR turntable site on Railroad Block, National Register Property, factual dates 1856, 1867, 1900.
   Archaeological deposits on Railroad Block, circa 1856-1870
6. Alder Creek Depot Building, circa 1890s
7. Station Master's House near Wye Junction, circa 1920s
8. Ashland Depot, National Register Property, circa 1860s
9. Folsom Depot, National Register Property, factual 1906
10. Kinsey Bridge Abutments, circa 1850s
11. Rainbow Bridge, NRHP eligible, factual 1917
    Steel Truss Bridge, factual 1983-1930
12. Sacramento, Placer and Nevada Railroad ROW, factual 1862
    Railroad grade along Oak Avenue Parkway near Cascade Falls
13. California Central ROW, Folsom to Lincoln Railroad grade
    Wye junction at Bidwell and Folsom Boulevard

14. Ashland townsite
15. Placerville and Sacramento Valley Railroad ROW
16. Folsom Dam
17. Stone building remnants

Historical District Cultural /Architectural Resources

18. Granite pillars from State Capitol grounds
19. Granite School, circa 1900
20. Figueroa Street Bridge, between Riley and Wool, factual 1916
21. Sutter Street Historic Commercial District, 600-900 blocks of Sutter Street
    Historic Residential Area
22. Emma's

Historical Cemeteries and Churches:

23. St. John's Catholic Church, est. circa 1855
24. Trinity Episcopal Church, est. circa 1860
25. Landmark Baptist Church, est. circa 1855
26. St. John's Catholic Cemetery, established circa 1855
27. Odd Fellows and Mason's Cemeteries, est. circa 1856
    Remainder of Lakeside Cemetery, est. circa 1850s
28. Chung Wah Cemetery, NRHP property, est. circa 1850s
29. Young Wo Cemetery, CHL, est. circa 1870s
    Mormon Island Cemetery

Previously surveyed Structures:

30. a) 305 Scott Street, Cohn House, NRHP property, factual 1860, alt. 1895
    b) 607 Sutter Street, original library, circa 1915
    c) 701 Sutter Street, Murer Gas Station, circa 1920
    d) 707, 709, 711, 713 Sutter Street, Commercial buildings, circa 1860
    e) 917, 921, 923 Sutter Street, Chinese Laundries and residences
31. Stockton Flour Mill site and remnant foundations, circa 1856
32. Giuseppe Murer House

Historic Structures, Industrial/Energy

33. Folsom Hydroelectric National Historic Landmark, CA-Sac-429H
    Powerhouse 1, NRHP Property, CHL, est. 1895
    Powerhouse 2, NRHP Property, CHL
    Twin Mines/ Gray Eagle Mine
34. Livermore sawmill foundation remnants and mill pond
35. Diversion Dam and Powerhouse, Folsom Prison
    Canal (1.5 miles) and main Gates, Livermore operation
    Gas plant archaeological remains, circa 1860
    Granite Quarry, Folsom Prison
    Other granite quarry sites
36. Aerojet and aerospace industrial operation

Historic Features, Mining-related Resources

37. Walltown gold mines and ditch network
38. Natoma Ground Sluice diggings, Hwy. 50
39. Placer Sluicing pits, tailing piles, ditches and drains, Lake Natoma
40. Dredger Tailing Piles representative of different dredging technology episodes
41. Natoma Water and Mining Company ditches and reservoirs
42. Mining adits and tunnel portals, Lake Natoma
43. Tate's (aka Teat's) Flat Ditch
44. Alder Creek Pump House remains

45. Negro Bar townsite, 1849-1856
46. Texas Hill townsite, 1849-1856
47. Prairie City townsite, 1850-1856
48. Mormon Island townsite, 1850-1945
49. Pratt Rock narrow-gauge railroad grade
50. Eucalyptus and olive grove experimental reclamation project property
51. Willow Spring Hill Diggings
52. Humbug and Willow Creeks Mining Corridors
53. Hydraulic mining sites American River bike trail across from City Park
    Hydraulic mining areas
54. Negro Hill
55. Chinatown Site
56. Chinese mining site

Historic Structures, Sites – Agricultural/Ranching-related

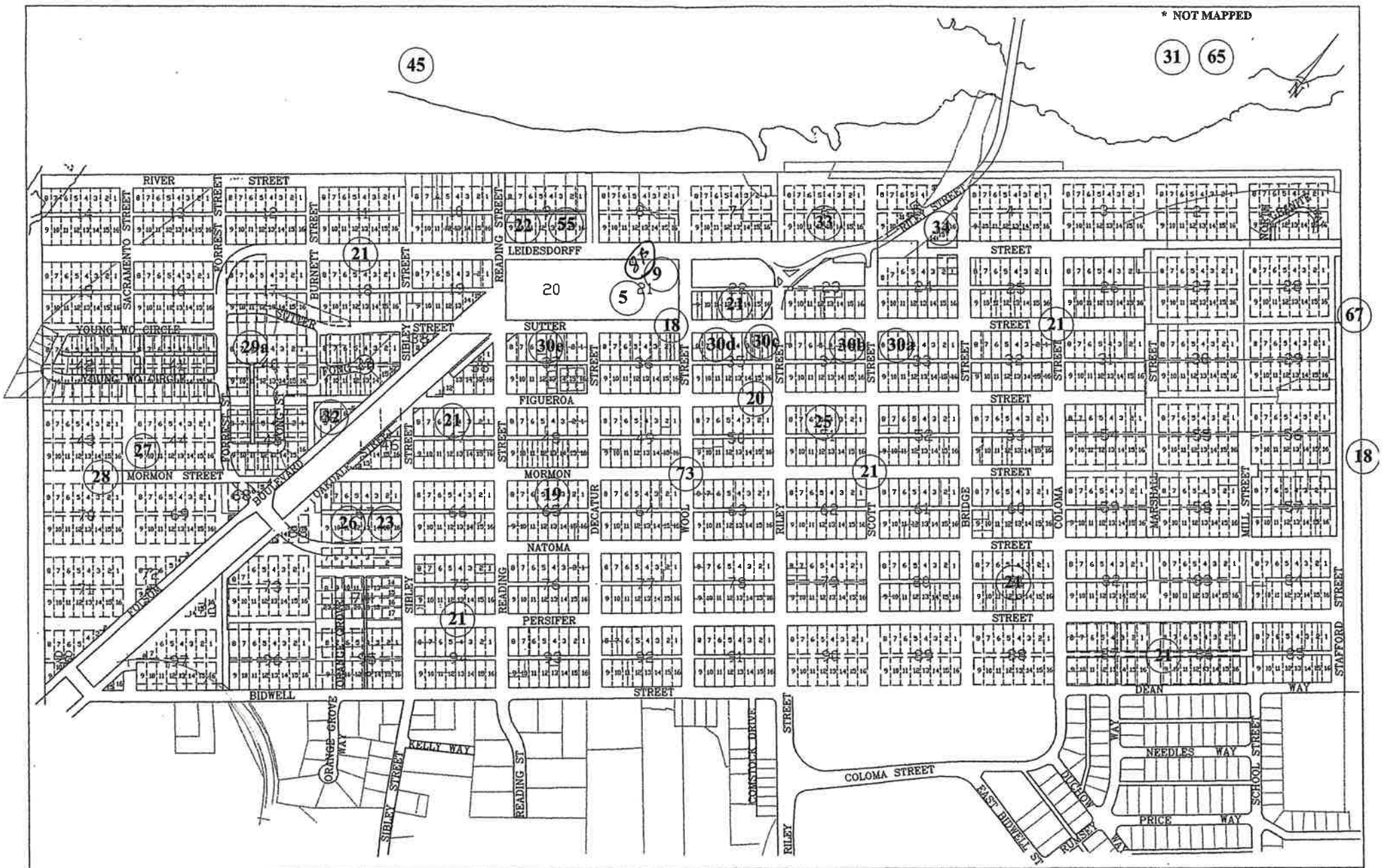
57. Broder Ranch Complex
58. Russell Ranch Complex(with old horse barn)
59. Smith Ranch
60. Wilson Ranch (1850s house and barn)
61. Olive Orchard east of Folsom-Auburn Road north of Oak Avenue
62. Salmon Falls townsite

Points of Local Interest

63. Natoma Grove
64. Dredge/Natoma townsite
65. Folsom Institute Site
66. Folsom High School (original Hall/wing)
67. Rodeo Arena site
68. John Kemp House
69. Clarksville

Views, Viewsheds, and Landscapes

70. Oak Canopy on Folsom Boulevard between Blue Ravine and Factory outlets
    Folsom Historic District from Greenback looking southeast from northwest corner of Negro Bar State Park.
71. River and gorge looking upstream from Rainbow Bridge
72. River and bluffs looking downstream from new bridge
    American River drainage from new high school site looking west.
73. Shoot-out site at Wool and Mormon Streets



	ENLARGED MAP INSERT		SCALE 1"=400'		SHEET 1 OF 1