

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

HISTORIC DISTRICT COMMISSION AGENDA

September 18, 2019

CITY COUNCIL CHAMBERS

5:00 p.m.

50 Natoma Street

Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Vice Chair Candy Miller, Mickey Ankhelyi, Daniel West, Kevin Duewel, Mary Asay, Rosario Rodriguez, Chair Daron Bracht

Any documents produced by the City and distributed to the Historic District Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Historic District Commission welcomes and encourages participation in City Historic District Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of August 21, 2019 will be presented for approval.

NEW BUSINESS

1. **PN 19-259 Merlo Vineyards Wine Tasting Room Conditional Use Permit and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Raymond Merlo for a Conditional Use Permit application for two locations, 815 Sutter Street Suite B and G, totaling at 800 square-feet for a wine tasting room. The zoning classification for the site is HD, and the General Plan land-use designation is HF within the Historic District. The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Brianna Gustafson, Assistant Planner / Applicant: Raymond Merlo)**

2. **PN 19-305, Gaslight Company Taproom Conditional Use Permit Modification and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Mark Dascallos for approval of a Conditional Use Permit Modification to allow for the sale and consumption of liquor and to accommodate an expansion of the business hours of operation at the 2,400-square-foot Gaslight Company Taproom located at 718 Sutter Street, Suite 200. The zoning designation for the site is HD, while the General Plan land-use designation is HF. The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Principal Planner, Steve Banks / Applicant: Mark Dascallos)**

HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **October 2, 2019**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and fax number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6231, (916) 355-7274 (fax) or kmullett@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Historic District Commission Action: Pursuant to all applicable laws and regulations, including without limitation, California Government Code, Section 65009 and/or California Public Resources Code, Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning, and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing. Any appeal of a Historic District Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081.



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

HISTORIC DISTRICT COMMISSION MINUTES

August 21, 2019

CITY COUNCIL CHAMBERS

5:00 p.m.

50 Natoma Street

Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Daniel West, Mary Asay, Kevin Duewel, Rosario Rodriguez, Vice Chair Candy Miller, Mickey Ankhelyi, Chair Daron Bracht

ABSENT: None

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: None

MINUTES: The minutes of August 7, 2019 were approved as submitted.

NEW BUSINESS

1. **PN 19-246 505 Coloma Street Shed Demolition and Determination that the Project is Exempt from the CEQA**

A Public Hearing to consider a request from Alan Roush for demolition approval of a 172-square-foot shed structure located at 505 Coloma Street. The zoning classification for the site is CEN with an underlying zoning of R-2, and the General Plan land-use designation is CC within the Historic District. The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). **(Project Planner: Brianna Gustafson, Assistant Planner / Applicant: Alan Roush)**

COMMISSIONER RODRIGUEZ MOVED TO APPROVE THE SHED DEMOLITION (PN 19-246) LOCATED AT 505 COLOMA STREET, WITH THE FOLLOWING FINDINGS: GENERAL FINDINGS A & B, CEQA FINDINGS C-F, DEMOLITION FINDING G AND CONDITIONS OF APPROVAL NO. 1-4.

COMMISSIONER MILLER SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES:	WEST, DUEWEL, ASAY, RODRIGUEZ, ANKHELYI, MILLER, BRACHT
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

2. PN 19-169, 707 Natoma Street Building Addition and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Jackie and Mike Sellitti for Design Review for a 3,308-square-foot two-story addition to the rear of an existing 1,498-square-foot hair salon at 707 Natoma Street. The zoning classification for the site is C-1 (PD)/NRB, and the General Plan land-use designation is CC and SFHD. The project is categorically exempt under Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Assistant Planner, Josh Kinkade / Applicant: Jackie and Mike Sellitti)**

COMMISSIONER BRACHT MOVED TO APPROVE THE COMMERCIAL DESIGN REVIEW APPLICATION FOR THE 707 NATOMA STREET ADDITION PROJECT (PN 19-169), WHICH INCLUDES A 3,308-SQUARE-FOOT TWO-STORY ADDITION TO THE REAR OF AN EXISTING 1,498-SQUARE-FOOT HAIR SALON AT 707 NATOMA STREET, SUBJECT TO THE FOLLOWING FINDINGS: GENERAL FINDINGS A & B, CEQA FINDINGS C-F, DESIGN REVIEW FINDINGS G & H, AND CONDITIONALS OF APPROVAL NO. 1-35 WITH AMENDMENT TO CONDITION NO. 30, AND ADDED CONDITIONS NO. 36 AND 37 TO STATE: "30. The building shall have an illuminated address visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and ~~improved~~ **approved** by the Fire Department.
36. Belly bands shall be included on the exterior of the building to break up the first and second floors of the building.
37. Existing arched elements shall be removed from the windows on the front of the building so that the windows are rectangular in shape."

COMMISSIONER DUEWEL SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: WEST, DUEWEL, ASAY, RODRIGUEZ, ANKHELYI, MILLER, BRACHT
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

PRINCIPAL PLANNER REPORT

None

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

Respectfully Submitted,

Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:

Daron Bracht, CHAIR



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: September 18, 2019

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Merlo Vineyards Wine Tasting Room Conditional Use Permit
File #: PN 19-259
Request: Conditional Use Permit
Location: 815 Sutter Street
Parcel(s): 070-0103-005
Staff Contact: Brianna Gustafson, Assistant Planner, 916-461-6210
bgustafson@folsom.ca.us

Property Owner

Name: Glenn Fait
Address: 815 Sutter Street,
Folsom, CA 95630

Applicant

Name: Raymond Merlo
Address: 191 Hartnell Avenue,
Redding, CA 96002

Recommendation: Conduct a public hearing and upon conclusion recommend approval a Conditional Use Permit application for the Merlo Vineyards Wine Tasting at 815 Sutter Street Suite B and Suite G (PN19-259) based on the findings included in this report (Findings A-G) and subject to the attached conditions of approval (Conditions 1-14).

Project Summary: The proposed project includes the approval of a Conditional Use Permit for two locations, 815 Sutter Street, Suite B and Suite G, totaling at 800 square-foot for a wine tasting room. As part of the submitted project description, non-amplified acoustic music would also be played occasionally. The proposed hours of operation are Tuesday through Sunday, 11:00 a.m. to 8:00 p.m..

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- 6 – Proposed Floor Plans



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Meeting
Date: September 18, 2019

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS
Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Merlo Family Vineyards, is proposing to operate a wine tasting room in an 800-square-foot internal tenant space (320 square-foot space in Suite B and 420-square foot space in Suite G) located at 815 Sutter Street. The layout will feature a front and back bar, seating and a display table. The business would operate as a wine tasting room with retail wine sales. As part of the submitted project description, non-amplified acoustic music would also be played occasionally. The proposed regular hours of operation are:

Tuesday through Sunday: 11:00 a.m. to 8:00 p.m.

Merlo Family Vineyards is already licensed and bonded by the State of California Alcoholic Beverage Control and US Department of Treasury. The vineyard and winery have been operating a tasting room in conjunction with Rempfer Cellars (located at 815 Sutter Street, Suite A) since March of 2018 but would like to operate their own tasting room independently going forward.

POLICY/RULE

Conditional Use Permits located in the Historic District are subject to review by the Historic District Commission, per Section 17.52.360 of the Folsom Municipal Code. FMC Section 17.52.510 states that uses which would require a conditional use permit from the planning commission in the modern central business district (C-2 zone) require a conditional use permit from the historic district commission in the Sutter Street Subarea. A Conditional Use Permit is required for wine tasting room in the C-2 zone when the commercial structure is located five hundred feet or more from a residential use and one thousand feet from the property line of any public or private school. As the proposed wine tasting room is less than 500 feet from a residential use, it is therefore subject to approval of a Conditional Use permit.

ANALYSIS

In order to approve this request for a Conditional Use Permit, the Commission must find that the "establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City".

In evaluating the Conditional Use Permit, staff considered the proposed use and its compatibility with existing land uses in the area relative to traffic/access/circulation impacts, parking impacts, noise impacts, visual impacts, and fire/life safety issues, among

others.

With respect to traffic/access/circulation and parking-related impacts, staff does not anticipate any significant impacts as the proposed use is limited (800-square-foot retail space with minimal entertainment component/minimal vehicle trips) in nature. As is typical for commercial properties in the Sutter Street Subarea, the existing public parking will be utilized for this establishment.

In relation to noise-related impacts, staff does not expect any significant impacts due to the fact that the proposed use does not include any outdoor component. Furthermore, given the proposed use and hours of operation, staff has determined that the noise generated by the patrons and occasional acoustic music is not likely to adversely impact the single-family properties south of the rear alley during typical night-time sleeping hours. In addition, Section 17.52.510 of the Folsom Municipal Code recognizes that residential uses located within the Sutter Street Commercial Subarea are expected to tolerate greater impacts from commercial uses than residential uses located in the residential subareas of the Historic District. It is staff's conclusion that the potential noise generated by the wine tasting and sales will not pose significant adverse impacts to nearby residents. In addition, conditions have been added prohibiting outdoor activity and limiting entertainment to acoustical musical performances (Conditions 11 and 12).

PUBLIC COMMENTS

No public comments were received for this project.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION

Move to approve the Conditional Use Permit (PN 19-259) for the Merlo Vineyards Wine Tasting Room located at 815 Sutter Street, Suite B and G based on the findings included in this report (Findings A-G) and subject to the attached conditions of approval (Conditions 1-14).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- G. THE PROJECT, AS CONDITIONED BELOW, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

**ATTACHMENT 2
BACKGROUND**

BACKGROUND

The existing building located at 815 Sutter Street includes multiple retail spaces along Sutter Street, including a jewelry store, barber, hair salon, day spa, candy store, gift stores, a wine tasting room and small boutiques. The tenant space that is proposed for this business is an internal space that does not front Sutter Street. The most recent activity was for a Condition Use Permit for Rempfer Cellars Tasting Room (PN17-189), which was for a 500 square foot internal tenant space located in Suite #A of 815 Sutter Street, which is still in operation.

GENERAL PLAN DESIGNATION

HF (Historic Folsom Mixed Use)

ZONING

HD, Sutter Street Subarea of the Commercial Primary Area

ADJACENT LAND USES/ZONING

North: Sutter Street Subarea, HD (SUT/HD)

South: Existing single-family development, Figueroa Subarea (R-2) (FIG/R2)

East: Figueroa Subarea (R-2) (FIG/R2)

West: Sutter Street Subarea and retail area (HD) (SUT/HD)

SITE CHARACTERISTICS

The existing building is comprised of multiple retail spaces fronting Sutter Street. The tenant space utilized for the proposed use is 800 square feet.

APPLICABLE CODES

FMC Chapter 15.52; HD, Historic District
FMC Section 17.60; Use Permits

Historic District Design and Development Guidelines

Attachment 3

Proposed Conditions of Approval

CONDITIONS OF APPROVAL FOR MERLO VINEYARDS TASTING ROOM ON 815 SUTTER STREET, SUITE B AND G (PN 19-259)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		The project is approved for a Conditional Use Permit to allow for the operation of an 800-square-foot total wine tasting room facility in an existing retail establishment located at 815 Sutter Street, #B and #G. Implementation of the project shall be consistent with the project description, as modified by these conditions of approval.	OG	CD (P)
2.		If the Community Development Director finds evidence that conditions of approval for “Merlo Vineyards Tasting Room” have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.	OG	CD (P)
3.		This Conditional Use Permit shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months, unless the applicant or current owner is actively engaging in work on the premises pursuant to a valid building permit and the Community Development Department Director has approved a written request from the applicant for an additional period not to exceed twelve (12) months when it is not in operation. Such an extension request shall be submitted to the Community Development Department no less than 30 days prior to the six-month deadline.	OG	CD (P)

4.	<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	<p>CD (P)(E)(B) PW, PR, FD, PD</p>
5.	<p>The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.</p>	B	<p>CD (P)(E)</p>
6.	<p>The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	B	<p>CD (P)(E)</p>
7.	<p>This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all Citywide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.</p>	B	<p>CD (P)(E), PW, PK</p>

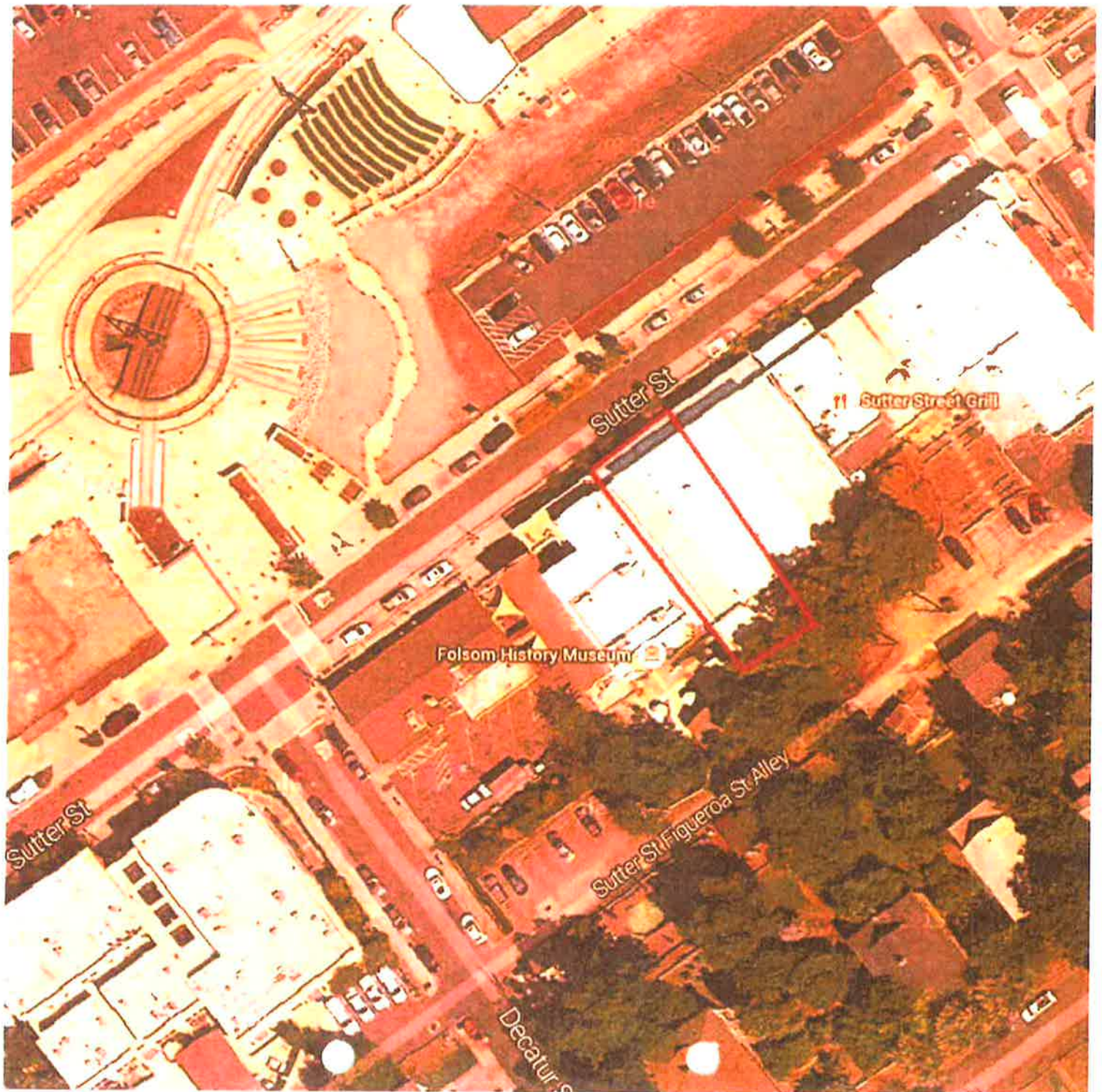
8.		<p>This project approval shall remain in effect for one year until September 18, 2020. If a use permit is not vested within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, this approval shall be considered null and void. 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 Section 17.60 of the Folsom Municipal Code.</p>		
CONDITIONAL USE PERMIT REQUIREMENT				
9.		<p>Any intensification or expansion of the use will require a use permit modification approval by the Historic District Commission.</p>	B, OG	FD NS (B)
NOISE ABATEMENT REQUIREMENTS				
10.		<p>Hours of operation (including private parties) will be limited as follows: Monday through Sunday: 11:00 p.m. to 8:00 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 Conditional Use Permit Modification.</p>	OG	CD (P)
11.		<p>Outdoor activity of any kind at the "Merlo Vineyards Wine Tasting Room" shall be prohibited.</p>	OG	CD (P)
12.		<p>Entertainment shall be limited to music performances (acoustical artists only), and similar uses, with similarity determined by the City of Folsom Community Development Department. No adult entertainment, as defined by Section 5.21.010 of the Folsom Municipal Code (FMC) shall be allowed at "Merlo Vineyards Tasting Room".</p>	OG	CD (P)

13.		<p>Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request. The occupant load based on code provisions, as determined by the Chief Building Official/Building Division, shall be less than 50 persons; otherwise, a second required exit will be required. The layout exhibit submitted indicates one (1) exit from the drinking/bar area. In addition, when alterations or repairs within any 12-month period exceed fifty percent (50%) of the value of the existing building or structure, such building or structure shall be provided with an automatic fire extinguishing system, if it does not exist.</p>	OG	F
SIGN DESIGN REQUIREMENTS				
14.		<p>Future signage for the site will require Historic District Commission approval and shall comply with the <u>Folsom Municipal Code Chapter 17.52</u> and the Historic District Design and Development Guidelines.</p>	B	CD (P, B)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Historic District Commission
Merlo Vineyards Wine Tasting Room Conditional Use Permit (PN 19-259)
September 18, 2019

Attachment 4 Vicinity Map



Historic District Commission
Merlo Vineyards Wine Tasting Room Conditional Use Permit (PN 19-259)
September 18, 2019

Attachment 5 Project Narratives

Suite B



MERLO FAMILY

ESTATE VINEYARDS

PROPOSED PROJECT

Merlo Family Vineyards and Winery is a family owned business. We are licensed and bonded by the State of California of Alcoholic Beverage Control, license number 22-3893833, and by US Department of the Treasury, TTB permit number BW-6840. Our family vineyard and winery has been operating for 20 years and has been operating a tasting room in conjunction with Rempfer Cellars since March of 2018. Moving forward we would like to operate our own facility and continue to bring our family wines to the Folsom community.

Merlo Family Vineyards is proposing to open a tasting room for wine tasting, retail wine sales, wine by the glass sales and wine club memberships. Our proposed hours of operation are Tuesday through Sunday 11am to 8pm. These hours would possibly change slightly depending on the season and foot traffic. The tasting room would like to have, on occasion, non-amplified live music by musician.

The space we wish to occupy in the building is approximately 320 square feet which will include a wine tasting bar and seating for customers. There will be no structural changes to the space and improvements will be cosmetic only.

Please contact me should you require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Ray Merlo". The signature is written in a cursive, flowing style.

Ray Merlo

Suite G



MERLO FAMILY

ESTATE VINEYARDS

PROPOSED PROJECT

Merlo Family Vineyards and Winery is a family owned business. We are licensed and bonded by the State of California of Alcoholic Beverage Control, license number 22-3893833, and by US Department of the Treasury, TTB permit number BW-6840. Our family vineyard and winery has been operating for 20 years and has been operating a tasting room in conjunction with Rempfer Cellars since March of 2018. Moving forward we would like to operate our own facility and continue to bring our family wines to the Folsom community.

Merlo Family Vineyards is proposing to open a tasting room for wine tasting, retail wine sales, wine by the glass sales and wine club memberships. Our proposed hours of operation are Tuesday through Sunday 11am to 8pm. These hours would possibly change slightly depending on the season and foot traffic. The tasting room would like to have, on occasion, non-amplified live music by musician.

The space we wish to occupy in the building is approximately 480 square feet which will include a wine tasting bar and seating for customers. There will be no structural changes to the space and improvements will be cosmetic only.

Please contact me should you require any additional information.

Sincerely,

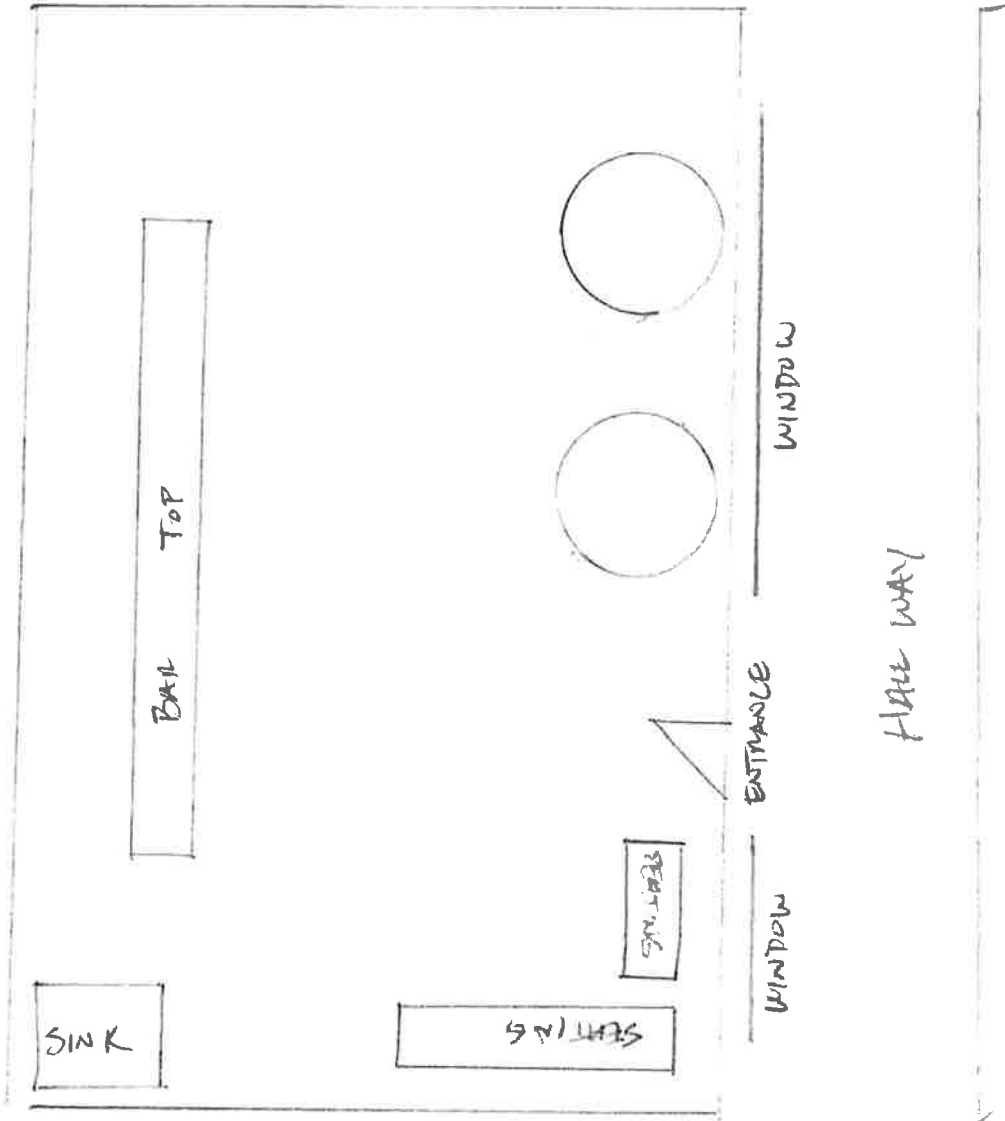
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Ray Merlo

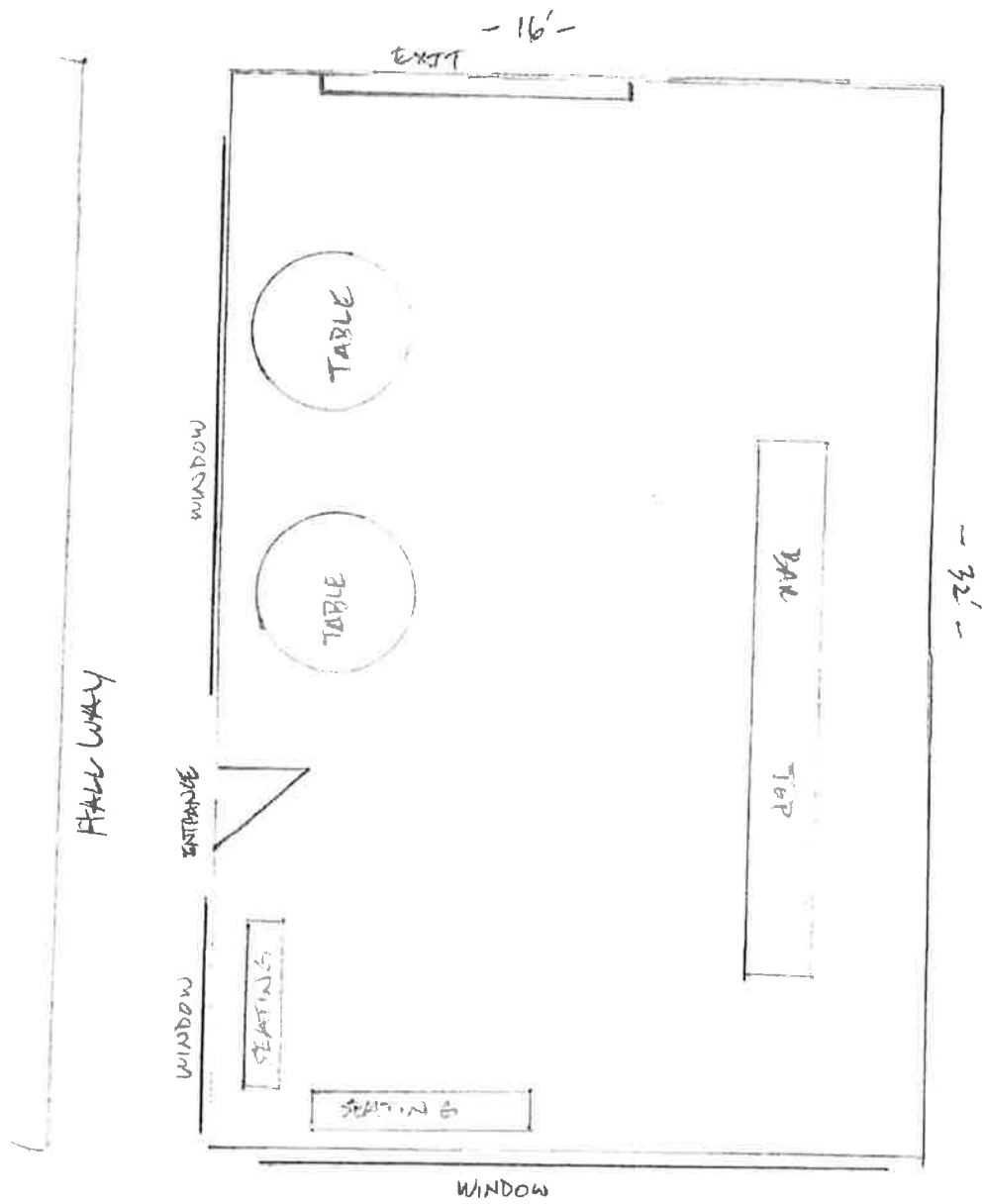
Historic District Commission
Merlo Vineyards Wine Tasting Room Conditional Use Permit (PN 19-259)
September 18, 2019

Attachment 6 Proposed Floor Plans

FLOOR PLAN MFV
SUITE B



FLOOR PLAN MFV
SUITE G





CITY OF
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DISTINCTIVE BY NATURE

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Gaslight Company Taproom Conditional Use Permit Modification
File #: PN 19-305
Request: Conditional Use Permit Modification
Location: 718 Sutter Street, Suite 200
Parcel(s): 070-0052-018
Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner

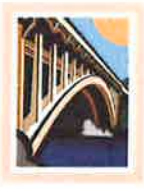
Name: Visione Enterprises, LLC
Address: P.O. Box 6493
Folsom, CA 95763

Applicant

Name: Mark Dascallos
Address: 140 Ore Street
Folsom, CA 95630

Recommendation: Conduct a public hearing and upon conclusion approve a Conditional Use Permit Modification application to allow for the sale and consumption of alcohol and to accommodate an expansion of the business hours of operation at the 2,400-square-foot Gaslight Company Taproom located at 718 Sutter Street, Suite 200 subject to the findings (Findings A-G) and conditions of approval attached to this report (Conditions 1-21).

Project Summary: The proposed project includes modifying the existing Conditional Use Permit (PN 11-205/Lockdown Brewing Company) that was approved in 2011 by the Historic District Commission to allow for the sale and consumption of alcohol at the Gaslight Company Taproom located at 718 Sutter Street, Suite 200. Specifically, the applicant is proposing to replace the existing beer and wine license (Type 41 License) associated with the Gaslight Company Taproom with a liquor license (Type 47 License). The Type 47 Liquor License is a general liquor license that allows the holder to serve beer, wine, and spirits on the premises. The proposed project also includes modifying the existing Conditional Use Permit to allow for an expansion of business hours, most notably extending the closing time of the Taproom. No physical changes or modifications are proposed to the existing 2,400-square-foot Taproom tenant space.



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 2
Type: Public Hearing
Date: September 18, 2019

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- 4 - Existing Conditions of Approval
- 5 - Vicinity Map
- 6 - Floor Plan
- 7 - Project Narrative
- 8 - Site Photographs

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS
Community Development Director

**ATTACHMENT 1
DESCRIPTION/ANALYSIS**

APPLICANT'S PROPOSAL

The applicant, Mark Dascallos, is proposing to modify the existing Conditional Use Permit (PN 11-205/Lockdown Brewing Company) to allow for the sale and consumption of alcohol at the Gaslight Company Taproom located at 718 Sutter Street, Suite 200. As noted in the project summary, the applicant is proposing to replace the existing Type 41 Beer and Wine License associated with the Gaslight Company Taproom with a Type 47 Liquor License (Type 47 License). The Type 47 Liquor License is a general liquor license that will allow the applicant to serve beer, wine, and spirits on the premises whereas currently only beer and wine are permitted to be served to customers.

The applicant is also proposing to modify the existing Conditional Use Permit to allow for an expansion of the approved business hours of operation. The following list shows the approved and proposed hours of operation for the Gaslight Company Taproom:

Approved Hours of Operation

Monday through Thursday:	4:00 p.m. to 10:00 p.m.
Friday	4:00 p.m. to 12:00 a.m.
Saturday	2:00 p.m. to 12:00 a.m.
Sunday	2:00 p.m. to 8:00 p.m.

Proposed Hours of Operation

Monday through Wednesday	11:00 a.m. to 11:00 p.m.
Thursday through Saturday	11:00 a.m. to 1:00 a.m.
Sunday	11:00 a.m. to 12:00 a.m.

In the project narrative (Attachment 6), the applicant states that the Gaslight Company Taproom hosts many special events within their banquet room including retirement parties, wedding rehearsal dinners, birthdays, and charity events. In addition to the activities in the banquet room, the applicant also states that the business currently provides an upscale environment in which customers can enjoy themselves in the bar/restaurant area or on the outdoor balcony. The applicant indicates that there has been a strong demand from customers over the past year for the Taproom to include liquor as one of the beverage options. Furthermore, the applicant states that an investment in a liquor license and extension of the hours of operation is important and integral to improving the overall customer experience at the Gaslight Company Taproom.

POLICY/RULE

The Folsom Municipal Code (FMC Section 17.52.510(A)(1)(c)) states that bars, taverns, and similar uses are required to obtain approval of a Conditional Use Permit from the Historic District Commission. The subject business has a valid Conditional Use Permit

that was granted by the Historic District Commission on September 7, 2011. Condition of Approval No. 8 of the existing Conditional Use Permit (PN 11-205) for the business states that any intensification or expansion of the use requires approval of a Conditional Use Permit Modification by the Historic District Commission.

ANALYSIS

Conditional Use Permit Modification

In order to approve this request for a Conditional Use Permit Modification, the Commission must find that the “establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City”.

In evaluating the Conditional Use Permit Modification, staff considered the proposed modifications to the existing use and their compatibility with existing land uses in the area relative to traffic/access/circulation impacts, parking impacts, and noise-related impacts. With regard to traffic, access, circulation, and parking impacts, the proposed project is served by the existing roadway system and public parking facilities present in the immediate project area. The proposed project does not include any physical modifications to the existing 2,400-square-foot tenant space in which the business is located. In addition, there are no proposed changes to the operational characteristics of the Taproom, which currently functions as a bar and restaurant with occasional live music. As a result, staff has determined that the proposed project will not result in any significant impacts with respect to traffic, access, circulation, or parking.

In terms of noise-related impacts, the Gaslight Company Taproom currently features live music typically on Wednesday through Saturday from 8:00 p.m. to 11:00 p.m. The live music, which typically features a solo musician, is limited to a small approximately 100-square-foot space situated inside the bar/restaurant area. No changes or modifications are proposed with respect to the days and hours in which the live music events occur. The existing Conditional Use Permit includes a number of conditions of approval that are intended further to ensure that the project will not result in significant noise-related impacts on adjacent and nearby properties including:

- No music or sound coming from the premises shall be audible within 50 feet of the premises at any time (Condition No. 13).
- Musicians shall only be permitted in the area depicted on the submitted floor plan drawings (Condition No. 11).
- Doors and windows to the outdoor deck/balcony area shall be closed at all times when music is being played (Condition No. 15).

- No audio speakers, music, televisions, or screens shall be permitted on the outdoor deck/balcony, the building exterior walls, windows, or any other exterior architectural elements (Condition No. 14).
- No dancing shall be permitted anywhere in the premises including the outdoor deck/balcony. In addition, there shall be no structurally designated or raised dance floor or bandstand (Condition No. 16).

The applicant is proposing to extend the hours of operation for the Taproom with the business being open from 11:00 a.m. to 11:00 p.m. Monday through Wednesday, 11:00 a.m. to 1:00 a.m. Thursday through Saturday, and 11:00 a.m. to 12:00 a.m. on Sundays. The proposed hours of operation are comparable with other similar establishments (Fat Rabbit Public House, Samuel Horne's Tavern, etc.) located on Sutter Street within the Historic District. While the hours of operation are being extended, no changes are proposed with respect to the days and hours that live music is played within the Taproom. As a result, staff does not anticipate any noise-related impacts associated with expansion of the business hours of operation.

The Gaslight Company Taproom has been open for business at the subject location for approximately three years. During this time period, there have been no reported issues or concerns (noise, light, crime, etc.) as reported by the Police Department and the Code Enforcement Division with respect to operation of the business. Based on this information, and taking into account the fact that there are existing conditions of approval in place to address potential noise-related concerns, staff has determined that the proposed project will not result in any noise-related impacts.

In summary, staff has determined that the applicant's request to modify the existing Conditional Use Permit to allow for the sale and consumption of liquor and to expand the approved business hours of operation at the Gaslight Company Taproom will not result in any significant new impacts that were not previously considered with approval of the existing Conditional Use Permit. It is important to note that staff is recommending that a number of the existing conditions of approval for the project be eliminated and/or modified (see Attachment 4) so as to accurately reflect the current business model for the Gaslight Company Taproom, which is substantially different than the business model for the prior tenant (Lockdown Brewing Company) at 718 Sutter Street, Suite 200. In addition, staff is recommending that some of the existing conditions of approval have been removed as they have either been satisfied or are no longer relevant to the current project.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION

Move to approve the Gaslight Company Conditional Use Permit Modification (PN 19-305) to allow for the sale and consumption of liquor and to accommodate an expansion of the business hours of operation at the 2,400-square-foot Gaslight Company Taproom located at 718 Sutter Street, Suite 200 subject to the findings (Findings A-G) and conditions of approval attached to this report (Conditions 1-21).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 EXISTING FACILITIES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

**ATTACHMENT 2
BACKGROUND**

BACKGROUND

On September 7, 2011, the Historic District Commission approved a Conditional Use Permit for the establishment and operation of a beer tasting and entertainment venue (Lockdown Brewing Company) at 718 Sutter Street, Suite 200. The Lockdown Brewing Company ceased operations at the subject location on September 30, 2016. On December 1, 2016, the Gaslight Company Taproom opened for business within the tenant space formerly occupied by the Lockdown Brewing Company. On February 19, 2019, the Gaslight Company Taproom obtained an Entertainment Permit (Permit No. 19-056) from the City to allow for the performance of live music and entertainment within the inside portion of their bar/restaurant.

The Gaslight Company Taproom is comprised of an interior bar with restaurant seating, an exterior balcony with restaurant seating, a banquet room, a kitchen, and a small interior space reserved for live entertainment. Hours of operation for the business are Monday through Wednesday, 11:00 a.m. to 11:00 p.m., Thursday through Saturday, 11:00 a.m. to 1:00 a.m., and Sunday, 11:00 a.m. to 12:00 a.m. Live music is played within the interior bar and restaurant area Wednesday through Sundays from 8:00 p.m. to 11:00 p.m. The banquet room, which is located at the back of tenant space, hosts a variety of private events and meetings. No physical changes or modifications are proposed to the existing 2,400-square foot Taproom.

The Gaslight Company Taproom has been open at the subject location for almost three years. During this timeframe, there have been no reported issues or concerns (noise, light, crime, etc.) as reported by the Police Department and the Code Enforcement Division relative to operation of the business.

GENERAL PLAN DESIGNATION	HF, Historic Folsom
ZONING	HD, Sutter Street Subarea of the Commercial Primary Area
ADJACENT LAND USES/ZONING	North: Traders Lane Parking Lot (HD) with Leidesdorff Street Beyond South: Sutter Street with Commercial Development (HD) Beyond East: Commercial Development (HD) with Riley Street Beyond West: Commercial Development (HD) with Wool Street Beyond

SITE CHARACTERISTICS

The Gaslight Building is a two-story, 16,000-square-foot building that was constructed in 1996. The Gaslight Company Taproom occupies approximately 2,400 square feet of floor area on the second floor of the building.

APPLICABLE CODES

FMC Chapter 15.52; HD, Historic District
FMC Chapter 17.60; Use Permits

Attachment 3

Proposed Conditions of Approval

CONDITIONS OF APPROVAL FOR GASLIGHT COMPANY TAPROOM CONDITIONAL USE PERMIT MODIFICATION 718 SUTTER STREET, SUITE 200 (PN 19-305)			
GENERAL REQUIREMENTS			
Cond. No.	Mitigation Measure	When Required	Responsible Department
1.		OG	CD (P)
	<p>The project is approved for a Conditional Use Permit Modification to the approved Conditional Use Permit (PN 19-305/Gaslight Company Taproom) to allow for the sales and consumption of liquor with a valid and un-expired Type 47 ABC License and to accommodate an expansion of the business hours of operation at the 2,400-square-foot Gaslight Company Taproom located at 718 Sutter Street, Suite 200. Implementation of the project shall be consistent with the project description, as modified by these conditions of approval.</p>		
2.		OG	CD (P)
	<p>If the Community Development Director finds evidence that conditions of approval for Gaslight Company Taproom, as modified by this Conditional Use Permit Modification, have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>		
3.		OG	CD
	<p>This Conditional Use Permit Modification shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit Modification ceases for any consecutive period of six (6) months.</p>		

4.	<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
DEVELOPMENT COSTS AND FEE REQUIREMENTS			
5.	<p>The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.</p>	B	CD (P)(E)
6.	<p>The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	B	CD (P)(E)
7.	<p>This project approval shall remain in effect for one year until September 18, 2020. If a Conditional Use Permit is not vested within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, this approval shall be considered null and void. 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.</p>	B	CD (P, B)

CONDITIONAL USE PERMIT REQUIREMENTS			
	Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification approval by the Historic District Commission.	B, OG	FD NS (B)
8.	The applicant shall maintain full compliance with all applicable laws, ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this Conditional Use Permit and the ABC license, the more stringent regulation shall apply. A copy of all required ABC licenses shall be submitted to the Community Development Department for its records.	OG	CD, PD
10.	Hours of operation (including private parties) shall be limited as follows: Monday thru Wednesday: 11:00 a.m. to 11:00 p.m. Thursday and Saturday: 11:00 a.m. to 1:00 a.m. Sunday: 11:00 a.m. to 12:00 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 Conditional Use Permit Modification.	OG	CD (P)
11.	Musicians shall be only permitted in the area depicted on the submitted floor plan drawings (see Attachment 5).	OG	CD (P)
12.	Only amplification of acoustic live music shall be allowed.	OG	CD (P)
13.	Irrespective of the City's noise ordinance, no music or sound coming from the premises shall be audible within 50 feet of the premises at any time. A noise study prepared by a qualified acoustic engineer shall be required at the business owner's expense when deemed necessary by the City to mitigate noise impact on the adjoining properties and public rights-of-way.	OG	CD (P)
14.	No audio speakers, music, televisions, or screens shall be permitted on the outside decks, the building exterior walls, windows, or any other exterior architectural elements.	OG	CD (P)
15.	Doors and windows to the deck shall be closed at all times when music (recorded or live) is being played.	OG	CD (P)
16.	No dancing shall be permitted anywhere in the premises including the outdoor deck/balcony. In addition, there shall be no structurally designated or raised dance floor or bandstand.	OG	CD (P)
17.	The stairway leading to the establishment and the upper landing area shall be maintained by the owner/applicant well lighted, in good repair, and free of debris.	OG	CD (P)

18.		The owner/applicant shall not allow patrons to loiter in the upper landing area or stairway. Patrons utilizing the designated smoking area shall not be considered to be loitering for purposes of this condition. The applicant shall not allow open alcoholic beverages to be taken past the threshold of the establishment's front door.	OG	CD (P)
19.		Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.	OG	CD (P)
20.		The owner/applicant shall be responsible for cleaning up the common area and on sidewalk within a 40-50-foot circumference of the entrances to the building.	OG	CD (P)
21.		The existing street-level gates on Sutter Street shall remain unlocked during occupancy. A sign shall be installed on the existing gates that states, "These gates to remain unlocked during occupancy."	OG	CD (P)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED
CD	Community Development Department	I
(P)	Planning Division	M
(E)	Engineering Division	B
(B)	Building Division	O
(F)	Fire Division	G
PW	Public Works Department	DC
PR	Park and Recreation Department	OG
PD	Police Department	
		Prior to approval of Improvement Plans
		Prior to approval of Final Map
		Prior to issuance of first Building Permit
		Prior to approval of Occupancy Permit
		Prior to issuance of Grading Permit
		During construction
		On-going requirement

Attachment 4

Existing Conditions of Approval

CONDITIONS OF APPROVAL

- ~~1. The operation of the establishment shall be limited to those activities and elements expressly approved by the Historic District Commission. No modification to the interior or exterior of the building shall be made, with the exception of the installation of the proposed door to the outdoor deck, without approval being obtained from the Historic District Commission (HDC) for a Conditional Use Permit (CUP) Modification. A CUP Modification is required if the use is expanded to any other interior or exterior space, including Space B (950 square foot space on the rear side of the building), the currently vacant 2,950 square foot space where a kitchen facility is located, and the existing outdoor deck as shown on the floor plans submitted on August 8, 2011 (see Attachment 3).~~
2. Dancing on the premises shall be prohibited. Only amplification of acoustic music shall be allowed. A CUP Modification shall be required if the operation of the facility deviates from the Historic District Commission's approval. No approvals are granted in this CUP except as provided.
- ~~3. Approval of this CUP application shall become null and void within one year from the date of approval of this application (September 7, 2012) if no building permit is issued by the City for this project or the proposed use is not established in case no building permit is required.~~
4. This CUP shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the CUP ceases for any consecutive period of six (6) months, unless the applicant or current owner is actively engaging in work on the premises pursuant to a valid building permit and the Community Development Department Director has approved a written request from the applicant for an additional period not to exceed twelve (12) months when it is not in operation. Such an extension request shall be submitted to the Community Development Department no less than 30 days prior to the six-month deadline.
- ~~5. Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by Section 5.21.010 of the Folsom Municipal Code (FMC) shall be conducted on the permitted premises.~~
- ~~6. The applicant shall obtain all required ABC licenses for the proposed use within three months from the date of approval for this CUP (December 7, 2011). A copy of all required ABC licenses shall be submitted to the Community Development Department for its records. The applicant may request in writing one extension to the above three-month deadline. Such an extension request shall be submitted to the Community Development Department no less than 30 days prior to December 7, 2011. Such an extension may be granted up to a maximum of three months beyond the original deadline (March 7, 2012). The Community Development Department Director shall review and approve or deny such an extension. The CUP shall be deemed revoked without further action by the Historic District Commission unless copies of all required ABC licenses are submitted to the Community Development Department by December 7, 2011, or the date specified in the~~

~~approval for extension if an extension to the three-month deadline is granted.~~

7. The applicant shall maintain full compliance with all applicable laws, ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this CUP and the ABC license, the more stringent regulation shall apply.

- ~~8. No expansion of hours beyond the following hours as stated in the application shall be permitted without approval being obtained from the HDC for a CUP Modification.~~

~~Monday through Thursday: 4:00 p.m. to 10:00 p.m.~~

~~Friday: 4:00 p.m. to 12:00 a.m.~~

~~Saturday: 2:00 p.m. to 12:00 a.m.~~

~~Sunday: 2:00 p.m. to 8:00 p.m.~~

- ~~9. The City is contemplating an Entertainment Ordinance. If such an ordinance is adopted, the applicant shall obtain an Entertainment Permit within 30 days of the effective date of the ordinance. Applicant shall comply with the terms of the Entertainment Permit and conditions of the permit may be more restrictive and may provide additional requirement than those identified in this CUP.~~
- ~~10. A Building Permit shall be required in accordance with the Building Code. All requirements from the City Fire Department shall be met.~~
11. Irrespective of the City's noise ordinance, no music or sound coming from the premises shall be audible within 50 feet of the premises at any time. A noise study prepared by a qualified acoustic engineer shall be required at the business owner's expense when deemed necessary by the City to mitigate noise impact on the adjoining properties and public rights-of-way.
12. Musicians shall be only permitted in the areas depicted on the submitted drawings (see Attachment 3).
13. Doors and windows to the deck shall be closed at all times when music (recorded or live) is being played.
14. No dancing shall be permitted anywhere in the premises including the outside deck. There shall be no structurally designated or raised dance floor or bandstand.
- ~~15. All existing exterior speakers located on the front façade (Sutter Street side) of building shall be removed prior to commencement of the proposed use.~~
16. No audio speakers, music, televisions, or screens shall be permitted on the outside decks, the building exterior walls, windows, or any other exterior architectural elements.

17. The stairway leading to the establishment and the upper landing area shall be maintained by the applicant well lighted, in good repair, and free of debris.
18. Applicant shall not allow patrons to loiter in the upper landing area or stairway. Patrons utilizing the designated smoking area shall not be considered to be loitering for purposes of this condition. The applicant shall not allow open alcoholic beverages to be taken past the threshold of the establishment's front door.
- ~~19. Applicant shall not allow patrons to enter the adjacent outdoor balcony at 718 Sutter Street Suite 204. The applicant shall install a gate or railing to demarcate the balcony area to be used for this business to the satisfaction of Community Development Department.~~
20. Current occupancy loads shall be posted at all times, and the applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.
- ~~21. No sales transactions related to retail activity shall occur outside the building or on the deck.~~
22. The business/property owner shall be responsible for cleaning up the common area and on sidewalk within a 40-50-foot circumference of the entrances to the building.
- ~~23. An on-site responsible person/manager shall be present at the premises at all times the business is open.~~
- ~~24. On-sale alcoholic beverage sales shall cease no later than 11:30 p.m. Consumption of alcoholic beverages and off-sale purchases of alcoholic beverages shall cease no later than midnight.~~
- ~~25. The applicant/business owner shall not allow patrons to enter the establishment after 11:30 p.m.~~
- ~~26. No persons under 18 shall be permitted on premises after 10:00 p.m.~~
27. By July 1st, 2012, the applicant shall install and maintain a video surveillance system that monitors no less than the front of the business and balcony. The video system shall be capable of delineating on playback the activity and physical features of people and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Folsom Police Department. A Public Internet Protocol (IP) address and user name/password shall be also required to allow the Folsom Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police. At the discretion of the Chief of Police, the applicant may be required to add additional cameras.

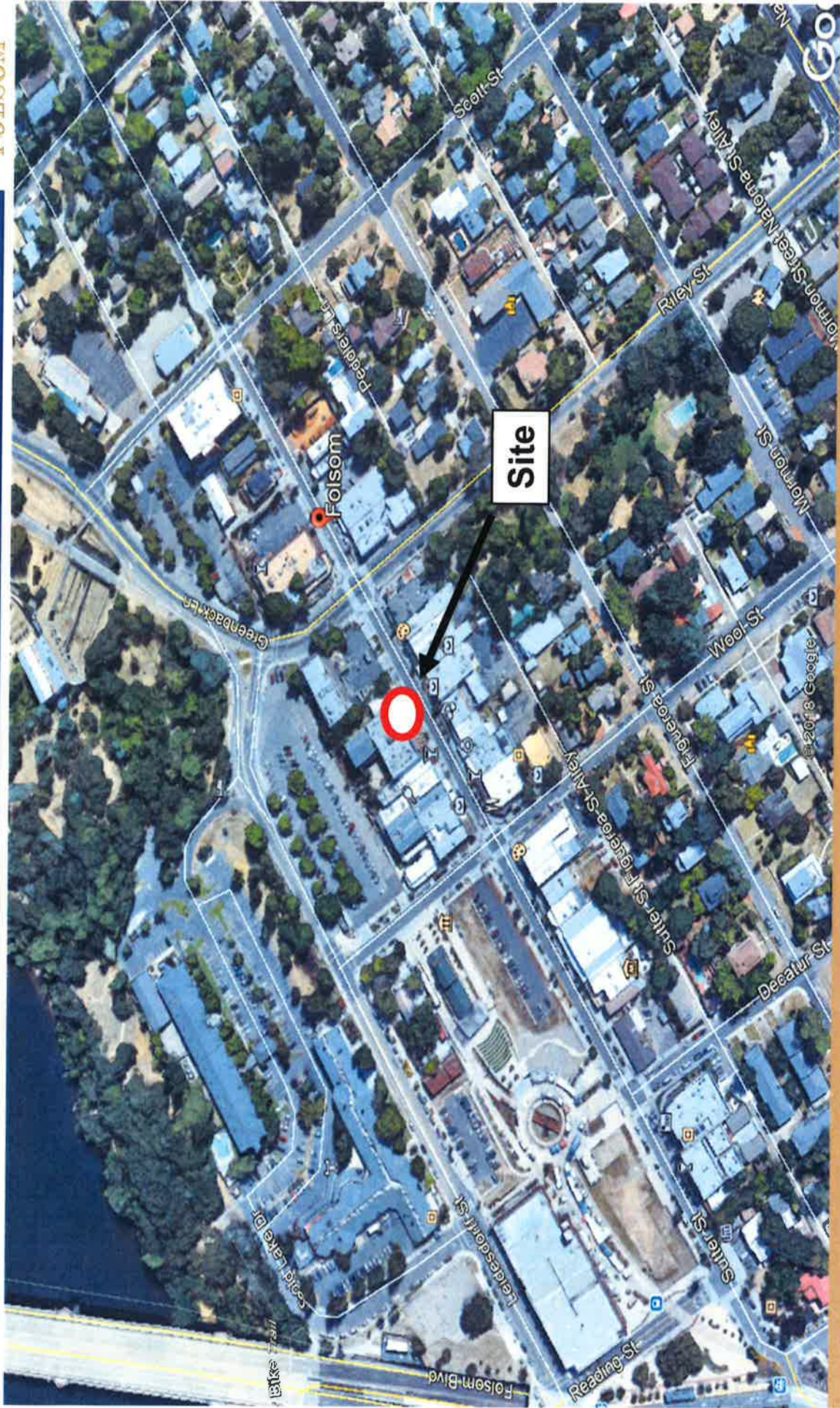
28. ~~Any new non-exempt signs shall comply with the Gaslight Building Sign Criteria, the FMC Sections 17.52.510.E and 17.59, and the Historic District Design and Development Guidelines (DDGs). A new sign that does not meet all applicable sign requirements shall be subject to review and approval by the Historic District Commission. No wall sign shall be permitted for the proposed use. Only one under-canopy sign installed under the deck on Sutter Street may be permitted. The under-canopy sign shall comply with Section 4 (Tenant Signs) of the Gaslight Building Sign Criteria. The applicant shall submit a sign permit with a revised sign drawing and elevations for review and approval by the Community Development Department. The existing wall sign for Balcony Bistro located on the front elevation (Sutter Street side) shall be removed prior to the commencement of the proposed use.~~
29. The existing street-level gates on Sutter Street shall remain unlocked during occupancy. A sign shall be installed on the existing gates that states, "These gates to remain unlocked during occupancy."

Attachment 5 Vicinity Map

Vicinity Map

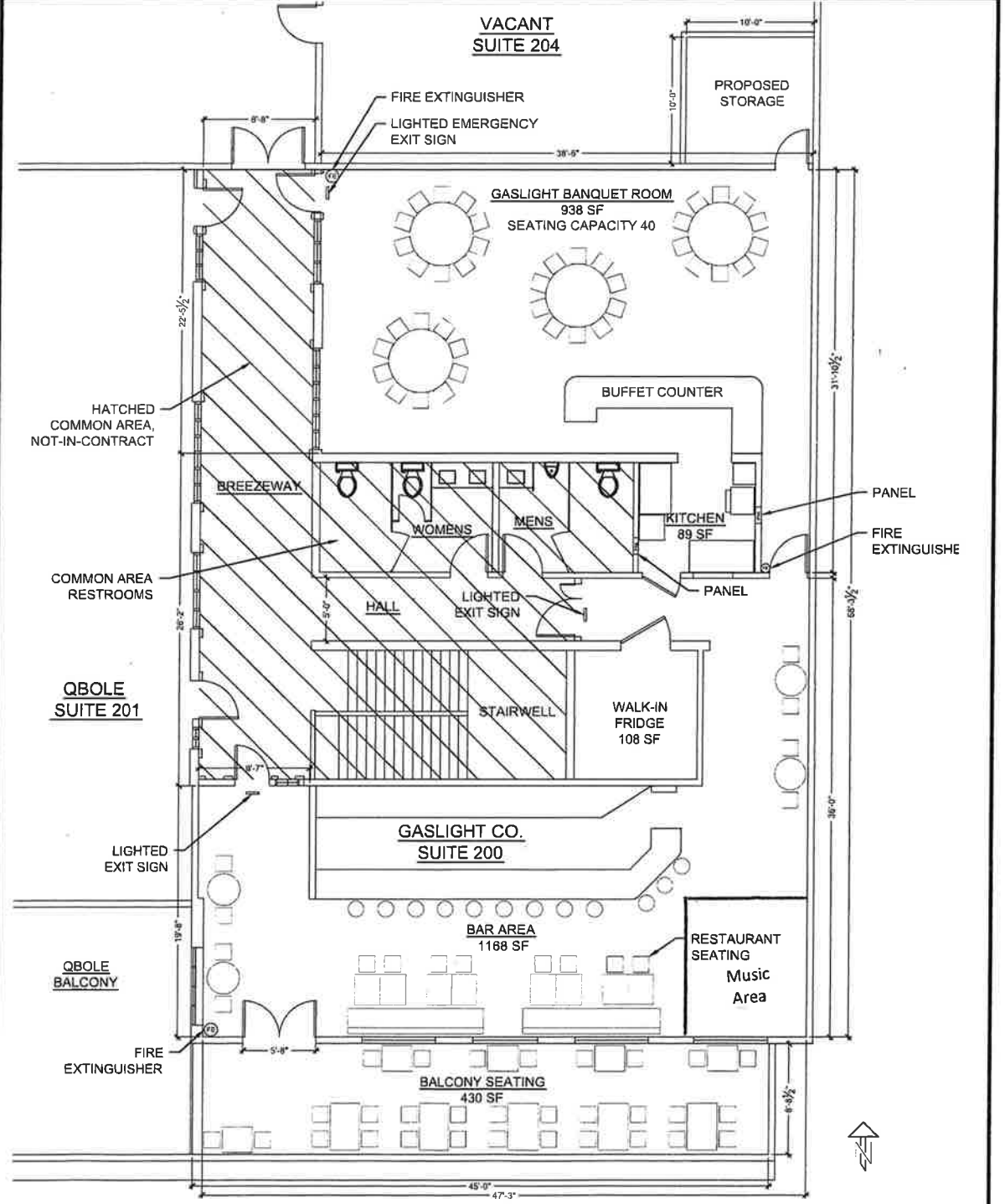
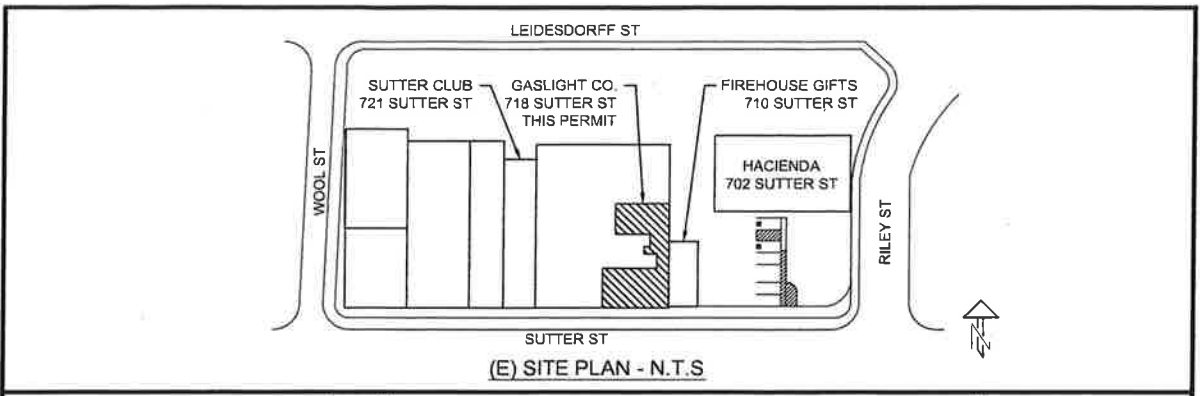


CITY OF
FOLSOM



Historic District Commission
Gaslight Company Taproom Conditional Use Permit Modification (PN 19-305)
September 18, 2019

Attachment 6 Floor Plan



GASLIGHT CO. 718 SUTTER STREET, SUITE 200

Historic District Commission
Gaslight Company Taproom Conditional Use Permit Modification (PN 19-305)
September 18, 2019

Attachment 7 Project Narrative

Monday, August 12, 2019

City Of Folsom Planning Department
RE: Northern Park LLC
Pending license # 595012

Dear: City of Folsom,

The purpose of this letter is to request a modification to our current CUP. We have purchased a type 47 Liquor License to replace our current Type 45 beer and wine license.

The Gaslight Co. is unique due to its historic location and its patrons who many are local residents who own homes in the district. The Gaslight Co. has hosted many special occasions in our private banquet room. Our patrons have enjoyed rehearsal dinners, retirement parties and many milestone birthdays. We also provide our banquet room for charity events and meetings for the city without charge. We take pride in serving the surrounding community in Historic Folsom and visiting public patrons from all over the country. While alcoholic beverage sales will generate a small percentage of the overall sales, the investment in a liquor license is needed as a service and convenience to the customers as an integral part of the experience.

The current landscape of Old Folsom is improving by the day. We feel the additions of the Sutter Street Steak House a few years back brought some much needed fine dining to the area. The crowd they attract is a market we identify with. We recommend each other and feel we complement their client base with an after dinner spot. We also look forward to Scotts Scafood and believe it will soon be home to more of a similar crowd and we embrace this. We feel people like to walk around even at night and explore what old Folsom has to offer, having more options for this type of guests will be a positive for all of our neighbors. We do realize the bars and pubs can get a bit noisy and may be serving a younger crowd, these places can be fun but alternatives need to be visible. That's why we feel having the upstairs balcony will be the obvious choice for the guest that wants to continue that dinner conversation and take in the views. Currently all the upstairs patios are Mexican food and cocktails, we have been serving a variety of items and will be adding new menu items very soon. We embrace competition and look at it as a positive. Our staff is coached daily on the importance of customer service; this is one area we want to be second to none.

The Gaslight Company has proven to be extremely desirable to the public by providing area residents, visitors and workers with great food at a reasonable price, live music and a balcony over looking beautiful Sutter St. We have been a popular destination for the past three years offering a great option for adults who still want to go out and enjoy the nightlife after dinner in the district. We have a relaxed style live music area that allows people the ability to still have conversations with friends. We have also attracted a large female demographic by providing a safe comfortable ambiance they enjoy.

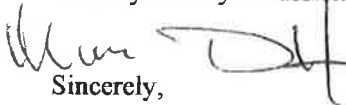
The inclusion of a license for incidental alcohol sales with food will allow patrons the same service that they would experience at other local restaurants. We'll continue to strive to become a valuable member of the community and will work hard to help the neighborhood achieve their development goal and continually improve the character of the Historic Folsom.

Our hours of operation are Monday-Wednesday 11-11pm, Thursday- Saturday 11am-1am, and Sunday 11-midnight. Our music is always over on or before 11pm.

I respectfully request that the City of Folsom finds that Public Necessity and Convenience would be served by the issuance of a modified liquor license to the requested premises.

If you have any further questions or require any additional information please do not hesitate to contact me.

Thank you for your assistance.


Sincerely,

Mark Dascallos
Principal Owner Gaslight Co.
916.671.2413

Historic District Commission
Gaslight Company Taproom Conditional Use Permit Modification (PN 19-305)
September 18, 2019

Attachment 8 Site Photographs







GASLIGHT CO.
A COMMUNITY TAPROOM
& BANQUET ROOM

GREAT FOOD, LIVE MUSIC,
BEER AND WINE BAR

Tré
Salon | Spa

3

LUMINIS
PHOTOGRAPHY

