



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

SPECIAL MEETING
HISTORIC DISTRICT COMMISSION AGENDA
November 18, 2021
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630

Pursuant to Assembly Bill 361 and the Governor's proclamation of a State of Emergency due to the coronavirus (COVID-19) public health emergency, the Folsom Historic District Commission, staff, and members of the public may participate in this meeting via teleconference.

Members of the public wishing to participate in this meeting via teleconference may email kmullett@folsom.ca.us no later than thirty minutes before the meeting to obtain call-in information. Each meeting may have different call-in information. Verbal comments via teleconference must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Historic District Commission meetings.

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Kathleen Cole, Mickey Ankhelyi, Kevin Duewel, Mark Dascallos, John Felts, Daniel West, 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 the November 3, 2021 meeting will be presented for approval.

NEW BUSINESS

1. PN 21-273, 811 Sutter Street Sign Permit and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from United Sign Systems for approval of a Sign Permit application for a wall sign and under-canopy sign for Maribou Salon located at 811 Sutter Street. The zoning classification for the site is SUT/HD, while the General Plan land-use designation is HF. The project is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: United Sign Systems)**

2. PN 21-239, 309 Figueroa Street Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Belwood Investments for approval of a Residential Design Review application for a remodel of an existing single-family residence located at 309 Figueroa Street. The zoning classification for the site is R-1-M/FIG, while the General Plan land-use designation is SFHD. The project is

exempt from the California Environmental Quality Act (“CEQA”) in accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: Belwood Investments)**

PUBLIC HEARING

3. PN 19-174, Barley Barn Tap House Conditional Use Permit, Design Review, and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Regina Konet for approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The General Plan land use designation for the project site is HF and the zoning designation for the project site is HD. The project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Steve Banks/Applicant: Regina Konet)**

HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **December 1, 2021**. 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) 461-6200 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
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HISTORIC DISTRICT COMMISSION MINUTES
November 3, 2021
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Mickey Ankhelyi, Kevin Duewel, Mark Dascallos, John Felts, Daniel West, Kathleen Cole, Daron Bracht

ABSENT: Felts

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: None

MINUTES: The minutes of the October 20, 2021 meeting were approved as submitted.

Commendation was Presented to Kevin Duewel

NEW BUSINESS

1. PN 21-089, 602 Figueroa Street Addition and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Charles Green for approval of a Residential Design Review application for a 397-square-foot addition, 270-square-foot patio cover, and roof restoration for an existing single-family residence located at 602 Figueroa Street. The zoning classification for the site is R-2/FIG, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act in accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: Charles Green)**

1. Bob Delp addressed the Historic District Commission in support of the restoration project.

COMMISSIONER DASCALLOS MOVED TO APPROVE THE DESIGN REVIEW APPLICATION (PN 21-089) FOR 397-SQUARE-FOOT ADDITION, 270-SQUARE-FOOOT PATIO COVER, AND ROOF RESTORATION FOR AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 603 FIGUEROA STREET, AS ILLUSTRATED ON ATTACHMENTS 5 AND 6 FOR 602 FIGUEROA STREET ADDITION PROJECT, SUBJECT TO THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-I) AND ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-11).

COMMISSIONER DUEWEL MOVED TO AMEND THE MOTION TO APPROVE THE DESIGN REVIEW APPLICATION (PN 21-089) FOR 397-SQUARE-FOOT ADDITION **RESTORATION**, 270-SQUARE-FOOOT PATIO COVER, AND ROOF RESTORATION FOR AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 603 FIGUEROA STREET, AS ILLUSTRATED ON ATTACHMENTS 5 AND 6

FOR 602 FIGUEROA STREET ADDITION PROJECT, SUBJECT TO THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-I) AND ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-11).

COMMISSIONER DASCALLOS ACCEPTED THE AMENDED MOTION.

COMMISSIONER DUEWEL SECONDED THE AMENDED MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ANKHELYI, DUEWEL, DASCALLOS, WEST, COLE, BRACHT

NOES: NONE

ABSTAIN: NONE

ABSENT: FELTS

PRINCIPAL PLANNER REPORT

The Historic District Commission meeting on November 17th has been canceled. The Historic District Commission will hold a special meeting on Thursday, November 18th at 5:00 p.m.

RESPECTFULLY SUBMITTED,

Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:

Daron Bracht, CHAIR



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Meeting
Date: November 18, 2021

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: 811 Sutter Street Sign Permit
File #: PN 21-273
Request: Sign Permit
Location: 811 Sutter Street
Parcel(s): 070-0103-006
Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209
jkinkade@folsom.ca.us

Property Owner

Name: Maribou Properties, LLC
Address: 652 Glen Mady Way,
Folsom CA 95630

Applicant

Name: United Sign Systems
Address: 5201 Pentecost Drive
Modesto, CA 95356

Recommendation: Conduct a public meeting and upon conclusion recommend approval of a Sign Permit application for a wall sign and under-canopy sign for Maribou Salon located at 811 Sutter Street (PN 21-273) subject to the findings included in this report (Findings A-J) and attached conditions of approval (Conditions 1-6).

Project Summary: The proposed project includes a request to place a 5-square-foot wall sign and 7-square-foot under-canopy sign on the front building elevation of the Maribou Salon business located at 811 Sutter Street.

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- 4 - Vicinity Map
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- 6 - Photograph of the Project Site



CITY OF
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AGENDA ITEM NO. 1
Type: Public Meeting
Date: November 18, 2021

Submitted,

PAM JOHNS
Community Development Director

**ATTACHMENT 1
 DESCRIPTION/ANALYSIS**

APPLICANT’S PROPOSAL

The applicant, United Sign Systems, is requesting approval of a Sign Permit (PN 21-273) to place a 5-square-foot wall sign and a 7-square-foot aluminum under-canopy sign on the front building elevation of an existing 2,040-square foot commercial building located at 811 Sutter Street. The signs are proposed to be non-illuminated. Proposed sign details are described in the table below:

Qty	Type	Dimensions	Sq. Ft.	Placement	Illumination
1	Building	7.6’ W x 8” H	5	On façade of building, above entrance	None
1	Under Canopy	3.5’ W x 2’ H	7	Under canopy, above entrance	None
Materials and Color			Design		
Wall sign will be made of acrylic letters. Lettering will be gold metallic. Under-canopy sign will be black aluminum with a grey border and white vinyl lettering. Copy on both signs will read “MARIBOU SALON”.			Wall sign will feature block lettering. Under-canopy sign will feature cursive and block lettering.		

POLICY/RULE

Section 17.52.380 of the Folsom Municipal Code states that the Historic District Commission shall have final authority relating to the issuance of sign permits within the boundaries of the Historic District. In acting upon applications for sign permits, the Historic District Commission shall adhere to the procedural requirements set forth in FMC Chapter 17.59 (except for matters of appeal which are governed by FMC Section 17.52.700 through 720).

FMC Section 17.59.050 states that the Historic District Commission shall review and approve, conditionally approve or deny sign permit applications for signs to be located within the boundaries of the historic district based on conformance with the provisions of FMC Section 17.59.050 and any applicable uniform sign program.

FMC section 17.59.040(A) contains the sign regulations that apply to retail and service commercial uses located in nonresidential zones, including regulations governing the maximum allowable sign area for building signs. These rules do not generally apply in the Historic District, where most of the subareas have their own special use and design standards that govern signs. FMC section 17.52.380(B) makes clear that the provisions of Chapter 17.59 apply in the Historic District, unless they are modified by the provisions

of Chapter 17.52. In this case, FMC section 17.52.510(E), the special use and design standards for signs in the Sutter Street Subarea, applies.

FMC Section 17.52.510(E)(1) states that the length of a wall sign in the Sutter Street Subarea may not exceed 75 percent of the shop's frontage. In addition, wall signs shall be designed and installed with minimal space between the planes of the wall and of the sign. Businesses with frontage on more than one street and/or public parking lot may place a wall or window sign on each frontage, with subsequent signs to be no larger than half the size specified for the first sign and subject to the other requirements of the first sign. Pursuant to FMC section 17.52.510(E)(4), neon, internally illuminated, backlit canopy, and corporate flag signs are prohibited in this subarea. FMC Chapter 17.52.510 does not specifically address maximum wall sign area, but the Historic District Design and Development Guidelines (DDGs) Section 5.02.01(d)(3) state that buildings with between 20 and 39 lineal feet of building frontage may utilize 0.75 square feet of signage per lineal foot of building frontage.

FMC Section 17.52.510(E)(2) states that signs are permitted to be hung under a canopy, but shall not exceed 3 square feet in size with a minimum of 8 feet clearance from the sidewalk in addition to any permitted wall or window signs. Businesses without a canopy may utilize a projecting sign of the same size and clearance for this purpose. The Historic District Commission may approve an increase in the size of the under-canopy or projecting sign in exchange for a reduction in size of the wall or window sign.

Appendix D of the DDGs states that sign materials may be wood, metal, or other historically appropriate combinations of materials (wood being the most appropriate materials for signs in the Sutter Street Subarea) and that the sign may be externally lighted. Graphic imagery (i.e., logos, lettering style, colors, product illustrations or cartoons, etc.) shall be compatible with the period in which the building was built. Simple, contemporary graphic styles may also be appropriate as well as period revival styles of text. Simple graphic imagery and minimal text is encouraged. Contemporary type styles as well as historic lettering may be appropriate for sign lettering. If historic lettering styles are to be used, they must be appropriate to the history of Folsom and the historic era. Sign lighting must be subdued and indirect and may not create excessive glare. Flood lamps, if used to illuminate sign surfaces, must be concealed.

FMC Section 17.59.050 directs that applications for sign permits shall be approved unless the Commission finds in writing that:

- (a) The applicant has failed to provide sufficient or adequate plans, information or other data necessary to allow determinations respecting compliance with the provisions of FMC Chapter 17.59;

- (b) The proposed signage will violate provisions of FMC Section 17.59.050, state or federal laws, and such violation cannot be resolved by the imposition of conditions pursuant to this section.

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan land use designation for the project site is HF (Historic Folsom) and the zoning designation for the project site is SUT/HD (Sutter Street Subarea of the Commercial Primary Area of the Historic District with underlying Historic District zoning). Pursuant to Section 17.52.510(E) of the Folsom Municipal Code (FMC), each business located within the Sutter Street Subarea whose entry door is located in the building frontage is permitted one wall or window sign and one sign hanging under the canopy.

PROJECT ANALYSIS

The subject building is allowed 22.5 square-feet of wall signage per the guidelines in the DDGs based on the building's 30-lineal-foot frontage. The wall sign proposed by the applicant is 5 square feet in size and is thus in compliance with the 75 percent frontage requirement of FMC 17.52.510(E)(1) and also the 0.75 square feet per lineal foot guideline in section 5.02.01(d)(3) of the DDGs. Staff has determined that the colors, design, materials (acrylic with a metallic finish) and block letter style of the proposed wall sign are appropriate in the Historic District and consistent with the DDGs.

The applicant is requesting 7 square feet of under-canopy signage, while FMC 17.52.510(E)(2) states that under-canopy signs shall not exceed 3 square feet in size with a minimum of 8 feet clearance from the sidewalk in addition to any permitted wall or window signs. However, the Historic District Commission may approve an increase in the size of the under-canopy or projecting sign in exchange for a reduction in size of the wall or window sign. With up to 22.5 square feet of wall signage being allowed and only 5 square feet of wall signage being proposed, the applicant is therefore able to request the additional 4 square feet of under-canopy signage from the Commission. The under-canopy sign is 8 feet above the sidewalk and appears in scale with the building frontage. Furthermore, 811 Sutter Street is a standalone building with only one tenant, so no other under-canopy signs are anticipated within its 30-foot frontage. Therefore, staff supports the proposed increased square footage of the under-canopy sign. Staff has determined that the colors, design, aluminum materials and block and cursive letter styles of the proposed under-canopy sign are appropriate in the Historic District and consistent with the DDGs.

Staff has concluded that the proposed project is consistent with Chapters 17.52 and 17.59 of the FMC as well as the DDGs.

PUBLIC NOTICING

A public notice was placed on the project site facing the street frontage five days prior to the date of the Historic District Commission meeting indicating the project description and the place and time of the meeting.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines. 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 in this case.

RECOMMENDATION

Staff recommends approval of the sign permit application, subject to the findings included in this report (Findings A-J) and the attached conditions of approval (Conditions 1-6).

HISTORIC DISTRICT COMMISSION ACTION

Move to approve the 300 Reading Street Sign Permit (PN 21-273), subject to the findings included in this report (Findings A-J) and attached conditions of approval (Conditions 1-6).

GENERAL FINDINGS

- A. NOTICE OF PUBLIC MEETING 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.

SIGN PERMIT FINDINGS

- G. THE APPLICANT HAS PROVIDED SUFFICIENT PLANS, INFORMATION OR

OTHER DATA NECESSARY TO ALLOW DETERMINATIONS RESPECTING COMPLIANCE WITH THE PROVISIONS OF FMC SECTION 17.52.380 AND CHAPTER 17.59.

- H. THE PROPOSED SIGNAGE WILL NOT VIOLATE PROVISIONS OF FMC SECTION 17.52.380, CHAPTER 17.59, OR STATE OR FEDERAL LAWS REGARDING SIGNAGE
- I. THE PROPOSED SIGNAGE COMPLIES WITH THE APPLICABLE HISTORIC DISTRICT SUBAREA SPECIAL USE AND DESIGN STANDARDS.
- J. THE PROPOSED SIGNAGE IS CONSISTENT WITH APPLICABLE PROVISIONS OF THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES.

**ATTACHMENT 2
BACKGROUND**

BACKGROUND

The commercial building located at 811 Sutter Street was constructed in 1931 according to Sacramento County Assessors records. It most recently operated as the Sutter Street Grill until 2020.

GENERAL PLAN DESIGNATION

HF, Historic Folsom

ZONING

SUT, Sutter Street Subarea of the Commercial Primary Area (underlying zoning of HD)

ADJACENT LAND USES/ZONING

North: Sutter Street (SUT)

South: Sutter Street-Figueroa Street Alley and residences (FIG)

East: Commercial buildings (SUT)

West: Commercial buildings (SUT)

SITE CHARACTERISTICS

The 4,830-square-foot parcel consists of a one-story 2,040-square-foot commercial/retail building with parking and trees along the alley.

APPLICABLE CODES

FMC Chapter 17.52; HD, Historic District
FMC Chapter 17.59: Signs
Historic District Design and Development Guidelines

Attachment 3

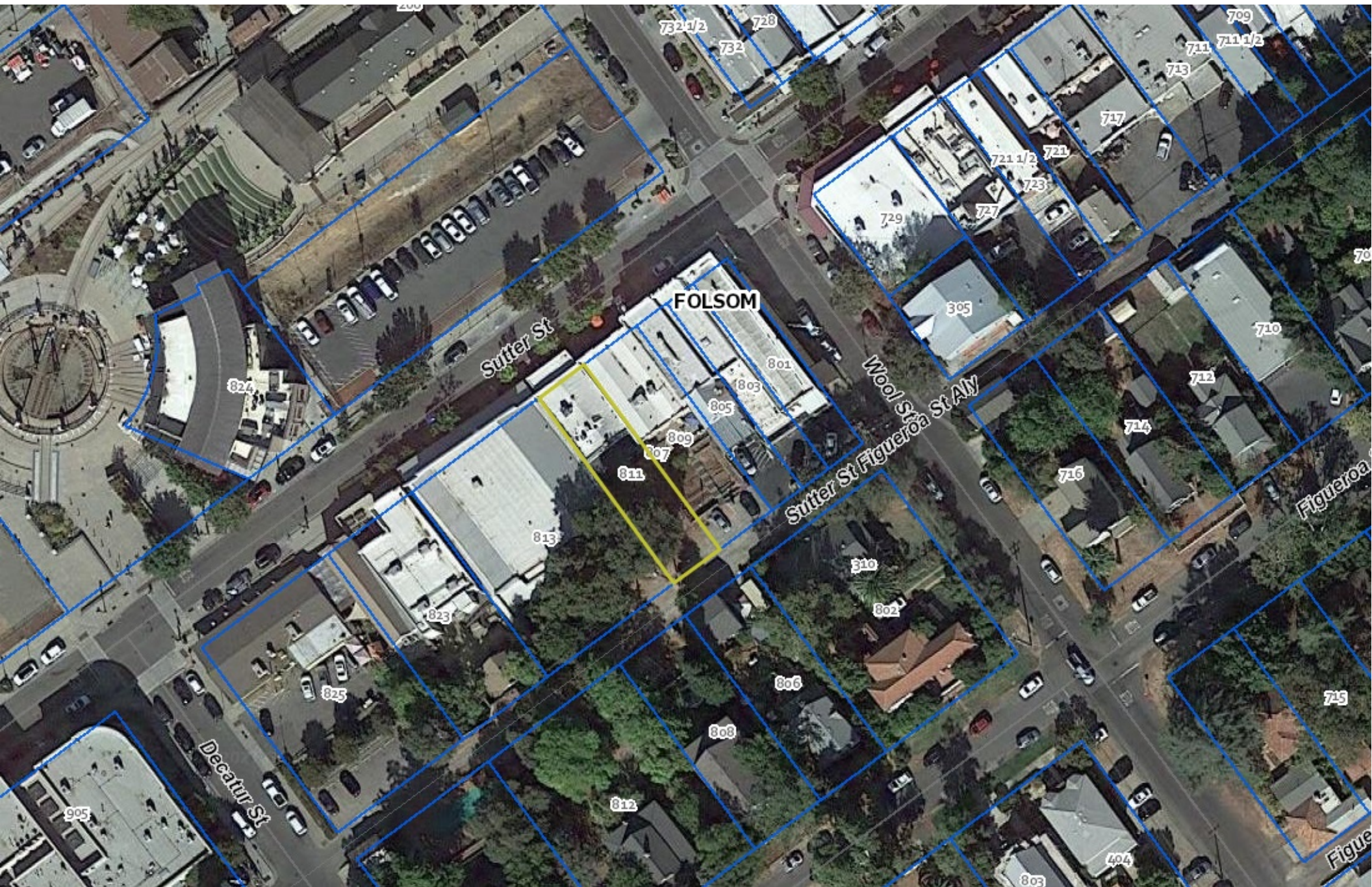
Conditions of Approval

CONDITIONS OF APPROVAL FOR 811 SUTTER STREET SIGN PERMIT (PN 21-273)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		This Sign Permit is approved for the Maribou Salon business at 811 Sutter Street, which shall substantially conform to the exhibits included in the November 18, 2021 staff report in Attachment 5.	B	CD (P)(B)
2.		Prior to installation of the sign, the applicant shall first obtain any required building permits for the sign.	B	CD (P)(B)
3.		<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	CD (P)(E)(B) PW, PR, FD, PD
4.		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.	B	CD (P)(E)

5.		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.	B	CD (P)(E)
6.		The sign permit shall be effective eleven days from the date of issuance, unless an appeal has been filed, and shall remain in force indefinitely unless suspended or revoked or if installation of the sign is not completed within six months from the date of issuance of such permit. The Community Development Director may grant one ninety-day extension if work has been commenced but not completed, per Section 17.59.050 of the <u>Folsom Municipal Code</u> .	B	CD (P)(B)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
		M	Prior to approval of Final Map
		B	Prior to issuance of first Building Permit
		O	Prior to approval of Occupancy Permit
		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		

Attachment 4 Vicinity Map



Attachment 5 Proposed Signage


PROJECT NAME AND ADDRESS

Maribou Salon
811 Sutter Street
Folsom, CA 95630

SIGN COMPANY AND ADDRESS

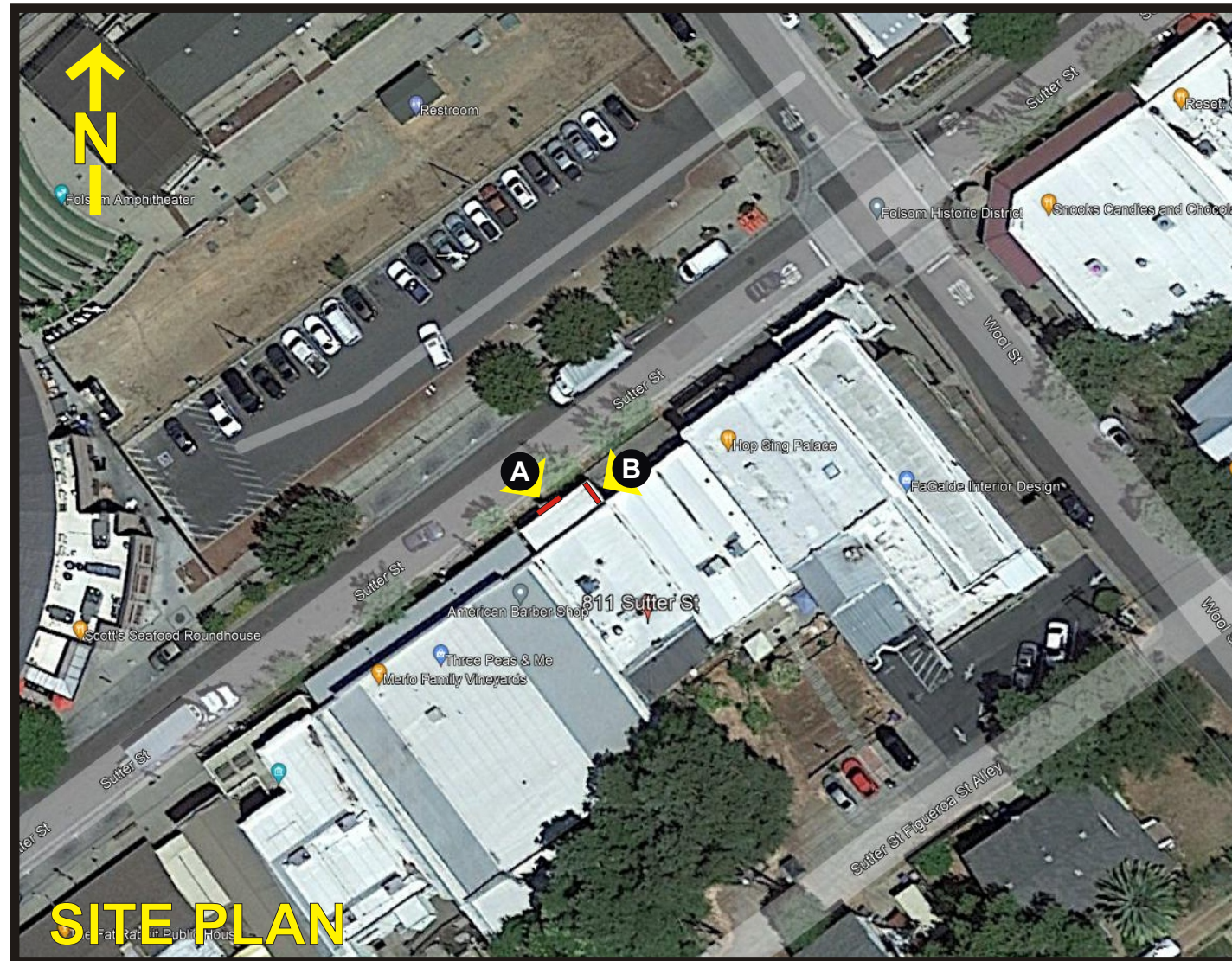
United Sign Systems
5201 Pentecost Drive
Modesto, CA 95356
(209) 543-1320
Contact: Marco Ospina
(530) 400-1094

DESIGNER

NAME: Marco A. Ospina
SIGNATURE: 
DATE: October 19 / 2021

INDEX

PAGE 1: Title Page & Site Plan
PAGE 2: Sign A Elevation
PAGE 3: Sign B Elevation



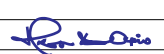
SITE PLAN

NOTES:

1) This is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes, as the Building Code 2019 CBC & CEC.

INSTALLATION NOTES:

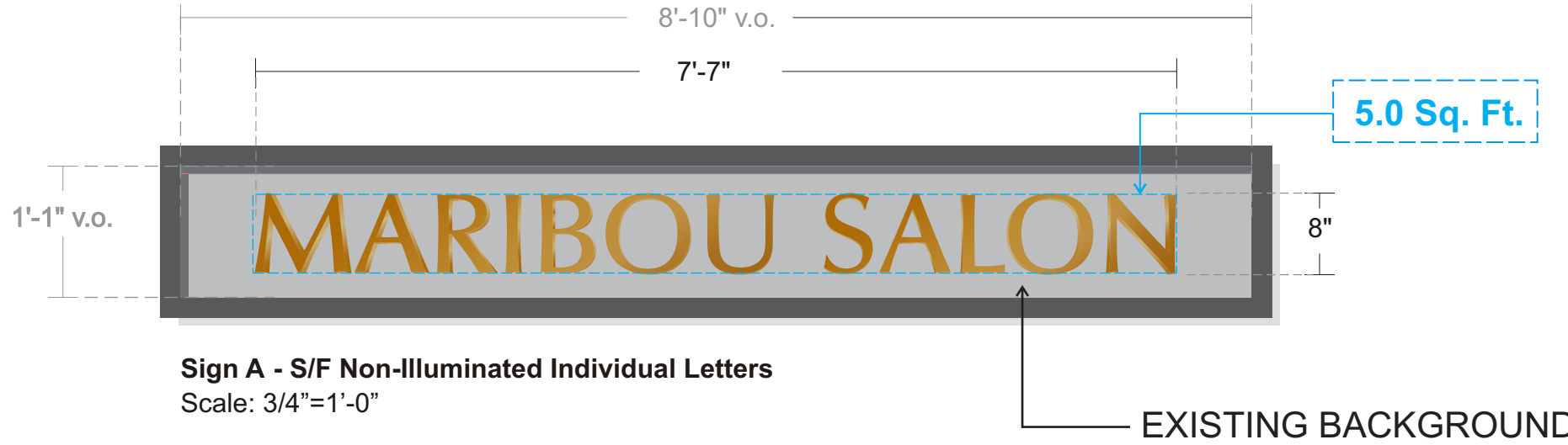
1) Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

Client Review Status	Mfg. Note	Revision Date	Project Information
<p>This is an original drawing created by United Sign Systems. It is loaned as part of an advertising or identification program being planned for you by United SignSystems. It is requested this material is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. All or part of this design (except for registered trademarks) remain the property of United Sign Systems until transferred actual sale.</p> <p>CLIENT APPROVAL _____ DATE _____</p> <p>LANDLORD APPROVAL _____ DATE _____</p>	<p>United Sign Systems requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision</p> <p>One (1) box below MUST be checked prior to mfg.</p> <p>120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p>	<p>5-4-21wb</p> <p>10-6-21wb</p> <p>10-13-21mao</p> <p>10-19-21mao</p> <p style="text-align: center; font-size: 24pt;">19</p>	<p>Date: 4-26-21 Job#1002 Page 1</p> <p>Client: <u>Maribou Salon</u></p> <p>Contact: _____</p> <p>Address: <u>811 Sutter St, Folsom CA 95630</u></p> <p>City/ST/Zip: <u>Folsom, CA 95630</u></p> <p>Phone: _____</p> <p>Fax: _____</p> <p>Sales: <u>MO</u> Designer: <u></u></p>



UNITED SIGN SYSTEMS

C.S.C.L. #718965
5201 Pentecost Drive Modesto, Calif. 95356
1-800-481-SIGN
Phone: 209-543-1320 Fax: 209-543-1326



Sign A - S/F Non-Illuminated Individual Letters
Scale: 3/4"=1'-0"

Specifications
Substrate - 1/2" thick acrylic w/ painted surfaces.
Color - Matthews Paints MP26659 "Sparkle Gold Metallic".
Mounting - Pin mounted - 1/4" spacers.
 Note: fascia painting by others*

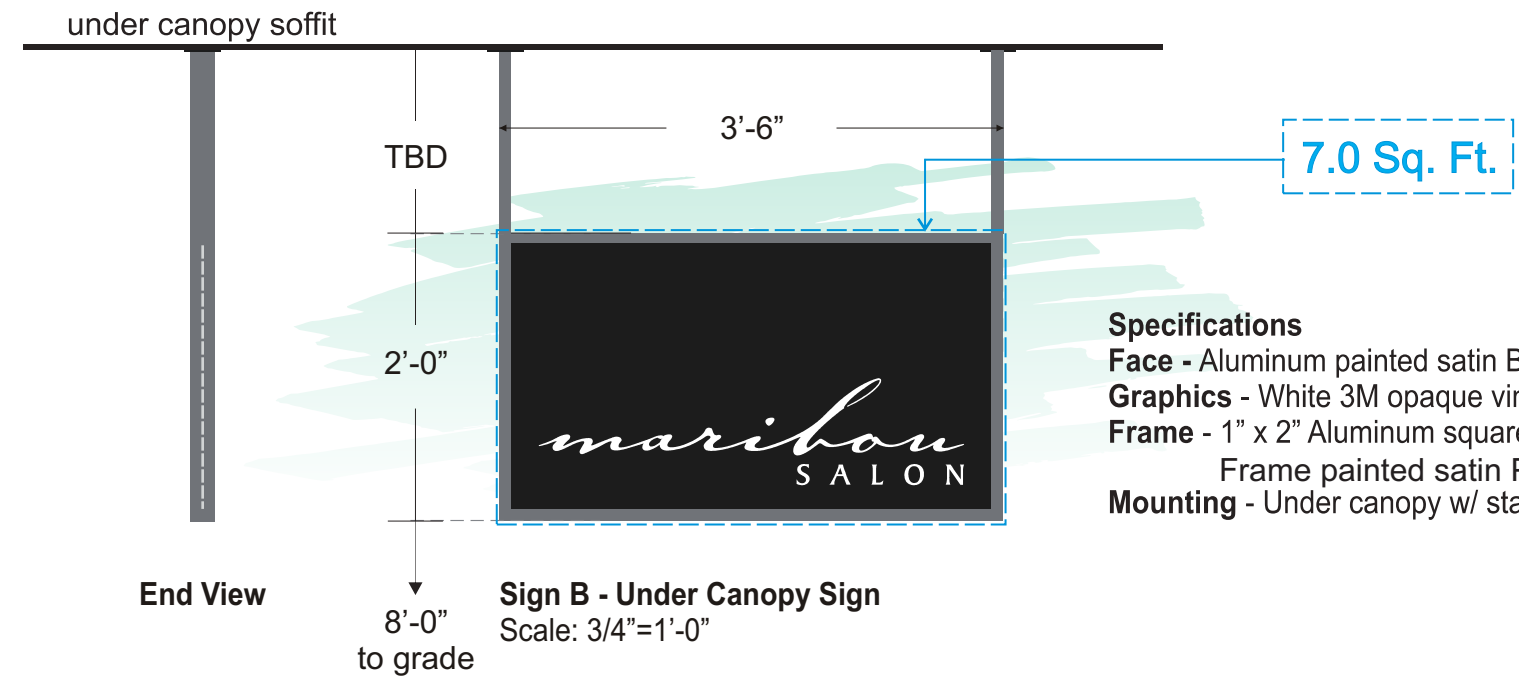


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Client Review Status	Mfg. Note	Revision Date	Project Information
United Sign Systems requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision _____ CLIENT APPROVAL DATE _____ LANDLORD APPROVAL DATE	One (1) box below MUST be checked prior to mfg. 120 Volt 277 Volt <input type="checkbox"/> <input type="checkbox"/> Other <input type="checkbox"/>	5-4-21wb 10-6-21wb 10-7-21mao 10-13-21mao 10-19-21mao 20	Date: 4-26-21 Job#1002 Page 2 Client: Maribou Salon Contact: _____ Address: 811 Sutter St, Folsom CA 95630 City/ST/Zip: Folsom, CA 95630 Phone: _____ Fax: _____ Sales: MO Designer: <i>R. K. Davis</i>

USS UNITED SIGN SYSTEMS
 C.S.C.L. #718965
 5201 Pentecost Drive Modesto, Calif. 95356
 1-800-481-SIGN
 Phone: 209-543-1320 Fax:209-543-1326



Specifications
Face - Aluminum painted satin Black.
Graphics - White 3M opaque vinyl #7725-20.
Frame - 1" x 2" Aluminum square tube w/ mounting bracket.
 Frame painted satin PMS Cool Gray 9C.
Mounting - Under canopy w/ standard mechanical attachment.

End View
 Sign B - Under Canopy Sign
 Scale: 3/4"=1'-0"



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Client Review Status	Mfg. Note	Revision Date	Project Information
United Sign Systems requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision	One (1) box below MUST be checked prior to mfg.	5-4-21wb	Date: 4-26-21
	120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/>	10-6-21wb	Job#1002
CLIENT APPROVAL _____ DATE _____	Other <input type="checkbox"/>	10-15-21wb	Page 3
LANDLORD APPROVAL _____ DATE _____		10-19-21mao	Client: Maribou Salon
			Contact: _____
			Address: 811 Sutter St, Folsom CA 95630
			City/ST/Zip: Folsom, CA 95630
			Phone: _____
			Fax: _____
			Sales: MO Designer: <i>R. K. Davis</i>

C.S.C.L. #718965
 5201 Pentecost Drive Modesto, Calif. 95356
 1-800-481-SIGN
 Phone: 209-543-1320 Fax: 209-543-1326

Attachment 6

Photograph of the Project Site





CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 2
Type: Public Meeting
Date: November 18, 2021

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: 309 Figueroa Street Remodel
File #: PN 21-239
Request: Design Review
Location: 309 Figueora Street
Parcel(s): 070-0120-032
Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209
jkinkade@folsom.ca.us

Property Owner/Applicant

Name: Belwood Investments
Address: 2330 E. Bidwell St. #170
Folsom, CA 95630

Recommendation Conduct a public meeting, and upon conclusion recommend approval of an application for Design Review for a remodel of an existing single-family residence located at 309 Figueroa Street, as illustrated on Attachment 5 for the 309 Figueora Street Remodel project (PN 21-239) subject to the findings included in this report (Findings A-H) and attached conditions of approval (Conditions 1-12).

Project Summary: The proposed project consists of a remodel of an existing single-family residence located at 309 Figueroa Street, including converting an existing attached garage into habitable space and provision of replacement parking accessible via Figueroa Street. The property is located within the Figueroa Subarea of the Historic Residential Primary Area of the Historic District.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Proposed Conditions of Approval
- 4 - Vicinity Map
- 5 - Site Plan dated 7/14/18, Floor Plans and Elevations dated 9/15/17
- 6 - Color and Materials Board
- 7 - Site Photos



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 2
Type: Public Meeting
Date: November 18, 2021

Submitted,

PAM JOHNS
Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Belwood Investments, is proposing a remodel of an existing single-family residence located at 309 Figueroa Street. The project consists of converting an existing attached garage into habitable space and the addition of windows and a French door in the rear of the residence. The applicant proposes to paint the residence white with dark grey trim. Because the garage is proposed to be converted, the applicant is also proposing to provide uncovered paved parking accessible via Figueroa Street. The property at 309 Figueroa Street is not included on the City of Folsom Cultural Resources Inventory.

POLICY/RULE

Section 17.52.300 of the Folsom Municipal Code (FMC) states that the Historic District Commission shall have final authority relating to the design and architecture of all exterior renovations, remodeling, modification, addition or demolition of existing structures within the Historic District. Section 17.52.330 states that, in reviewing projects, the Commission shall consider the following criteria:

- a) Project compliance with the General Plan and any applicable zoning ordinances;
- b) Conformance with any city-wide design guidelines and historic district design and development guidelines adopted by the city council;
- c) Conformance with any project-specific design standards approved through the planned development permit process or similar review process; and
- d) Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the project site is SFHD (Single-Family High Density), and the zoning designation for the project site is R-1-M (Single-Family Residential, Small Lot), within the Figueroa Subarea of the Historic Residential Primary Area of the Historic District. Single-family residences are allowed by right in the Figueroa Subarea.

Section 17.52.540 of the Folsom Municipal Code institutes requirements for lot size, lot width, setbacks, pervious surface, and building height in the Historic Residential Primary Area. The following table shows how the proposed project meets all FMC zoning requirements:

	REQUIRED	PROPOSED
Minimum Lot Size	7,000 SF	13,725 SF
Minimum Lot Width	50 Feet	70 Feet
Front Setback	20 Feet	26 Feet
Rear Setback	20 Feet	82 Feet
Side Setback	5 Feet (Interior)	31 Feet and 10 Feet
Minimum Pervious Surface	45%	80%
Parking Requirement	2 Parking Spaces	2 Parking Spaces
Maximum Building Height	35 Feet	18.4 Feet (existing)
Structure Separation	10 Feet	>10 Feet

Building Design/Architecture

The project site is located within the Figueroa Subarea of the City of Folsom’s Historic District. The Figueroa Subarea is one of the four Subareas that comprise the Historic Residential Primary Area. Many of the oldest and most significant homes in Folsom, both architecturally and historically, are concentrated in the Subarea. Given that this Subarea is readily accessible by tourists, the intent of this Subarea is to maintain pre-1910 appearance standards and provide facilities which enhance visitor and resident appreciation of the City’s early residential lifestyle. Adherence to historic authenticity is of great importance in this Subarea. The design, color, and scale of the proposed residence are consistent with the architectural styles prevalent during the pre-1910 timeframe in the Subarea. Furthermore, in assessing the appropriateness of a particular use/design, the DDGs recommend that consideration be given to the physical circumstances of the project site and its surroundings in the Figueroa Subarea. The property at 309 Figueroa Street is not included on the City of Folsom Cultural Resources Inventory.

The DDG’s state that exterior materials and finishes should be of residential grade, durable and of high quality and should include details appropriate for design period of the Subarea and building style. The proposed project consists of converting an existing attached garage into habitable space and the addition of windows and a French door in the rear of the residence. The applicant had recently installed a French door in the front of the residence prior to the stop-work order (see photographs in Attachment 7 and background section for more detail), but staff was not able to find any examples of small single-family residences in the era the residence was constructed or the pre-1910 era that had both French doors and a typical entry in the front. The applicant therefore modified the plans to include a window in the front where the French door was installed, as shown in the elevations in Attachment 5.

In analyzing the architectural design of the proposed project, staff determined that the remodel includes the use of building materials that are natural in appearance, as encouraged by the Historic District Design and Development Guidelines (DDGs). In addition, the proposed project utilizes colors (light white siding with dark grey trim) which are consistent with colors typically utilized on historic residential structures.

The DDG's state that wood frame double-hung or casement windows are preferred, and that vinyl clad windows may be used for less significant structures. In general, window proportions should be vertical rather than horizontal; however, appropriate proportions and number of panes will vary depending upon the style of the individual building and the context. Regarding entries, the DDG's state that residentially-scaled and detailed solid wood or glazed doors of many styles may be appropriate. All new windows on the building are vertically-oriented, consistent with the DDGs. The proposed French door in the rear is residentially-scaled, also consistent with the DDGs. The proposed project's architecture is consistent with residential appearance through the use of the proposed building materials and design.

Staff has determined that the overall design, colors, materials, and layout of the proposed project are consistent with the design and development guidelines for the Figueroa Subarea and the building materials, textures and colors are consistent with surrounding development and with the general design theme of the neighborhood. Staff has concluded that the applicant has met the design standards identified in the Folsom Municipal Code and the guidelines contained in the DDG's.

Parking

FMC 17.52.540(I) requires that all parking spaces in the Historic Residential Primary Area must be provided on site, outside of front and street side yards, and screened from public view by location, fence, landscaping or other means appropriate to the neighborhood. The applicant is therefore providing a concrete driveway leading to the side of the residence with a parking pad that can accommodate the required two parking spaces. While new driveways accessed from the main street are often discouraged in the Historic District, the south side of this particular block of Figueroa Street has several properties with attached garages and/or driveways leading to the street, potentially due to the lack of legal alley access. As such, staff supports the proposed new driveway.

A large London Plane tree sits on the front of the project site that would be potentially impacted by the proposed driveway, as the driveway would be partially located under the tree's canopy. The City Arborist has investigated the tree and found that based on the trunk diameter, it is classified as a heritage tree in the FMC. To minimize the impacts to the tree's roots, staff has provided Condition No. 4, which states that a tree permit is required to install the driveway and that the proposed location and width of the driveway may be required to be shifted to impact fewer roots as part of the tree permit process. The condition also requires that that the driveway be constructed slab-on-grade to minimize grading and compaction that could further impact the tree roots. Staff discussed an alternative to use paving strips rather than a solid concrete driveway to help decrease the impacts to the tree roots, but pavers require deeper footings to adequately support the weight of a vehicle. Therefore, staff concluded that a solid slab-on-grade driveway

would be preferred over paver strips to better protect the tree.

PUBLIC NOTICING

A notice was posted on the project site five days prior to the Historic District Commission meeting of November 18, 2021, that meets the requirements of FMC Section 17.52.320.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. 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 in this case.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the findings included in this report (Findings A-I) and the attached conditions of approval (Conditions 1-11).

HISTORIC DISTRICT COMMISSION ACTION

Move to approve the Design Review application (PN 21-239) for a remodel of an existing single-family residence located at 309 Figueroa Street, as illustrated on Attachment 5 for the 309 Figueroa Street Remodel project, subject to the findings included in this report (Findings A-H) and attached conditions of approval (Conditions 1-12).

GENERAL FINDINGS

- A. NOTICE OF PUBLIC MEETING 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 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.

DESIGN REVIEW FINDINGS

- G. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.
- H. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

**ATTACHMENT 2
BACKGROUND**

BACKGROUND

Sacramento County records indicate that the existing 789-square-foot single-family residence located at 309 Figueora Street was first constructed in 1926. The building features white horizontal lap siding, white window trim and beige asphalt shingle roofing. In late September 2021, staff became aware that work had begun on the project site without a building permit. The applicant was given a stop-work notice and subsequently applied for design review. Photographs of the existing residence before and after the recent work began are included here as Attachment 7. The property does not appear on the City of Folsom’s Cultural Resources Inventory.

GENERAL PLAN DESIGNATION

SFHD, Single-Family High-Density

ZONING

FIG, Figueora Subarea of the Historic Residential Primary Area, with an underlying zoning of R-1-M (Single-Family Residential Small Lot District)

ADJACENT LAND USES/ZONING

North: Figueora Street with residences beyond (FIG)
South: Existing residences (FIG)
East: Existing residences (FIG)
West: Existing residences (FIG)

SITE CHARACTERISTICS

The 13,725-square-foot project site contains an existing single-family residence, shed, paving and landscaping.

APPLICABLE CODES

FMC Chapter 17.52 HD, Historic District
FMC Section 17.52.300, Design Review
FMC Section 17.52.330, Plan Evaluation
FMC Section 17.52.340, Approval Process
FMC Section 17.52.540, Historic Residential Primary Area Special Use and Design Standards
Historic District Design and Development Guidelines

ATTACHMENT 3

Proposed Conditions of Approval

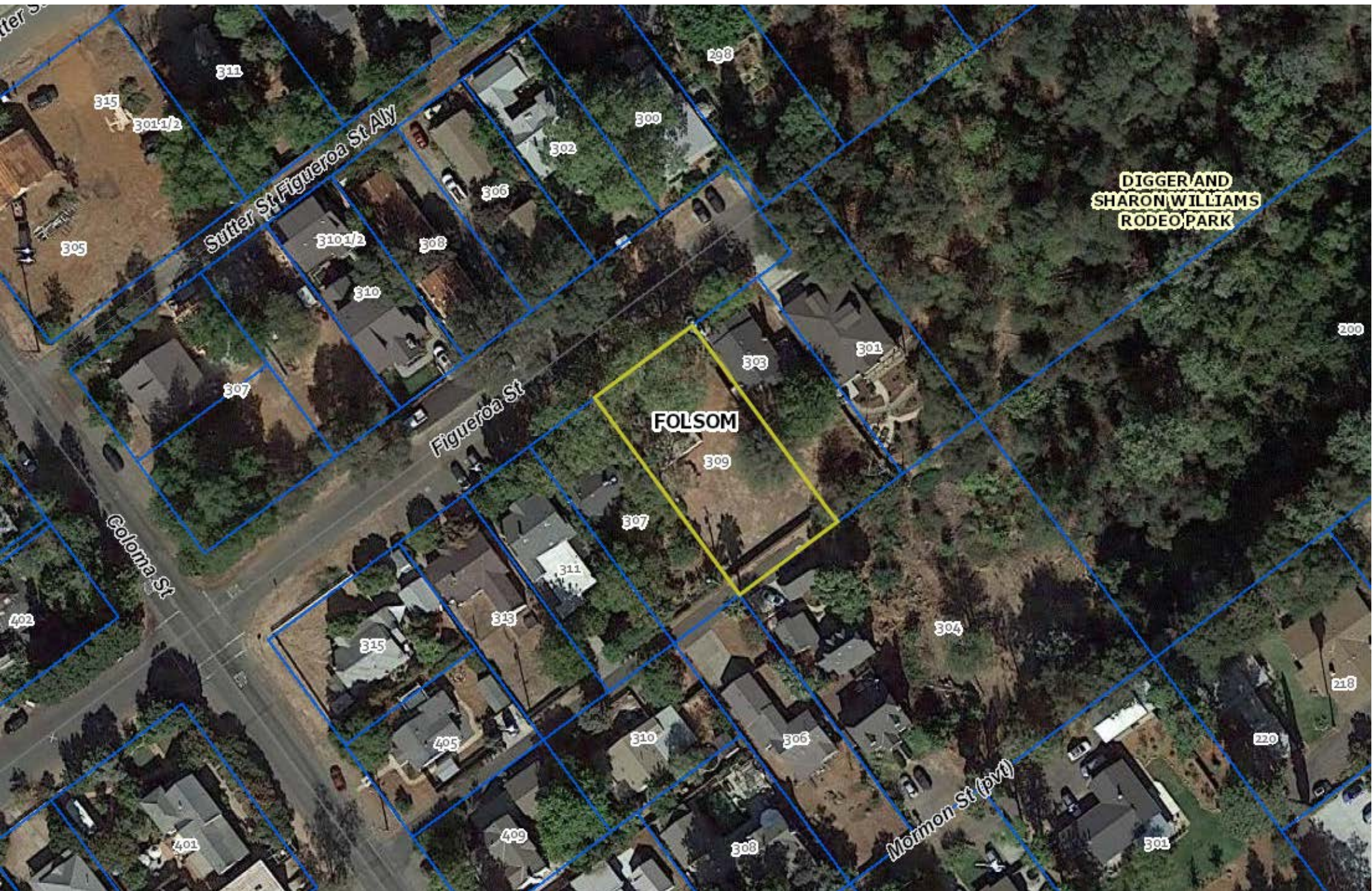
CONDITIONS OF APPROVAL FOR 309 FIGUEROA STREET REMODEL (PN 21-239)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		Issuance of a Building Permit is required. The applicant shall submit final site and building plans to the Community Development Department that substantially conform to the site plan dated 7/14/18 and floor plans and elevations dated 9/15/17, included in Attachment 5. Implementation of this project shall be consistent with the above referenced items as modified by these conditions of approval.	B	CD (B)
2.		Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.	OG	CD (B)
3.		This approval is for a remodel of an existing single-family residence located at 309 Figueroa Street. The applicant shall submit building plans that comply with this approval and the site plan dated 7/14/18 and floor plans and elevations dated 9/15/17 included in Attachment 5 and the colors and materials board included in Attachment 6.	B	CD (P)
4.		A Tree Permit is required to install the proposed driveway. The proposed location and width of the driveway may be required to be shifted to impact fewer roots of the heritage Plane tree on-site as part of the Tree Permit process. The driveway shall be constructed slab-on-grade to minimize grading and compaction that could further impact the tree roots, subject to review and approval by the City Arborist as part of the Tree Permit process.	B	CD (P) (E)
5.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior's Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.	G, I, B	CD (P)(E)(B)

6.		In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner’s representative appropriate disposition of the remains and any grave goods.	G, I, B	CD (P)(E)(B)
7.		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.	B	CD (P)(E)
8.		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.	B	CD (P)(E)
9.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	B	CD (P)(E)
10.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide 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.	B	CD (P)(E), PW, PK

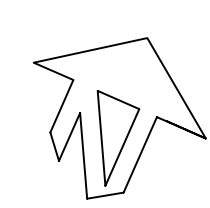
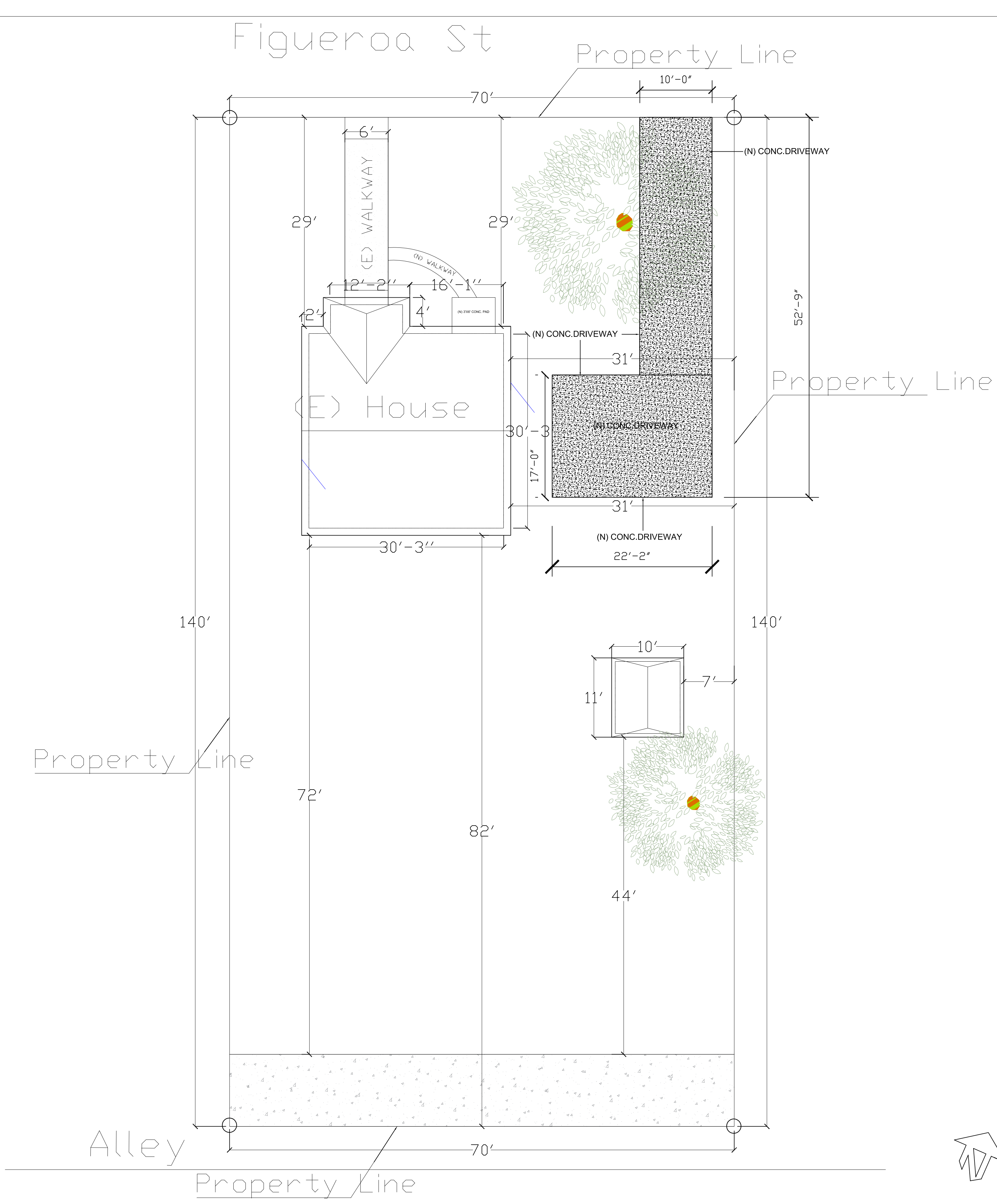
11.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
12.		The project approval granted under this staff report shall remain in effect for one year from final date of approval (November 18, 2022). Failure to obtain the relevant building, demolition, or other permits within this time period, without the timely extension of this approval, shall result in the termination of this approval.	B	CD (P)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I M B O G	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
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Attachment 4 Vicinity Map



Attachment 5
Site Plan dated 7/14/18, Floor Plans and
Elevations dated 9/15/17



SITE PLAN

SCALE: 1/8" = 1'-0"

project name:

BO BELMONT
 3962 44TH ST. SACRAMENTO CA
 PHONE# (916) 900-3010

REVISION

1 - - -

checked by:

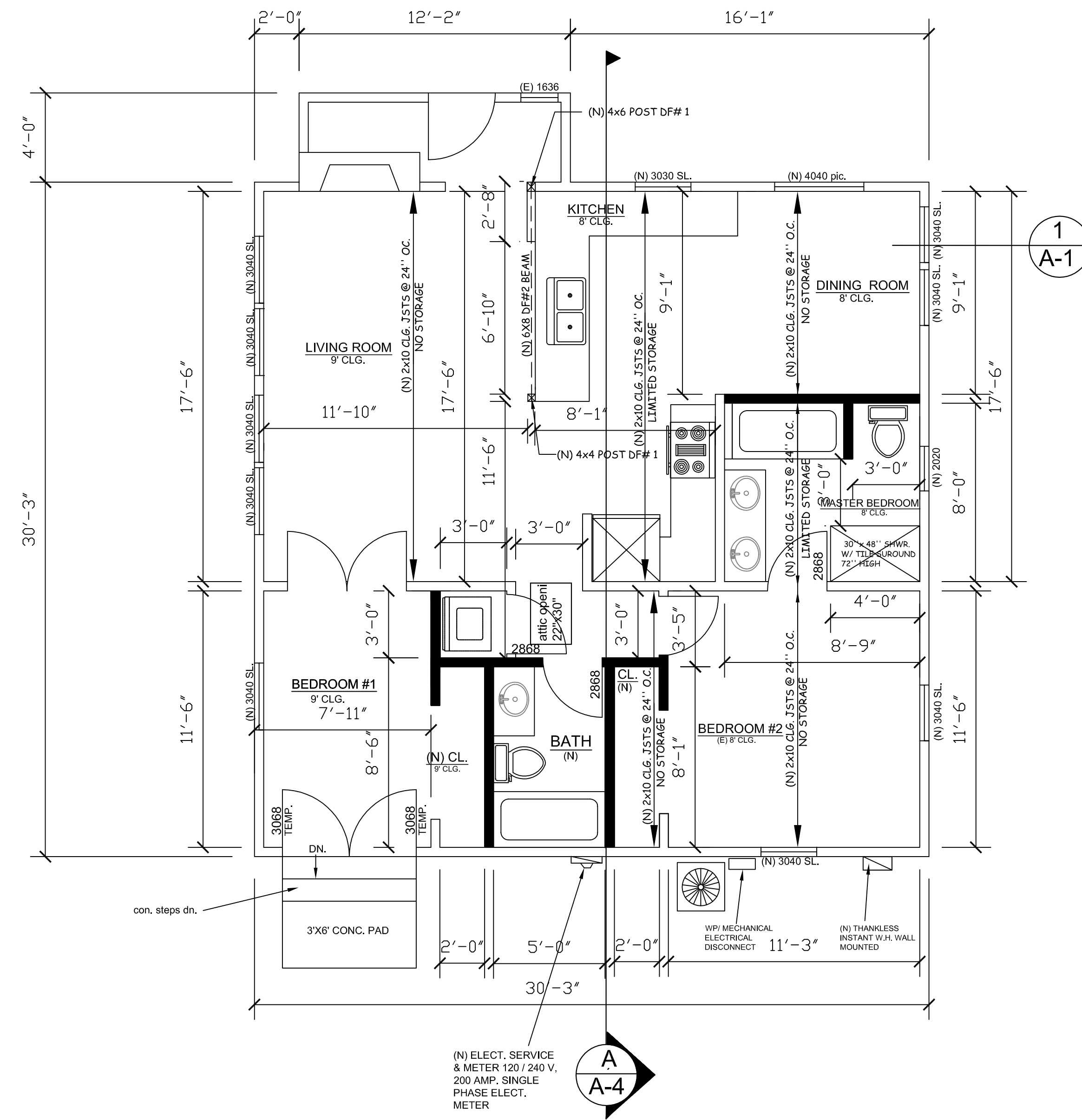
date: 7/14/18

drawn by: BJ

content:

drawing no:

A-1A



(N) FLOOR PLAN

SCALE: 1/4" = 1'-0"

(N) 2X4 WALLS @ 16" O.C.
UNLESS NOTED -

REMOVE (E) CLG. JSTS. ADD. (N)
CLG. JSTS. SEE FLOOR PLAN

NOTE - FOR EGRESS WINDOWS

- SILL HEIGHT TO BE NO MORE THAN 44" ABOVE THE FINISH FLOOR
- OPERATION SHALL BE FROM INSIDE THE ROOM WITHOUT THE USE OF SPECIAL KEYS, TOOLS OR KNOWLEDGE

NOTE :

- NOTE THAT THE INSULATION ON THE SUCTION LINE (COOLING REFRIGERANT LINE) OF THE PROPOSED AC CONDENSER SHALL BE PROTECTED FROM PHYSICAL DAMAGE OR ULTRAVIOLET DETERIORATION BY AN ALUMINUM OR METAL SHROUD, PAINT, PLASTIC COVER, OR ULTRAVIOLET RESISTANT TAPE. ENERGY 150.0 (M) 9
- REFRIGERANT CIRCUIT ACCESS PORT FOR THE AC CONDENSER SHALL BE PROTECTED FROM UNAUTHORIZED ACCESS WITH A LOCKING - TYPE TAMPER RESISTANT CAP

BO BELMONT
309 FIGUEROA DR. FOLSOM CA
PHONE# (916) 900-3010

project name:

REVISION	PURPOSE	DATE
1		

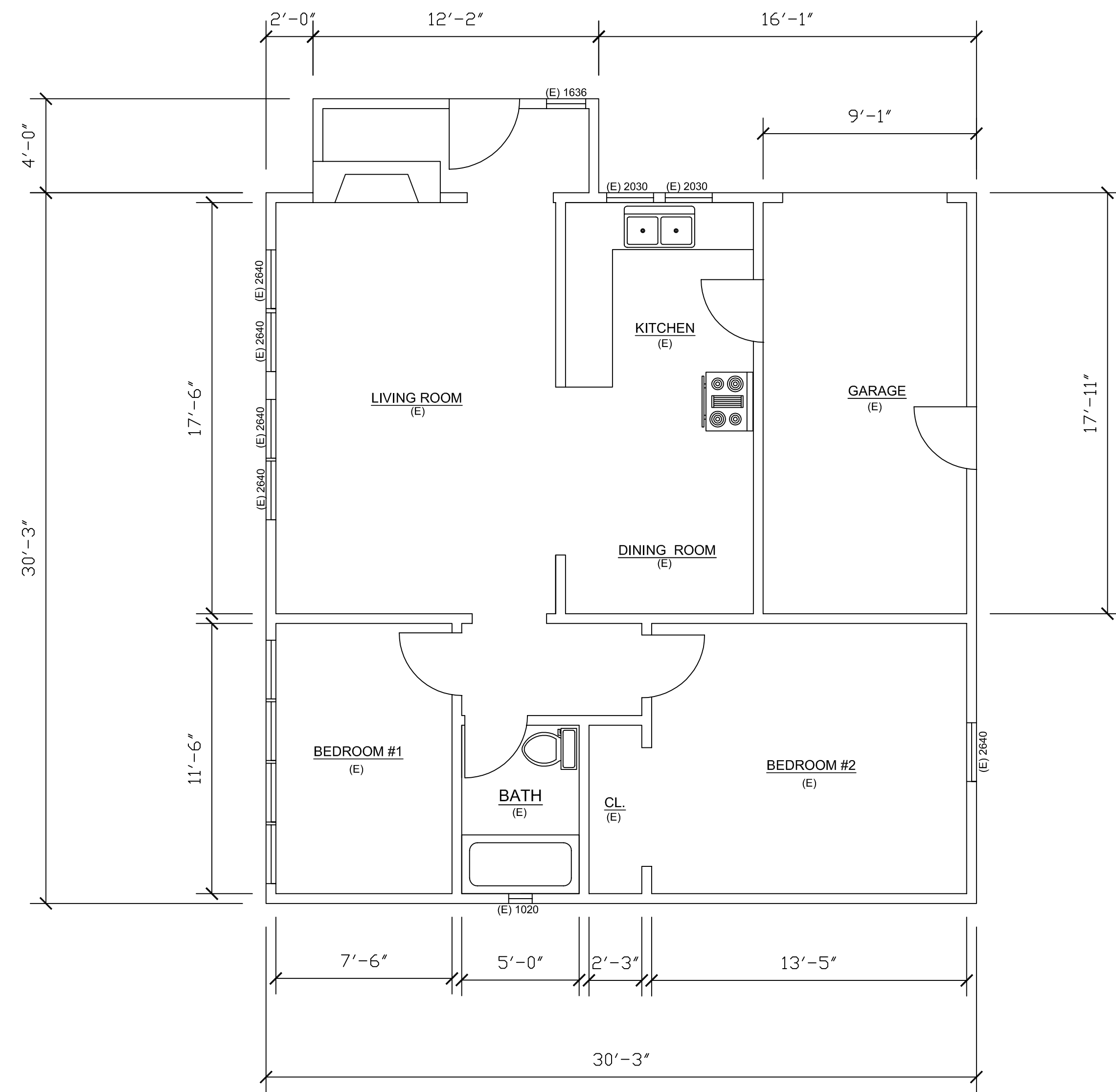
checked by: _____

date: 9/15/17

drawn by: _____

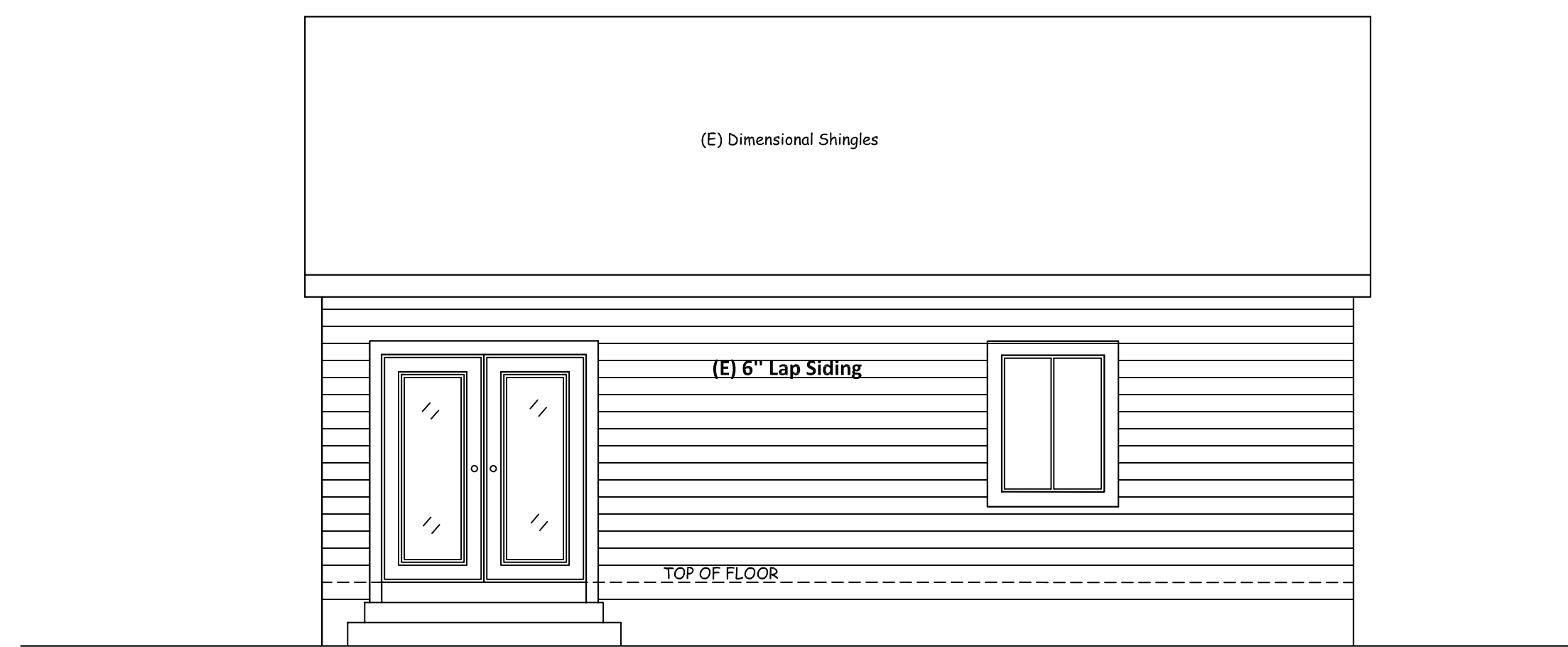
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A-2



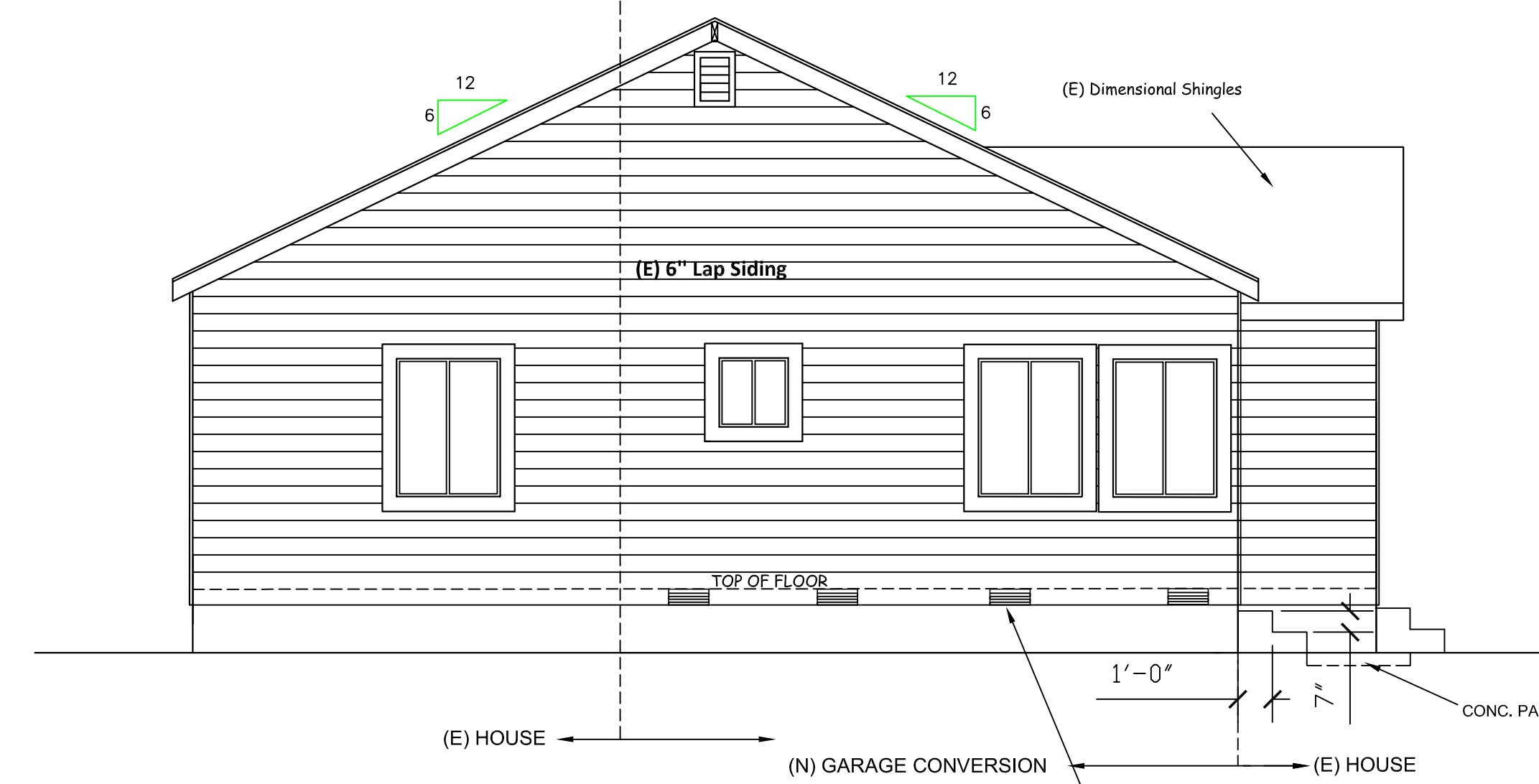
(E) FLOOR PLAN

SCALE: 1/4"=1'-0"



SOUTH ELEVATION

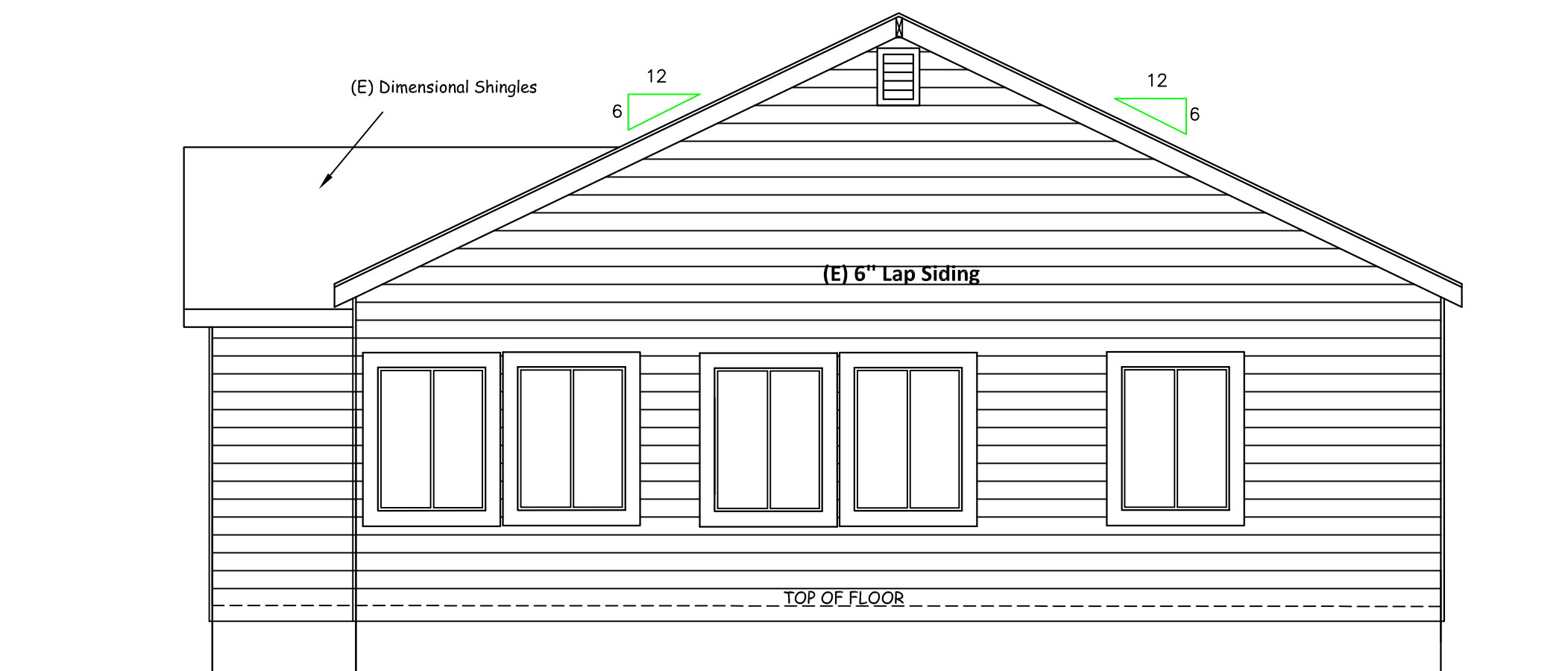
SCALE: 1/4"=1'-0"



EAST ELEVATION

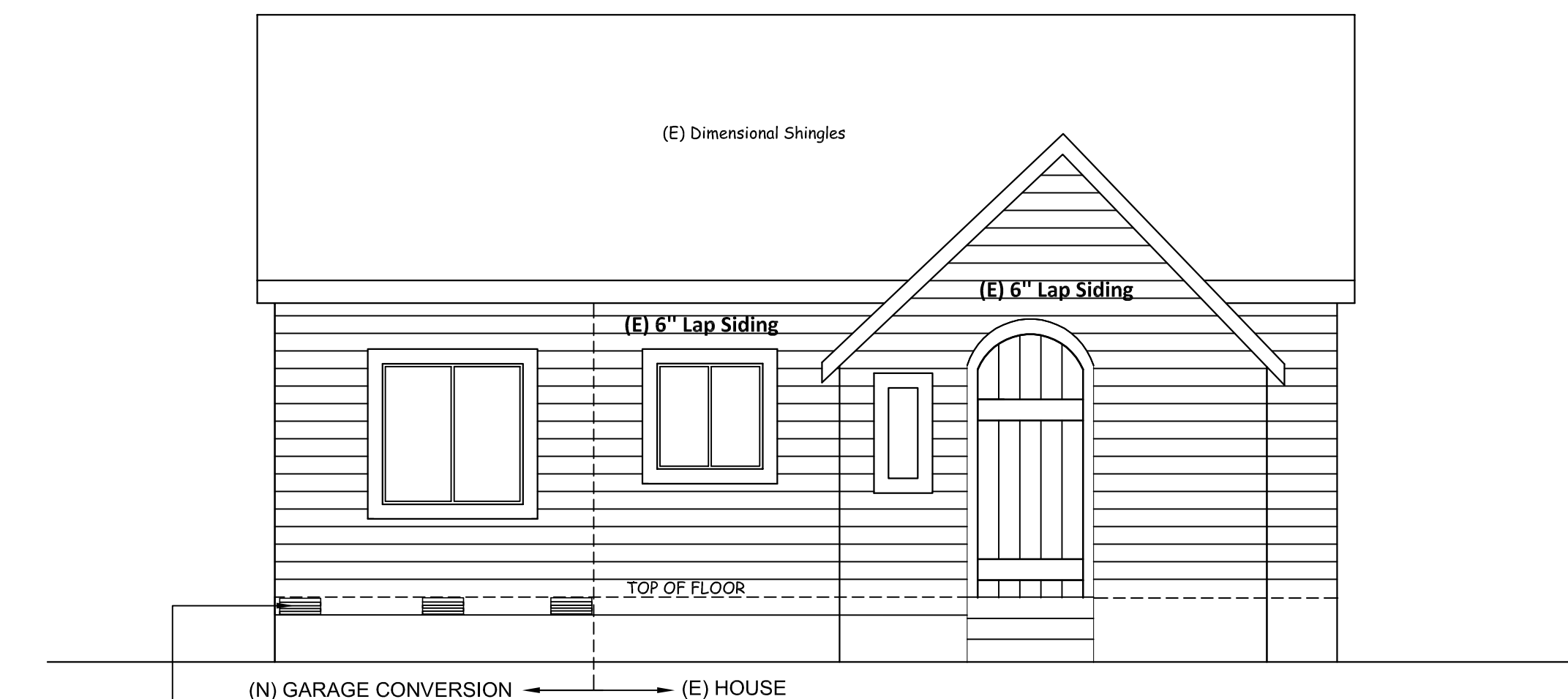
SCALE: 1/4"=1'-0"

PROVIDE 2 SQ. FT. FOUNDATION VENTILATION FOR EACH 25 LINEAL FT. OF EXTERIOR WALL-PLACE ONE VENT WITH-N 3 FT. OF EACH CORNER (6"x14" vents = 6)



WEST ELEVATION

SCALE: 1/4"=1'-0"



NORTH ELEVATION

SCALE: 1/4"=1'-0"

PROVIDE 2 SQ. FT. FOUNDATION VENTILATION FOR EACH 25 LINEAL FT. OF EXTERIOR WALL-PLACE ONE VENT WITH-N 3 FT. OF EACH CORNER (6"x14" vents = 6)

BO BELMONT
309 FIGUEROA DR. FOLSOM CA
PHONE# (916) 900-3010

Project name:

DATE	-	-	-	-	-
PURPOSE					
REVISION	1				

checked by:

date:9/15/17

drawn by:

drawing no:


A-5

Attachment 6

Color and Materials Board

Exterior body paint


Internet #302017529 Model #PPG73-110-01 UPC Code #056198720824 Store SKU #1002584318 [Save to List](#)



Hover Image to Zoom

1 gal. Pure White/Base 1 Flat Exterior Paint with Primer
by **PPG TIMELESS** >



★★★★★ (10470) [Write a Review](#) [Questions & Answers \(433\)](#)

 **Free Delivery** on 8oz. paint samples every day!




\$35.98 /gallon ~~\$44.98~~
Save \$9.00 (20%)

20% off Gold Pro Paint Rewards




Paint Type: **Exterior Paint** [Help Me Choose](#)

 Interior Paint	 Exterior Paint
--	---

Brand Name: **PPG TIMELESS** [Help Me Choose](#)


 PPG TIMELESS	 Glidden Premium	 Glidden Essentials
--	--	---

Sheen: **Flat/Matte** [Help Me Choose](#)

 Flat/Matte	 Satin	 Semi-Gloss
--	--	---

Exterior trim paint


Internet #308684713 Model #PPG1001-7TX-1SA UPC Code #193000201994 Store SKU #1002584339 [Save to List](#)



Hover Image to Zoom

1 gal. #PPG1001-7 Black Magic Satin Exterior One-Coat Paint with Primer
by **PPG TIMELESS** >



★★★★★ (45) [Write a Review](#) [Questions & Answers \(9\)](#)

 **Free Delivery** on 8oz. paint samples every day!




\$37.58 /gallon ~~\$46.98~~
Save \$9.40 (20%)

20% off Gold Pro Paint Rewards




Paint Type: **Exterior Paint** [Help Me Choose](#)

 Interior Paint	 Exterior Paint
--	---

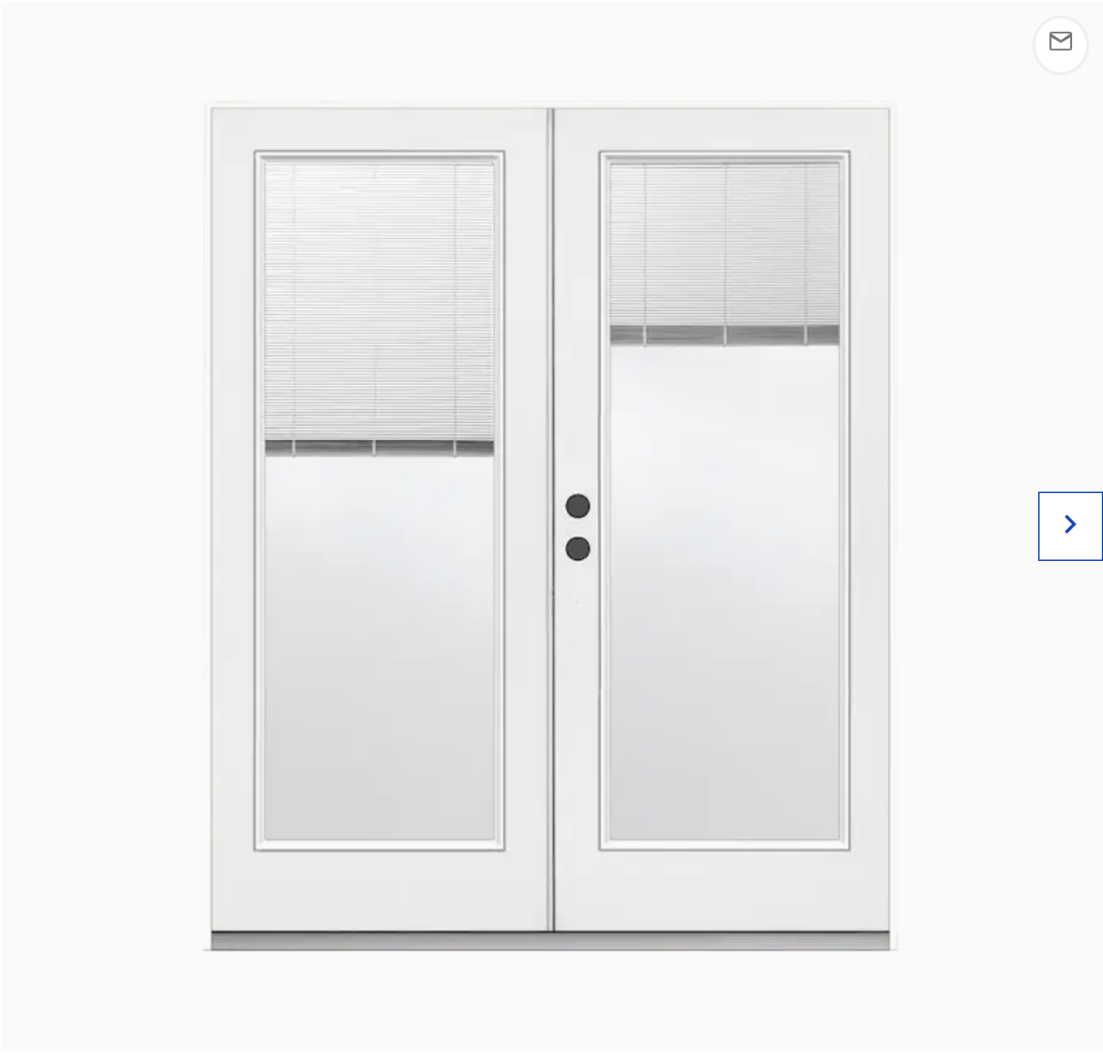
Brand Name: **PPG TIMELESS** [Help Me Choose](#)

 PPG TIMELESS	 Glidden Premium	 Glidden Essentials
--	--	---

Sheen: **Satin** [Help Me Choose](#)

 Flat/Matte	 Satin	 Semi-Gloss
--	--	---

Exterior doors front and back



+2 more

Attachment 7 Site Photos



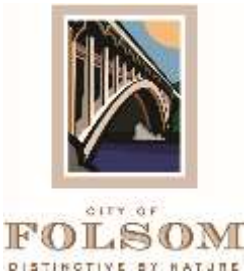


47

309

47





Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Barley Barn Tap House
File #: PN 19-174
Request: Conditional Use Permit and Design Review
Location: 608 ½ Sutter Street
Parcel(s): 070-0061-011
Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner
Name: Weaver Trust
Address: 4800 Manzanillo Street
Fair Oaks, CA 95628

Applicant
Name: Regina Konet
Address: 8931 River Palm Court
Fort Meyers, FL 33919

Recommendation: Conduct a public hearing and upon conclusion approve a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

Project Summary: The proposed project includes a request for approval of a Conditional Use Permit to allow for the development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. Barley Barn Tap House is proposing to serve craft beers and food, both of which will be provided by off-site vendors. Live entertainment is proposed on a limited basis within the interior of the building. The proposed project also includes a request for Design Review approval for exterior and interior remodeling of the existing building to create a historic rural barn design theme.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Conditions of Approval
- 4 - Vicinity Map
- 5 - Site Plan, dated September 16, 2021
- 6 - Off-Site Parking Plan, dated September 16, 2021



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 18, 2021

- 7 - Demolition Plans, dated September 16, 2021
- 8 - Building Elevations, dated September 16, 2021
- 9 - Building Renderings, dated received September 27, 2021
- 10 - Color and Materials Exhibits
- 11 - Signage Details, dated September 16, 2021
- 12 - Site Details
- 13 - Floor Plans, dated September 16, 2021
- 14 - Project Narratives, dated received September 22, 2021
- 15 - Off-Site Parking Lease Agreement, dated October 15, 2021
- 16 - Public Comments Received Regarding Folsom Prison Brews Project
- 17 - Public Comments Received Regarding Barley Barn Tap House Project
- 18 - 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

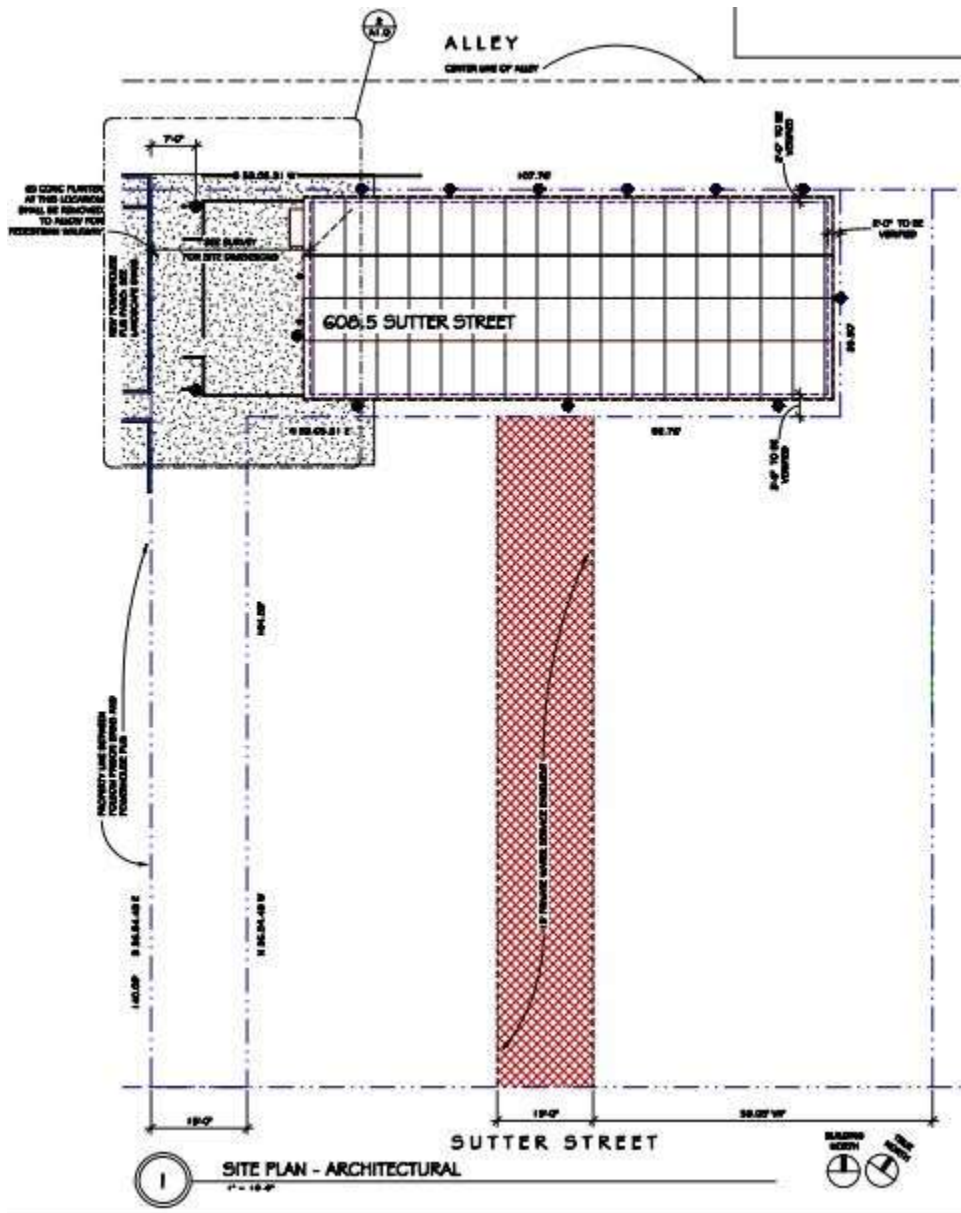
APPLICANT'S PROPOSAL

The applicant, Regina Konet (Konet Architecture), is requesting approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The proposed interior layout of Barley Barn Tap House includes 2,433 square feet of floor area on the first level including a large central area with moveable tables and seating, a bar area, a cooler room, and restroom facilities. The second floor of the building, which will be reduced from 1,944 square feet to 1,366 square feet, will be utilized for storage purposes only. The resulting total square footage of the building will be 3,799 square feet. Barley Barn Tap House will also include a fenced outdoor patio (approximately 480 square feet in size) which is located on the west side of the building. In terms of operational characteristics, Barley Barn Tap House has proposed serving craft beers and food, both of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m.

The proposed project also includes a request for Design Review approval for exterior and interior modifications to the existing building in order to create a rural vernacular which is reminiscent of the historic barns throughout California. The proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, galvanized metal gooseneck light fixtures, vintage signage painted on wood, faux dutch doors to emulate horse stables, and corrugated metal roofing. The color scheme is predominantly rustic brown in nature due to the extensive use of the reclaimed wood siding. The roofing material will be a reddish-gray tint to emulate an aged metal roof with an appealing patina. The doors and windows will be a dark brown color.

Vehicle access to the project site is provided by existing roadways including Sutter Street, Scott Street, and Riley Street. Pedestrian access to the project site is provided by existing sidewalks and pedestrian walkways. Parking to serve the Barley Barn Tap House project is proposed to be provided by utilizing existing public and private parking options in the immediate project area including the Powerhouse Pub parking lot (21 spaces), the adjacent Historic District Parking Lot (72 spaces), and the Folsom Electric Building parking garage (51 spaces). In addition, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot for exclusive use by Eagles Lodge members and customers and employees of Barley Barn Tap House. The proposed site plan is shown in Figure 1 on the following page:

FIGURE 1: PROPOSED SITE PLAN



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 Folsom Municipal Code (FMC Section 17.52.400) also requires that all new structures and alterations to existing structures located within the Historic District obtain Design Review approval from the Historic District Commission.

ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the project site is HF (Historic Folsom) and the zoning designation for the project site is HD (Historic District, Sutter Street Subarea of the Commercial Primary Area). Pursuant to Section 17.52.510 of the Folsom Municipal Code, bars, taverns, and similar uses located within the Sutter Street Subarea of the Historic District are required obtain a Conditional Use Permit from the Historic District Commission. Staff has determined that the proposed project is consistent with the General Plan land use designation and the zoning designation upon approval of a Conditional Use Permit by the Historic District Commission. In addition, staff has determined that the proposed project, which does not alter the building footprint or location of the existing structure, meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District.

Land Use Compatibility

The Barley Barn Tap House project site, which is comprised of a single 0.12-acre parcel, is located at 608 ½ Sutter Street. The project site is bounded by Sutter Street to the south with commercial development beyond, a Historic District parking lot to the north with Riley Street beyond, commercial development to the west with Riley Street beyond, and commercial development to the east with Scott Street beyond.

As described above, the project site is located within an area that is predominantly commercial in nature, with numerous restaurants, bars, and retail businesses located adjacent and in close proximity to the project site. In particular, there are eight restaurants and bars located within the 600 block of Sutter Street including Citizen Vine, Inspired Living, J. Wild's Livery & Feed, Mystic Dining, Plank Craft Kitchen and Bar, Powerhouse Pub, Scarlet's Saloon, and Sutter Street Steakhouse. The closest residential land uses to the project site are single-family residences situated approximately 270 feet to the east on Scott Street and approximately 320 feet to the south on Figueroa Street. Based on this information, staff has determined that proposed project is compatible with the surrounding land uses. Detailed discussions regarding parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise are contained within subsequent sections of this staff report.

Conditional Use Permit

As previously stated within this report, the Folsom Municipal Code, (Section 17.52.510) requires that bars, taverns, and similar uses obtain a Conditional Use Permit if the use is located within the Sutter Street Subarea of the Historic District. In this particular case, the applicant is requesting approval of a Conditional Use Permit to operate Barley Barn Tap House within an existing commercial building located at 608 ½ Sutter Street.

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 for Barley Barn Tap House, staff considered implications of the proposed project relative to parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise.

Parking

As shown on the submitted site plan (Attachment 5), the project site does not currently provide any on-site parking spaces nor are any on-site parking spaces proposed given the limitations of the subject parcel's relatively small parcel size and the existing commercial building footprint. As is the case with many businesses located within the Sutter Street Subarea, the project site has relied on adjacent and nearby public parking options to serve the various businesses that have occupied the existing 4,377-square-foot commercial building since it was constructed in 1958. Existing nearby parking options anticipated to serve the proposed project include 21 parking spaces located within the adjacent Powerhouse Pub parking lot (under same private ownership as subject property), 72 parking spaces located in the adjacent public Historic District Parking Lot, and 51 parking spaces located within the Folsom Electric Building parking garage. In addition to the existing parking options in the project vicinity, the proposed project includes the provision of 15 shared off-site parking spaces at the Folsom Eagles Lodge site (Attachment 6), approximately 220 feet to the east of the subject parcel.

The Folsom Municipal Code (FMC, Section 17.52.510) requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. The City's past practice regarding required parking within the Sutter Street Subarea of the Historic District is that all new development projects which increase density (increased square footage) are required to provide on-site parking spaces at the parking ratios described above. However, City practice has also been that development projects that do not result in an increase in density (increased building square footage) such as exterior tenant improvements, interior tenant improvements, and similar projects are not required to provide any additional on-site parking. Consistent with past City practice, staff has determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any on-site parking spaces. It should be noted that if the proposed project were subject to the aforementioned parking requirements, 11 on-site parking spaces would have been required.

While the proposed project is not required to provide any on-site parking spaces per established City practice, City staff and the applicant recognize that the existing building's change in land use from a retail business to a craft beer establishment has the potential to result in a higher demand for parking. To address this concern, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby

Eagles Lodge parking lot (approximately 200 feet to the east of the subject property across Scott Street) for exclusive use by Eagles Lodge members as well as customers and employees of Barley Barn Tap House. In addition to securing 15 off-site parking spaces to serve Barley Barn Tap House, the applicant has indicated that they will offer a complimentary shuttle service (Sutter Surfer) to transfer customers to and from the Historic District parking structure and other public parking lots within the district and the project site. To ensure that adequate parking is continuously provided for the proposed project, staff recommends that the lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business. Condition No. 28 is included to reflect this requirement.

Pedestrian Circulation

Access to the project site is provided by a combination of public sidewalks and private pedestrian pathways. Public sidewalks are located along the street frontages of Sutter Street, Scott Street, and Riley Street respectively. A privately-owned pedestrian pathway (approximately 15 feet in width) provides access to the project site directly from Sutter Street and directly from the Historic District public parking lot located north of the project site. The applicant is proposing to maintain the private pedestrian pathway and continue to allow public use of the pathway to access the project site and the adjacent Historic District public parking lot to the north.

Fencing

As shown on the submitted site plan, the applicant is proposing to create a 480-square-foot enclosed outdoor patio area on the western side of the project site adjacent to the primary building entrance. The outdoor patio area is proposed to be enclosed with 42-inch-tall decorative metal fencing (black finish) with two access gates. Staff recommends that the final location, height, design, materials, and color of the proposed fencing and gates be subject to review and approval by the Community Development Department to ensure consistency with the Historic District Design and Development Guidelines. Condition No. 29-8 is included to reflect this requirement.

Lighting

As shown on the submitted building elevations (Attachment 8) and color and materials exhibit (Attachment 10), the applicant is proposing to use pole-mounted lights and building-attached gooseneck arm-style lighting fixtures to illuminate the building, pedestrian pathways, and the outdoor patio area. The proposed lighting poles and light fixtures have been designed to complement the rural farm-style design theme of the building while also being consistent with the recommendations of the Design and Development Guidelines. In addition, the lighting has been designed to minimize light/glare impacts to the adjacent properties by ensuring that all exterior lighting is shielded and directed downward. Staff recommends that the final exterior building and site lighting plans be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, staff recommends all lighting is

designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Condition No. 16 is included to reflect these requirements.

Trash/Recycling

There are currently multiple existing public trash and recycling enclosures located in the Historic District parking lot adjacent to the project site to the north. The applicant is proposing to utilize the existing trash and recycle enclosures to dispose of trash and recycling products generated by the proposed project. The City's Solid Waste Division has determined that the existing trash/recycling enclosures have sufficient capacity to accommodate the demand created by the proposed project.

Signage

The applicant is proposing to install a painted-on project identification sign on the west building elevation above the front entry doors. The proposed painted-on wall sign, which is approximately 33 square feet in size (18-inch-tall letters with Playbill Font), includes two lines of copy that reads "Barley Barn Tap House". The two lines of copy (painted white) are proposed to be painted directly onto a wood siding backdrop (painted red) to mimic historic "ghost signage". Painted wall signs were historically called "ghost signs" because they faded with time if they were not regularly painted and became less visible. The painted-on wall sign is proposed to be indirectly illuminated by two gooseneck-style light fixtures.

The Historic District Design and Development Guidelines (DDGs) provide sign allowances based on the frontage width of the business. In this particular case, the proposed project has a frontage width of approximately 80 feet, thus the project is permitted a maximum of 50 square feet of sign area. Staff has determined that the proposed sign area is consistent with the maximum allowable sign area established by the Design and Development Guidelines by providing 33 square feet of sign area whereas 50 square feet of sign area are allowed.

With respect to sign design, the Design and Development Guidelines state that sign materials may be wood, metal, or other historically appropriate combination of materials. The Guidelines also state the sign styles and lettering should be compatible with the period in which the building was built, but that simple contemporary graphic styles may be appropriate as well. In addition, the Guidelines indicate that sign illumination must be subdued and indirect and may not create excessive glare. Staff has determined that the proposed painted-on wall sign is consistent with the design, material, and illumination recommendations of the Design and Development Guidelines. Staff recommends that the owner/applicant obtain a sign permit prior to installation of the painted-on wall sign. Condition No. 30 is included to reflect this requirement.

Landscaping

The project site includes a number of existing landscape planters located around the perimeter of the building and along the pedestrian walkway. The applicant is not proposing to install any new landscaped areas and is proposing to maintain the existing landscaping located in the planters throughout the project site. Staff recommends that the applicant be responsible for on-site landscape maintenance throughout the life of the project. Condition No. 15 is included to reflect this requirement.

Noise Impacts

Based on the relatively close proximity of the project site to single family residences (approximately 270 feet and 320 feet to the east and south respectively), staff evaluated potential noise impacts associated with the proposed project. Potential new noise sources associated with the proposed project may include noise generated inside Barley Barn Tap House and noise generated in the patio area outside Barley Barn Tap House. As described in the project narratives (Attachment 14), Barley Barn Tap House has proposed serving craft beers and food, all of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m. The following table shows the Barley Barn Tap House proposed closing times as compared to other restaurants and bars located within the 600 block of Sutter Street:

TABLE 1: CLOSING TIME COMPARISION TABLE

	M	TU	W	TH	F	S	SU
Barley Barn Tap House	10 pm	10 pm	10 pm	12:30 am	12:30 am	12:30 am	10 pm
Powerhouse Pub	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Scarlett's Saloon	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Citizen Vine	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	7 pm
Plank Craft Kitchen and Bar	Closed	Closed	9 pm	9 pm	10 pm	10 pm	9 pm
Mystic Dining	9 pm	9 pm	9 pm	9 pm	11 pm	11 pm	9 pm
Sutter Street Steakhouse	Closed	9 pm	9 pm	9 pm	9 pm	9 pm	9 pm
J. Wilds Livery & Feed	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	9 pm

As described in the project narrative and shown in the Closing Time Comparison Table above, the applicant is proposing hours of operation in which the closing time for the business extends into the late evening Sunday thru Wednesday and early morning hours Thursday thru Saturday. Staff has determined that the proposed hours of operation are compatible with the hours of operation for other restaurant/bar businesses currently located within the 600 block of Sutter Street. In addition, staff has determined that the proposed hours of operation are similar to the hours of operation for other bar-type establishments located along different blocks of Sutter Street to the west including but not noted limited to Samuel Horne's Tavern (12:00 a.m.) and Fat Rabbit (1:00 a.m.).

The applicant is proposing to have live entertainment (solo, duet, or trio-type performers) on a limited basis within the interior of the building. The interior of the building will not have a stage or raised platform as the proposed entertainment is anticipated to be more subtle in nature according to the applicant. To ensure that the proposed project does not result in significant noise-related impacts associated with live entertainment and other aspects of the business, staff recommends that the following measures be implemented to the satisfaction of the Community Development Department (Condition Nos. 18-28).

- 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.
- A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission's approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.
- The owner/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.
- All entertainment (as defined in Chapter 5.90 of the Folsom Municipal Code) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.
- Compliance with the City of Folsom's Noise Control Ordinance (Folsom Municipal Code Chapter 8.42) and General Plan Noise Element shall be required.
- Hours of operation (including private parties) shall be limited as follows:
 - Sunday-Wednesday: 11:00 a.m. to 10:00 p.m.
 - Thursday-Saturday: 11:00 a.m. to 12:30 a.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.

- Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.
- Doors and windows to the outdoor patio area shall be closed at all times when music is being played.
- No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.
- No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.

Architecture/Design

As described in the project narratives, the applicant is requesting Design Review approval for exterior and interior modifications to an existing 4,377-square-foot commercial building located at 608 ½ Sutter Street. As stated by the applicant, the intent of the project is to create a rural design theme that is reminiscent of the historic barns found throughout California. Distinct architectural features include a clerestory with windows added to the upper portion of the existing structure to allow more natural light to enter the building, custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

In support of the rural barn design theme, proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage signage panels, and corrugated metal roofing. The color scheme is predominantly rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. Proposed building elevations and color renderings are shown in the Figures on the following pages.

FIGURE 3: BUILDING ELEVATIONS (EAST AND SOUTH)

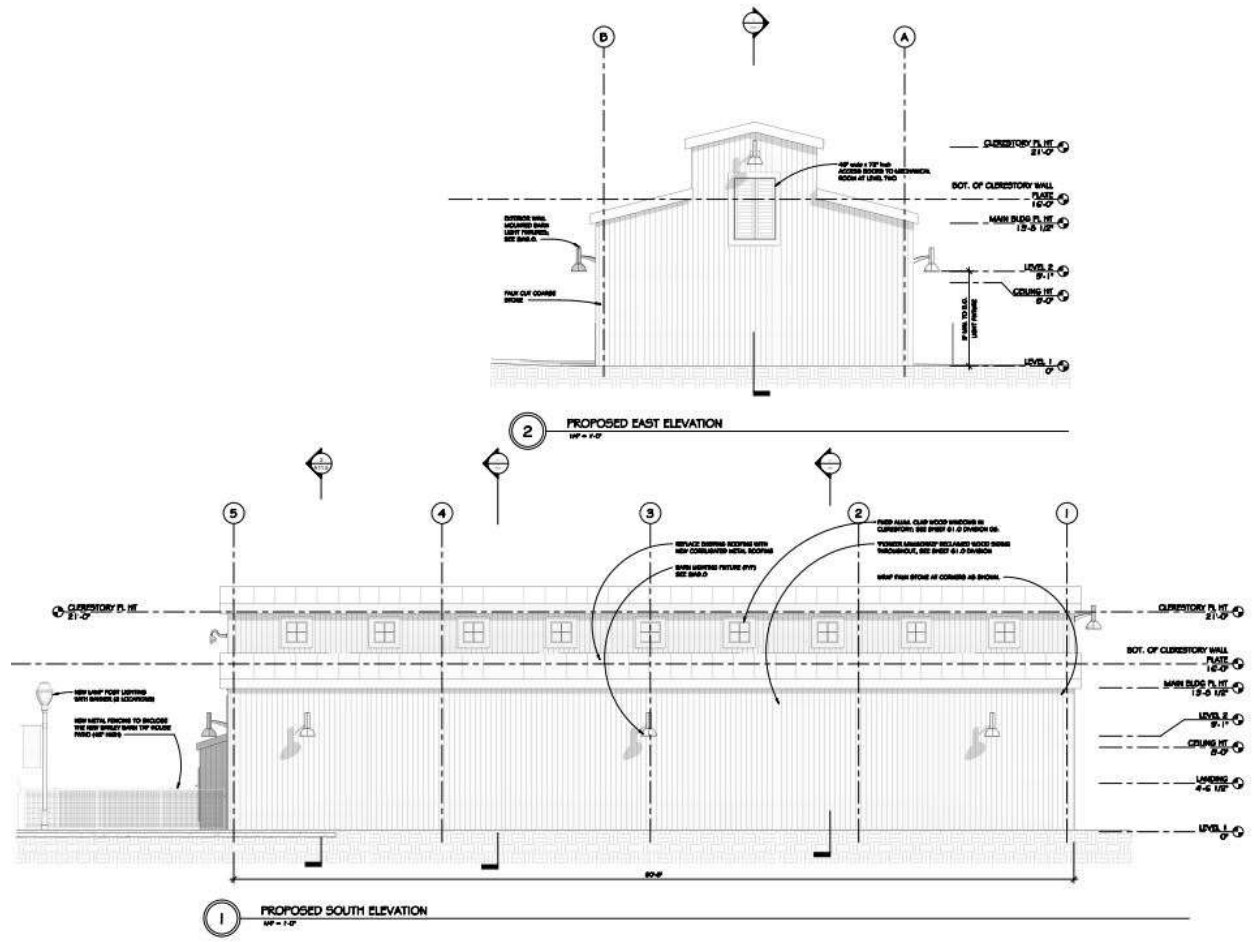


FIGURE 4: BUILDING RENDERING (NORTHWEST)



FIGURE 5: BUILDING RENDERING (SOUTHWEST)



The Sutter Street Subarea encompasses Folsom’s original central business district, the area first zoned for historic preservation. Retail shops and restaurants have predominated in recent history. The Subarea is intended to become a more “complete” downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Overall, the Sutter Street Subarea represents a mixture of development that is representative of the 1850 to early 1900s timeframe. The Folsom Municipal Code (FMC, Chapter 17.52, Historic District) serves as regulatory document for development within the Historic District. In addition, the Historic District Design and Development Guidelines (Design Guidelines), which were adopted on October 1, 1998, provide architectural guidance for development activity within the Sutter Street Subarea.

The purpose and intent of Chapter 17.52 (Historic District) of the Folsom Municipal Code is to preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950; maintain, restore, and reconstruct historic structures and sites within the historic district; encourage an active business climate

which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950; ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950; and increase the awareness, understanding, and appreciation of the history of the city

In conjunction with the regulations imposed by Chapter 17.52 of the Folsom Municipal Code, the Historic District Design and Development Guidelines limit new construction in the Historic District to architectural styles extant in California from 1850 to 1950, a limitation intended to encourage the diversity which is the charm of old Folsom while preventing construction of modern buildings which would be discordant. The overall concept is to maintain a traditional small town at the heart of a modern, developing City.

The Historic District Design and Development Guidelines include a number of goals and policies intended to inform and guide development within the Historic District. The first Goal (Goal 1: Community Identity) of the Design and Development Guidelines is to preserve and enhance the historic, small-town atmosphere of the 98-block Historic District area. Policy 1.1 associated with Goal 1 states that external design features, both public and private, shall be consistent with design of the time period from 1850 to 1950. As noted in the project description and shown in the submitted plans, the proposed building is modeled after rural barns found throughout California from the mid 1800's to the early 1900's. Shown below and on the following page are two examples of historic barns that represent the rural vernacular the applicant is hoping to achieve with the proposed project.

FIGURE 6: PHOTOGRAPH OF CAMARILLO RANCH HOUSE (1905)



FIGURE 7: PHOTOGRAPH OF COOPER MOLERA BARN (Est. 1850's)



The Design and Development Guidelines state that the goal of any remodeling project such as the proposed project is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible. In evaluating a request to remodel a structure, the Design Guidelines indicate that the Historic District Commission shall consider the following factors:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value.
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

In reviewing the proposed project, staff identified two potential benefits to the property owner and community. The first benefit would be the introduction of a unique business (craft beer establishment) that would allow local beer producers the opportunity exhibit and sell their products. In addition, consumers would have the opportunity to try local products within a unique venue on Sutter Street. The second benefit would be to acknowledge and recognize the rural ranching history of Folsom with development of a

rural barn-style structure on the site. One of the most notable ranch properties in Folsom was the Broder Family Ranch (1878), which included an Italianate-style home, a barn, and several other buildings. While the proposed project is not designed to mimic the architecture of the barn that was located on the Broder Family Ranch property, it does include some similar design elements.

With regard to architectural and historical value, the existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List.

In reviewing the design of the proposed project, staff took into consideration the recommendations of the Design and Development Guidelines relative to architectural design and features, building materials, and building colors. With respect to architectural design and features, the proposed project is maintaining most of the existing building shapes and forms with exception of the new clerestory with windows added on top of the existing roof structure. Other distinct architectural features included with the project are custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

With respect to building materials, the primary building material utilized will be vertical reclaimed wood siding. Additional proposed building materials include aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage wood signage panels, and corrugated metal roofing.

The Design Guidelines encourage the use of high quality, commercial-grade durable materials that are complementary to the historic context. Wood siding and wood-framed windows are high-quality building materials that are utilized on numerous buildings throughout the Sutter Street Subarea. The Design and Development Guidelines also state that roofs shall be constructed of traditional materials including fireproof wood shingles, wood shakes, corrugated metal, composition fiberglass shingles, clay tiles, and other materials supported by historic evidence. The proposed corrugated roofing material is consistent with the roof material recommendations of the Design Guidelines. Staff has determined that the other supplemental building materials utilized for the doors, windows, and lighting are appropriate materials for use in the Sutter Street Subarea.

The color scheme for the remodeled building is predominately rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. The Design Guidelines recommend that bland color schemes be avoided where the color values are all the same or very similar. Staff has determined that the proposed color scheme is consistent with the Design Guidelines in that the colors of the reclaimed wood siding and the corrugated

metal roofing include a blending of colors that creates an appropriate level of visual interest.

In summary, staff has determined that the proposed project has successfully met the architectural and design recommendations for remodeling of existing structures in the Historic District as suggested by the Historic District Design and Development Guidelines. In addition, staff has determined that the proposed building design, building materials, and building colors are also consistent with the recommendations of the Design and Development Guidelines. Staff forwards the following design recommendations to the Commission for consideration:

1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021.
2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department.
3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings.
5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department.
6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department.
7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department.

These recommendations are included in the conditions of approval presented for consideration by the Historic District Commission (Condition No. 29).

PUBLIC COMMENT

The Community Development Department received numerous comment letters (Attachment 16) from residents as well as the Heritage Preservation League (HPL) and the Historic Folsom Residents Association (HFRA) expressing concerns regarding a number of issues associated with the previously proposed version of the project (Folsom Prison Brews) including the bar/brewery use, architecture, site design, parking, noise, and landscaping. Staff has included these comments as an attachment to the staff report as some of them as still applicable to the proposed project (Barley Barn Tap House).

The Community Development Department also received comment letters (Attachment 17) from residents as well as the Heritage Preservation League (HPL) and Historic Folsom Residents Association (HFRA) expressing concern and raising questions regarding a number of similar topics associated with the revised project (Barley Barn Tap House). In addition, there were residents and businesses who submitted letters in support of the proposed project.

In relation to the proposed craft brewery use, there were a number of comments expressing concern with the addition of another bar-type establishment within the 600 block of Sutter Street and the potential impacts it may have relative to parking, noise, and lighting. Along those same lines, there were comments noting concern about the increased concentration of bar-type businesses within the 600 block of Sutter Street and the Sutter Street Subarea as a whole. The City of Folsom does not currently have any rules or regulations in place governing the concentration of business that sell alcoholic beverages. In addition, the State of California (Department of Alcohol and Beverage Control) is the agency responsible for issuance of a license for the sale of alcoholic beverages to bars and restaurants. A condition of approval (Condition No. 20) has been placed on the proposed project requiring the owner/applicant to maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions.

With respect to architecture and design, the Heritage Preservation League (HPL) stated that while the proposed design is not typical for early barns that were construction in the region, similar barn designs were used at other locations throughout the United States during the 1850-1900 timeframe. The HPL concluded in their comment letter that the proposed barn design theme is appropriate for the Sutter Street Subarea. However, the HPL recommended that the applicant consider making a number of design modifications to ensure an authentic barn design including replacing the glass folding entry door with a wide barn door, replacing the small front entry door with a more historic entry door, and exposing the roof rafters.

In response to the HPL's design-related comments, the applicant stated that the objective with the proposed bi-fold entry doors is to provide as much natural light and ventilation for the building as possible (which will assist the project in meeting its Title 24 Building

Code requirements). The applicant also commented that the proposed bi-fold doors will provide the largest opening into the interior of the building possible, while not impeding the required access to the electrical panels or the utility services that are both located on the outside of the west building elevation. The applicant indicated that barn-style doors would need uninterrupted wall space in order to be rolled out and that amount of space is not available to accommodate this on the project site. The applicant also stated that the barn-style doors would provide a thermally broken closure, meaning that they are not air-tight (like the proposed bi-fold doors) and would not meet California energy code requirements.

With respect to HPL's request that the small glass front entry door on the west building elevation be replaced with a more historic looking door, the applicant stated that they are open to modifying the design with the acknowledgement that the door is required to be fire-rated to meet National Fire Protection Association (NFPA) requirements as well as building code egress requirements. As a result, staff recommends that the design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door, within the bottom half of the door being a solid material to the satisfaction of the Community Development Department. Condition No. 29-6 is included to reflect this requirement.

With regard to HPL's request to expose the roof rafters on the building by eliminating the fascia boards, the applicant commented that while this would enhance the barn-style appearance of the building, it is not feasible due to the fact that extending the rafters would not be compliant with current building code requirements due the existing building being located on the northern property boundary. The applicant noted that the rafters on the new clerestory feature could be exposed, but it would not enhance the overall appearance of the building if rafters were only exposed on a portion of the building.

In terms of site design, the HPL expressed concern that the large concrete patio might detract from the overall impression of historic development as historic districts typically use natural stones or decomposed granite to provide a level surface. In addition, the HPL has suggestions regarding the perimeter fencing proposed around the outdoor patio area. The HPL recommended a few modifications to address their site design concerns including tinting the existing concrete patio area to create an aged appearance, adding wood post and wood panels to the perimeter wrought-iron patio fencing, and preserving the existing decorative tiles on the retaining walls adjacent to the pedestrian walkway.

In response to HPL's comments regarding the project's site design, the applicant stated that they are willing to make the suggested modifications relative to the color of the concrete patio, the enhancement of the outdoor patio fencing, and attempting to preserve the decorative tiles that cover the retaining wall along the private walkway. As a result, staff recommends that the applicant create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tiles on the retaining wall located along the private

walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. Condition No. 29-7 is included to reflect these requirements.

The HPL, HFRA, and residents expressed concerns regarding potential parking impacts associated with the proposed project. In particular, concerns were raised regarding lack of existing parking options within the 600 block of Sutter Street, the increased parking demand associated with the proposed project, and the effectiveness of the parking lease agreement (lease agreement with the Eagles Lodge) submitted by the applicant. A number of suggestions were made to address the potential parking impacts including requiring the project applicant to participate in a funding mechanism to provide an additional public parking facility, reevaluating the current parking requirements for the Sutter Street Subarea, and requiring the applicant to submit a business plan that describes all potential parking impacts. The City is actively involved in evaluating and implementing district-wide parking solutions that were recommended by the Historic District Ad Hoc Parking Committee. The parking section of this staff report provides detailed analysis of the parking requirements and impacts associated with the proposed project.

Potential noise impacts were commented on in a number of letters that were submitted to the City, particularly in relation to the live entertainment aspect of the proposed project and the proposed business hours. The Noise Impacts section of this staff report contains a detailed discussion regarding the live entertainment component of the proposed business (including proposed business hours) and the extensive list of requirements and conditions that have been placed on the project to minimize potential noise impacts to surrounding businesses and residents.

The HPL made a number of comments regarding the proposed signage and lighting associated with the proposed project. With respect to signage, the HPL stated that the proposed sign type (block letters painted on wood) is appropriate for Sutter Street Subarea. However, the HPL recommends that the painted-on wall sign be relocated to the northern building elevation and that a blade sign be placed on the western building elevation. The HPL also states that the proposed painted-on wall sign exceeds the maximum allowable sign area for the western building elevation. Staff is supportive of the proposed size and location of the painted-on wall sign as this is the primary building entrance.

The HPL commented that the proposed gooseneck light fixtures are consistent with the design of light fixtures found in the 1850-1900 timeframe. However, the HPL is concerned that the level or intensity of illumination associated with the gooseneck light fixtures might be too great and not be consistent with the lower-level light intensity found on historic light fixtures. Staff has included a condition of approval on the project that requires final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass. In addition, this condition requires that all lighting be

designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.

The HPL and a number of residents commented that the proposed project should not be exempt from review under the California Environmental Quality Act and that an Initial Study and Negative Declaration/Mitigation Negative Declaration should be prepared for the proposed project. City staff reviewed these comments and confirmed that the proposed project does qualify for an exemption from CEQA. Specifically, staff determined that the proposed project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. In addition, staff determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

The New Construction of Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption .

City staff has also determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case. Exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources.

ENVIRONMENTAL REVIEW

The project is categorically exempt under 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. 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.

As referenced previously within this report, the exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources. A description of the most applicable of these exceptions is listed below with a brief response as to why each of these exceptions do not apply to the proposed project.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

In analyzing whether this exception applies, both the “same type” and the “same place” limitations should be considered. When analyzing this exception with respect to the proposed project, the City considered projects of the “same type” to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the “same place” to be projects on Sutter Street.

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts. With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

City staff has determined that the cumulative impact of the proposed project is not significant in that the project will not result in any adverse impacts with respect building design, site design, parking, lighting, and noise. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

CEQA Guidelines section 15300.2(c) states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This is commonly referred to as the “unusual circumstances exception.”

The unusual circumstances exception to the use of a categorical exemption applies only when both unusual circumstances exist and there is a reasonable possibility that the project will have a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1104.)

Whether unusual circumstances exist to distinguish this project from others in the exempt class is a factual question. The answer to that factual question must be supported by substantial evidence.

In making this decision, the Commission should consider whether the proposed project’s circumstances differ significantly from the circumstances typical of the type of projects covered by the exemption, namely, other small structures in the Historic District that are either converted from one use to another or newly constructed. The exception applies only if the claimed unusual circumstance relates to the proposed action under consideration; it does not apply if the unusual circumstances are part of the existing conditions baseline. (*Bottini v. City of San Diego* 27 Cal.App.5th 281; *World Business Academy v. State Lands Commission* (2018) 24 Cal.App.5th 476, 498; *North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.)

Another consideration is whether there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. (*Berkeley Hillside Preservation*, 60 Cal.4th at p. 1115.) The Commission answers this question by determining if there is any substantial evidence before it that would support a fair argument that a significant impact on the environment may occur as a result of the proposed project. (*Id.*) A reasonable possibility of a significant impact may be found only if the proposed project will have an impact on the physical environment. If there is no change from existing baseline physical conditions, the exception does not apply. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.) The exception also does not apply if the project will have only a social impact and will not result in a potentially significant change to the physical environment. (*Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; *City of Pasadena v. State* (1993)

14 Cal.App.4th 810, 826.)

The question is not whether the project will have an adverse impact on some persons, but whether it will adversely affect the environment of persons in general due to unusual circumstances. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1392.

After analyzing the unusual circumstances exception in association with this project, the City determined that no unusual circumstances exist to distinguish this project from others in the exempt class. While an argument could be made that the small parcel size and the location of the parcel within the public parking lot are unusual circumstances, both of those conditions exist at this time. The presence of bars and restaurants on Sutter Street is not uncommon, so any impacts associated with the proposed use itself are not unusual. In addition, parking impacts associated with new businesses on Sutter Street are not unusual.

The City also determined that there is not a reasonable possibility of a significant effect on the environment due to any claimed unusual circumstances for this project. Any possibility of a significant impact on the physical environment allegedly caused by proposed project would not be the result of any claimed unusual circumstances. As mentioned above, the proposed use is not unusual, so any possible significant effects associated with that use are not sufficient to support the exception in this case. In addition, as stated above, parking impacts associated with new businesses on Sutter Street are not unusual. Even so, as described in detail in other sections of this report, the project applicant has secured a lease for 15 shared parking spots at the nearby Eagle's Lodge in an attempt to address any potential parking-related impacts and the City has conditioned the project to require those parking spots to remain available for the life of the Conditional Use Permit. As a result, the City has determined that any possible significant effects related to parking are not unusual and do not require application of the exception for this project.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property, which is located at 608 ½ Sutter Street (APN: 070-0061-011-0000), is developed with an existing 4,377-square-foot commercial building which was built in 1958. The existing building is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, 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.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the conditions of approval included in this report.

HISTORIC DISTRICT COMMISSION ACTION

Move to approve a Conditional Use Permit and Design Review (PN 19-174) for Barley Barn Tap House, which includes development and operation of a craft beer establishment within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

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 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, 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. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND 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.

DESIGN REVIEW FINDINGS

H. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

I. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

ATTACHMENT 2 BACKGROUND

BACKGROUND

The existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List. The existing commercial building is currently occupied by an art and crafts store (Artfully Rooted) that provides an eclectic mix of artistic décor, furniture, fashion, vintage, antiques, and repurposed items. A photograph of the existing commercial building is shown in Figure 4 below:

FIGURE 4: COMMERCIAL BUILDING AT 608 ½ SUTTER STREET



GENERAL PLAN DESIGNATION	HF, Historic Folsom
ZONING	HD, Sutter Street Subarea of the Commercial Primary Area
ADJACENT LAND USES/ZONING	North: Public Parking Lot (HD) with Riley Street Beyond South: Sutter Street with Commercial Development (HD) Beyond East: Commercial Development (HD) with Scott Street Beyond West: Commercial Development (HD) with Riley Street Beyond
SITE CHARACTERISTICS	The L-shaped project site, which is approximately 0.12-acres in size, is developed with a 4,377-square-foot building (currently occupied by Artfully Rooted) and associated site improvements including a paved patio area, pedestrian walkways, and landscaped planters.
APPLICABLE CODES	<u>FMC</u> Chapter 15.52; HD, Historic District <u>FMC</u> Section 17.52.300, Design Review <u>FMC</u> Section 17.52.660, Demolition <u>FMC</u> Chapter 17.57, Parking Requirements <u>FMC</u> Chapter 17.60, Use Permits Historic District Design and Development Guidelines

Attachment 3

Proposed Conditions of Approval

CONDITIONS OF APPROVAL FOR BARLEY BARN TAP HOUSE CONDITIONAL USE PERMIT AND DESIGN REVIEW 608 ½ SUTTER STREET (PN 19-174)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. Site Plan, dated September 16, 2021 2. Off-Site Parking Plan, dated September 16, 2021 3. Demolition Plans, dated September 16, 2021 4. Building Elevations, dated September 16, 2021 5. Building Renderings, dated received September 27, 2021 6. Color and Materials Exhibits 7. Signage Details, dated September 16, 2021 8. Site Details 9. Floor Plans, dated September 16, 2021 10. Project Narratives, dated received September 22, 2021 11. Off-Site Parking Lease Agreement, dated October 15, 2021 <p>The project is approved for the development of the 3,799-square-foot Barley Barn Tap House project. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>	B	CD (P)(E)
2.		<p>Building plans, and all applicable civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	B	CD (P)(E)(B)

3.		<p>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 <u>Chapter 17.60 of the Folsom Municipal Code</u>.</p>	B	CD (P)
4.		<p>If the Community Development Director finds evidence that conditions of approval for Barley Barn Tap House 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>	OG	CD (P)
5.		<p>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.</p>	OG	CD
6.		<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	CD (P)(E)(B) PW, PR, FD, PD

7.		Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.	OG	CD (B)
8.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior’s Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.	B	CD (P)(E)(B)
9.		In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner’s representative appropriate disposition of the remains and any grave goods.	B	CD (P)(E)(B)
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
10.		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.	B	CD (P)(E)
11.		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.	B	CD (P)(E)

12.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	B	CD (P)(E)
13.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide 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.	B	CD (P)(E), PW, PK
14.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
LANDSCAPE REQUIREMENT				
15.		The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department.	OG	CD (P)(E)
LIGHTING REQUIREMENT				
16.		Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, all lighting shall be designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.	B	CD (P)
NOISE REQUIREMENT				
17.		Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. Construction equipment shall be muffled and shrouded to minimize noise levels.	B	CD (P)(E)

CONDITIONAL USE PERMIT REQUIREMENTS

18.		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.	B, OG	FD NS (B)
19.		A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission’s approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.	OG	CD, PD
20.		The owner/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.	OG	CD (P)
21.		All entertainment (as defined in Chapter 5.90 of the <u>Folsom Municipal Code</u>) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.	OG	CD (P)
22.		Compliance with the City of Folsom’s Noise Control Ordinance (<u>Folsom Municipal Code</u> Chapter 8.42) and General Plan Noise Element shall be required.	OG	CD (P)
23.		Hours of operation (including private parties) shall be limited as follows: <ul style="list-style-type: none"> ○ Sunday-Wednesday: 11:00 a.m. to 10:00 p.m. ○ Thursday-Saturday: 11:00 a.m. to 12:30 a.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.	OG	CD (P)
24.		Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.	OG	CD (P)
25.		Doors and windows to the outdoor patio area shall be closed at all times when music is being played.	OG	CD (P)
26.		No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.	OG	CD (P)

27.		No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.	OG	CD (P)
28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.	OG	CD (P)

ARCHITECTURE/SITE DESIGN REQUIREMENTS

29.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021. 2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department. 3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features. 4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings. 5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department. 6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department. 7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. 	I, B	CD (P)
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SIGN REQUIREMENT

30.		The owner/applicant shall obtain a sign permit prior to installation of the painted-on wall sign.	B	CD (P)
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RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department	I	Prior to approval of Improvement Plans
	Planning Division	M	Prior to approval of Final Map
	Engineering Division	B	Prior to issuance of first Building Permit
	Building Division	O	Prior to approval of Occupancy Permit
	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		

Attachment 4

Vicinity Map

Vicinity Map



CITY OF
FOLSOM

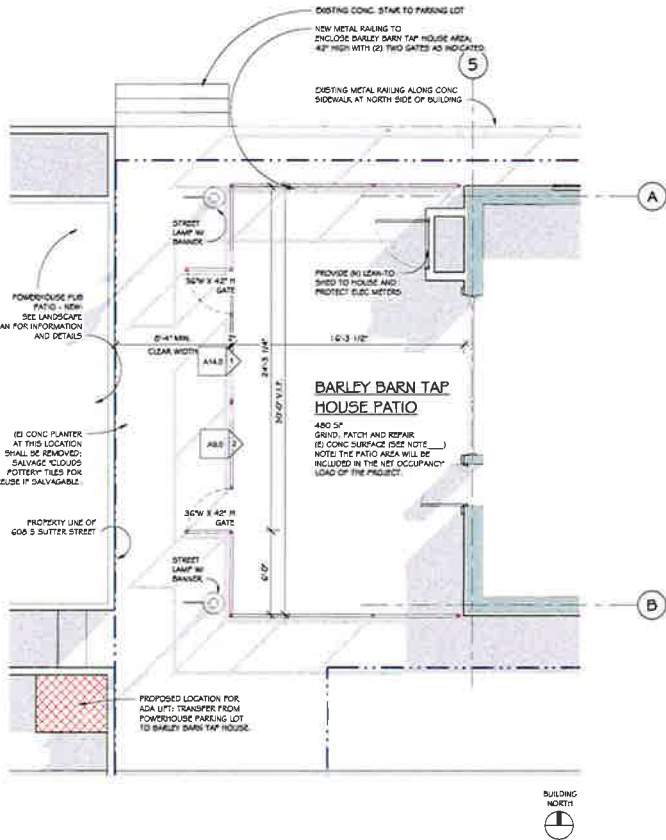


Attachment 5

Site Plan, dated September 16, 2021



3 EXISTING OVERHEAD VIEW
NO SCALE



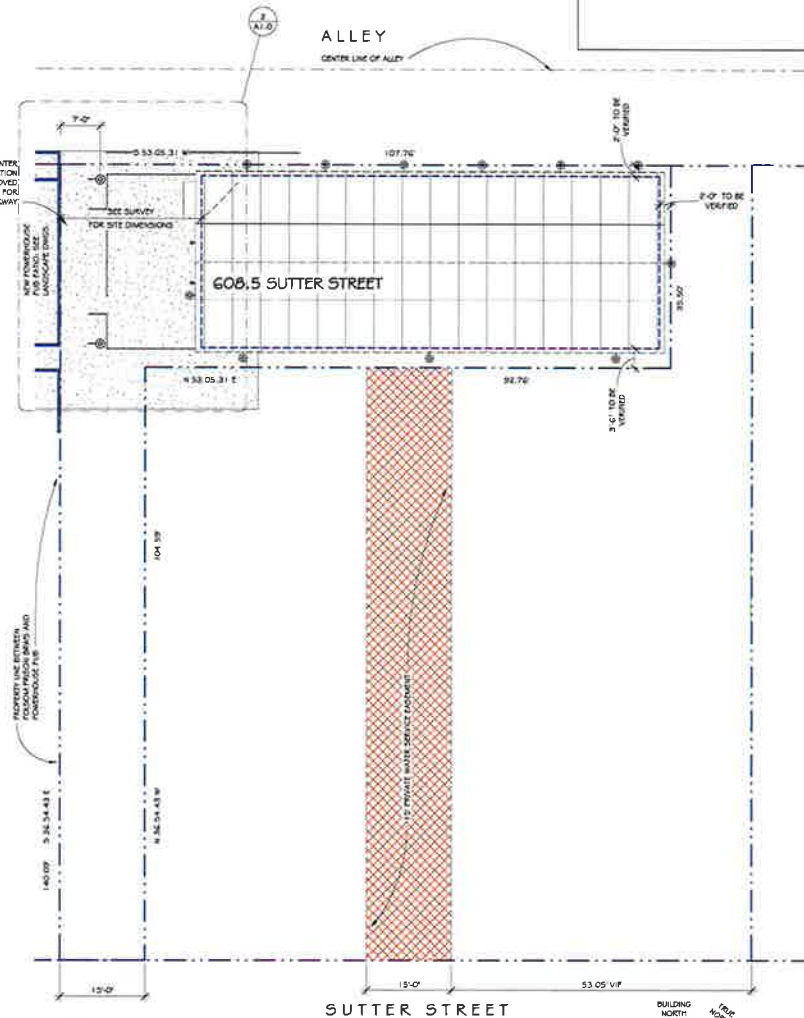
2 FOLSOM PRISON BREWS PATIO PLAN
1/8" = 1'-0"

SITE PLAN NOTES:

1. ALL SITE AND BUILDING LOCATION INFORMATION TO BE VERIFIED BY LICENSED SURVEYOR OR CIVIL ENGINEER. THE INFORMATION SHOWN ON THIS DRAWING WAS DERIVED FROM THE SURVEY BY WILLIAM D. PACKARD, LICENSED LAND SURVEYOR, DATED 1/28/79.
2. LEGAL DESCRIPTION: PARCEL 11, 608.5 SUTTER STREET, FOLSOM, CA APN 70-06-111
3. LOT SIZE: 0.1288 ACRE
4. FOR LANDSCAPE INFORMATION AND DRAWING, SEE LANDSCAPE PLAN BY FIVE STAR LANDSCAPE, MICHAEL SHULAK, LA, 916-869-3372 OR INFO@KONETARCH.COM

SHEET LEGEND

- EXISTING WALL CONSTRUCTION
- NEW RECLAIMED WOOD VENEER
- POWERHOUSE PUB WALL
- PROPERTY LINE



1 SITE PLAN - ARCHITECTURAL
1" = 10'-0"

KONET ARCHITECTURE

REGGIE KONET, AIA
255 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630

916-835-4222
konetarchitecture@gmail.com
CA Arch License #C33855

www.konetarchitecture.com

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No.	Description	Date
1	REV. REVIEW OF	10/27/21

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

SITE PLAN - ARCHITECTURAL

Project number: 2018R-K10
Date: Issued Date
Prepared by: Reggie Konet, AIA
Checked by: Checker

A1.0
As Indicated

Attachment 6

Off-Site Parking Plan, dated September 16, 2021

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No.	Description	Date
1	1/27/23	1/27/23

Murray Weaver

BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

PARKING LOTS AND DATA

Project number	2018R1310
Date	Issue Date
Prepared by	Reggie Konet, AIA
Checked by	

X1.0

REQUIRED PARKING:

THERE WILL BE 6 PARKING SPACES PROVIDED FOR THE PROPOSED BARLEY BARN TAP HOUSE. 2000 SF NET OCCUPANT LOAD DIVIDED BY 850 = 6 SPACES. ONE SPACE WILL BE AN ACCESSIBLE VAN PARKING SPACE.

POWERHOUSE PARKING LOT EXISTING

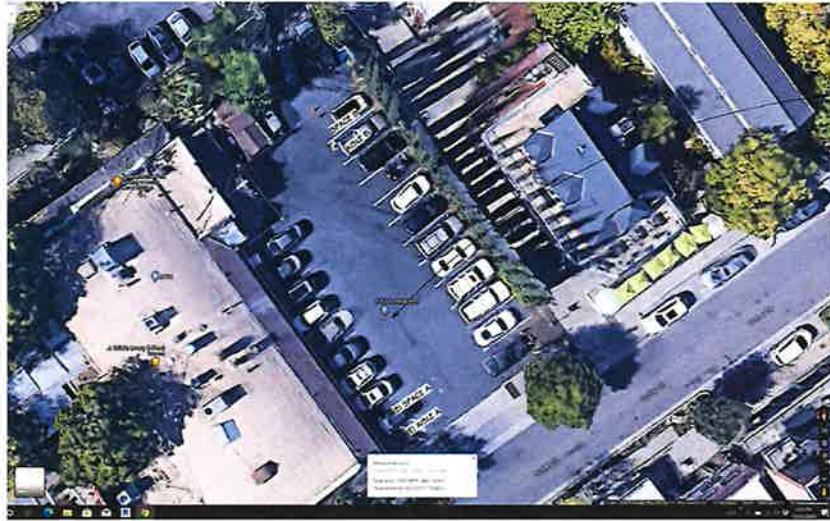
NOTES:

1. CURRENTLY, THERE ARE 20 STANDARD PARKING SPACES AND (1) ONE ACCESSIBLE PARKING SPACE.

THE OWNER SHALL CONVERT (1) ONE EXISTING STANDARD PARKING SPACE IN THE POWERHOUSE PARKING LOT INTO AN ACCESSIBLE VAN PARKING SPACE IN ORDER TO PROVIDE THE REQUIRED ACCESSIBLE PARKING SPACE FOR THE BARLEY BARN TAP HOUSE.

IN ORDER TO ACCOMPLISH THIS, THE (2) STANDARD PARKING SPACE NEAREST TO THE PROPOSED BARLEY BARN TAP HOUSE WILL BE CONVERTED INTO AN ACCESSIBLE VAN PARKING SPACE. ADJACENT OR NEAR TO THIS NEW PARKING SPACE WILL BE THE ADA LIFT WHICH WILL ALLOW AN ACCESSIBLE ROUTE TO THE BARLEY BARN TAP HOUSE ENTRANCE.

ALL WORK TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION AND DURING THE PROJECT CLOSURE TO CONFIRM COMPLIANCE WITH 2019 CALIFORNIA BUILDING CODE CHAPTER 11.15. IF ANY DISCREPANCIES ARISE BETWEEN THE DRAWINGS AND SITE CONDITIONS, THE CONTRACTOR SHALL ALERT THE ARCHITECT IMMEDIATELY FOR CLARIFICATION. IF ARCHITECT HAS NOT BEEN NOTIFIED AND WORK CONTINUES, THE ARCHITECT WILL NOT BE HELD LIABLE FOR ANY OUTCOME OF THIS WORK.



2 POWERHOUSE PARKING LOT - EXISTING
1/8" = 1'-0"

EAGLES LODGE PARKING LOT - EXISTING

NOTES:

1. THE NORTHEAST PARKING ROW OF THE (2) EAGLES PARKING LOT IS APPROXIMATELY 95 FEET IN LENGTH. THIS DISTANCE COULD POSSIBLY ALLOW FOR 10 STANDARD PARKING SPACES WHICH WOULD BE 9 FEET (108 INCHES) WIDE. THIS STATEMENT TO BE FIELD VERIFIED.

THE PARKING ROW ALONG THE NORTH END OF THE EAGLES LODGE IS APPROXIMATELY 45 FEET IN LENGTH. THIS DISTANCE COULD POSSIBLY ALLOW FOR 3 STANDARD PARKING SPACES WHICH WOULD BE 9 FEET (108 INCHES) WIDE AND (1) ONE ACCESSIBLE VAN PARKING SPACE WHICH WOULD BE 12 FEET (144 INCHES) WIDE WITH AN ACCESSIBLE OF 5 FEET (60 INCHES) WIDE. THIS STATEMENT TO BE FIELD VERIFIED.

THEREFORE, THE TOTAL NUMBER OF POSSIBLE PARKING SPACES WITHIN THE (2) EAGLES LODGE LOT WOULD BE 13 STANDARD SPACES + 1 ACCESSIBLE SPACE = 14 TOTAL SPACES. THIS STATEMENT TO BE FIELD VERIFIED.

2. THERE IS NO WORK INCLUDED TO UPGRADE OR IMPROVE THE (2) EAGLES LODGE PARKING LOT IN THIS CONTRACT. THE ABOVE INFORMATION AND THE SUGGESTED POTENTIAL PARKING SPACES SHOWN ARE FOR INFORMATIONAL PURPOSES ONLY. THE ARCHITECT IS NOT ENGAGED NOR RESPONSIBLE FOR ANY IMPROVEMENTS TO THE EAGLES LODGE PARKING LOT. THE ARCHITECT DOES NOT GUARANTEE NOR CLAIM THAT THE INFORMATION PROVIDED ON THIS SHEET IS ACCURATE OR CORRECT. ALL ITEMS MUST BE FIELD VERIFIED BY A LICENSED SURVEYOR OR CIVIL ENGINEER AND A CALIFORNIA CASH IDENTIFIED ACCESS SPECIALIST CONSULTANT.



1 EAGLES LODGE PARKING LOT - EXISTING
1/8" = 1'-0"

Attachment 7

Demolition Plans, dated September 16, 2021

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No.	REV	Description	Date
	REV 05/19/21		05/19/21

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

DEMOLITION PLANS

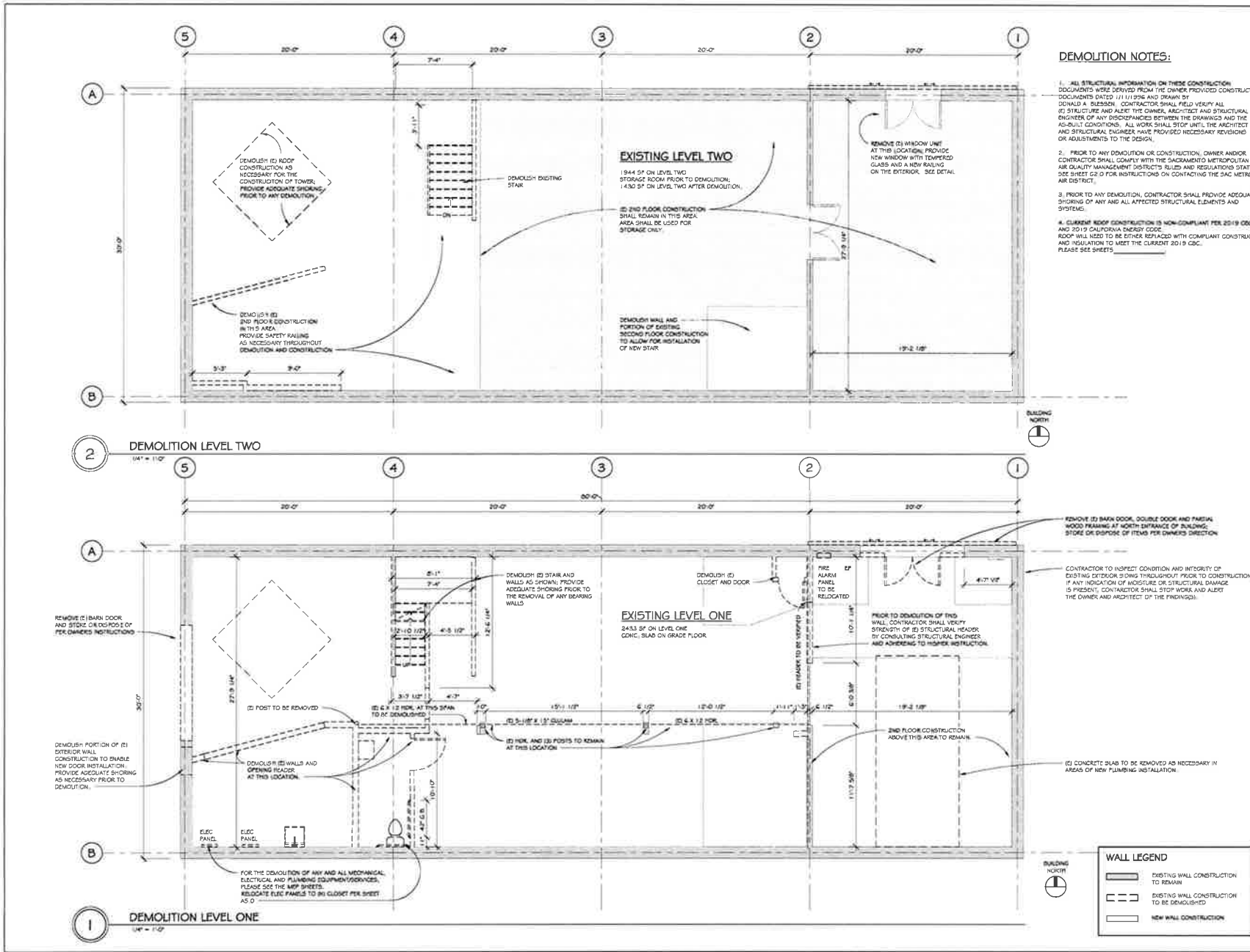
Project number: 2018010
Date: 05/19/21
Prepared by: Reggie Konet, AIA
Checked by: [Signature]

A2.0

Scale: 1/4" = 1'-0" 19/05/21 14:38:04

DEMOLITION NOTES:

1. ALL STRUCTURAL INFORMATION ON THESE CONSTRUCTION DOCUMENTS WERE DERIVED FROM THE OWNER PROVIDED CONSTRUCTION DOCUMENTS DATED 1/11/19 AND DRAWN BY DONALD A. REISSER. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING STRUCTURE AND ALERT THE OWNER, ARCHITECT AND STRUCTURAL ENGINEER OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE AS-BUILT CONDITIONS. ALL WORK SHALL STOP UNTIL THE ARCHITECT AND STRUCTURAL ENGINEER HAVE PROVIDED NECESSARY REVISIONS OR ADJUSTMENTS TO THE DESIGN.
2. PRIOR TO ANY DEMOLITION OR CONSTRUCTION, OWNER AND/OR CONTRACTOR SHALL COMPLY WITH THE SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT'S RULES AND REGULATIONS STATEMENT. SEE SHEET C2.0 FOR INSTRUCTIONS ON CONTACTING THE SAC METRO AIR DISTRICT.
3. PRIOR TO ANY DEMOLITION, CONTRACTOR SHALL PROVIDE ADEQUATE SHORING OF ANY AND ALL AFFECTED STRUCTURAL ELEMENTS AND SYSTEMS.
4. CURRENT ROOF CONSTRUCTION IS NON-COMPLIANT PER 2019 CBC AND 2019 CALIFORNIA ENERGY CODE. ROOF WILL NEED TO BE EITHER REPLACED WITH COMPLIANT CONSTRUCTION AND INSULATION TO MEET THE CURRENT 2019 CBC. PLEASE SEE SHEETS _____.



KONET ARCHITECTURE

REGGIE KONET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-835-4222
 konetarchitecture@gmail.com
 CA Arch License #C33835

www.konetarchitecture.com

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No.	Description	Date
1	REV. RESPONSE SET	11/17/21

Murray Weber, OF CLERESTORY WALL PLATE

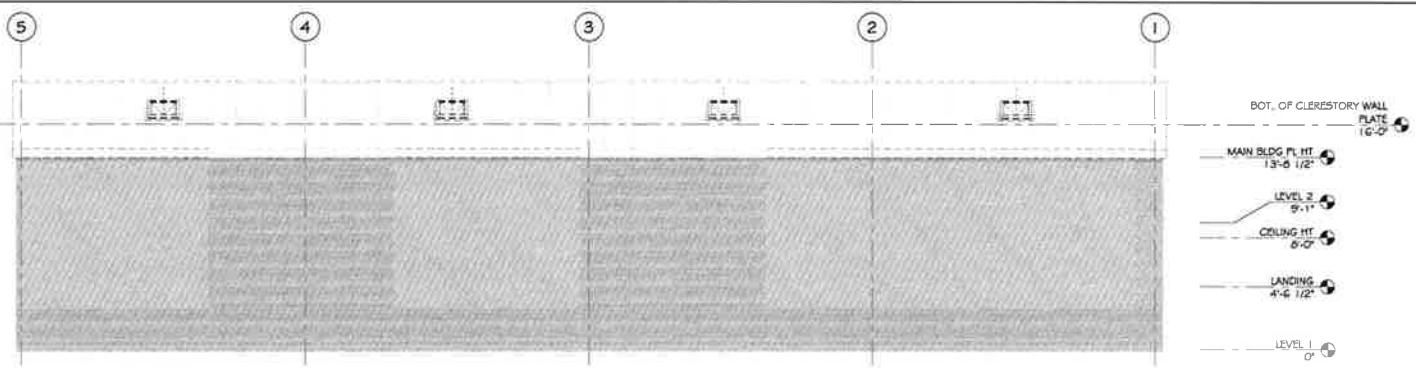
BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

DEMOLITION ELEVATIONS

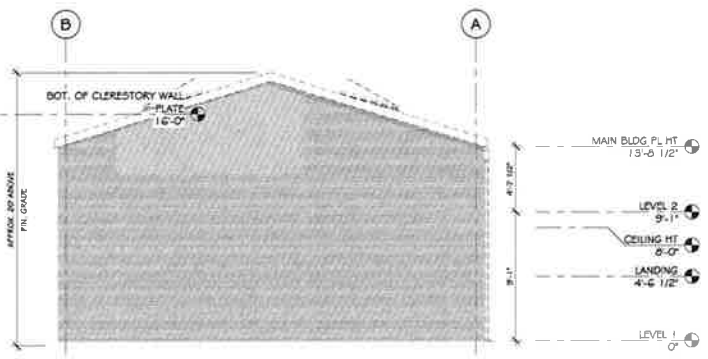
Project number: 2018R1010
 Date: 12/08/2021
 Drawn by: Reggie Konet, AIA
 Checked by: Checker

A3.0

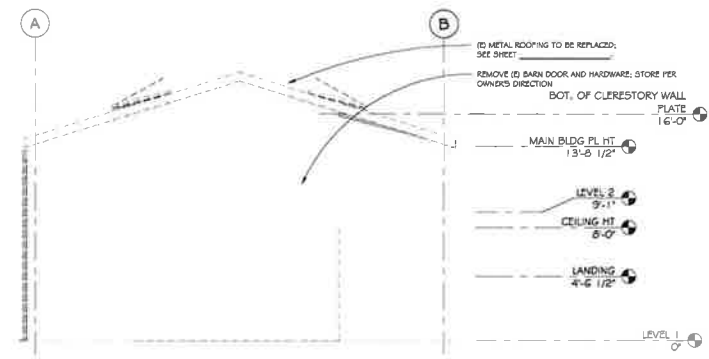
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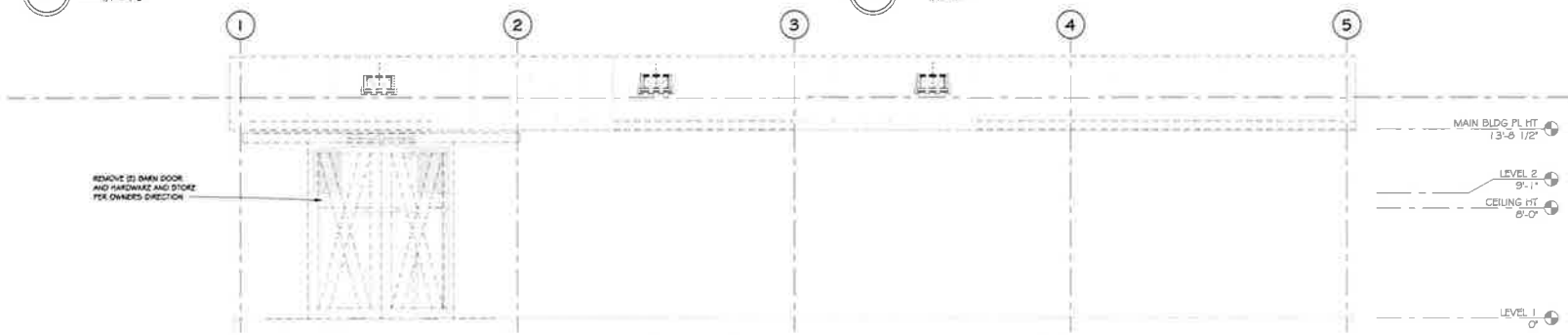
4 DEMOLITION SOUTH ELEVATION
 1/4" = 1'-0"



3 DEMOLITION EAST ELEVATION
 1/4" = 1'-0"



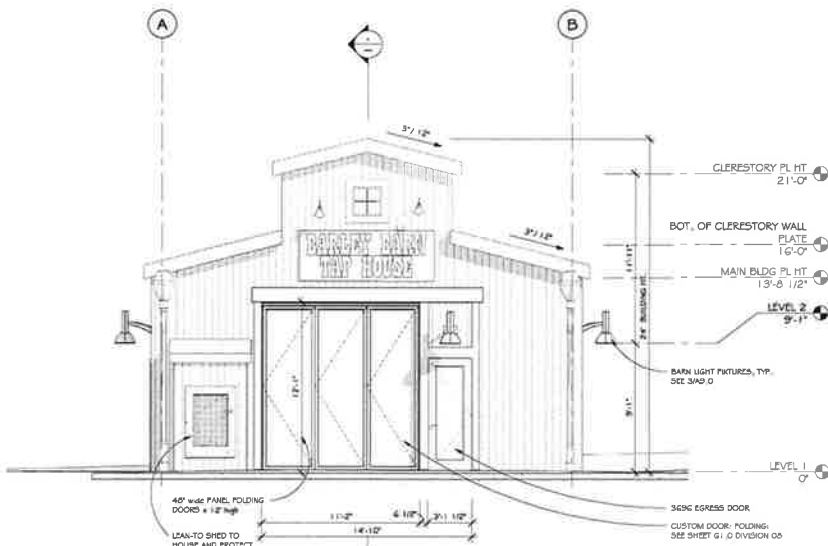
2 DEMOLITION WEST ELEVATION
 1/4" = 1'-0"



1 DEMOLITION NORTH ELEVATION
 1/4" = 1'-0"

Attachment 8

Building Elevations, dated September 16, 2021

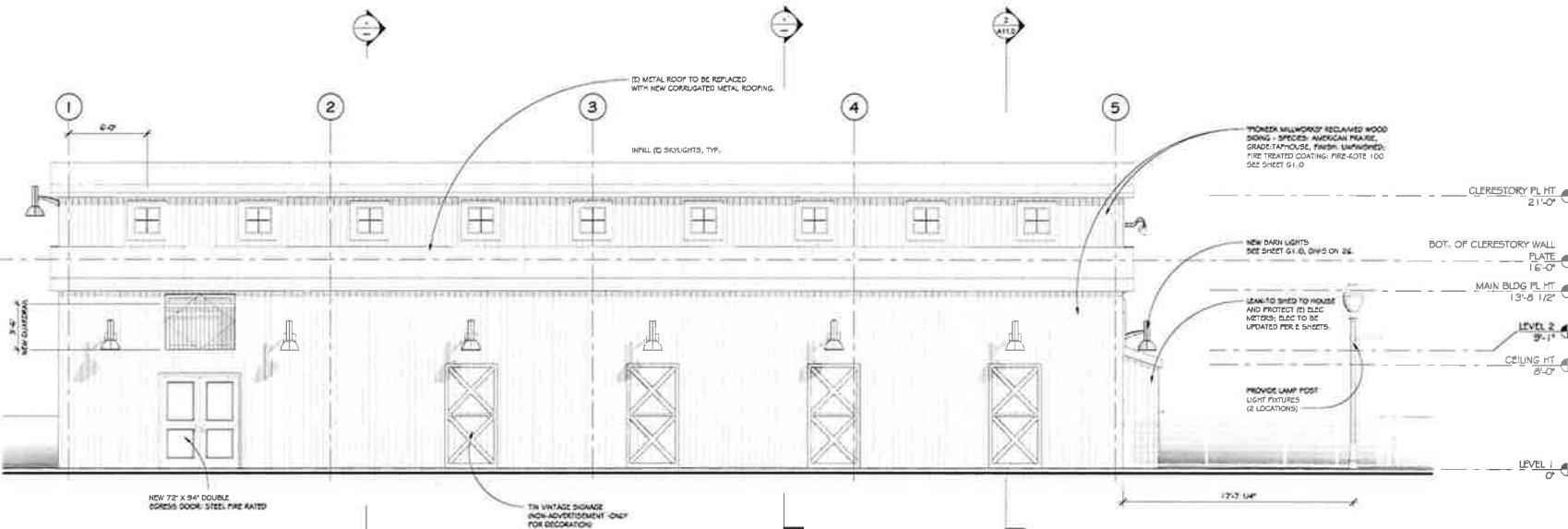


2 PROPOSED WEST ELEVATION
1/4" = 1'-0"



3 BARN LIGHT DIAGRAM
NO SCALE

EXTERIOR WALL MOUNTED LIGHTING FIXTURES:
"BARN LIGHT ELECTRIC COMPANY"
1/8" ORIGINAL 975 - GALVANIZED
G22 GOOSENECK ARM



PROPOSED NORTH ELEVATION
1/4" = 1'-0"

KONET ARCHITECTURE

REGGIE KONET, AIA
255 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630

916-835-4222
konetarchitecture@gmail.com
CA Arch License #C35855

www.konetarchitecture.com

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No.	Description	Date
1	REV 8/13/2018	08/13/18

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

PROPOSED NORTH & WEST ELEVATIONS

Project number	Z018R-K110
Date	Issue Date
Prepared by	Reggie Konet, AIA
Checked by	Checker

A9.0

As indicated

KONET ARCHITECTURE

REGGIE KONET, AIA
255 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630

916-835-4222
konetarchitecture@gmail.com
CA Arch License #C33835

www.konetarchitecture.com

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No.	Description	Date
1	NEW REVISION SET	10/27/18

Murray Weaver

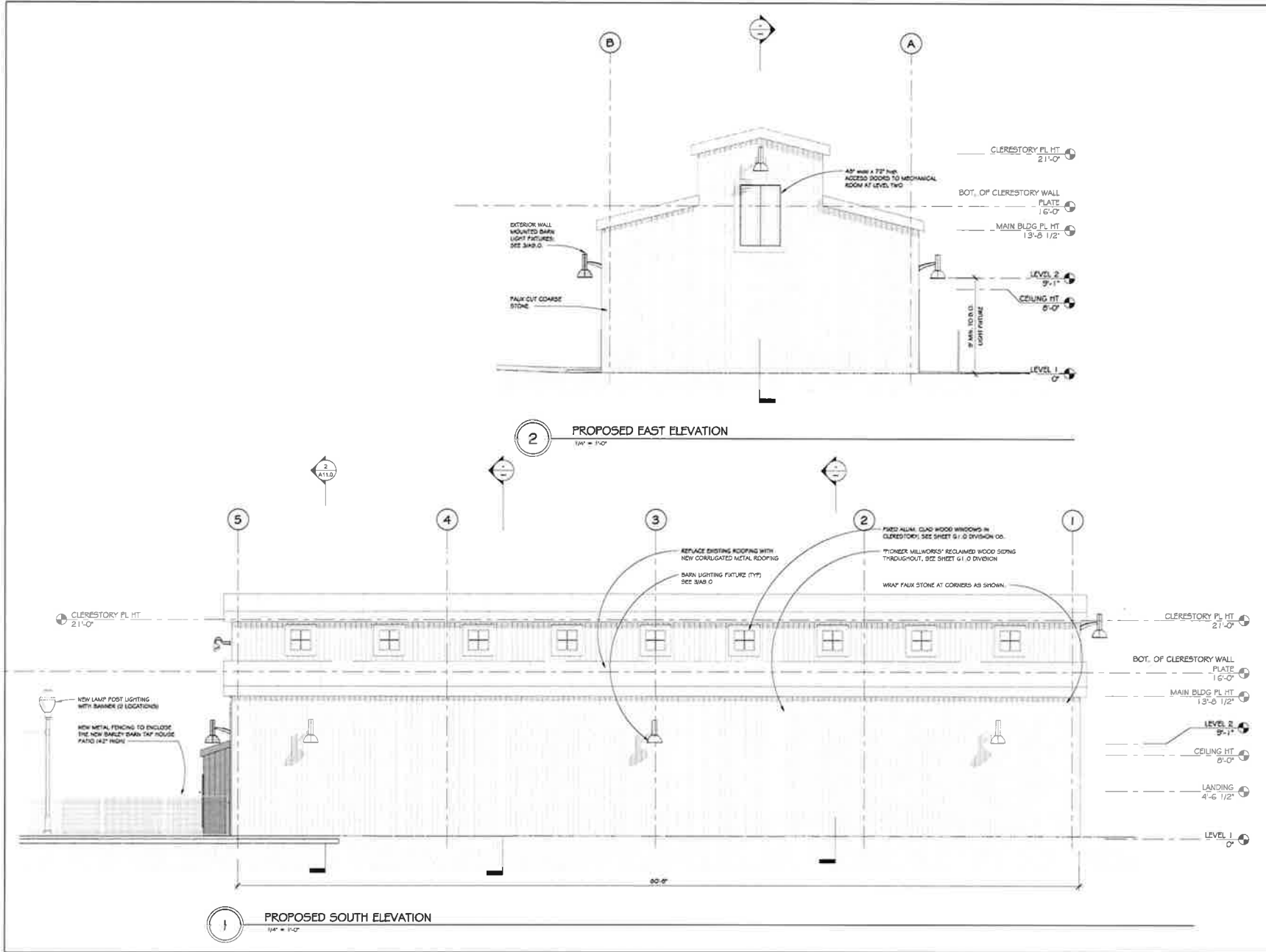
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

PROPOSED SOUTH & EAST ELEVATIONS

Project Number: 2018010
Date: Issued Date
Drawn By: Reggie Konet, AIA
Checked By: Checker

A10.0

Scale: 1/4" = 1'-0"



Attachment 9

Building Renderings Dated Received, September 27, 2021



ARTIST'S RENDERING BY
stevehubbardstudios.com



Attachment 10

Color and Materials Exhibits



CORRUGATED METAL ROOFING



RECLAIMED WOOD SIDING
BY PIONEER MILLWORKS



ALUM. CLADDING COLOR FOR
ENTRY DOORS : BROWN

BARLEY BARN TAP HOUSE
608-1/2 SUTTER STREET, FOLSOM, CA 95630
OWNER: MURRAY WEAVER 916-662-1327
ARCHITECT: REGGIE KONET 916-835-4222

BARLEY BARN TAP HOUSE
ENTRY FOLDING DOORS
COLOR = BROWN



PELLA® BIFOLD DOORS



Pella Architect Series® Contemporary Bifold door in Wood Stain.

Make an impressive statement.

Create outdoor living at its finest. Pella bifold patio doors fold neatly to make a beautiful opening to the outside – and extend living spaces beyond the walls. Whether your project calls for the fine, thoughtful details of traditional design or the clean lines on contemporary products, you can create your desired look with the flexible design of Pella Architect Series bifold doors.

Versatile style.

Enjoy added design flexibility of an expansive door, or size down to create a pass-through window. Tracks can be straight or meet at a 90-degree corner.

The perfect finishing touch.

Choose from a broad range of hardware styles and finishes to create a seamless look across your Pella project. Concealed multipoint locks provide easy operation and unparalleled aesthetic.

The best limited lifetime warranty for wood patio doors.*

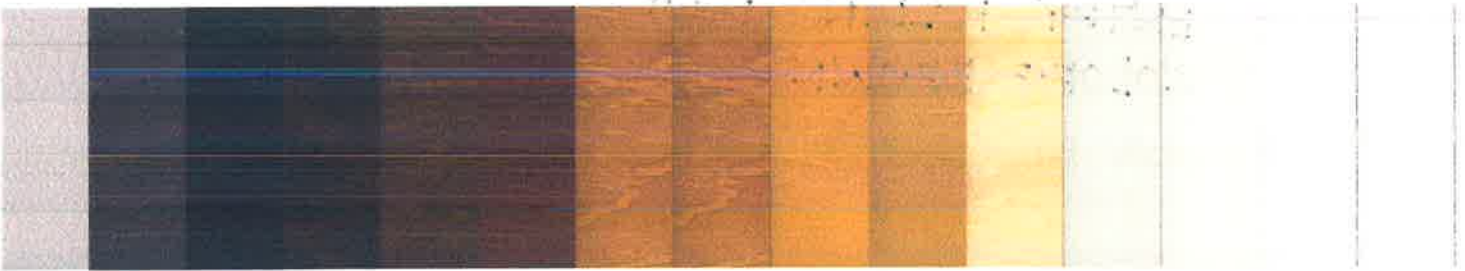
Built to last, Pella aluminum-clad wood patio doors are backed by the Pella Limited Lifetime Warranty.



Choose different hardware finishes for the exterior and interior to perfectly complement your look.



* Based on comparing written limited warranties of leading national wood window and wood patio door brands. See Pella written Limited Warranty for details, including exceptions and limitations, at pella.com/warranty, or contact Pella Customer Service at 877-473-5527.



Create a sleek design.

Elegant interior finishes.

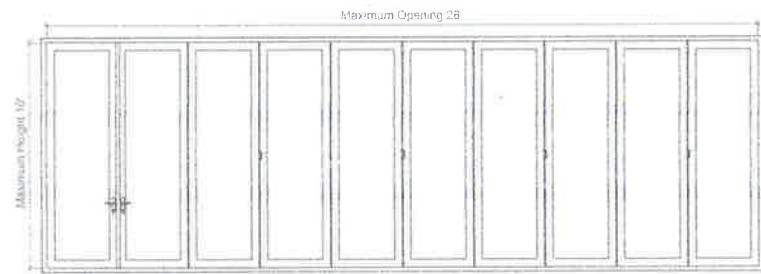
Complement home décor with an impressive collection of wood interiors, including rich Mahogany and distinctive Douglas Fir, Pine interiors are available unfinished, primed or prefinished in your choice of 16 stain or paint colors.

Beautiful, long-lasting exteriors.

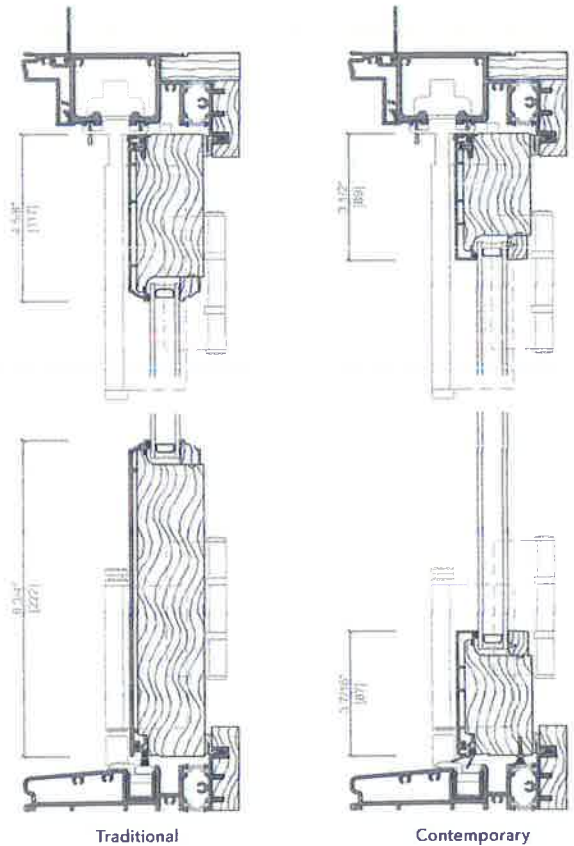
Customize the exterior color, or choose one of 27 standard colors of durable EnduraClad[®] exterior aluminum cladding.

Built-in peace of mind.

Add integrated Pella[®] Insynctive[®] security sensors, and give homeowners the ability to monitor doors from virtually anywhere with the Pella Insynctive mobile app[†] or through a professionally monitored system.



Bifold panel sizes range from 14-1/4" x 48" to 42" x 117-3/8".
Using 10 door panels, the maximum opening is 26'.



Energy Ratings

Dual-Pane with Argon
Triple-Pane with Argon

U-Factors

.27 - .50
.24 - .32

SHGC

.12 - .53
.11 - .38

Performance Ratings²

Standard Sill – Out-Swing
Standard Sill – In-Swing
Low-Profile and Flush Sills

Up to 8'

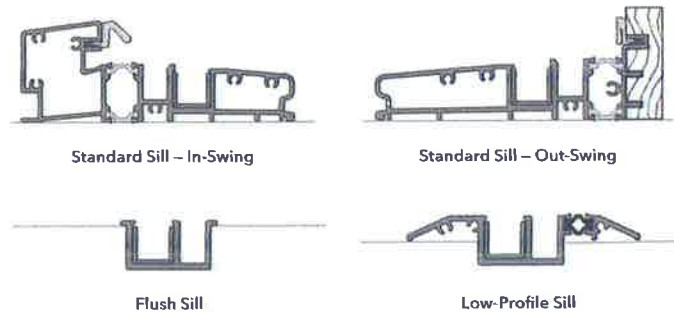
PG25
NC
NC

Up to 10'

PG15
NC
NC

NC = Not Certified

Sill Types Available



[†] Requires the Insynctive App on a smart device, an Insynctive Bridge and a wireless home internet router with internet connection.
² Expected performance ratings. See ADI4 for complete product details and ratings. For information on performance ratings, visit pella.com/support/performance-information/.

BARN LIGHT ELECTRIC COMPANY
16" THE ORIGINAL
975 - GALVANIZED
622 GOOSENECK ARM



Based on designs from the early 20th century, The Original™ is an iconic, stylish, and dependable gooseneck light. This straightforward look features a tall neck that fans out into a sleek RLM warehouse shade. Affixed to any one of our traditional gooseneck arms, The Original™ offers the perfect dimensions and aesthetic for any space. Popular in classically styled homes, gooseneck lighting also complements ultra-modern urban lofts, trendy businesses, and more.

The Original™ is constructed the old-fashioned way: completely by hand, using commercial-grade materials. Customization options for this gooseneck light include multiple finish options – powder coat, copper or brass, and our signature high-gloss porcelain – and rugged guards.

- Hand built with an American-made RLM warehouse shade, this quality industrial wall lighting is a lasting gooseneck option.
- Made-to-order, learn more about the process [here](#).
- Learn more about The Original™ Warehouse Gooseneck Light over on our [blog!](#)

CSA Listed Wet Location

Number of Sockets 1

DIMENSIONS

MAX WATTAGE PER SOCKET

COPPER & BRASS

PORCELAIN ENAMEL

LEAD TIMES & RETURNS

FINISH CARE & MAINTENANCE

Patio Door Hardware

Sliding Patio Door

Open and close the door with one hand with a convenient thumblock.



Sliding Patio Door Handle

Color-Matched Finishes:



Additional Finishes:

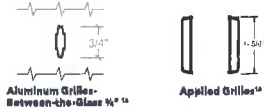


Footbolt

A footbolt comes standard on all sliding patio doors and can hold the door open about three inches for ventilation.

Grilles

Grilles are color-matched to window or patio door interior and exterior frame color.



Aluminum Grilles - Between-the-Glass 1/4" x 1/4"

Applied Grilles¹⁴

¹ Pella's proprietary fiberglass material has a layered exterior strength over wood, vinyl, aluminum, wood/plate or fiberglass, and a fiber fiberglass material used by leading national brands in single and 3-point bend tests performed in accordance with ASTM D638 and D790 testing standards.

² Impact testing performance based on testing 10 samples of each material using ASTM D256, Method C.

³ Pella's InsureView[®] windows and patio doors have a performance class of 12 Air Tight. For information on product ratings see www.pella.com/energyperformance.

⁴ In testing performed in accordance with ASTM testing standards, Pella's fiberglass has displayed superior performance in strength, ability to withstand extreme heat and cold and resistance to dents and scratches. Special glaze or films are made from a fiberglass resin material.

⁵ See website for detailed test details, including exceptions and limitations. www.pella.com/energyperformance

⁶ Tensile testing performance based on testing 7 samples of each material using ASTM D438 tensile methodology.

⁷ 3-point bend testing performance based on testing 10 samples of each material using ASTM D790 test methodology.

⁸ Optional high-visibility Low-E insulating glass available with an optional argon or krypton products.

⁹ Some Pella products may not meet ENERGY STAR[®] guidelines in Canada. For more information, contact your local Pella sales representative or go to energy.gov.

¹⁰ For best performance, the laminated glass may be in the interior or exterior pane of the insulating glass, depending on the product.

¹¹ Available with Advanced Low-E insulating glass with argon with bronze, gray or green tint on select products.

¹² Some exterior glass consists of double-pane glass blocks (Pella-DuraView[®] Series 2000).

¹³ Available on direct set, awning and casement windows. Not available with Advanced Comfort Low-E glass.

¹⁴ Only available for fixed-away units.

¹⁵ Actual size of rubber grille color may vary depending on the Low-E insulating glass selection.

¹⁶ Available on direct set windows only.

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BARLEY BARN TAP HOUSE
FIXED WDWs: COLOR - BROWN

Unmatched strength and lasting durability

Achieve commercial-grade strength and lasting durability for your customers' long-term return on investment. Pella Impervia products are made from our proprietary fiberglass material, the strongest material for windows and patio doors, engineered for lasting durability.¹

Revolutionary hardware

Introducing a revolutionary way to operate casement and awning windows. This patent-pending Easy Slide Operator simply slides to open, without the effort of cranking.

Pella Impervia

Fiberglass windows and patio doors.

Sleek profiles and more glass

Create bold designs from sleek profiles and more glass with our intentionally designed products made from our exceptionally strong proprietary fiberglass.

- **100x more impact resistant²**
Pella's fiberglass is 100x more impact resistant than Andersen's Fibrex windows. You can trust our fiberglass products to stand up to a hammer, misdeed and other job-site conditions.
- **Proven performance**
Engineered for the rigorous performance requirements of a commercial building, Pella Impervia products provide outstanding resistance to water, wind and outside noise.
- **Installation solutions and expertise**
With nearly 100 years in business, we've got you covered with products and installation solutions for your exact situation.
- **Exceptional mulling capabilities**
Factory-mulled combinations help save you time on the jobsite. And the superior strength of Pella fiberglass allows you to create larger, unique combinations made just for your remodel or new construction project.

- **Up-to-date color palette**
Achieve your design style with single-color and dual-color frame options, including Black.
- **Tested beyond requirements**
Tested beyond industry standards and to extremes, from -40°F to 180°F, our proprietary fiberglass can handle the most extreme heat and sub-zero cold.³ Our products are tested beyond industry standards to help ensure less maintenance with fewer callbacks.
- **Durable three-way corner joints**
For added strength, durability and reliable water performance, Pella Impervia products feature corner locks and sashes injected with sealant and fastened with screws.
- **The confidence of a strong warranty⁴**
We know your reputation matters, so we have one of the strongest warranties in the business.

Available in these window and patio door styles:

Special shape windows also available.

¹*** See label cover for thresholds.

Delivering unmatched strength, engineered for lasting durability.¹

Pella's Proprietary Fiberglass vs. Andersen Fibrex^{2, 6, 7}

Resists dents. **100x** more impact-resistant

Resists bends. **10x** stronger

Resists breaks. **20x** the tensile strength

Product Specifications

Window & Patio Door Styles	Min. Width	Min. Height	Max. Width	Max. Height	Performance Class & Grade	Performance Values			Frame/Install
						U-Factor	SHGC	STC	
Vent Awning	20"	17-1/2"	59-1/2"	59-1/2"	LC50	0.18-0.48	0.16-0.55	29-37	Block Frame, Standard Fin, Off-Set Fin, Integral Fin
Fixed Awning	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC50	0.14-0.49	0.18-0.63	28-36	
Vent Casement	17-1/2"	20"	37-1/2"	79-1/2"	LC40-LC50	0.24-0.45	0.18-0.55	25-32	
Fixed Casement	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC45-LC50	0.22-0.48	0.20-0.62	27-33	
Vent Double-Hung	17-1/2"	29-1/2"	47-1/2"	77-1/2"	LC30-LC50	0.25-0.49	0.19-0.58	26-29	
Vent Single-Hung	17-1/2"	23-1/2"	47-1/2"	77-1/2"	LC40-LC50	0.24-0.51	0.19-0.59	26-32	Block Frame, Standard Fin, Off-Set Fin, Integral Fin, Flush Frame
Sliding Window (OX, XO)	23-1/2"	11-1/2"	71-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-33	
Sliding Window (XOX)	47-1/2"	17-1/2"	107-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-32	
Fixed Sash and Frame	13-1/2"	13-1/2"	71-1/2"	71-1/2"	CW35-CW50	0.22-0.60	0.20-0.62	27-33	Block Frame, Standard Fin, Off-Set Fin
Fixed Frame Direct Set	11-1/2"	11-1/2"	143-1/2"	143-1/2"	CW50	0.14-0.46	0.18-0.69	28-36	
Sliding Patio Door (One Panel)	27"	71-1/2"	49"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	Block Frame
Sliding Patio Door (Two Panel)	47-1/2"	71-1/2"	95-1/2"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	

Window sizes available in 1/8" increments. Maximum square footage rules apply. Maximum width and height cannot exceed the maximum square footage. Special shapes available.

Glass & Additional Energy Efficiency Upgrades

InsulShield® Low-E Glass® Pella Impervia products offer energy-efficient options that will meet or exceed ENERGY STAR guidelines in all 50 states.⁹



Advanced Low-E insulating dual- or triple-pane glass with argon



Advanced Comfort Low-E insulating dual-pane glass with argon



Natural Sun Low-E insulating dual- or triple-pane glass with argon



SunDefense™ Low-E insulating dual- or triple-pane glass with argon

Additional Glass Options



Clear insulating glass



Tempered glass



Laminated (non-impact-resistant)¹⁰, tinted¹¹ or obscure glass also available on select products



STC (Sound Transmission Class)-improved dual-pane sound control glass¹²



Triple Pane¹³

Foam Insulation Options

Optional foam-insulated frame and sash are available to increase energy efficiency.

^{10, 11, 12, 13} See each cover for details.

Color & Finishes

Frame Colors

Dual-color frames allow your homeowner to choose a different color for the exterior with a White interior. Our long-lasting powder-coat finish resists chipping and fading and meets AAMA 624, which is the highest rated fiberglass coating among leading national competitors.

Solid Colors:



Dual-Color:



Window Hardware

Casement & Awning

The patent-pending Easy-Slide Operator is a revolutionary way to operate casement and awning windows. Simply slide to open, without the effort of cranking. With precision venting technology, the window will open to an exact location. Or select the fold-away crank, that folds neatly away, against the window frame. Neither solution will interfere with roomside window treatments.

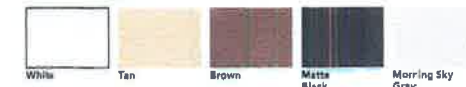


Easy-Slide Operator



Fold-Away Crank

Color-Matched Finishes:



Additional Finishes:



Satin Nickel

Sliding, Single & Double-Hung

Pella's cam-action lock pulls the sashes against the weatherstripping for a tighter seal.



Cam-Action Lock

Color-Matched Finishes:



Additional Finishes:



¹⁴ See book cover for details.

BARLEY BARN TAP HOUSE
- FR COATING FOR SIDING



NATIONS #1 FLAME RETARDANT

HEAVY DUTY - MAXIMUM PROTECTION

COMMERCIAL, INDUSTRIAL, MILITARY AND RESIDENTIAL USE

A Superior Class "A" Intumescent Flame Retardant

Fire Kote 100™ Heavy Duty water and resin based application. As a coating and a penetration agent it automatically reacts with fire and heat. It changes the chemicals in the wood and reverses the fire process.

Universal Fire Shield's exclusive Trade Secret formula is un-matched in performance and safety. Nitrogen is produced under high heat and fire displacing oxygen therefore reversing the ignition process.

Fire Kote 100™ comes with a 100% money back guarantee for performance and it protects like no other product. Fire Kote 100™ is the Nations number one seller. It out performs all other products on the market world wide. A clear coating that enhances and protects all natural wood surfaces. Can be a spray-on, rolled or brushed on or dipped to apply.

WHEN ONLY THE BEST IS
GOOD ENOUGH!

UNISHIELD INTERNATIONAL, LLC

3544 WATERFIELD PKWY - LAKELAND, FL 33803

1-800-608-5699 - www.firechemicals.com - info@universalfiresshield.com



RECOMMENDED FOR:

All unfinished wood and wood material surfaces.

Plywood, OSB board, Man made board, Lumber, Timbers, I-Beams, Ship lap, Paneling, Decks, Doors, Window frames, Fencing, Cabinets, Furniture, Post, Sheds, also styrafoam sheets can be treated.

FIRE KOTE 100™

Renders most woods non-combustible.



UNIVERSAL FIRE-KOTE 100™

NATIONS #1 FLAME RETARDANT



APPLICATIONS: COMMERCIAL, INDUSTRIAL AND MILITARY

An exclusive heavy duty formula flame inhibiting chemical un-matched by any other product on the market. A SUPERIOR HEAVY DUTY GRADE. Fire Rated Class "A". Specifically formulated for maximum protection. EXTERIOR AND INTERIOR Woods, Lumber, Leaves, Straw, Rope, Fiberboard. Paperboard. Corrugated box board, fabric materials such as canvas and other materials. Meets Military and NFPA 30 standards for packaging. Fire-Kote 100™ formula has met the test, Southwest Research and other testing agencies. Universal Fire-Kote 100™ meets and exceeds the ASTM E-84, (UL 263 same tunnel test) UBC 42-1 and NFPA 255 for surface burning characteristics for applied coatings, NFPA 703, ESTM E-108. Can be applied to most porous surfaces. For other uses contact our home office. Recommended for professional applicators. Most powerful fire retardant known. When only the best is good enough always demand Fire Kote 100™. On wood surfaces 5 year exterior and 25 year interior.

UNIVERSAL PROTECTIVE TECHNOLOGIES, UNIVERSAL FIRE-SHIELD, LLC™

are leaders dedicated to setting standards for Fire Prevention Chemicals through our on going research and development. It is our resolve to educate and inform the Public, Contractors, Industrial users, manufacturer and Architects. Environmentally safe flame retardant chemicals.

UNIVERSAL FIRE-KOTE 100™ Trade Secret Formula - ZB MSDS=Phosphoric Acid 18%, Formaldehyde 2%. This is an aqueous based resin liquid coating and penetrant. Total Solids =49.1%, weight per gallon 9.1 lbs., specific gravity = 1.33, PH factor =5.5, Flash Point Non-flammable, Color =Blue tint clear at 78 degrees F Slight haze at 50 degrees F. and lower, Volatility= no petroleum or lead, Fungus= anti-fungus, Bacteria=mildly resistant, Linear shrinkage=None, Moisture absorption=None, Corrosion=Mildly when in solution, Preservative=excellent, Pest resistant= excellent. These chemicals comply with all United States Federal Regulations. Meets or exceeds national, city, county and state fire codes.

APPLICATION PROCEDURE:

Can be applied by brush, roll coater, paint roller. Pressure spray at 50-250 psi. is recommended for commercial applications. For best results apply Fire-Kote 100™ two coats. Allow to dry slightly between coatings. Application rate 200 sq. ft. to one gallon. Applicator of chemical should wear protective clothing, eye ware, neoprene gloves and an appropriate mask the same type as for paints or chemicals for inclosed areas. Good ventilation is recommended. Allow to dry between coatings. Clean up over spray as soon as possible, clean up equipment as soon as possible with water and detergent soap or bleach. Mildly toxic during application phase only. **KEEP OUT OF REACH OF CHILDREN. DO NOT TAKE INTERNALLY.** If chemical gets into eyes wash out immediately flood with water. SAME PRECAUTIONS AS FOR PAINT AND STAIN.

Classified: FIRE RETARDANT COATING, SURFACE BURNING CHARACTERISTICS OF APPLIED COATING . FIRE-KOTE 100™ Superior Heavy Duty Grade. Fire Rated Class "A"

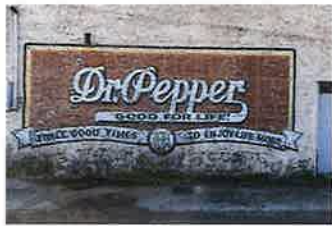
Yellow Pine, Redwood, Plywood, Cedar, Manufactured Board. Flame Spread =10, Smoke developed =50, Number of coats = 2, Rate per coat (ft2/gal) 360, Flash point= 0, clear liquid coating , no flash. Meets or exceeds ASTM E-84, (U.L. 723 same tunnel test), NFPA 255, NFPA 703, ASTM E-108, UBC 42-1 .

Universal Fire-Shield Chemicals™ meet or exceed existing and current federal, state, industrial, national and local fire codes.



Attachment 11

Signage Details, dated September 16, 2021



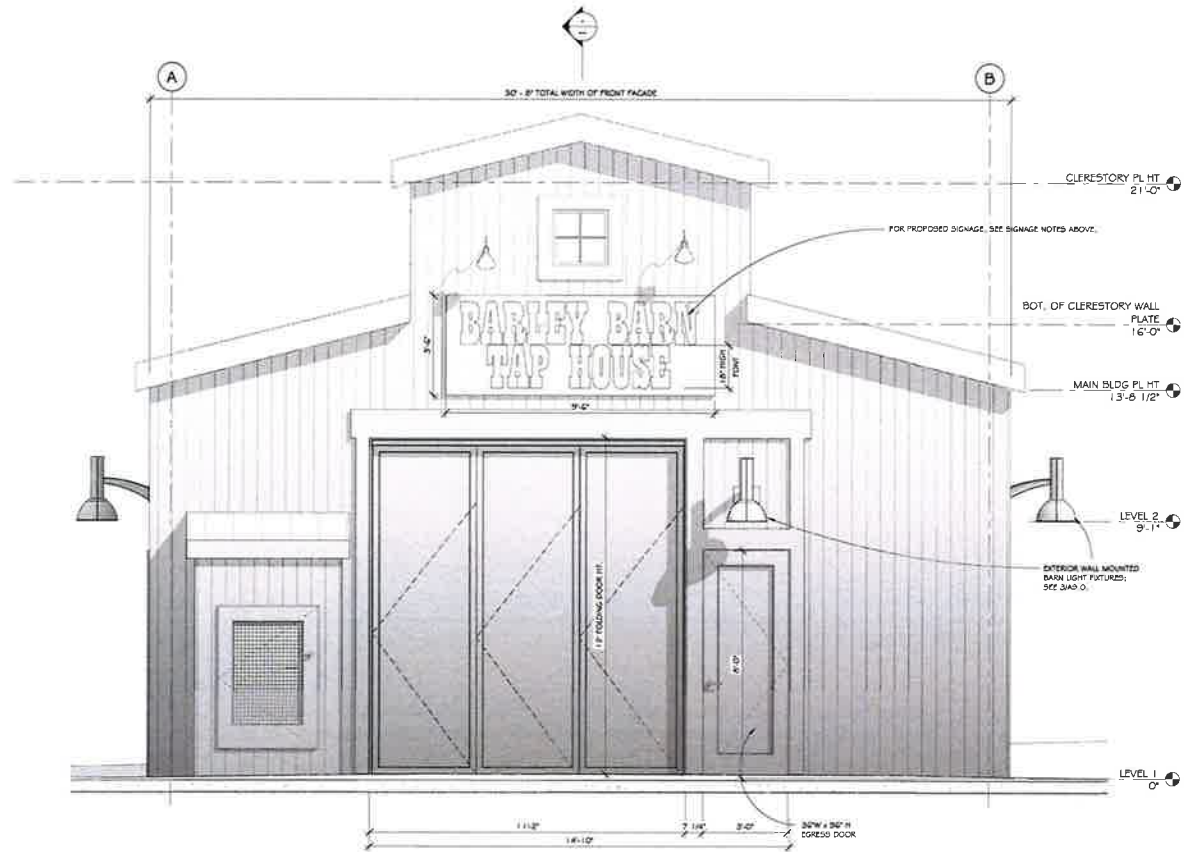
2 SAMPLE SIGNAGE APPLICATIONS

1/12" = 1'-0"

TYPICAL COLORATIONS OF THE HISTORIC 'GHOST' SIGNAGE WERE WHITE LETTERING ON A RED BACKGROUND.

SIGNAGE AND ENTRY DOOR NOTES:

1. THE PROPOSED SIGNAGE AS DEPICTED ON DRAWING 1A-1.0 WILL BE IN "PLAYBILL FONT" PAINTED DIRECTLY ONTO THE WOOD SIDING TO MIMIC HISTORIC "GHOST" SIGNAGE. THE COLORS WILL BE: LETTERING - ANTIQUE WHITE, BACKGROUND - RED.
2. THE TOTAL WIDTH OF THE FRONT FACADE IS 30'-0" AND THE WIDTH OF THE PROPOSED SIGNAGE IS 3'-0" X 3'-6" HIGH. THEREFORE, THE SIGNAGE IS LESS THAN 10% OF THE TOTAL WIDTH OF THE FRONT FACADE.
3. THE WINDOW AND DOOR UNITS AT THE ENTRY SHALL BE PROVIDED BY 'VELLA WINDOW'. UNITS SHALL BE ALUMINUM CLAD - WOOD UNITS. CLADDING COLOR SHALL BE 'SANDWAL'.



1 PROPOSED SIGNAGE & DOOR ELEVATION

1/8" = 1'-0"

KONET ARCHITECTURE

REGGIE KONET, AIA
235 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630

916-635-4222
konetarchitecture@gmail.com
CA Arch License #C33835

www.konetarchitecture.com

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No.	Description	Date
1	NEW REVIEW SET	08/07/18

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

SIGNAGE & DOOR ELEVATION AND DETAILS

Project No.:	2018RKT0
Date:	Issue Date
Prepared by:	Reggie Konet, AIA
Checked by:	Checker

A14.0

As indicated

Attachment 12

Site Details



ascension-lift.com (520) 881-3993

the Virtuoso

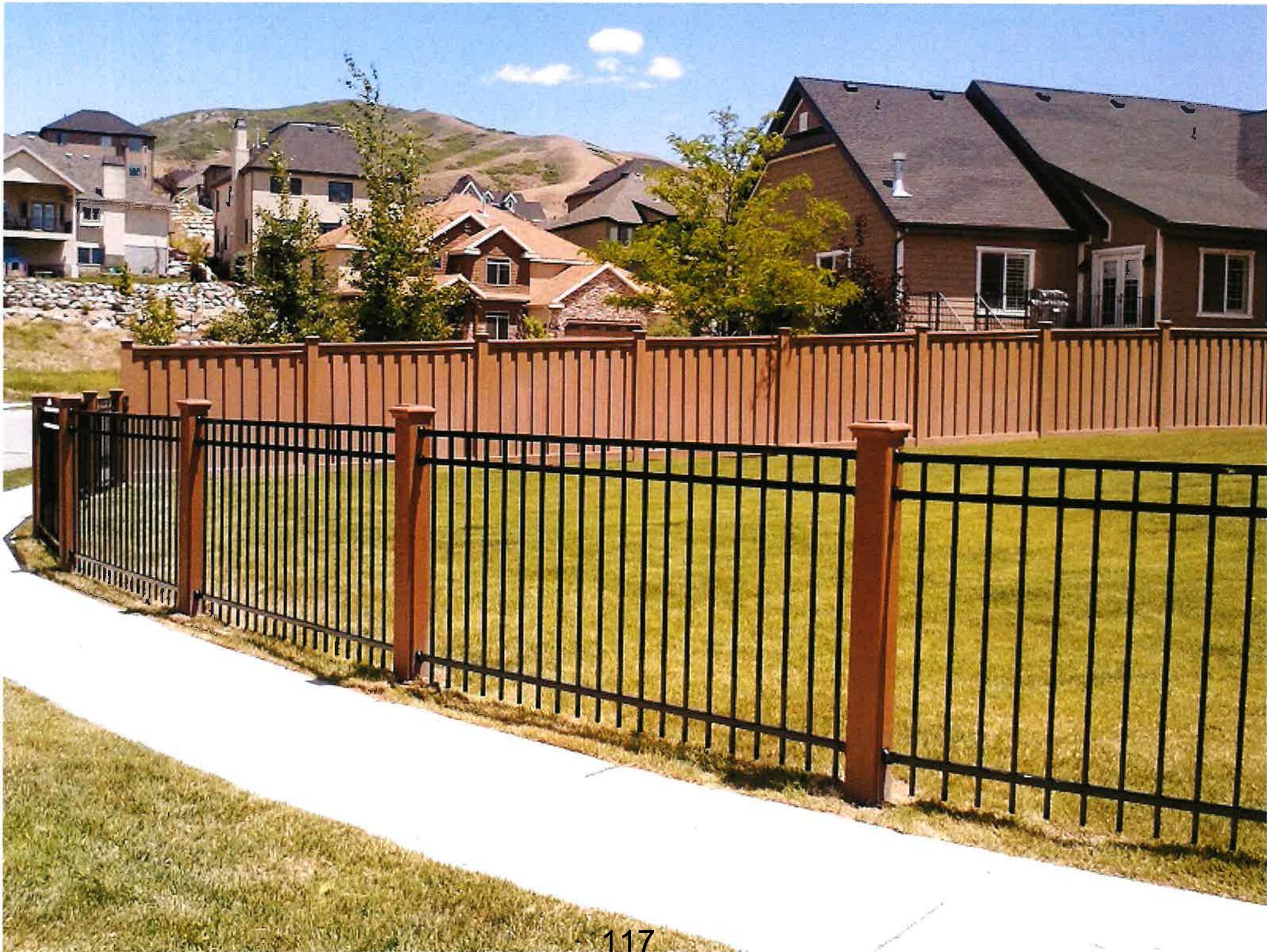
blending safety and functionality to
deliver exceptional accessibility

The Lift That Started It All...

The Ascension Virtuoso vertical platform lift is unmatched for safe, attractive, and quiet wheelchair access.

Key features include full rigid safety skirting, an electro-hydraulic drivetrain, and a sleek, low profile. The Virtuoso is perfect for locations where image counts, such as stages and orchestra pits.

Vertical Travel:	12" to 60"
Capacity:	750lbs
Platform Size:	36" wide x 54" long
Lift Size:	48" wide x 63" long
Required Space:	52" wide x 64" long



Attachment 13

Floor Plans, dated September 16, 2021

ACCESSIBILITY NOTES:

PER 2019 CBC SECTION 11B-1006.2.6 | ACCESSIBLE GROUND SURFACES
GROUND SURFACES ON ACCESSIBLE ROUTES, CLEAN FLOOR OR GROUND
SPACES, AND TURNING SPACES SHALL COMPLY WITH ASTM F 1951. GROUND
SURFACES SHALL BE INSPECTED AND MAINTAINED REGULARLY AND FREQUENTLY
TO ENSURE CONTINUED COMPLIANCE TO ASTM F 1951.

PER 2019 CBC 11B-403.3 SLOPE
THE RUNNING SLOPE OF WALKING SURFACES THROUGHOUT THE FOLSOM
PRISON BARRACKS PROJECTS SHALL NOT BE GREATER THAN 1:20. THE CROSS SLOPE
OF WALKING SURFACES SHALL NOT BE GREATER THAN 1:48.
EXCEPTION: THE RUNNING SLOPE OF SIDEWALKS SHALL NOT
EXCEED THE GENERAL GRADE ESTABLISHED FOR THE ADJACENT STREET OR
HIGHWAY.

FIRE AND LIFE SAFETY NOTES:

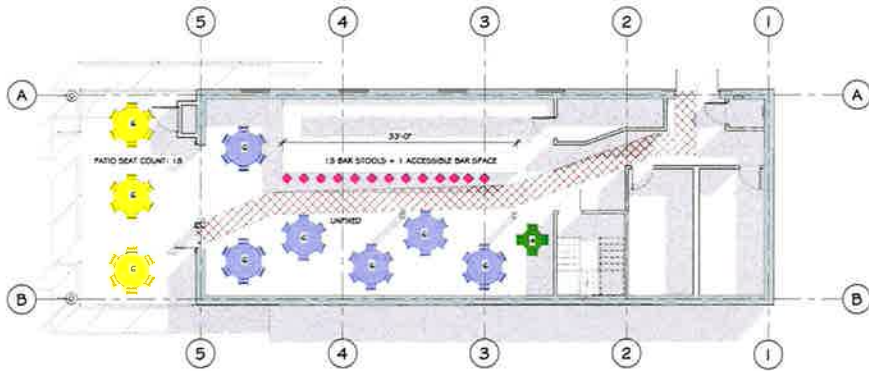
A. PER 2019 CBC SECTION 903.2.1.2 GROUP A-2
AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT STORES CONTAINING A-2
OCCUPANCIES AND THROUGHOUT ALL STORES FROM THE GROUP A-2 OCCUPANCY TO AND
INCLUDING LEVELS OF DIT DISCHARGE SERVING THAT OCCUPANCY WHERE ONE OF THE FOLLOWING
2023'S:

(2) THE FIRE AREA HAS AN OCCUPANT LOAD OF 100 OR MORE.
B. PER 2019 CBC SECTION 903.2.1.1 SPECIFIC BUILDING AREAS AND HAZARDOUS AND SECTION
903.2.1.1.1 STORES WITHOUT OPENINGS, THE LEVEL TWO OCCUPANCY 5-2) WILL BE REQUIRED
TO HAVE AUTOMATIC SPRINKLER SYSTEM INSTALLED. THE OPENINGS ON LEVEL TWO DO NOT
COMPLY WITH SECTION 903.2.1.1.1 (2) AND SECTION 903.2.1.1.1.1.

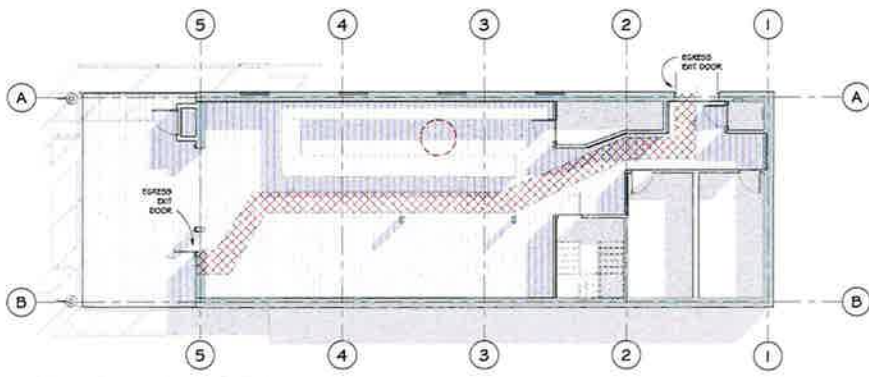
CURRENTLY, THERE ARE NO AUTOMATIC SPRINKLER SYSTEMS IN THE BUILDING.
B. PER 2019 CBC SECTION 906 PORTABLE FIRE EXTINGUISHERS
PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED IN NEW AND EXISTING GROUP A OCCUPANCIES

NOTE: PROVIDE ONE PORTABLE FIRE EXTINGUISHER BEHIND THE BAR, ONE PORTABLE FIRE
EXTINGUISHER IN THE ELECTRICAL / FIRE ALARM CLOSET AND ONE FIRE EXTINGUISHER ON THE
LOWER TWO STORAGE ROOM NEAR THE STAIR.
THE PORTABLE FIRE EXTINGUISHERS SHALL CONFORM TO THE REQUIREMENTS OF CALIFORNIA CODE OF
REGULATIONS, TITLE 19, DIVISION 1, CHAPTER 3, AND SHALL BE INSTALLED AND MAINTAINED IN
ACCORDANCE WITH GUIDES ESTABLISHED THEREIN.
SEE THE FLOOR PLANS FOR LOCATION OF EXTINGUISHERS

C. PER TABLE 1004.1.2 IN 2019 CBC, THE OCCUPANT LOAD FACTOR (OLF) FOR AN ASSEMBLY
OCCUPANCY WITHOUT FIXED SEATS, UNCONCENTRATED (TABLES + CHAIRS) IS 15 NET.
THE OCCUPANCY LOAD FACTOR IS BASED ON THE NET FLOOR AREA. THE CALCULATION IS BASED ON
THE ACTUAL OCCUPIED AREA. NONOCCUPABLE SPACES LIKE CORRIDORS, STAIRS, BATHROOMS,
ELEVATOR ROOMS, CLOSETS AND FIXED EQUIPMENT ARE SUBTRACTED FROM THE TOTAL AREA TO
DETERMINE THE NET FLOOR AREA.
OUTDOOR SEATING AREA SHALL BE INCLUDED IN THE OCCUPANT LOAD
THEREFORE, THE TOTAL OCCUPANT LOAD FOR THE PROJECT IS 139.
(2060 SF DIVIDED BY 15 OLF = 139 OCCUPANCY LOAD)



2 FURNITURE LAYOUT PLAN
1/8" = 1'-0"



1 FIRE LIFE SAFETY FLOOR PLAN
1/8" = 1'-0"

SHEET LEGEND:

- ◇ BAR STOOL (13 COUNT)
- ⊕ 36" DIA TABLE + 4 CHAIRS (1 COUNT)
- ⊕ 60" DIA. TABLE + 6 CHAIRS (6 INTERIOR COUNT, 3 EXTERIOR COUNT)
- ▭ NET OCCUPIABLE AREA: 2060 SF
- ▨ 36" MIN WIDE EGRESS ROUTE

KONET ARCHITECTURE

REGGIE KONET, AIA NCARB
255 AMERICAN RIVER, CANTON DR
FOLSOM, CA 95630
916-835-4222
konetarchitecture@gmail.com
CA Arch. License # 33819

www.konetarchitecture.com

NOT FOR CONSTRUCTION

No.	Description	Date
1	REV: REVISIONS	DATE

Murray Weaver
BARLEY BARN TAP HOUSE
608-1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000
FIRE LIFE SAFETY PLAN,
ACCESSIBILITY PLAN AND
FURNITURE PLAN

Project number: 2016R.A.33
Date: Issue Date
Drawn by: Reggie Konet, AIA
Checked by: Checker
G3.0
Scale: 1/8" = 1'-0"

LEVEL ONE NOTES:

1. CONTRACTOR TO VERIFY CONDITIONS, DIMENSIONS, AND SYSTEMS OF EXISTING BUILDING IN THE FIELD PRIOR TO CONSTRUCTION. IF ANY DISCREPANCIES ARE DISCOVERED, CONTRACTOR SHALL ALERT THE ARCHITECT IMMEDIATELY AND NOT PROCEED WITH WORK UNTIL THE ARCHITECT HAS THE OPPORTUNITY TO CLARIFY OR REVIEW THE DISCREPANCY.
2. NEW AND UPDATED ELECTRICAL PANELS FIRE ALARM PANEL SHALL BE RELOCATED TO (N) CLOSET AS SHOWN. SEE ELECTRICAL PLANS FOR INFORMATION.
3. PROVIDE (1) FAUX STONE VENEER AS INDICATED ON PLANS AND ELEVATIONS. STONE VENEER SHALL WRAP AROUND THE SOUTH ELEVATIONS FOR 4 FEET IN LENGTH AND SHALL TERMINATE AS DETAILED FOR SHEET REMAINING UNGLAZED EXTERIOR WALL SHALL BE PAINTED DARK GREY. SEE SHEET G1.0 DIVISION.
4. ALIGN (N) NORTH STAIRWELL WALL WITH (E) WOOD POST AS INDICATED.
5. PROVIDE (N) STAIR TO SECOND FLOOR STORAGE ROOM AT THIS LOCATION.
6. PROVIDE (2) NEW POLE LIGHT FIXTURES AT THIS LOCATION. SEE SHEET G1.0 DIVISION FOR ADDITIONAL INFORMATION.
7. PROVIDE (N) STEEL FIRE RATED EGRESS DOORS AT THIS LOCATION. SEE SHEET G1.0 FOR ADDITIONAL INFORMATION.

**KONET
ARCHITECTURE**

REGGIE KONET, AIA
255 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630

916-835-4222
konetarchitecture@gmail.com
CA Arch License #C339835

www.konetarchitecture.com

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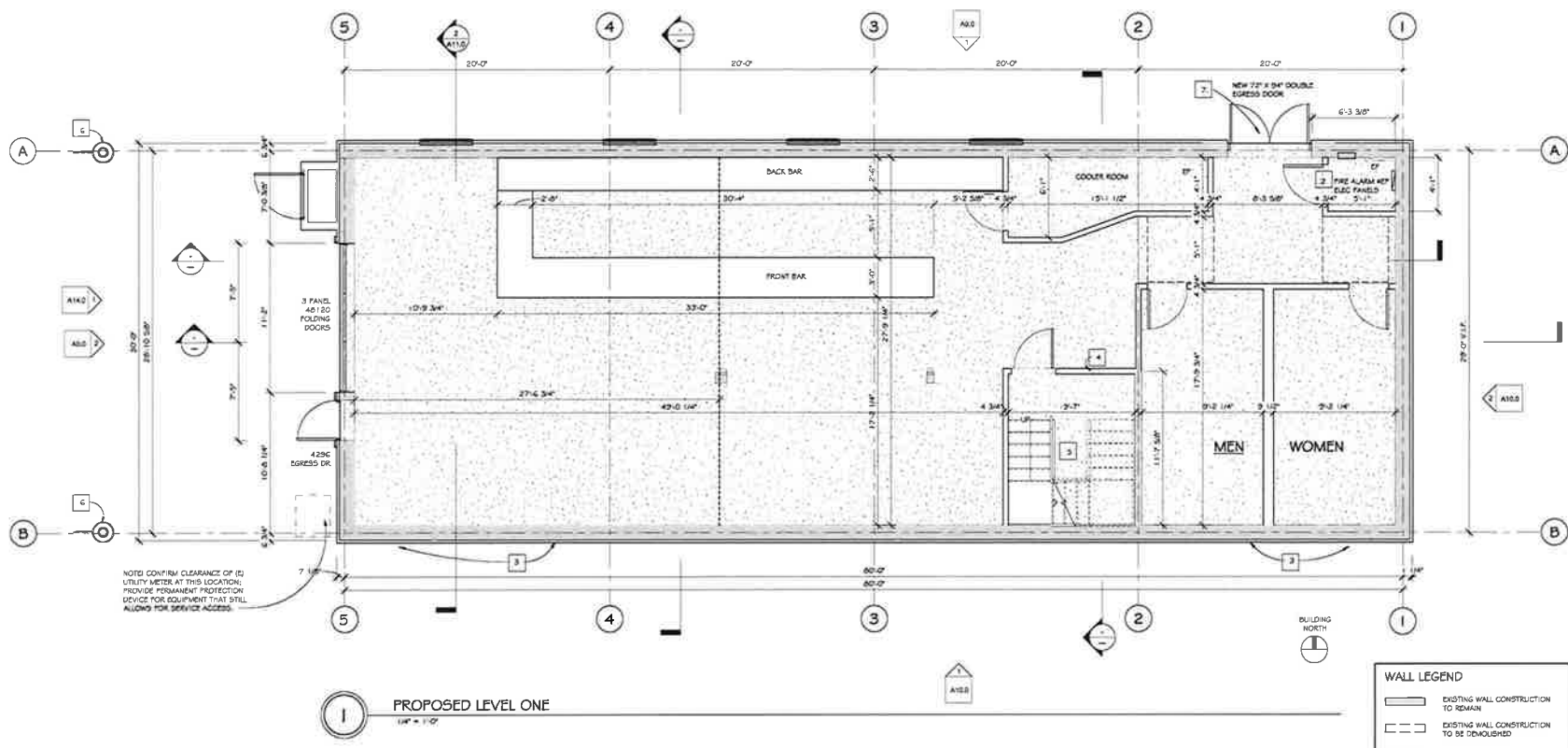
No.	Description	Date
1	REV. 8/10/2021	8/10/21

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

**PROPOSED LEVEL ONE
PLAN**

Project number	2018R010
Drawn by	Reggie Konet, AIA
Checked by	Reggie Konet, AIA
Issue Date	

A5.0



LEVEL TWO NOTES:

1. THE (2) LEVEL TWO STORAGE AREA WILL NOT BE A CHANGE IN USE. THE STORAGE AREA AT LEVEL TWO WILL BE REDUCED IN SIZE AS INDICATED.
2. THE LEVEL TWO STORAGE AREA WILL BE FOR EMPLOYEE USE ONLY AND SHALL HAVE A SECURED LOCKED DOOR AT THE ENTRY TO THE (2) STAIRWELL.
3. CONTRACTOR SHALL CONFIRM WITH STRUCTURAL ENGINEER IF THE (2) LEVEL TWO FLOOR CONSTRUCTION IS ADEQUATE AND COMPLIES WITH THE 2019 CBC. IF NOT, THE CONTRACTOR SHALL ADHERE TO THE STRUCTURAL ENGINEER'S INSTRUCTIONS TO UPGRADE THE 22 CONDITIONS.

KONET ARCHITECTURE
 REGGIE KONET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-835-4222
 konetarchitecture@gmail.com
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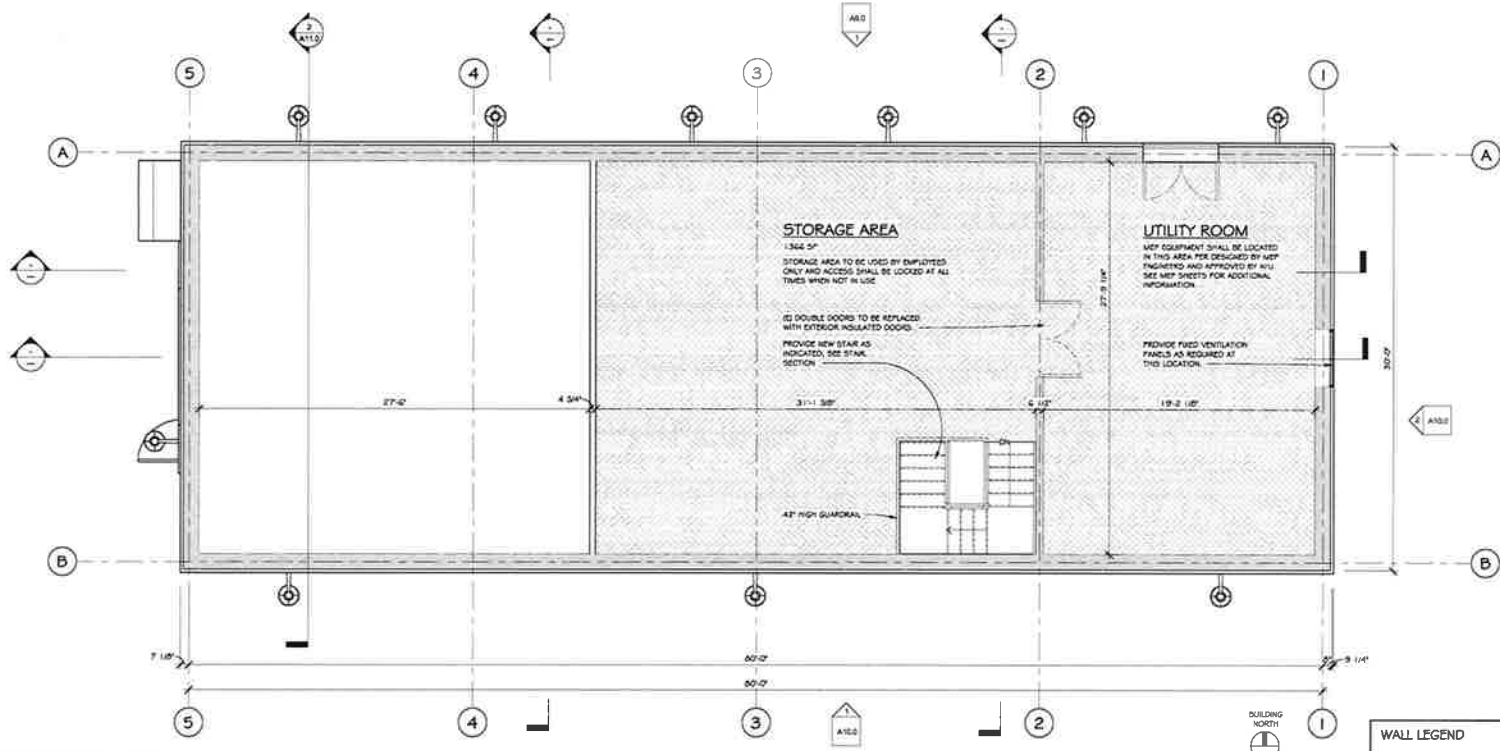
No.	Description	Date
1	DATE REVISION SET	PROJECT

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PROPOSED LEVEL TWO PLAN

Project number: 2018R K10
 Date: Issue Date
 Drawn by: Reggie Konet, AIA
 Checked by: Checker

A6.0
 1:4 1/4" = 1'-0"



PROPOSED LEVEL TWO
 1/4" = 1'-0"

KONET ARCHITECTURE

REGGIE KONET, AIA
 255 AMERICAN RIVER CANYON DR.
 FOLSOM, CA 95630
 916-835-4222
 konetarchitecture@gmail.com
 CA Arch. License #C33835

www.konetarchitecture.com

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No.	REV	Description	Date

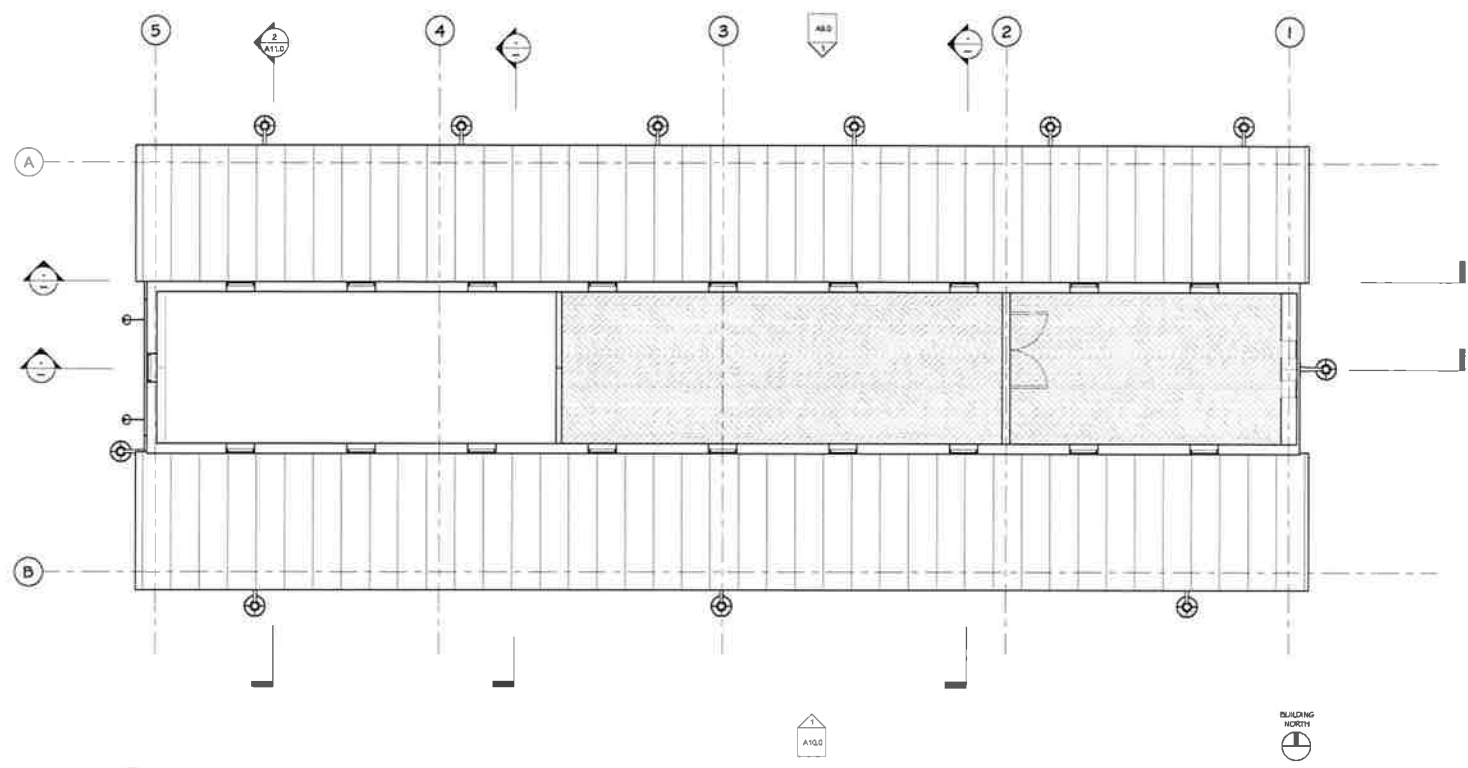
Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

CLERESTORY LEVEL PLAN

Project number: 2018RKL10
 Date: _____ Issue Date: _____
 Drawn by: Reggie Konet, AIA
 Checked by: _____ Checker: _____

A7.0

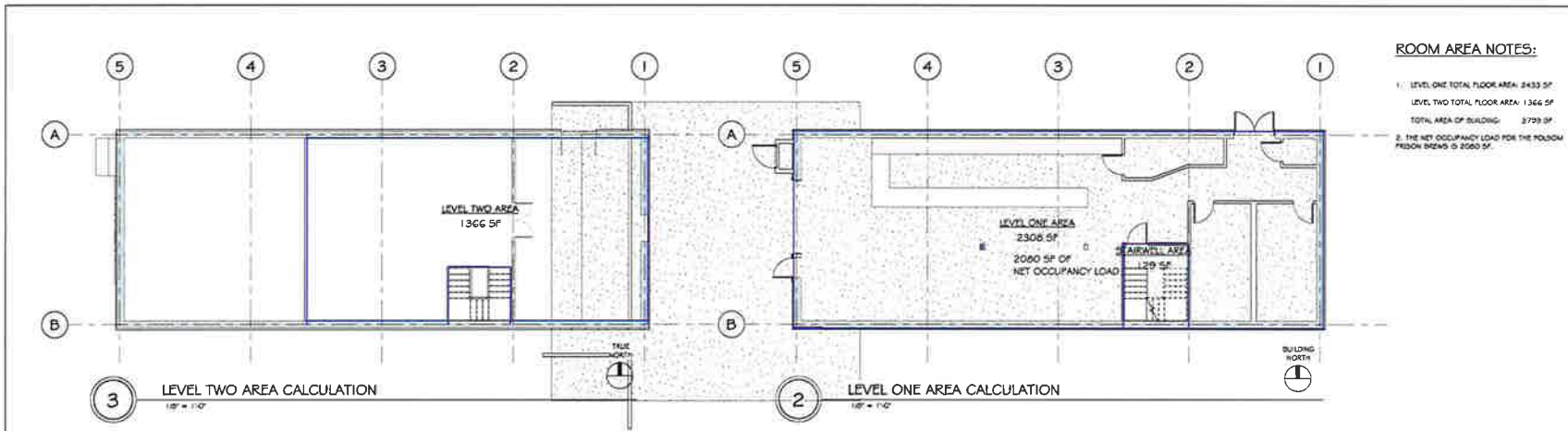
1/8" = 1' 0" MS - T 0'



CLERESTORY LEVEL PLAN
 1/8" = 1' 0"

WALL LEGEND

- EXISTING WALL CONSTRUCTION TO REMAIN
- EXISTING WALL CONSTRUCTION TO BE DEMOLISHED
- NEW WALL CONSTRUCTION



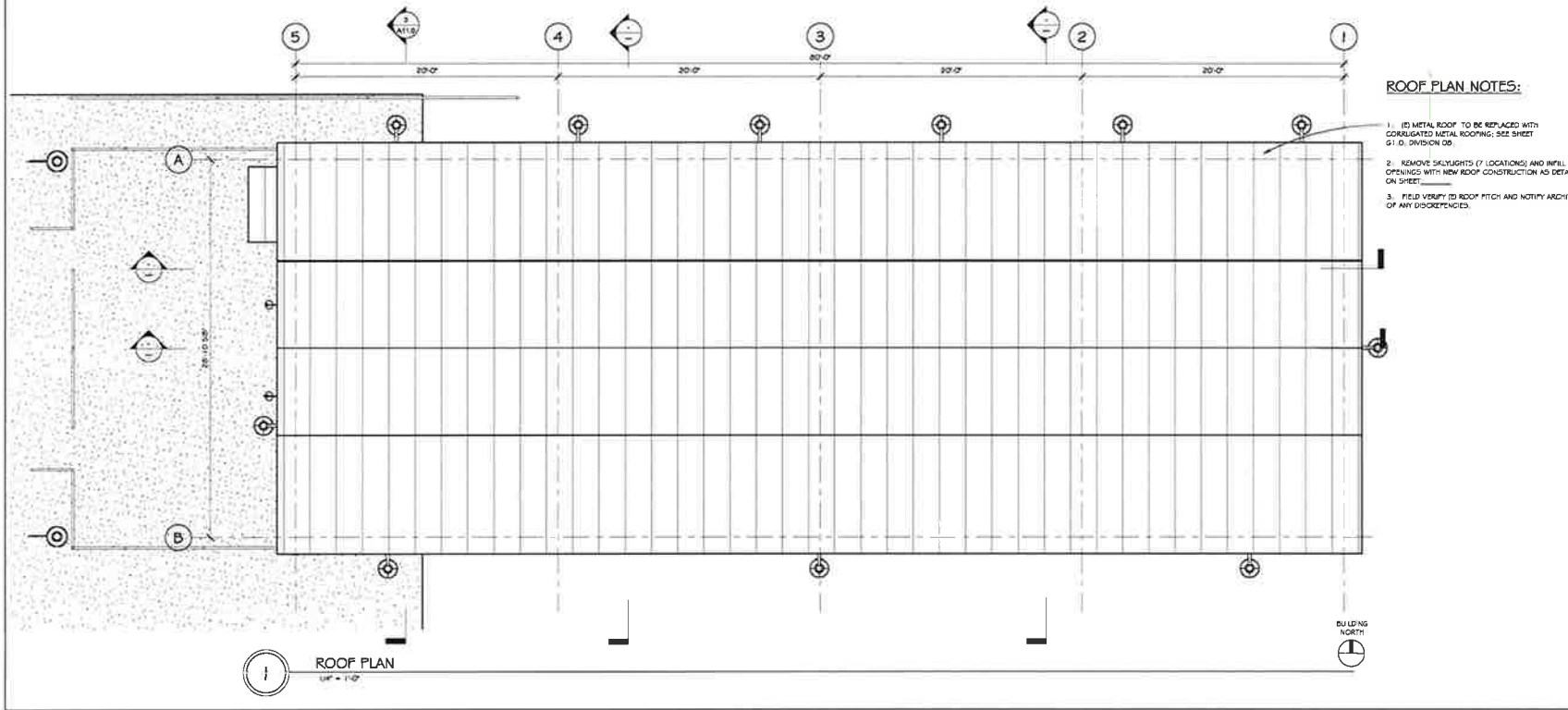
ROOM AREA NOTES:

1. LEVEL ONE TOTAL FLOOR AREA: 2433 SF.
LEVEL TWO TOTAL FLOOR AREA: 1366 SF.
TOTAL AREA OF BUILDING: 3799 SF.
2. THE NET OCCUPANCY LOAD FOR THE POLSON PRISON BLDG IS 2060 SF.

KONET ARCHITECTURE
 REGGIE KONET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-835-4222
 konetarchitecture@gmail.com
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ROOF PLAN NOTES:

1. (E) METAL ROOF TO BE REPLACED WITH CORRUGATED METAL ROOFING; SEE SHEET G1.0, DIVISION 05.
2. REMOVE SKYLIGHTS (7 LOCATIONS) AND INFILL OPENINGS WITH NEW ROOF CONSTRUCTION AS DETAILED ON SHEET _____.
3. FIELD VERIFY (E) ROOF PITCH AND NOTIFY ARCHITECT OF ANY DISCREPANCIES.

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No.	Description	Date

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PROPOSED ROOF PLAN

Project number	2018R.H10
Drawn by	Issue Date
Checked by	Reggie Konet, AIA
Checked by	Checker

A8.0
 As indicated

Attachment 14

Project Narratives

Dated Received September 22, 2021

BARLEY BARN TAP HOUSE – project narrative

PN

The project we are proposing, the Barley Barn Tap House, is reminiscent to the historic fruit warehouses and the historic rural barn vernacular.

The existing building footprint will remain as it is but there will be a clerestory mass added to the upper portion of the building. The clerestory will not increase the area of the building but will increase the volume of the building.

The clerestory will provide partial natural light from above. The clerestory windows will be located at a distance greater than 5 feet from any property line, and therefore, shall adhere to Table 705.8 of the 2019 California Building Code.

The north façade will retain the exit at the east end of the wall, but the doors will be replaced with code compliant egress doors. The window above these doors will be replaced with fixed, safety glass windows and a guard rail will be added.

On the lower portion of the north façade there will be a row of barn lights that luminate faux stable dutch doors that were common in horse stables. These doors shall not be operable.

The roof overhang on the north side of the building will adhere to the 2019 California Building Code Table 705.2 Minimum Distance of Projection. For fire separation distance 0 to 2 feet, projections are not permitted. The building is approximately 2 feet or less from the north property line per the survey obtained.

The existing pedestrian walkway which allows foot travel between the Historic Folsom lower parking lot to Sutter Street will continue to be utilized as such but with improvements to lighting.

On the west side of the building, there will be an outdoor seating area which will be enclosed with a 42" high powder coated aluminum fence which will be black to resemble wrought iron fencing. The outdoor patio will not impede the pedestrian walkway from Sutter Street to the north parking lot.

The west façade of the building will have a lean-to shed of which will resemble a tack room cabinet but functionally it will house the electrical panels in a secure method.

There will be an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged.

The proposed Barley Barn Tap House will offer parking to its patrons as follows:

- the Powerhouse Parking lot which contains 21 parking spaces* and is under the same ownership;
- the adjacent Folsom Historic Parking lot adjacent to the building which contains 69 standard parking spaces + 3 accessible parking spaces;
- the Steakhouse covered parking lot which contains 23 standard parking spaces + 2 accessible parking spaces;
- the Eagles Lodge parking lot which contains 14 parking spaces (the Project Owner has entered an exclusive lease with the Eagles Lodge to use this lot).

*The Owner is proposing to convert (1) one standard parking space in the Powerhouse Parking lot into (1) one accessible van parking space. This new accessible space will be dedicated for the Barley Barn Tap House patrons. There is currently (1) one existing accessible parking space in this lot. Therefore, there will be a total of (2) two accessible parking spaces in the Powerhouse Parking lot.

In addition to the mentioned upgrades, the Applicant currently provides a complimentary shuttle service, the “Sutter Surfer”, which transfers Sutter Street patrons to and from the parking garage and the other various parking lots. This service reduces the neighborhood parking.

The business model will focus on the popular craft beer industry by involving all beer producers and aficionados, both local and national, and by creatively exhibiting and offering their beverages. Food will be sold using the resources of the adjacent Wild’s BBQ (formerly Chicago Fire) and other restaurants in the near vicinity.

The interior layout of the proposed Barley Barn Tap House will provide movable seating and tables throughout and seating at the bar. A small stage area will be identified for limited entertainment in accordance with the City of Folsom’s Entertainment Permit.

Hours of operation will be as follows:

Sunday – Wednesday: 11am to 10 pm

Thursday – Saturday: 11am to 12:30am

The Barley Barn Tap House is an appropriate building type of which will be presented in a unique setting that offers food, beverage, and light entertainment.

Reggie Konet, AIA NCARB
Konet Architecture
CA Arch Lic#C33835
2021-09-22

BARLEY BARN TAP HOUSE – OWNER’S NARRATIVE

INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

THE CONDITIONS CONTAINED IN THE STAFF RECOMENDATION FOR APPROVAL WILL BE FULLY MET

These include omitting the request for a full "hard " liquor license and instead employ the use of a beer only, ABC Type 40 license. This license, consistent with the Tap House theme, will allow minors on premises without the necessity of a full service on site kitchen, although the location of the Barley Barn will in effect be many restaurants in one because applicant intends to have food service by the many restaurants less than a 3 minute walk away on Barley Barn premises , waterfall deck and patio areas .These include Wilds BBQ, Hacienda ,Pizzeria Classico Citizen Vine, Plank , Sutter Steakhouse and others.. Delivery services by the venues, Door Dash, Grub Hub, and others will be used to facilitate this popular function. This will be a significant assistance to these restaurants creating an additional customer base for them without adding to the high concentration of food service places already in the locale.

Hours of operation will be reduced from applicant's original request to : Sunday to Wednesday 11 am to 10:00 pm
Thursday to Saturday 11 am to 12:30 am

These hours of operation are the minimum necessary for financial viability since high profit hard liquor and food sales are now omitted from the business model. They are also consistent with other similar venues on Sutter Street and recent HDC approvals.

ENTERTAINMENT

The historic district is home to a variety of public and private live music venues and genres. These include the Sutter St Amphitheater and associated performances like the Thursday Music Series, weekend street musicians, private venues like Powerhouse , Folsom Hotel, Hacienda , Gaslight, and others. Applicant wishes to also provide limited entertainment not to be confused by a full band "club" type stage performance i.e., PowerHouse or Folsom Hotel , but a solo, duet or trio type offering in keeping with a Tap House theme. No raised stage type area is contemplated for this more subdued performance type.

It should be noted strict sound ,security and safety requirements are mandated by all Sutter St entertainment venues in their Entertainment Permit .Applicant is practiced at responsible hospitality measures including security staffing, cameras ,neighborhood cleanup, well light exterior grounds ,well-marked ride sharing pick up locations, and continued operation of the Sutter Street Surfer Free Shuttle.

ARCHITECTURE

Applicant received a variety of negative comments regarding the Folsom Prison Brews architectural theme and association with Folsom State Prison. Therefore a completely new theme was chosen for the Tap House in accordance with public comments and all Folsom Codes including adherence to Section 17.52.To provide an historical observance the building will be themed in the iconic old western barn type structure that was so prevalently used in and around Folsom A typical raised loft and large entry doors will be constructed as if to accommodate wagons, livestock or crops common to the barn construction of the day. Windows will be provided to copy those needed to provide light for the packing sheds like the Earl Fruit Co. or DiGiorgio Fruit Co . Actual reclaimed barnwood will be used for external siding depicting a truly old authentic look for the building A detailed Architectural report will be included in this narrative.

Murray Weaver Owner

2021-09-22

Attachment 15

Off-Site Parking Lease Agreement Dated October 15, 2021

EAGLES #929 PARKING LOT LEASE

Landlord: Eagles Lodge #929, Fraternal Order of Eagles

Tenant: Murray Weaver

Property: Parking Lot located at 215 Scott Street, Folsom, California

- A. Eagles Lodge #929 is the owner of that certain real property, which is located at 215 Scott Street, Folsom, California. This real property consists of a lodge or clubhouse, landscaping, and approximately 15 parking spaces. The parking lot is mainly graveled, not paved.
- B. Murray Weaver is the owner of a building which is located at 608 ½ Sutter Street, Folsom, California. Mr. Weaver desires to locate a business to be known as the Barley Barn Tap House in that building.
- C. The real property at 608 ½ Sutter Street abuts a public parking lot which is currently accessible by the customers and patrons of businesses located in the building on that property. Mr. Weaver wants to provide additional parking for patrons of his 608 ½ Sutter Street establishment at the Eagles' parking lot, and the Eagles are willing to lease their parking lot to Mr. Weaver for that purpose upon the terms and conditions herein stated.

In consideration of these facts and circumstances, Eagles Lodge #929 and Murray Weaver agree to the following:

1. Tenant will pay the sum of \$500, on the first of each month, beginning September 1, 2021, to Landlord, as rent for the use of the Parking Lot owned by Landlord. This lease shall continue for a term of 20 years, unless sooner terminated by the parties in accordance with the terms of this lease. As additional rent, Tenant will provide Landlord with a minimum of four (4) free admittances per month to any event held by Powerhouse Entertainment.
2. During the term of this lease, Landlord retains use of this parking lot for the convenience of its members and guests, in a manner consistent with the Tenant's rights under this Lease.
3. In the event of a request from Landlord, Tenant shall provide a parking lot attendant on Friday and Saturday evenings from 5pm until 10pm. This obligation to provide an attendant shall commence upon the opening of the Barley Barn Tap House at 608 ½ Sutter Street. Tenant will post, at Tenant's sole risk and expense a sign that states: "Parking Exclusively for Members of Eagles #929 and customers of Barley Barn Tap House. All others will be towed at Owner's expense. CVC, Section 22658(A)."
4. Tenant or his designee will maintain general liability insurance coverage for not less than one million dollars with Eagles #929 named as an additional

insured. Tenant hereby agrees to hold Landlord and its property harmless from and against all claims, suits, or the like which may be brought against it by reason of Tenant's leasehold or its actions upon Landlord's subject property.

5. Landlord and Tenant agree that the parking lot is being rented on an "as is" basis and that Landlord disclaims any and all warranties, express or implied.
6. This lease may be terminated by either party upon the giving of one year's written notice of termination to the other party. Landlord may terminate this lease, in the event of non-payment of rent for a continuous period of 45 days from and after the due date, upon 30 days written notice of said non-payment of rent and election to terminate by Landlord to Tenant.
7. This agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous agreements or understandings between the Landlord and the Tenant.
8. Any and all notices and communications required under this agreement shall be given to each of the parties as follows:

Landlord:

Sarah Woods
c/o Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Tenant:

Murray Weaver
608 ½ Sutter Street
Folsom, CA. 95630

Dated: October 15, 2021



Murray Weaver, Tenant
Barley Barn Tap House
608 ½ Sutter Street
Folsom, CA. 95630



Sarah Woods, Landlord
Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Attachment 16

Public Comments Received Regarding Folsom Prison Brews Project

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

May 30, 2019

PROJECT: The conversion of a 2,433 square-foot barn-like building to a ‘beer house’, the installation of an 840 square-foot outdoor patio and serving area at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Conditional Use Permit, Design Review and Parking Variance (for 20 off-site parking spaces).

PROJECT

HISTORY: Application Circulated by City on May 23, 2019 and feedback requested by June 7.

PROJECT REVIEW:

Background

Before comments were prepared regarding the current application, HPL considered the history of the project site and previous reconstructions in the Sutter Street Commercial Subarea.

During the late half of the 1800s, the Odd Fellows Hall and the Natoma Company’s Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street (across from the railroad block). All these buildings later burned down. The ‘pottery barn’ building in the current application has been on the property since the late 1990s.

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, a replica of blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad.

Architecture

The applicant is proposing to cover the walls of the former pottery barn with a stone veneer, replace the corrugated fiberglass roof cover with standing seam sheet metal and add a raised tower that resembles the guard towers of the original Folsom State Prison. Only the raised tower would include windows. As a general impression, the uninterrupted ‘prison walls’ lacks interest and variety, and the reproduction of a Folsom Prison guard tower appears out of context with the surrounding neighborhood.

At the west entrance (facing the patio), the applicant is proposing to install a detached archway with concealed lighting that will ‘wash’ over the rock façade. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. These details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea

It is HPL’s conclusion that the proposed building remodel will look ‘staged’ and could make the 600-block appear less historic. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to continue the ‘prison theme’, HPL recommends that the tower feature is changed (to no longer resemble a historic guard tower at Folsom

State Prison), windows are incorporated along the facades, the archway at the west entrance is incorporated with the wall and all floodlights are eliminated. In addition, the selected sky lights should have a low profile and non-reflective glass.

Site Design

An outdoor seating area is proposed to be installed on the west side of the beer house. This area will be fenced off to allow for outdoor serving of alcohol. As a result, the existing private walkway that connects Sutter Street with the parking area at Scott Street appears to be cut off. The outdoor seating area also encroaches across the west property boundary and impacts the parking area of Powerhouse Pub.

The submitted Landscape Plan does not clearly demonstrate how the future pedestrian circulation system will work or where all the retaining walls and fences will be located. A new pedestrian path to the Scott Street parking area has been proposed along the west side of the fenced seating area, but the plan does not indicate if this path will be open to the public. The Landscape Plan also seems to provide the opportunity to connect the existing walkway from Sutter Street could to the Powerhouse Pub property.

HPL recommends that the applicant should be encouraged to continue a pedestrian connection from Sutter Street to the lower parking area. More information about the proposed site changes on the Powerhouse Pub property also seems necessary (to answer the question if existing parking spaces will be lost and if a dumpster enclosure will be added). The board has assumed that an encroachment permit will be processed before the outdoor seating area can extend across the shared boundary.

Parking

Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas.

The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house.

Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brews in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

Landscape Plan

Because the project site is facing a public alley, HPL has assumed that the applicant will be required to maintain the existing landscape strip in the buildings 'frontage area'. The planter that separates the property from the parking lot driveway should therefore be included with the landscape plans.

Signs

The name of the beer house is shown on the archway to the west entrance, but the application does not provide any design details about this sign. A sign permit needs to be processed for all on- and off-site signs.

SUMMARY OF RECOMMENDATIONS:

1. Revise the building design to resemble a pre-1900 meeting hall, winery building or city jail. HPL recommends that the new design is based on the following standards:
 - a) If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.
 - b) Windows should be incorporated with the building facades.
 - c) Avoid non-historic details such as a detached archway with concealed flood lights.
 - d) Use skylights with a low-profile and non-reflective glass.
2. Submit a Site Plan that demonstrates where all new retaining walls, fences and walkway connections will be located, in addition to all proposed site changes at Powerhouse Pub.
3. Identify the parking area assigned to Prison Brews on the Eagle Lodge property and describe how this area will be marked.
4. Provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house
5. Submit a set of planting and irrigation plans that include the building frontage area within the alley (north of the building).
6. Submit a sign permit application for all building and site signs within and outside the property.

In addition, HPL recommends that the applicant is encouraged to keep a public walkway connection between Sutter Street and the public parking lot.

Steven Banks

From: Adena Blair <adenacblair@yahoo.com>
Sent: Monday, June 10, 2019 7:34 AM
To: Steven Banks
Cc: John Shaw; rebmngt@aol.com; Paul Keast; Dori Keast; Mike and Shannon Berenkwitz; Becky Shaw; Laura Fisher; Justin Gilhuly; Deino Trotta; Cindy Pharis; Mike Reynolds; Deborah Grassl; Dean Handy; Terry Sorensen
Subject: Comments regarding the Folsom Prison Brews Project

I reside at 607 Figueroa St.

I am opposed to this project for the following reasons:

Historically, to my knowledge, there was never any structure resembling a prison on Sutter St. This building will go against the historic guidelines and change the environment of Sutter St from one of fairly well preserved history to something more akin to a theme park.

The number of individuals visiting such an establishment will severely impact the neighborhoods nearby, because we already have a parking issue. Allowing 20 spaces from the Folsom Eagles DOES NOT INCREASE the number of available spaces in the historic district. Where are the Eagles going to park?

We need the city to disallow any further parking variances for Historic District businesses until we have the recommendation and actions of the Ad Hoc Parking Committee in place. The city has acknowledged we have a parking issue by establishing the Ad Hoc Committee, therefore they should be agreeable to putting a hold on any further parking variances for the time being.

Lastly, I understand that this place would be serving alcohol. I feel that this becoming another issue in the historic district business area. What is the limit of numbers of alcohol permits in this area? I feel that any such establishments must also serve meals, and not just alcohol. There needs to be a limited number of permits per businesses in any specific area of Folsom. I do not want to see Folsom to gain a reputation as a party town, and it seems to be on it's way to becoming another Chico.

I am not opposed to development, however I believe it needs to be thoughtful, balanced, and include family oriented businesses, to retain our reputation as a great town to raise a family, including in the historic district.

Respectfully,
Adena Blair

Steven Banks

From: rebmngt@aol.com
Sent: Friday, June 7, 2019 7:38 AM
To: Steven Banks
Cc: shanjean1@aol.com; adenacblair@yahoo.com; jpshawman@gmail.com; mrpdk@comcast.net; lkatfisher@aim.com; jgilhuly@gmail.com
Subject: Folsom Prison Brews

Good Morning Mr. Banks,

I am resident of the Historic Folsom Neighborhood. I have recently been informed on the proposed Folsom Prison Brews project {PN 19-174}. I would like to respectfully request that this project be denied on the following grounds;

- 1) As you know, Sutter Street's commercial district is 4 blocks long with approximately 90 commercial businesses. In that distance there are 16 food establishments serving alcohol and 10 wine and spirits establishments. This averages to 1 alcohol serving establishment to every 4 commercial businesses. Our lovely historic downtown is being turned into liquor and party central. As you know, the residents near the Sutter Street corridor have been having serious problems with noise, public drunkenness, trash and human waste in our yards and this will not help the problem.
- 2) The City Counsel has recently established an AD-HOC committee to find a solution for the serious Sutter Street parking problem. Another high parking use liquor establishment will only add to the problem. Although I respect the submitter's proposal to lease parking space at the Eagles lodge, this is only a temporary fix and will not be a permanent solution to a huge problem. A lease can be revoked anytime and the customers will have to use the existing parking. Also, the existing parking lot's behind the Sutter Steak house and Traders Lane are the best areas for new parking structures.
- 3) The Folsom Prison Brews project will require more variances to be issues from the City in violation of the Historic District Guidelines.

Again, I respectfully ask the City to deny this project!

Thank you.

Sincerely,

Mike Brenkwitz
603 Figueroa St.

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 1:54 PM
To: Kelly Mullett
Subject: FW: Folsom Prison Brew Letter

I strongly oppose the proposed Brew Pub concept for the former art barn location in historic Folsom. This would literally be adding gas to an already existing fire.

Parking is challenging already.

This area is already dense with establishments that offer alcohol. I witness drunk, disorderly and distraught behavior and individuals regularly in the 600 block already as a result of the existing offering.

Emergency calls have increased in recent years to this area as have assaults.

A strong NO from me and my business.

Terry Commons
Owner - Mystique Dining
611 Sutter St.
916-757-3705



MYSTIQUE DINING
A MAGICAL DINING EXPERIENCE
Terry Commons
www.MYSTIQUEDINING.COM
916-757-3705
611 SUTTER STREET FOLSOM, CA

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

SUBJECT: Folsom Prison Brews Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am opposed to the proposed Folsom Prison Brews project (PN 19-174) (“Project”) and request that the Historic District Commission (“HDC”) deny the Project. Additionally, for reason outlined in the attached email correspondence, this Project does not have a complete application on file with the City, staff have provided incomplete and inconsistent information to me and other members of the public making it impossible to actually understand the entirety of the Project, and the hearing was not properly noticed. The process has denied, and continues to deny, meaningful public participation, and the HDC should refuse to conduct a hearing until the proper process is followed.

The Project proposes to install an ADA lift, or ramp, or maybe neither or maybe both of those things between the Project site and the Powerhouse Pub parking lot¹ and the Project proposes to create a faux representation of Folsom Prison and increase the intensity of use of at least three properties in Folsom’s Historic District. The proposed exterior design of the building conflicts with the City of Folsom Municipal Code (“FMC”) which specifically states the City’s intent to *“preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950.”* (FMC section 17.52.010) Furthermore, the proposed use would intensify the use of the Project site and adjacent public and private parking lots and the Project would generate substantially more vehicle trips, during substantially longer hours of operation, and a substantial increase in the demand for parking as compared to the existing use of the site. This will not just exacerbate existing parking and traffic circulation-related conflicts, but it will also substantially worsen existing public health and safety issues associated with motor vehicle operation and parking in the Sutter Street commercial area and on streets in the adjacent residential neighborhood.

Staff opines that the Project design is intended to, “create a design theme that honors the local history associated with the Folsom State Prison,” yet staff provides no discussion or evidence to support the notion that a faux replica of the prison has any historic relevance to the Historic District. For better or worse, the City has already invested substantial resources in paying homage to Johnny Cash’s song “Folsom Prison Blues” and Cash’s performance at the prison in 1968. The Johnny Cash trail, the planned trail art commemorating Cash’s song and live performance, and the trail’s bridge over Folsom Lake Crossing (which is designed to resemble elements of the prison architecture) are appropriately located outside of the Historic District.

Simply put, a building with a prison design has no place in the Historic District and would create a theme park-like sore in this most important area of the City of Folsom. It is unclear why staff would bring a project like this to the HDC with a recommendation for approval; however, I expect individual Commissioners will have no problem denying this project in short order.

¹ See attached email correspondence regarding multiple version of parking plan drawings.

There may very well be a business opportunity for a tap room focused on craft beer sales at the Project location. With proper planning, building design, parking provisions, public safety protocol (including focused and permanent motor vehicle law enforcement in the Historic District), and meaningful public involvement, a tap room project could have merit and could be acceptable to this community. The current Project does not accomplish this and the Project cannot simply be “conditioned” with a few random tweaks into a project that does.

The remainder of this letter provides additional input regarding why the Project should, and legally must, be denied; but, in short, please deny the Project.

1. THE PROJECT DOES NOT QUALIFY FOR AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AN ENVIRONMENTAL DOCUMENT MUST BE PREPARED PRIOR TO CONSIDERING PROJECT APPROVAL

Contrary to staff’s recommendation in the staff report for the HDC’s August 4, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act (“CEQA”).

FMC 17.52.390, “Environmental review”, states, “*Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents.*”

The staff report for your August 4, 2021, meeting, claims two CEQA categorical exemption classes as the basis for staff’s recommendation that the Project is exempt from CEQA – CEQA Guidelines section 15301, “Existing Facilities,” and CEQA Guidelines section 15303, “New Construction or Conversion of Small Structures.” Neither of the cited classes is applicable to the Project.

1.A The Project Does Not Qualify for a Class 1 CEQA Exemption

In relevant part, CEQA Guidelines section 15301 states, “*Class 1 consists of 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. ... The key consideration is whether the project involves negligible or no expansion of use.*”

The Project would substantially expand the use of the Project site. The staff report includes scant information on the existing use of the project site and building; however, the staff report does acknowledge that the Project would result in increased use and parking and discusses, “**City staff and the applicant recognize that the existing building’s change in land use from a retail business to a craft beer establishment is likely to result in a higher demand for parking.**” Staff proposes several schemes for providing additional parking to meet this higher demand, clearly indicating that there is, in fact, an anticipated expansion of use in terms of customer visitation and parking demand.

One method of examining the Project’s expansion of use is to consider the Project hours of operation as compared to the existing site use. The Project’s proposed hours of operation are

substantially longer each day than the existing small, local retail use of the property. As shown in Table 1, below, as proposed and as conditioned by staff's recommendation, the Project would result in more than a four-fold increase in the number of hours of operation each week – from just 20 hours a week under existing conditions to 91 or 83 hours as proposed and as conditioned, respectively. This expansion of use is not negligible, instead it is substantial in terms of the potential to result in parking, public safety, environmental and other impacts.

Table 1. Existing and Proposed Hours of Operation

Day of Week	Hours of Operation		
	Existing Business (Artfully Rooted)	Project as Proposed	Project as Conditioned by Staff Recommendation
Monday	0 hrs Closed	11 hrs 11am – 10pm	11 hrs 11am – 10pm
Tuesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Wednesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Thursday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Friday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Saturday	6 hrs 11am – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Sunday	4 hrs 11am – 4pm	9 hrs 11am – 10pm	11 hrs 11am – 10pm
Total Hours per Week	20 hours	91 hours	83 hours

The staff report acknowledges the Project's potential to cause noise, lighting, parking and other impacts. In fact, staff proposes conditions of approval in an attempt to reduce these impacts. As discussed further below, the staff report provides no actual analysis of impacts and staff's attempts at reducing impacts through conditions of approval are largely ineffective in terms of addressing impacts (staff does not evaluate their efficacy); nevertheless, the mere fact that staff proposes mitigation-like conditions of approval for Project impacts is a clear indication that the Project's expansion of use is not merely negligible. For reasons including those presented here, the Project does not qualify for a CEQA Class 1 exemption.

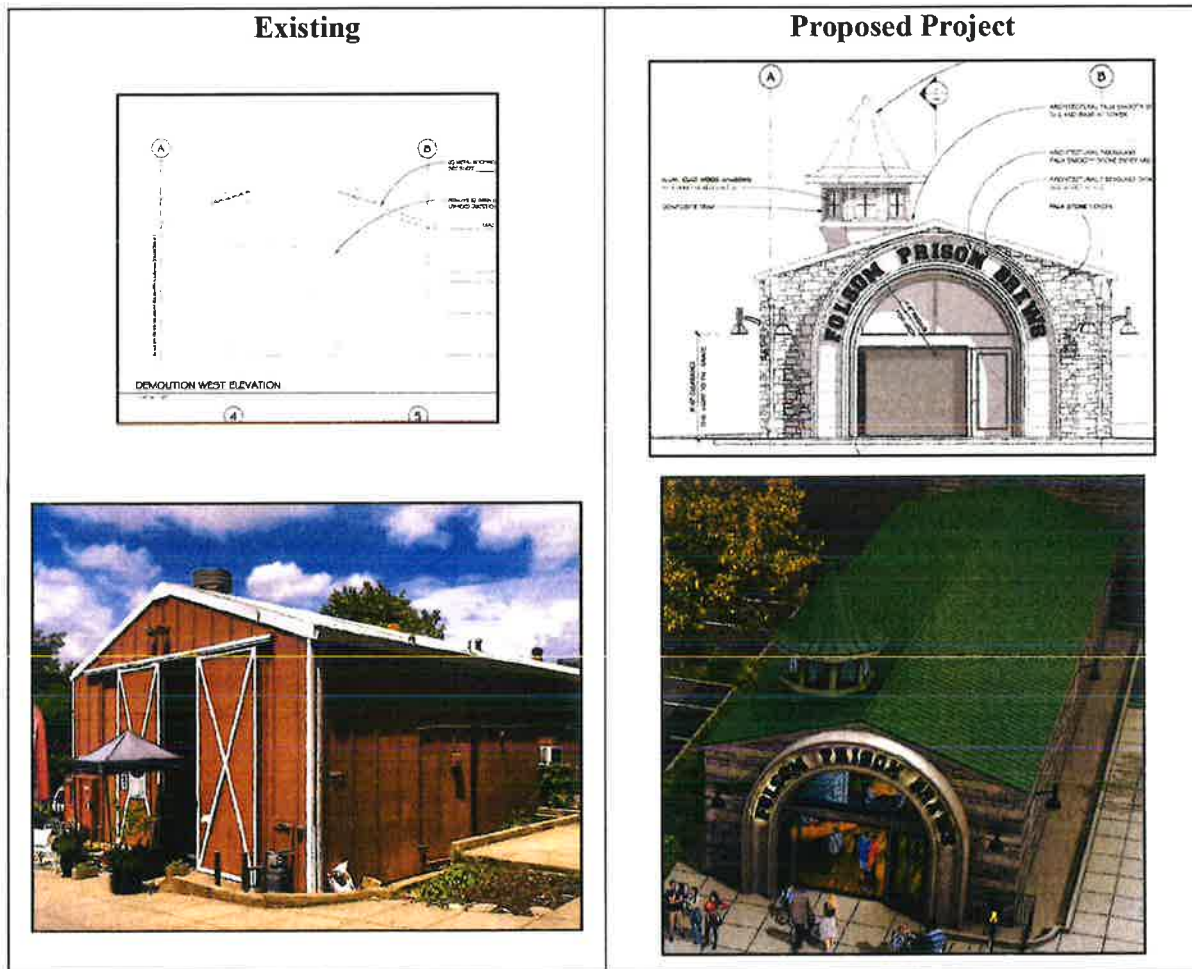
1.B The Project Does Not Qualify for a Class 3 CEQA Exemption

In relevant part, CEQA Guidelines section 15303 states, "*Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.*"

The Project would substantially modify the exterior of the existing structure. As shown on Figure 1, "Existing and Proposed Exterior Structure Design Modifications," the appearance of the structure would be changed from that of a red barn with wood-appearance siding, sliding large barn door entry, and a white metal roof, to the proposed Project design of a faux granite walled structure with an arched train-station style entrance, topped with a large dominant turret looking rooftop feature. In short, the building's exterior structure would be converted from a pastoral barn appearance to an institutional prison appearance. In fact, the substantial

modification of the exterior of the structure is directly intended and necessary to achieve the proposed Project's gimmicky theme. Given the Project's substantial modifications to the structure exterior, the Project does not qualify for a Class 3 exemption.

Figure 1. Existing and Proposed Exterior Structure Design Modifications



1.C The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from any CEQA Categorical Exemption

The Project fails to meet the criteria required for a CEQA exemption under each of the categorical exemption classes identified by staff and is therefore not exempt from CEQA. Furthermore, even if one of these or another categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects make the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

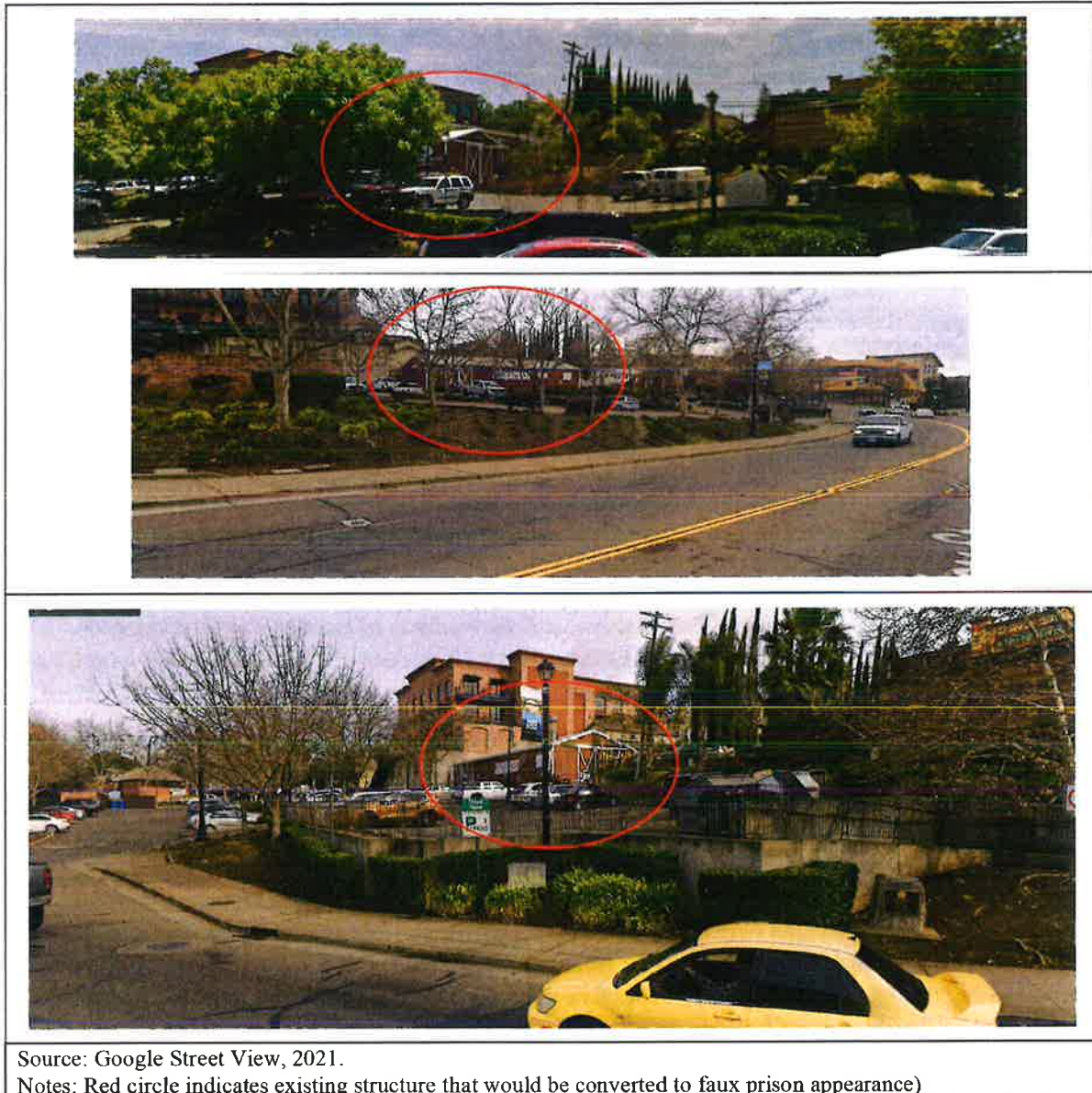
The City has performed no environmental impact evaluation of the Project and, therefore, has failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project. Potential impacts and substantial evidence that a fair argument exists that the Project may have one or more significant effects that must be evaluated under CEQA are discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the proposed Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties.

Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within

Figure 2. Views Toward Project from Riley Street



Source: Google Street View, 2021.

Notes: Red circle indicates existing structure that would be converted to faux prison appearance)

that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Folsom Prison Brew project's demolition, remodel, landscaping components. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation proposals must be evaluated and documented in a CEQA document.

Cultural/Historic Resources. The Project is located in the Folsom Historic District, a historic area of local important, and in proximity to other individual properties of state/federal and/or local historical significance as listed in the City of Folsom Cultural Resources Inventory (1998), including:

- 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
- Livermore sawmill foundation remnants and mill pond
- 701 Sutter Street, Murer Gas Station, circa 1920
- 707, 709, 711 , 713 Sutter Street, Commercial buildings, circa 1860
- 607 Sutter Street, original library, circa 1915
- Rainbow Bridge, NRHP eligible, factual 1917
- Steel Truss Bridge, factual 1983-1930

The Project’s cultural modification of creating a faux-prison design of inconsistent character with the historic architecture and goals of the Historic District would have the potential to result in significant adverse impacts to the Historic District, generally, as well as one or more individual historic resources within and adjacent to the Historic District. The CEQA statute advises that a resource need not be listed on a state or federal register to be deemed a significant resource.

Land Use/Planning. The Project’s design as a faux prison would conflict with the FMC Purpose and Intent to “preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950” and to “ensure that new...commercial development is consistent with the historical character of the historic district” (FMC 17.52.010[2] and [5]). The Project’s incompatibility with the character of the Historic District and the Project’s conflict with the FMC is grounds for project denial. At a minimum, to consider approval, the Project’s conflicts must be evaluated and disclosed in a CEQA document.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff’s concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. For instance, staff recommends that dancing be prohibit, yet provides no evidence of noise levels associated with dancing (unless staff is concerned about traditional Irish or tap dancing, I’m not sure dancing in and of itself is a particular noisy activity). Furthermore, staff recommends reducing the hours of operation from proposed 2am to midnight on certain nights; however, staff provides no rationale for how noise levels at midnight are somehow more acceptable than those at 2am and staff makes no mention of the City General Plan day/night distinguish time of 10pm which would be a more rational criteria for hours of operation. Regardless, staff’s identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit (CUP), the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

For the reasons discussed above, the Project does not qualify for a CEQA exemption. Prior to conducting a public hearing at which approval of the Project can be considered, the City must prepare and circulate for public review.

2. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, "*The findings of the planning commission [in this case, the HDC] shall be that the establishment, maintenance or operation of the use or building applied for will or 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.*"

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business and provides no indication that staff even considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

3. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

Although requested (see attachments), the City has provided no information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project and staff presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they have not. For any meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit. (See attached email correspondence regarding the lack of a complete application, lack of information necessary to understand and evaluated the full project, and failure of required public hearing noticing.)

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing any actual ensured added parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by Folsom Prison Brews. The proposal has no merit.

The Project's parking requirements must be determined and the Project cannot be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process. It is unlikely that the Project would not meet the findings required for such variance; which hopefully is not the reason the need for a parking variance has been ignored by staff.

Neither the applicant nor staff has provided any basis to indicate that existing lots currently used by others can in any way offset the increased demand for parking that would be generated by Folsom Prison Brews. The Eagles Lodge lease retains the right for the Eagles Lodge to continue use and allows the Eagles Lodge to deny use for Folsom Prison Brews, therefore, it is meaningless in terms of meeting any of the Folsom Prison Brews parking demand.

A proper analysis would identify whether any parking spaces are dedicated to the existing use at the Project site and would identify not just the parking space requirement associated with the FMC 1space/350sqft requirement, but would also discuss the actual parking demand and times of use of the existing business at the property. This has not been done and the HDC has no basis on which to make a meaningful decision regarding the Project's parking impacts.

Because there is no evidence to substantiate any existing parking allocation for the existing use, the Project cannot rely on the proposed parking scheme. Because the Project would not provide the additional parking necessary to meet the increased parking demand it would generate, the Project would not comply with the FMC parking requirements and requires an application for and HDC consideration of a parking variance.

4. IF APPROVED, THE CITY MUST OBTAIN FINANCIAL ASSURANCE FOR SUBSEQUENT REMOVAL OF THE BUILDING TO AVOID THE LONG-TERM PRESENCE OF THE INCOMPATIBLE BUILDING DESIGN

Since the Project proposes a structure that is inconsistent and in conflict with the FMC design requirements and the Historic District design objectives, if the building is somehow approved and developed, the City should ensure funding is available to provide for its removal once the CUP is revoked or the business otherwise ceases to operate. The project would create a building design that is very specific to the proposed use and schtick of the proposed name and type of business. The building will be an eyesore and should be removed immediately upon revocation or abandonment of the CUP. With buildings designed consistent with the Historic District character, it is reasonable to expect that the buildings can serve a variety of future commercial uses. However, since it is unlikely that a subsequent business would be inclined to occupy a prison-themed building (Folsom Prison *Shoes*, maybe?), it would be in the City's best interest to include a condition of approval that 1) requires the permittee to remodel the building to a design consistent with the Historic District (to be approved by the HDC) and 2) requires the permittee to obtain and maintain a financial assurance mechanism (bond, letter of credit, etc.) naming the City as the beneficiary and in an amount sufficient to provide funds for the City to remodel (or simply demolish) the building in the event the permittee is unable or unwilling to do so upon termination of the CUP.

5. CONDITIONS OF APPROVAL ARE INEFFECTIVE AND REQUIRE ADDITIONAL CONSIDERATION WITH MEANINGFUL PUBLIC INPUT

In April 2021, I requested that the City's ongoing (then and now) zoning code update provide for public review of staff's draft proposed conditions of approval prior to staff finalizing their recommended conditions of approval. I also suggested that process could be implemented immediately and not wait for the zoning code update process to be completed. Staff declined my request, so that process has not occurred. Instead, staff produced an 87-page staff report a mere

August 4, 2021

6 days prior to the HDC's August 4th hearing and included 30 conditions of approval. Many of the conditions of approval would be ineffective, at best, in their apparently intended outcome. **I urge the HDC to NOT attempt to substantially rework conditions of approval during its August 4th hearing. If the HDC is inclined to pursue Project approval, please provide for a process to allow additional discussion and public input on the HDC's proposed changes before making a final approval decision.**

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
bdelp@live.com

Attachments:

1. Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project Application Materials
2. Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

August 4, 2021

Attachment 1

**Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project
Application Materials**

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Bob Delp <bdelp@live.com>

Wed 8/4/2021 11:42 AM

To: Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; daronbr@pacbell.net <daronbr@pacbell.net>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhfra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>

Ms. Dierking: Yesterday, you directed me to Project application materials on the City's Pending Development Applications webpage. I downloaded the site plans and reviewed them and noticed that Sheet X1.0 notes "ADJACENT OR NEAR TO THIS NEW PARKING SPACE WILL BE **THE ADA LIFT WHICH WILL ALLOW AN ACCESSIBLE ROUTE TO THE FOLSOM PRISON BREWS ENTRANCE.**" Until then, I had no idea an ADA lift was part of the project, and it is not discussed in the staff report. Then, in then preparing my comments regarding that lift, I see that sheet X1.0 in the staff report is different than the version on the PDA webpage that you directed me to. The staff report version is difficult to read and at first glance seems to be the same as the Sheet X1.0 on the PDA webpage, but instead of referencing an ADA lift and it references an accessible aisle. Neither a lift nor an aisle between these two properties appears to be addressed in the staff report. Adding to the confusion, the version on the PDA webpage is marked "HDC Review Set" (dated July 22, 2021) whereas the version in the staff report is not marked HDC review version and the date is illegible. I don't know, just hours before a schedule hearing to approve the proposed monstrosity, whether a ramp, a lift, or nothing is proposed between the two properties. I'm guessing that very few people know, including the HDC.

"Frustrating" would be an understatement. In my busy schedule, I am trying to provide meaningful review and input on this proposal and am constantly roadblocked by the incomplete, unclear, inconsistent project documents that staff is circulating and directing me to. It is simply unconscionable that City staff put well-meaning citizens through such a maze - and the thought of this mess of a project record being presented at a hearing has disaster written all over it. I am asking again that someone with the authority to do so put the brakes on this project and postpone the hearing until some semblance of organization is provided.

Thank you.

Bob Delp

916-812-8122

bdelp@live.com

From: Bob Delp <bdelp@live.com>

Sent: Wednesday, August 4, 2021 5:19 AM

To: Sari Dierking <sdierking@folsom.ca.us>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhfra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>; Elaine Andersen <eandersen@folsom.ca.us>;

daronbr@pacbell.net <daronbr@pacbell.net>

Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Ms. Dierking:

The plan set on the City's Pending Development Applications website to which you referred me for the project application not only does not represent a complete application (as outlined in my email below), but the plan set itself is incomplete based on the Sheet Index of the plan set itself (see below for list of the sheets identified on the Title Sheet but not included in the plan set). The missing sheets would provide important information about the project and are omitted from the publicly available plan set, and it's unclear if the City has these sheets but omitted them from the posted version or if the City simply does not have the sheets. A project approval that includes approval of the plan set could inadvertently (or perhaps intentionally by staff) approve these missing site plan sheets and notes that they might include. That is unacceptable as the HDC would be approving elements and details that have not been made available to them let alone made available to the public

Furthermore, the plan set includes a sheet (X1.0) entitled "Parking Lots and Data" and present information and proposed modifications at two other properties "Powerhouse Parking Lot - Existing" and Eagles Lodge Parking Lot - Existing". Neither a location map nor the APNs or addresses of these two properties are identified, however, the drawings and notes clearly indicate proposed modifications/use of these properties as part of the Folsom Prison Brews proposal. Thus, the City must treat these as part of the project.

A landscape plan is required, but has not been provided. However, sheet A1.0 of the plan set includes two notes regarding landscaping plans, noting, "*4. FOR LANDSCAPE INFORMATION AND DRAWING, SEE LANDSCAPE PLAN BY FIVE STAR LANDSCAPE, MICHAEL SHULAR LA, 916-989-3372 OR INFO@MSLADESIGN.COM*" and noting (on the adjacent property but apparently a component of the proposed project), "*POWERHOUSE PUB PATIO - NEW: SEE LANDSCAPE PLAN FOR INFORMATION AND DETAILS.*" No landscape plan for the project site or for the adjacent property for which landscaping is apparently also proposed (based on the sheet note above and based on a rendering in the staff report). The landscape plan must be provided for public review, but also should have been provided to the City before staff proceeding with processing this project.

The Title Sheet (T1.0) includes an index listing the following sheets all of which are NOT included in the plan set on the City's Pending Development Applications webpage and have not otherwise been made available to the public:

G2.0 CA STATE AND REGIONAL REGULATIONS
A4.0 FOUNDATION PLAN - ARCHITECTURAL
A7.0 PROPOSED ROOF PLAN
A10.0 BUILDING SECTIONS
A11.0 WALL SECTIONS & ARCH DETAILS
A12.0 ENLARGED FLOOR PLANS
A13.0 INTERIOR ELEVATIONS
S1.0 GENERAL NOTES
S2.0 FOUNDATION PLAN
S2.1 ROOF FRAMING PLAN
S2.2 EXTERIOR ELEVATIONS
S3.0 FOUNDATION DETAILS
S3.1 ROOF DETAILS
S3.2 SHEAR WALL & TYPICAL WOOD DETAILS

S3.3 SIMPSON STRONG WALL DETAILS
E1.0 ELECTRICAL PLAN & ELECTRICAL LEGEND

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, August 3, 2021 7:17 PM
To: Sari Dierking <sdierking@folsom.ca.us>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Ms. Dierking: Thank you for your feedback. In your response you state that existing records responsive to my request to see the complete application are available on the Pending Development Applications website. I have reviewed that information several times, most recently five minutes ago, and if the information posted on the website is the entirety of the application, then the City does not have a complete application for this project and must stop processing (and never should have started) until the application is complete. The webpage includes only the project plan set and a one-page project narrative, both of which are unsigned.

The following are required for design review, and **are not provided and no checklist of required content is provided** on the referenced webpage.

1. A completed and signed application form including name, address and telephone number of the applicant (no application form whatsoever is provided, signed or unsigned). A completed and signed application must be submitted for the requested CUP and for Design review - neither has been submitted.
2. Fees - Yes, I am requesting to see record of the fees required and date(s) the fees were paid.
3. Agent Authorization
4. Radius Map
5. Radius List
6. Vicinity Map - On plan set, but does not identify either of the project's proposed private parking lot use locations.
7. Project Narrative - a signed/dated project narrative is not provided. As noted above, there are now two project narratives floating around - one on the Pending Development Applications webpage and one in the staff report, and there is no indication of which is part of the application.
8. Environmental Information Form
9. Landscaping Plans - landscaping/courtyard is shown on project renderings, and apparently would require grading and stairway construction, but no landscape plan or other information on grading is provided
10. Design Guidelines/Development Standards - Some design info is on plan set, but info on compliance with HD Design Guidelines/FMC standards

Regarding existing entitlements: I must be misunderstanding you. Are you saying that the City does not have any record of entitlements for the three properties in question (the project site, and the two proposed parking locations, both of which as I understand currently have uses that serve alcohol and therefore are required to have CUPs)? Understanding existing entitlements is crucial for understanding how those existing entitlements relate to changes due to the proposed project. It would have been

impossible for staff to conduct a meaningful evaluation of the project if staff does not have any information about existing entitlements. Please clarify.

Thank you for your assistance.

Bob Delp
916-812-8122
bdelp@live.com

From: Sari Dierking <sdierking@folsom.ca.us>
Sent: Tuesday, August 3, 2021 4:59 PM
To: bdelp@live.com <bdelp@live.com>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: FW: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Dear Mr. Delp,

The City of Folsom is in receipt of your Public Records Act request for the following records regarding the proposed Folsom Prison Brews project:

1. The complete application with all FMC-required application materials.
2. FMC 17.52.310 "Design review submittal requirements" item C, "A copy of **all entitlements granted for the property by the city, including conditions of approval** and the environmental documentation" as related to:
 - a. the existing use at the project site; and
 - a. the existing uses at other properties identified for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use.
3. The City's application content checklist (for design review and for CUPs) and all of the required content.

Existing records responsive to items 1 and 3 have been posted to the City's website under Pending Development Applications, with the following exceptions:

- Site photographs are included with the staff report.
- Records reflecting payment of the application fee are not on the website. Please confirm whether you are requesting these specific records.
- The material samples and color board is available for public inspection at the Community Development Department counter during regular business hours. It will also be available for public inspection at the Historic District Commission meeting tomorrow night at 5 pm.

After a diligent search and a reasonable inquiry, no records responsive to items 2(a) or 2(b) were found.

Sincerely,
Sari Dierking

Sari Myers Dierking
Assistant City Attorney

City Attorney's Office
50 Natoma Street, Folsom, CA 95630
O: 916.461.6025
F: 916.351.0536



www.folsom.ca.us

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From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpd@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of **all entitlements granted for the property by the city, including conditions of approval** and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>

Sent: Friday, July 30, 2021 1:05 PM

To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpd@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdejp@live.com <bdejp@live.com>; loretta@shaunv.com <loretta@shaunv.com>

Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the **Webex** information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001

Meeting Number: 182 793 3916

Meeting Password: 693 383 23

Thank you!

Kelly Mullett

Administrative Assistant

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6231

F: 916.355.7274



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



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Attachment 1

Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Bob Delp <bdelp@live.com>

Tue 8/3/2021 7:51 PM

To: Steven Banks <sbanks@folsom.ca.us>

Cc: Pam Johns <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>

Steve:

Thank you for your feedback, however, I think it is reasonable for me to request and obtain evidence, not simply a staff statement, that the hearing noticing requirements have been complied with. As you know, notices for a CUP hearing must be provided a minimum of 10 days prior to the hearing, and evidence of that noticing is important to me and others in this community as well as for the project record. Based on the notification methods referenced in your reply below, can you please provide the following which I'm sure must be readily available to you:

1. date of notice posting at 608 1/2 and by who (City staff or applicant)
2. date that notice was published in the Sacramento Bee (publications typically provide proof of publication that should be easy for you to forward to me)
3. date on which public notices were mailed to property owners within 300 feet
4. map used for determining the 300-ft distribution
5. list of persons/property addresses (or APNs) to whom the notice was mailed

Also, if you have any basis for staff's determination that noticing is not required for the Eagles Lodge parking component of the project, I would very much like to know what that basis is. The Eagles Lodge parking lot is clearly a part of the project - both the applicant proposes its use and staff's recommended conditions of approval for the CUP *require* its use, so it seems obvious that residents and businesses near that location who stand to be directly affected by the increased activity (noise, dust, etc.) deserve the same hearing notifications as required for any project site.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>

Sent: Tuesday, August 3, 2021 4:18 PM

To: Bob Delp <bdelp@live.com>

Cc: Pam Johns <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>

Subject: RE: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Good afternoon Bob,

Thank you for your questions regarding the public noticing process and requirements for the Folsom Prison Brews project (PN 19-174). City staff reviewed the public noticing conducted for the proposed project, which included posting of public notice on the project site at 608 ½ Sutter Street, printing of the public notice in the Sacramento Bee, and mailing of the public notice to all property owners located

within 300 feet of the subject property, and determined that the proposed project has been noticed properly in accordance with the requirements of the Folsom Municipal Code and State Law. In addition, City staff also determined that posting of a public notice at the Eagles Lodge property is not required.

Best regards,

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us

From: Bob Delp <bdelp@live.com>
Sent: Monday, August 2, 2021 11:34 AM
To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com; Kelly Mullett <kmullett@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; daronbr@pacbell.net; kcolepolicy@gmail.com; ankhelyi@comcast.net; Kelly Mullett <kmullett@folsom.ca.us>; danwestmit@yahoo.com; kevin.duewel@gmail.com
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Pam and Steve:

With the very limited amount of time the public has been given to review and comment on the Folsom Prison Brews project and staff's recommendation in an 86-page staff report, the need for your timely feedback with the project application materials and other information requested in my emails below is critical to allowing meaningful opportunity for public input in advance of and at the HDC public hearing.

Furthermore, as of yesterday there was no public notice posted at the Eagles Lodge property. Since the project as proposed (and as conditioned per staff's recommended conditions of approval) would use the Eagles Lodge for parking, the hearing notice must be posted at the Eagles Lodge property and must be mailed to property owners within 300 feet of that property. The staff report provides no evidence that the required noticing has been provided. In the absence of that notification, property owners near a property that is a component of the project and at which the project would create the potential for increased noise, dust, and traffic circulation/safety issues associated with the increased use of parking at the Eagles Lodge property have not had sufficient opportunity to meaningfully participate in the project review process.

Unless you are able to provide documentation verifying that all required public notices have been timely made, please remove the Folsom Prison Brews project from the August 4 HDC meeting agenda.

Also, the public notice that is posted at the proposed Folsom Prison Brews location (I saw the notice yesterday, but no information has yet been provided of when it was posted) references that "the environmental review documents" are available for public review at the City. My understanding is that staff is asserting the project is exempt from CEQA (I will document why the project *is not exempt* from CEQA in written comments to the HDC) and I do not see any environmental documents or studies referenced in the staff report. Can you let me know what environmental documents have been prepared and is it possible for you to post those on the City's Pending Development Applications' website so they can be reviewed online?

I am doing my best to understand the project and prepare meaningful input to the HDC; however, cannot do so without the requested information.

Thank you in advance for your help with this.
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 10:53 AM
To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Pam and Steve:

The Folsom Prison Brews staff report states that "City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking." Can you provide supporting document for when and by what mechanism that policy has been adopted by the City Council or other City authority? Also, the staff report doesn't discuss so can you provide an explanation of how staff defines "density" in its application of this policy and how staff interprets "*additional* on-site parking" in this context?

Since it's understood that the FMC 1space/350sf standard does not reflect actual parking demand generated by various commercial uses, has staff generated parking demand estimates for the existing use and for the proposed use to compare the actual anticipated change in parking demand that would result from the project? Parking spillover in the nearby neighborhood areas (and related traffic and pedestrian safety effects) adversely affects the health, safety, comfort, and general welfare of those of us who reside and work in the area. Therefore, changes in actual parking demand and induced spillover to residential neighborhoods is a key factor in determining whether the finding necessary for issuing a CUP can be made.

Thanks for in advance for any input you can provide.
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of **all entitlements granted for the property by the city, including conditions of approval** and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Friday, July 30, 2021 1:05 PM
To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdelp@live.com <bdelp@live.com>; loretta@shaunv.com <loretta@shaunv.com>
Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the **Webex** information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001
Meeting Number: 182 793 3916
Meeting Password: 693 383 23

Thank you!

Kelly Mullett
Administrative Assistant

Community Development Department
50 Natoma Street, Folsom, CA 95630
O: 916.461.6231
F: 916.355.7274

Kelly Mullett

From: Kelly Mullett
Sent: Tuesday, August 3, 2021 5:01 PM
To: Kelly Mullett
Subject: RE: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

From: LJ Laurent <ljlaurent@att.net>
Sent: Tuesday, August 3, 2021 10:15 AM
To: Sarah Aquino <saquino@folsom.ca.us>
Cc: Steve Krahn <skrahn@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; The HFRA <thehfra@gmail.com>; Mike Brenkwitz <rebmngt@aol.com>; Adena Blair <adenacblair@yahoo.com>; Lydia Konopka <lkonopka@folsom.ca.us>; Shannon Brenkwitz <shanjean1@aol.com>; John Shaw <jpshawman@gmail.com>; Laura Fisher <lkatfisher@aim.com>; Justin Gilhuly <jgilhuly@gmail.com>; Debra <arm@artpass.net>; Deino Trotta <deino@gingerwood.com>; Cindy Pharis <crpharis@att.net>; Ken Cusano <kcusano@folsom.ca.us>; Lauren Ono <lono@folsom.ca.us>; Rick Hillman <rhillman@folsom.ca.us>; Supervisor Sue Frost <supervisorfrost@saccounty.net>; Ben Fuentes <fuentesben@comcast.net>
Subject: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Sarah Aquino Vice Mayor
Folsom City Officials, Clerk, Lawyer, City Engineer,
Planner Steve Banks
cc: Asst. City Clerk for Clerk FILE PN19 174; FFD Chief, Fire Marshal Ono; FPD Chief
From: Laurette Laurent
August 3, 2021

Re: PN19-174 Official Public Comment re FMC 17.52.120 to
Folsom City Attorney/Office, City Engineer -- IGNORED completely.

Sarah, there is no way to contact Historic Preservation League, yet it appears to be a city official group. **Please send this directly to Beth Kelly and all members** of this city group. Otherwise it will appear there is some desire to stifle Public Comments -- officially, by the city stifled. Clearly this city council is somehow connected to the Control of Public Comments and Access to Public Comments made directly to Licensed city staffers who are paid to Certify & Sign that there is Legal Compliance with all laws. Myself, I am dealing with a disability, and suspect this is part of the reason city staff believe they can ignore my Research Reports. However, I have remedies available right now, and will use them if my Comments continue to be Omitted as a policy.

Sarah,

My Comments to City Engineer Krahn and City Attorneys Wang & assistant, were explicitly incorporated into this Applications STAFF REPORT without the Folsom Muni

Code Laws I cited in their Entirety. In other cases, FMC subsections were cited as if they were Legally binding despite violating State Enabling Legislation Govt. Code 65000 et seq. and as if a "subsection" can revoke or Override a Definition, a General Law, or Standards. It's as if Negation was dumped into 17.52 -- at will, in the dark, at the discretion of unknown persons acting without Public knowledge.

Clearly this case is riddled with issues. Creating new subsections at will is just the tip of the iceberg. *Creating a second City Council which can REZONE and grant EXCEPTIONS* to Title 17 at will, is offensive, improper, and destructive to any democracy and Safety & Equal Treatment under Law.

This is a formal objection that again, **my email comments were totally omitted. My email to Planner Steve Banks is OMITTED** from Public Comments shown in Agenda Attachment, in re Legal Issues governing, among other issues: "Change of Use"; Legal Definition of historic district group AKA "commission" or a 2nd "plan commission" with Separate set of Land Use Standards and INFRASTRUCTURE and FIRE STANDARDS, and ADA Compliance." My email did note that Formal Complaints were filed with proper oversight authorities and persons.

To keep this simple, my formal email to City Lawyer/his office and City Engineer were NOT given direct Responses. It's as if those Licensed City Employees considered their License Obligations as irrelevant and NOT binding to their Clients -- of which I am one.

This is a huge issue, which will absolutely force residents opposed to such city actions outside State and Federal laws, to be Cause for Complaints. Why does our current Mayor refuse to demand our Licensed Legal & Engineering Law experts provide him with Sealed, Signed Official Reports? Why have lawyers and engineers if elected officials never use their LICENSE APPROVALS to ensure FULL legal compliance per their License Requirements.

If you look carefully, **actual screen shots of FMC 17.52.120 are utilized in my Email, to ensure subsequent, secret alterations or Misquoting is prevented. The duties of the h.d. group are clearly defined**, and they DO NOT include Change of Land Use which to you is called "REZONE" of parcel. They do NOT include a State of California Enabled Right under State law, to grant Rezones, Exceptions, Enforcement of Standards to a second and totally separate Plan Commission.

State Law **allows one Plan Commission** which can [1] Hold **Public Hearings** [2] Address **Questions & Answers** between Licensed city staff and public, and [3] **Make a formal Recommendation to city council** for a Legislative action to alter Land Use, Bulk Standards, Access Standards, Street Standards, Infrastructure Standards and [4] Use this process to inform and **RECOMMEND to City Council** the Action/Legislation enacted by CITY COUNCIL. Council must determine whether CEQA Compliance is Satisfied as "fulfilled to proper legal Standards and applicable local, county, state and federal laws.

1. Where is the Discussion of California Fire Code Compliance?

2. Access for ALL FIRE ENGINES and Fire Water TRUCKS in the event hydrant pressure is < 4,000 PSI during this drought?
3. Where is hard Proof this former factory and its entire vehicular and pedestrian access points meet Americans with Disabilities Act requirements?
4. Where does California Govt. Code 65000 et seq state a city can HAVE & USE two different sets of Standards and Regulations for Land Uses?
Where does it state an OVERLAY of extra aesthetic issues such as 17.52, can be converted into granting another non-elected group the POWER to REZONE, to change Land Uses? To WAIVE City STANDARDS?

There are other Questions which ONLY an Elected Body can Decide, upon and with the signed Advice of Legal Council, and Seal of City Engineer.

- [1] The so-called lease do not prove signator for "Eagles" has any Legal Authority to enter into such a Lease.
- [2] Street Address does not match the old Clouds Pottery factory.
- [3] Street FRONTAGE is less than 19 feet of pedestrian only access.
- [4] Parking will end up destroying historic RESIDENCES.
- [5] Ignoring Fire Code and ADA will result in direct harms to persons/properties, not to mention Health Safety & Welfare.
- [6] There is NO Finding of Fact to prove new owner did not create his own Hardships by over-reaching and seeking exceptions to critical Fire, Access, Bulk Standards, Parking Standards/Laws.

NO CITY CAN HAVE TWO SEPARATE SETS OF STANDARDS which permit exceptions to State, Federal, County Laws.

Staff with Licenses are PAID to protect residents & others from Life-threatening Uses, Configurations, First Responder Access.

categorically exempt under Section 15303 (New Construction of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines (Project Planner: Josh Kinkade/Applicant: Pamela)

PUBLIC HEARING

2. PN 19-174, Folsom Prison Brews Conditional Use Permit, Design Review and Project is Exempt from CEQA

A Public Hearing to consider a request from Konet Architecture for approval of a Conditional Use Permit for development and operation of a craft beer establishment (Folsom Prison Brews) in an existing 4,377-square-foot building located at 608 1/2 Sutter Street. The zoning classification is C-2 (Historic District/Sutter Street Subarea), while the General Plan land-use designation is C-2. The project is categorically exempt under Section 15301 Existing Facilities, and 15303 Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Konet Architecture)

HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for August 18, 2021. Additional agenda items may be added to the agenda; any such additions will be posted on the bulletin board at least 72 hours prior to the meeting. Persons having questions on any of these items should contact the Planning and Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at 1000 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a related modification or accommodation to participate in the meeting, please contact the

		<ul style="list-style-type: none"> Thursday-Saturday: 11:00 a.m. to 12:00 a.m. <p>No expansion of business hours beyond what is stated above shall be permitted w approval being obtained from the Historic District Commission through a discreti Conditional Use Permit Modification.</p>
14.		Folsom Prison Brews shall be limited to the sale and consumption of beer, non-alk beverages, and food products. No sale or consumption of spirits shall be permitte
15.		Doors and windows to the outdoor patio area shall be closed at all times when mu played.
16.		No audio speakers, music, televisions, or screens shall be permitted on the outdoo building exterior walls, windows, or any other exterior architectural elements.
17.		No dancing shall be permitted anywhere in the premises including the outdoor pat addition, there shall be no structurally designated or raised dance floor or bandstai

Historic District Commission
 Folsom Prison Brews (PN 19-174)
 August 4, 2021

28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces Lodge property remain in effect as long as Folsom Prisons Brews or any subsequ establishment operating at this location pursuant to the Conditional Use Permit re business.
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Historic District Commission
 Folsom Prison Brews (PN 19-174)
 August 4, 2021

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
(P)		M	Prior to approval of Final Map
(E)		B	Prior to issuance of first Building Permit
(B)		O	Prior to approval of Occupancy Permit
(F)		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		



How very "expedient" there is NO MENTION of this 503c Organizations OFFICERS:



Folsom Fraternal Order of Eagles

[Home](#) [Officers](#) [Events](#) [News](#) [Hall Rentals](#) [Contact Us](#)

Officers

Office:

Officer:

Proudly powered by WordPress



Even the IRS has no record of Eagles Folsom Aerie 929

Results for Tax Exempt Organization Search

Select Database ⓘ	Search By ⓘ	Search Term ⓘ
Search All ▼	Organization Name ▼	Eagles Folsom Aerie 929
City	State	Country
folsom	CA ▼	United States ▼
Search	Reset	Search Tips

- **Your search did not return any results. Please try again.**



Fifteen Spaces for a huge 4K sq foot building is not exactly providing OFF-STREET PARKING to City Code Standards, is it?
Lease Agreement is shot full of omissions, exceptions, closures, NO EVIDENCE of this 503c3 group's Status or Land Use Compliance either.
How much more "questionable" could Applications "facts" be?



Folsom Prison Brews – Lessor

- 1 Folsom Prison Brews will pay to Eagles \$6000 per year @ \$500 per month for use of the Eagles lot from the operational opening of Folsom Prison Brews un permanently changed to a new use by Eagles or Folsom Prison Brews ceases to
- 2 Signs at Folsom Prison Brews expense will be posted stating, "Eagles Members . Folsom Brews parking ONLY: all others will be towed at owners' expense." 22 Folsom Prison Brews shall, at the request of the Eagles, provide a parking lot at Friday & Saturdays from 6pm- 10pm to ensure parking conditions are enforced
- 3 Eagles, at their discretion, may continue to charge for public parking whenever tl
- 4 Eagles, at their discretion may close their lot for special Eagles events.
- 5 Folsom Prison Brews will maintain general liability insurance coverage for not in its owners with a "hold harmless" and additionally insured designation for t
- 6 Powerhouse shall provide to the Eagles a minimum of 4 free admittance per m event held in Powerhouse Entertainment.

[Signature]

Folsom Prison Brews

608 1/2 Sutter St Folsom

[Signature]

12/1/20

[Signature]

Eagles Folsom CA. #

215 Scott St. Folsom

[Signature]



Google shows 608.5 Sutter St. as a different structure.
WHICH IS RIGHT Folsom City Engineer & Surveyor?

(5 unres... x | Sacram... x | 637630 x | SAC Assess... x | (9 unres... x | 637630 x | 608 1...

assessorparcelviewer.saccounty.net/JSViewer/assessor.html

Settings Imported From Fire... FMC Title 17 ZON... Drought impacts: L...

SACRAMENTO COUNTY
Assessor Parcel Viewer

070-0061-011

Parcel Details | Layers | Measure | Search Results | Select Parcels | Recent Sales | Legend

A summary of the most recent property tax bill is available on the e-PropTax site.

Tax Rate Area Code 04-018
 Jurisdiction Used on FOLSOM
 Most Recent Tax Roll
 Last Roll Year 2020

ASSESSOR'S ROLL VALUES

as of June 25, 2021

Tax Roll Year	2021
Land Value	\$283,818
Improvement Value	\$504,565
Personal Property Value	\$0
Fixtures	\$0
Homeowner's Exemption	-\$0

Windows taskbar icons: File Explorer, Edge, Word, PowerPoint, OneDrive, etc.

Why doesn't City Engineer Krahn quote First Responder Chiefs INPUT to him. Folsom has a Fire Marshal who, in normal law-abiding cities, would have to issue a formal Report, with signatures.

Why didn't he Consult FMC-adopted universal FIRE CODE for MINIMUM ACCESS? Why was he totally SILENT on SAFETY?

This Parcel has less than 19 foot wide access but a Pedestrian Walkway. The closest Street Frontage is Sutter St., and it IS NOT even a LEGAL COMMERCIAL ZONE street FRONTAGE.

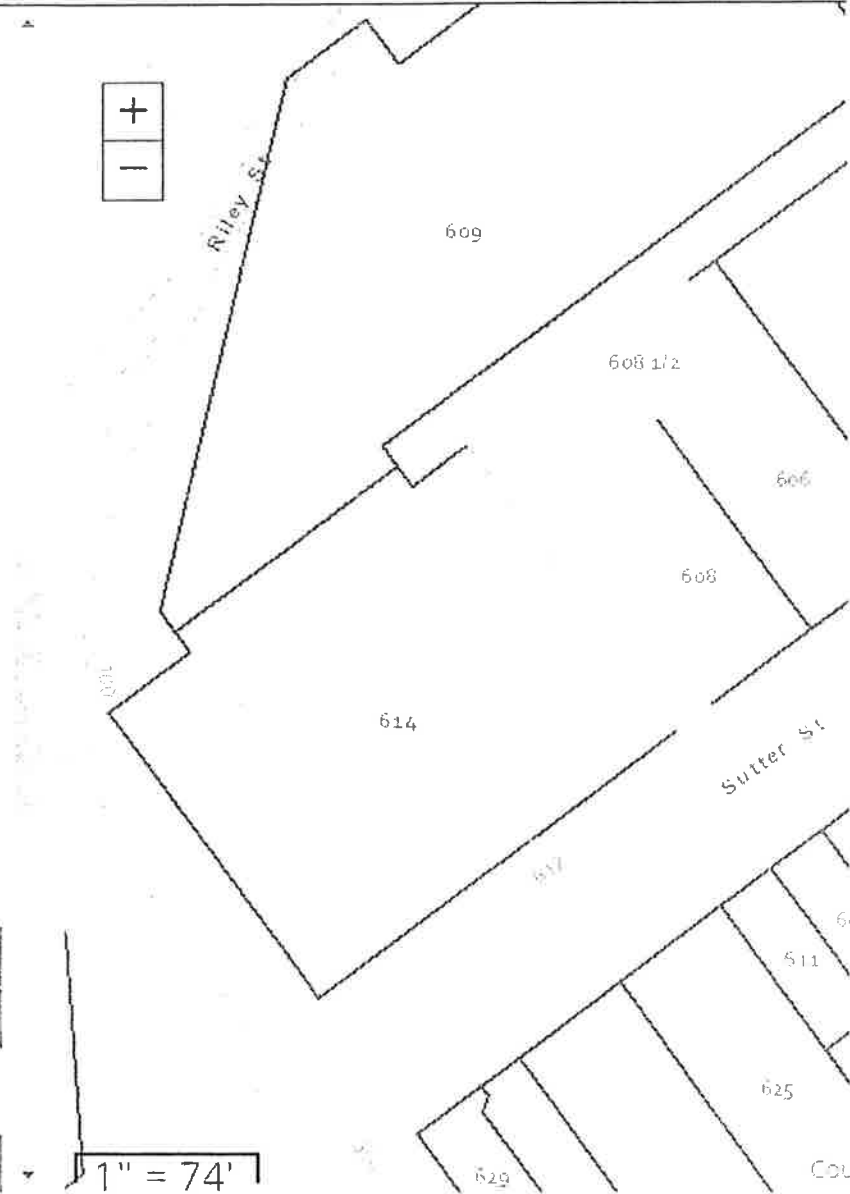
070-0061-011



- Parcel Details
- Layers
- Measure
- Search Results
- Select Parcels
- Recent Sales
- Legend

as of June 25, 2021

Tax Roll Year	2021
Land Value	5283.818
Improvement Value	5504.565
Personal Property Value	50
Fixtures	50
Homeowner's Exemption	-50
Other Exemption	-50
Net Assessed Value	5788.383
Property tax bill information	Link to ePropTax information



Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-6700 or assessor@saccounty.net.

LAND INFORMATION ▶

ZONING ▶

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION ▶

In case you doubt me, Sarah, here's FMC text preserved via Pictures for my Comments to city lawyers, engineers, staff.

17.52.120 Duties of the historic district commission.

The historic district commission shall have the following duties and responsibilities

- A. Oversee the implementation of the provisions of this chapter;
- B. Develop and recommend design guidelines to the city council for the historic district;
- C. Prepare and maintain a survey of the historic structures within the historic district;
- D. Provide assistance to residents, property owners and business owners in relation to the provisions of this chapter;
- E. Provide advisory review, upon the request of another city commission, committee, any city department, or as directed by the city council, of projects or programs affecting or relating to the historic district;
- F. Recommend to the city council amendments to adopted city plans or codes in the interest of furthering the purposes of this chapter;
- G. Review the design and architecture of any new structure, or alteration to any existing structures within the historic district, as further defined in this chapter;
- H. Determine the historical significance of structures as further defined in this chapter;
- I. Review applications for sign permits, conditional use permits, variances, land divisions and mergers within the historic district;
- J. Make recommendations to the city council regarding programs and incentives to encourage and to support the preservation, maintenance, and rehabilitation of historic structures; and
- K. Carry out such other duties relating to the historic district as may be assigned by the city council. (Ord. 890 § 2 (part), 1998)

Comments in HPL attachment to Agenda:

NOTE: my Public Comments tacitly refuted, but omitted verbatim on FMC 17.52 as it pertains to all these applications?

Historic Preservation League cites city laws/regs is shown below. Why doesn't this city group state "there is not conformity to Folsom Municipal Code Parking Regulations" and treating this old old area as if it were a second, 2nd class city, is harming Residents greatly? Parking Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas. The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house. Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brews in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

COMMENT: Folsom HPL should make Formal Demands to City Engineer and City Attorney for Certified Signed Engineering Law and CA/Folsom FMC Law Compliance is CERTIFIED by our Licensed Professionals. This was always part of Folsom City Charter "Duties" of Licensed staff, until FMC was put ONLINE ONLY. Suddenly the print version was stripped of Critical items of Charter and Duties.

QUESTIONS? Always welcome, as Folsom Residents are tired of being unheard, ignored, and having their Rights and Safety violated by elected officials and the Licensed Staff whom they could demand do their License Duties -- their License ENFORCEMENT Duties.

bcc's

----- Forwarded Message -----

From: The HFRA <thehfra@gmail.com>

To: The HFRA <thehfra@gmail.com>

Sent: Monday, August 2, 2021, 08:13:48 PM PDT

Subject: **Upcoming Historic District Commission Meeting**

Hello Members

We are encouraging all members to join and provide feedback at the upcoming HDC meeting this Wednesday, August 4th at 5 PM.

The HFRA Board will address the Commission with specific concerns on the new project; Folsom Prison Brews regarding but not limited to; proposed design, proposed building materials and parking.

Agenda Link:

<https://www.folsom.ca.us/home/showpublisheddocument/7146/637630874703773299>

Thank you and we hope to see you there.

Sincerely,

The HFRA Board



Public Comment Regarding Folsom Prison Brews Project

August 3, 2021

Greetings Commissioners

I rise to speak today in support of the Folsom Prison Brews project at 608 ½ Sutter St.

I am Gary Richard, a 30 year resident of Folsom, a Realtor that has sold a large number of commercial properties on Sutter St. And yes, the applicant is my client. I am also the driver of the Sutter Surfer.

But it is not from that experience I'm coming from. It is my experience as the Design Chair of the Folsom Historic District Association during the Sutter St. Revitalization Project and serving on the City's Streetscape Revitalization Committee in that capacity. As member of the Main Street Project Committee, an economic revitalization exercise for Sutter St. And my insight as the Founder and Chairman of the Folsom Historical Society's 6th Annual Golf Tournament.

Many will or have spoken on the merits of this application and I agree with their comments. Today, I am addressing the public comments submitted by the Heritage Preservation League of Folsom. This small group does not represent the larger views of the historical community, their comments are unfounded in fact and law. This small group has conveniently ignored the fact that this project is in the Entertainment District, has purposely misrepresented Folsom Code and is attempting to usurp the authority of this Commission and has accused the city staff of ignoring the law.

I'll address the parking issue, the Heritage Preservation League comments complain about the parking but what have they done besides image non existent land and money for parking.

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office

Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com
CA.DRE LIC.# 01502446



On the other hand, the applicant has taken a proactive approach by developing and funding a unique parking solution in the Sutter Surfer, a free shuttle designed to encourage increased use of the parking structure. Mr. Weaver has served on the City's Parking Advisory Committee, a 6 month process and has found an inventive solution for additional parking with the Fraternal Order of the Eagles. As I mentioned earlier, not only is this group trying to usurp this Commission's authority but they now want to tell my loyal brothers and sisters of the Eagles what to do with their parking lot.

This applicant and his team have worked closely with the City Staff and made several revisions upon receiving community input, including from members of this group.

He has followed the code and is acting in good faith.

Mr. Weaver has incorporated an iconic design that will further enhance the Sutter St Streetscape.

In closing, I encourage the Commission to approve this project and reject all comments and input from the Heritage Preservation League of Folsom.

Thank you for your time. I would be happy to answer any questions or provide additional insight.

Gary Richard, CPRES

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office

Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com

CA.DRE LIC.# 01502446

THE POWELL LAW OFFICE
303 DEAN WAY
FOLSOM, CA 95630
(916) 712-1465
thepowelllawoffice@gmail.com
douglas.powell@twinriversusd.org

August 3, 2021

HISTORIC DISTRICT COMMISSION
CITY OF FOLSOM
50 NATOMA STREET
FOLSOM, CA 95630

RE: **FOLSOM PRISON BREWS**

To Whom It May Concern,

By way of introduction, I am a long-time Folsom resident (previously living in the historic district, and currently a few blocks away from it). I have had a Northern California law practice for around 30 years, and am a local middle school English teacher. I am also a good friend of one of Folsom's brightest, and finest, business owners, Mr. Murray Weaver. I am writing you to voice my excitement and enthusiasm regarding his new business project, to be known as FOLSOM PRISON BREWS, and to offer a counter-narrative to some inaccurate remarks made by some in the community.

Unfortunately, I have read some unfair, disparaging comments that are critical of his new project, and I think they need to be addressed in short order. Apparently, the Heritage Preservation League of Folsom (hereinafter, the "HPLOF") has seen fit to criticize the project, requesting, inter alia, ". . . *that the City of Folsom place a moratorium on and refrain from approving any parking variances for new or future projects (i.e. not currently approved) in Folsom's Historic District until the newly formed Folsom Historic District Parking Solutions Ad Hoc Committee provides their recommendations and the City takes action on them.*"

HPLOF continues, stating that: "*The reason for this request is that we feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now. For example, the recent variance request for the Folsom Prison Brews project requested parking associated with the Eagles Lodge. The project notice did not even adequately explain how this parking agreement would provide adequate parking on a day-to-day basis or in the future, without conflicting with the Lodge's needs.*"

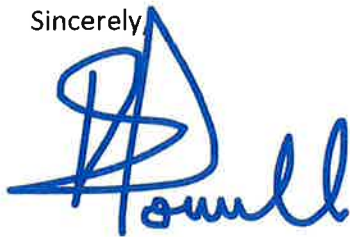
Finally, the HPLOF website also suggests that: "*In addition, at this time, there is also a concern that once Scott's Seafood occupies their building, parking in the nearby parking structure will defacto become Scott's restaurant parking, thus eliminating many parking spaces for other businesses.*"

Too many recent requests for parking variances? Says who? As quoted above, HPLOF states that, "*We feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now*"? (emphasis added). The "*feeling*" of HPLOF is unfortunately irrelevant, to my mind, and not based on any empirical evidence. Based on that "*feeling*", they abruptly jump to the conclusion that it "*clearly shows an urgent need to address inadequate parking now.*" That kind of knee-jerk, baseless conclusion is what I find troubling, and erroneous. For example, there is not even a variance being requested at this time. In short, all of HPLOF criticisms of the FOLSOM PRISON BREWS are meritless.

From my personal objective perspective, this HPLOF parking space critique appears to be much ado about nothing. For example, CLOUD'S POTTERY was in the FOLSOM PRISON BREWS building for years, managed by another close friend (Jeff Cloud) and to my knowledge, there was never a parking problem there. Further, on the other end of the street, Scott's Seafood Restaurant is now up and running, and is already one of my favorite new establishments in Folsom. There is no parking shortage whatsoever, whenever I decide to drive, instead of walk, to downtown Folsom. In short, the amount of parking from the top of Sutter Street to the bottom is more than ample, and I can attest to this from personal experience, as well from the experience of family and friends. Downtown Folsom is extremely user friendly, to say the least, and is a well-known *go-to* destination in Northern California. HPLOF's complaints are – in short – unfair.

Finally, on a personal note, Mr. Murray Weaver - the developer of FOLSOM PRISON BREWS - is a local treasure, and has been for over 20 years. His well-known benevolence, selfless devotion to this city (and its business community in the Folsom Historic District), generosity, professional acumen, and kindness, is legendary. He is highly respected by this entire neighborhood, and I for one am quite confident that any business he manages will be run professionally, smoothly, successfully, and with a view towards benefitting our beautiful and unique city. Parking has not been – and will not be - an issue, so please, take the above into consideration when you address the groundless, spurious complaints of HPLOF. There many very good reasons why this project has overwhelming local support, despite the protestations from HPLOF. In fact, if the above HPLOF comments were taken into serious consideration historically, NO projects would have been built the last decade - their uninformed, biased criteria are arbitrary, and unhelpful. If you have any comments, or if I can answer any of your questions, please do not hesitate to contact me at your convenience at the above coordinates.

Sincerely,

A handwritten signature in blue ink that reads "Powell". The signature is stylized, with a large, looped initial "P" and a cursive "owell".

Douglas E. Powell, Esq.
ATTORNEY AT LAW



8/2/2021

To the Historic District Commission of the City of Folsom

After reviewing the documented intent of Mr. Murry Weaver at 608 1/2 Sutter Street/APN 070/0061-011, I directly oppose this project.

Parking is currently very difficult for our patrons in the 600 block of Sutter Street and with this additional type of business and the number of possible patrons in this high occupancy location, it will be nearly impossible for our guests to find adequate parking close enough to want to visit us and other like businesses in the 600 block. Additionally, there is mention of adding a food truck in the lower parking lot that will make it even more difficult.

The hours of operation and safety are also a big concern. I have heard many comments from tenants in the 600 block regarding late night safety problems and drunks vomiting and vandalizing their property due to an abundance of inebriated customers from the already existing Powerhouse location. In my opinion this will only increase the safety issues in this corner of the 600 block and concerns for vandalism on my restaurant will leave me stressed every night.

I feel so strongly about these concerns that I would likely close my restaurant operation when this brewery opened rather than endure a slow death to it due to the above stated concerns.

Sincerely,

Michael Sanson
Owner
Plank Craft Kitchen + Bar
680 Sutter St. Folsom CA 95630
916-260-5333



8/2/2021

To whom it may concern:

I have reviewed the proposed project for 608 ½ Sutter Street (current Artfully Rooted building) in detail and have various concerns regarding the proposed business to enter into that space. Due to these concerns, I oppose this type of business for the 600 Block of Sutter St & the Historic District.

The first area of concern is around parking. As we already know the parking situation on our end of Sutter St. (600 Block) is already an issue. On the weekends, parking is already forcing customers to park in local neighborhoods. The building space at 608 ½ Sutter is well over 4,000 sqft, and this will carry a large occupancy, while offering no additional parking spaces near it's location. I saw the suggestion of providing leased parking spaces at the Elks Lodge across the street, however customers are going to pull into the lot that is closest to where they are going and it will be hard for customers to determine that they can park across the street, which will then leave those Elks Lodge lease spaces marked with signs that will discourage others from parking there, compounding the parking issues.

The second area of concern to me that is even more critical, is the overall effect that this type of business will have on the 600 block. This concept of a Taphouse right next door to the current Powerhouse/Scarlet's, is basically a ½ block of daily, Night Club Party Vibe. With both locations offering spirits, the customers from one location will flow to the other outside. This is proven by the suggestion of having a Food Truck in the lot that would basically be between the 2 locations. Inebriated customers will be hanging out in the parking lot, getting food, going from the Tap House (that also wants an outdoor dining area) to Powerhouse. With 2 businesses selling alcohol, that are promoting this outdoor vibe, it will become a large, drunk block party on the weekends.

Currently businesses on the 600 Block rely on our customers being able to park in the lower lot. The walkway that allows customers to reach these businesses, will now have late night intoxicated customers in this area. Our customers are not going to feel safe walking this area at night and neither will our staff. They will be less likely to patron our businesses if the area seems less safe at night.

I do feel like retail would be a better fit for this space or a restaurant that doesn't have hours till midnight & 2am.

Concerned Business Owner,
Lisa Gomez
Citizen Vine

Item: PN 19-174, Folsom City Brews

My name is Paul Keast, a Folsom resident in the Historic District on Mormon Street. I am not opposed to another bar in the Historic District as a business.

I do oppose the development and design of Folsom Prison Brews on 2 grounds:

1. The lease for parking is very weak and has little provision for future guaranteed parking spaces.
2. The building exterior design does not meet the intent of the Historic District guidelines.
 - a. I think it trivializes the people and environment of Folsom Prison.

1. The parking solution:

Notice the Development Condition states that 15 spaces are clearly mandated.

Notice the Lease states: "partial use."

This seems to be a poorly structured lease to ensure lifetime access, as noted in the condition, to the noted spaces. The lease must guarantee the identified parking spaces at all times.

Also, the Conditions tie the parking spaces to the life of the FPB business. If the parking spaces are permanently or temporarily no longer available, (as noted below in the conditions) then FPB must stop operations.

Parking in the Historic Business District and residential district is a critical concern for residents and all businesses as you must know.

Condition 28 : The owner/applicant shall ensure that a lease agreement for **the 15 parking spaces** at the Eagle Lodge properly remain in effect as long as Folsom Prison Brews or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.

Item 1 of the Lease:

".....@ \$500 per month for the **partial** use of the Eagles lot from the operational opening of Folsom Prison Brews until the lot is permanently changed to a new use by the Eagles.. "

2. The FPB planned exterior is a likeness of Folsom Prison, complete with a replica guard tower. The design is not in line with the Historic District Guidelines of **preserving** historic city buildings. Rather, it is an obvious and insulting attempt to cash in on a theme that denigrates the people that work and are incarcerated in the prison.

Folsom Prison is a stark and dangerous place to work and be incarcerated. At least 93 inmates have been **executed** there. A significant number of guards have been **killed** on duty at the prison. As recently as November 25, 2020, guards had to shoot and **kill** an inmate due to violence in the prison.

Does the city of Folsom need to have a business design in the Historic District that does not align to the District Design Guidelines and mocks the life stories of people that work, died and are incarcerated at Folsom Prison?

I hope you believe it to be no.

Please do not allow the guard tower design of this project as it is not appropriate for the Historic District.

Regards, Paul Keast

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

August 1, 2021 (Project Review - Plans dated 03.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a ‘beer house’, the installation of an outdoor patio and serving area and potential provision of a food truck at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

PROJECT HISTORY: HPL provided review comments regarding the original application on May 30, 2019. The following review was originally based on the project updates that have been Posted on the City’s website since February 18. HPL has also addressed some of the new information that was first introduced in the latest Staff Report.

ATTACHMENTS: 1. City regulation not Complied with by Folsom Prison Brews
2. Comments Regarding the Staff Report
3. Proposed Findings of Denial

BACKGROUND

During the late half of the 1800s, the Odd Fellows Hall and the Natomas Company’s Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street at Wool Street (across from the railroad block). All these buildings later burned down or were removed. The ‘pottery barn’ building in the current application has been on the property since 1958, per the assessor’s office. The existing walkway from Sutter Street to the Scott Street parking lot is lined by ceramic tiles produced at the barn (by Cloud’s Pottery).

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, replicas of a blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad. All these buildings have a historic connection to the property they are located on.

CONCEPT

It is the applicant’s intent to create a version of the existing perimeter wall, gate and guard tower at Folsom State Prison, relying on Policy 2.6 of Chapter 2 of the Design and Development Guidelines, which calls for the City “to maintain, restore, and reconstruct sites which represent the history of the Folsom area”. Folsom Prison is one of eleven resources cited in the policy. Folsom Prison is undeniably an icon of Folsom’s history, but it does not need to be maintained, restored, or reconstructed. It still exists, and it is under the stewardship of the state. The prison has no connection to the project site, and the prison is not located in the Historic District.

The project concept is in direct contradiction to the most basic premise of FMC 17.52 and the Council-adopted Design and Development Guidelines. The premise is first stated in FMC 17.52.010 Purpose and Intent. Out of seven stated purposes, the first purpose is: "To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950." The fifth purpose is "To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950." The principle is repeated multiple times, with details of appropriateness added, throughout the Design and Development Guidelines. The premise is further refined to delimit construction in the Sutter Street Subarea to the 1850-1900 timeframe.

Since the Prison itself was under construction at that time, groundbreaking taking place in 1878, historians would concur that building a prison replication on Sutter Street would have been considered quite inappropriate between 1850 and 1900 (even between 1850 and 1950) in the City's central business district, especially considering the project's proximity to Folsom's Nob Hill. It was an out-of-town industrial use. In fact, the tower and gate this project replicates were not completed until 1910; a decade after the Sutter Street Subarea's timeframe.

Recommendation

- Change the name of the business, and use an alternative design concept that is connected to the history of the project site and is appropriate to the Sutter Street Commercial District before year 1900.

ARCHITECTURE

The applicant is proposing to cover the walls of the former pottery barn with a gray Turkish lime stone veneer (described as 'granite' in the project narrative), replace the corrugated fiberglass roof cover with corrugated metal roof panels and add a raised tower that resembles the guard towers of the existing Folsom State Prison. As a general impression, the irregular pattern of the stone walls does not reflect historic masonry techniques, and the reproduction of a Folsom Prison guard tower is out of context with the surrounding neighborhood. In addition, the uninterrupted stone facades lack interest and variety

At the west entrance (facing the patio), the applicant is proposing to construct a fiberglass archway intended to resemble the stone archway in the perimeter wall of Folsom State Prison. Because this feature protrudes two feet from the façade and covers virtually the entire width of the building, it creates the impression of a stand-alone gateway. The arch will be built around a standard entrance door and a wide folding door. Two rounded windows will fill the space above the door. The only additional windows are located in the raised tower. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. All these design details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea.

It is HPL's conclusion that the proposed building remodel will look 'staged', will detract from the 600 block's historicity and will not do honor to the City's prison heritage. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to develop a new design, HPL recommends: 1) that the tower feature be removed or changed to no longer resembling a historic guard tower at Folsom State Prison; 2) that windows be incorporated along the facades, and; 3) that the entrance on the west frontage be in scale with the width of the building. HPL has noted that the project no longer includes roof-mounted sky lights.

The applicant has reported that food service is required for the proposed use. However, in lieu of installing a permanent kitchen in the brew pub, the applicant has proposed to provide delivery services from nearby eateries and to potentially park a food truck outside Powerhouse Pub during business hours. If the applicant in the future decides that a food-truck should be a regular part of the project, a new application will need to be submitted to the City. Before a food truck is scheduled to service the brew pub the Historic District Commission should have the opportunity to consider the site requirements and design specifications of this addition. The Commission may also want to consider the impacts of potential customers from Sutter Street.

Recommendations

- Revise the building design to resemble a pre-1900 meeting hall or winery building.
(If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.)
- Incorporate windows with the building facades where possible. The north wall of the building fronts on a public right-of-way and is therefore not constrained from including windows and doors. Walls which may be constrained because of lack of setback from the property line need other differentiation to avoid blank walls.
(Winery buildings often had stone facades and arched windows.)
- Use façade materials that reflect the pre-1900 design concept of the Sutter Subarea:
(Avoid irregular sized lime stones for the building facades and reduce the glass area of the doors in the entrance.)
- Before a portion of the parking area for Powerhouse Pub is reserved for a food truck a detailed project proposal needs to be submitted to the City. All design issues and parking impacts need to be reviewed and considered by the Historic District Commission.

SIGNS

The front entrance to the brew pub is located along the west side. This side of the building is 30 feet wide and per Zoning Code the length of signs should be limited to 75% of the building facade. Black sign letters with back lighting are proposed to be mounted along the front archway. The proposed sign area is 35 square feet (based on a letter height of 1.33 feet and a sign length of 26.5 feet).

Individual letters offset from the façade were not used pre-1900 and are not described in the sign codes for the Sutter Street Subarea. As specified in Chapter 5 of the DDG's the main building frontage is facing the alley right-of-way within the Scott Street parking lot. Based on the length of the building the sign allowance would be 50 square feet. The west side of the building does not meet the definition of a secondary building frontage (facing a street or public area) but based on the proposed location of the front entrance it could possibly qualify as eligible for half of the front sign area, or 25 square feet.

Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade.

- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding spaces between words from the estimated sign area.)
- Install the sign letters on a background and illuminate the sign with goose-neck lights.
(The background of the sign should be considered a part of the sign area.)

SITE DESIGN

As a part of the application in 2019, a large outdoor seating area was proposed on the west side of the beer house. This fenced in area extended across the west property line and also cut off pedestrian travel between Sutter Street and the Scott Street parking lot. It is HPL’s understanding that the applicant is now proposing to install two separate seating areas that will allow the existing access path to remain (see Figure 4, Building Rendering). As previously, the west portion of the seating area will be located within the Powerhouse Pub property.

According to the staff report, the encroaching part of the seating area has now already been approved under a separate application (see page 63). As a result, the current submittal no longer provides a complete picture of the project impacts. Because the proposed project will include improvements on the Powerhouse Pub property, and these site changes have not yet been installed, HPL recommends that the applicant should be required to provide an expanded Site Plan that includes both properties and provides information about the overall pedestrian circulation system (including walkways, retaining walls, ramps and patio areas). The Site Plan should also demonstrate if the new site improvements will eliminate some of the existing parking spaces at Powerhouse Pub.

A new Landscape Plan has not been included with the revised set of plans. When a Landscape Plan is prepared, the green area in front of the building (within the public alley) should be included.

Recommendations

- Request the submittal of a detailed Site Plan that includes both properties that are impacted by the Brew Pub project (614 and 608 ½ Sutter St.) and clearly demonstrates how the future pedestrian circulation system will work and where the enclosed outdoor seating areas will be located.
(The site plan should show how the Powerhouse Pub property will be connected to the project site.)
- Specify if this project will use the patio area on both sides of the pedestrian walkway (between Sutter Street and the Scott Street parking lot) for outdoor serving.
- Request the submittal of a Landscape Plan that shows how the frontage area within the alley will be landscaped.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. A year later, there has been little action towards

implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. A parking review of the availability and equitable distribution of parking is therefore appropriate (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 4,377 square-foot building would be required to provide 13 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. With the exception of the Eagles Lodge, the existing spaces are already heavily used.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

As noted above, the applicant does not intend to install a kitchen in the brew pub. Instead, take-out meals will be delivered to the pub and a food truck may be parked in front of the building. This solution requires a designated parking space and an adjacent area reserved for customers. Information about all potential impact to public/private parking areas should be added to the application package.

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased.
- The applicant should provides a business plan that describes all potential impacts on parking *(Including information about where delivery trucks, food trucks and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant has requested to add a small stage for live entertainment inside the brew pub. Three nights a week the pub is proposing to stay open until 2:00 a.m and two nights a week the pub would close at midnight. The folding entrance door in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe it as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing

neighboring development.

As noted above, permanent use of a food truck may need to be considered by the Historic District Commission. Besides the aesthetic and parking questions, HPL questions whether permitting an inexpensive food truck instead of a permanent kitchen means that the City is endorsing unfair competition with similar businesses.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to the local jurisdiction. The Historic District Commission may wish to request that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in this manner, the project should be required to prepare a noise study.
(The study should anticipate the potential noise levels if live performances are held simultaneously at both the Powerhouse and at Folsom Prison Brews.)
- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should also be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

OVERALL PROJECT RECOMMENDATION

City Staff has concluded that the proposed project "meets all applicable development standards" established for the Sutter Street Subarea of the Historic District. However, even if the numerical standards regarding building height and setbacks have been satisfied, HPL has identified many deviations from the District's design standards (see Attachment 1).

HPL urges the Historic District Commission to deny this project and to make a finding in support of the foundational principle of the Historic District; authenticity.

FINAL THOUGHTS

Beyond the particulars of this project's design, HPL sees a danger in this type of project to the Historic District's long-term success. Sutter Street's experiment with focusing on entertainment a few years ago led to serious business, residential, and policing impacts that resulted in the City's Entertainment Ordinance. While the ordinance has abated the worst of the impacts, moving in the direction of amusement-park concepts such as Folsom Prison Brews will likely renew the impacts and at the same time cause decline of the Historic District's lasting overall draw.

When the memory of Johnny Cash fades like Rudolph Valentino's, the history of California embodied in Folsom's preservation of a small, working historic town will continue to be a draw, if it is still

recognizable. “Artifacts,” such as Historic Folsom, from the beginning of a culture are the rarest because people don’t recognize their value until most are gone. Folsom began with California and has been from its earliest beginning a player on the California stage and a microcosm of the trends and developments of the state. If anyone doubts, just visit the Folsom History Museum. As every year passes, and depending on how good a caretaker the City is, the cohesive development of Folsom’s first 100 years will become rarer and rarer. The same forces that inspired this project are at work in every jurisdiction, and most will succumb to the lure of increasing profits by attracting attention. Preserving history isn’t nearly as exciting a concept as building something newer and bigger. Remember, even though the hare drew more attention, the patience and persistence of the tortoise won the race. Folsom’s past two decades of tortoise-reminiscent support for maintaining the authenticity of the Historic District has paid off in terms of maintaining housing stock and business vibrancy. It really paid off during the pandemic. People came to buy something, anything, just to support Sutter Street. They love Historic Folsom. They may not know why they love it, but when “it” is gone, they’ll be gone too.

Attachment 1

City Regulation
(Not Complied with by Folsom Prison Brews)

FOLSOM PRISON BREWS

Following are sections of City regulations with which this project fails to comply, emphasis added.

Folsom Municipal Code 1752 H-D, HISTORIC DISTRICT

17.52.010 Purpose and Intent.

B.1 To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950

B.3 To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950.

B.5 To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950.

The intent that the Historic District be preserved and enhanced as a small town of the era 1850-1950 is set forth first in this section, repeated twice within it, and reiterated multiple times in the remainder of the Historic District regulations. A mock prison building is not consistent with development that would have occurred in that era.

17.52.140 Historic district boundaries

This section provides a legal description of the boundaries of the Historic District. The area described is the 98 blocks laid out by Theodore Judah in 1856.

Folsom Prison is located outside those boundaries.

17.52.330 Plan evaluation

D. Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

An amusement park concept is not consistent with any other development in the neighborhood, nor with any other development in the remainder of the Historic District.

17.52.400 Design standards

B. The design and development guidelines shall provide guidance to the historic district commission and the director of the planning, inspections and permitting as to the intent of the city council in carrying out the provisions of this chapter....

D. Exceptions to the design standards stated herein or in any subsequently adopted design and development guidelines may be permitted by the historic district commission when unique individual circumstances require the exception in order to comply with the purposes of this chapter.....

17.52.510 Sutter Street subarea special use and design standards

B. Design concept. The design concept for this subarea is to preserve existing pre-1900 buildings and require new or replacement structures to be of a pre-1900 design, unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The Historic District Commission may approve new construction of post-1900 design on an exception basis if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represents a typical design and use extant in similar California towns between 1900 and 1950.

This section limits appropriate design in this subarea to a 50-year design period, 1850-1900. Exceptions may be granted for outstanding design representative of the era. This project does not meet the above criteria to be granted as an exception.

Historic District Design and Development Guidelines

Chapter 2 Goals and Policies

Goal 1 Community Identity: To preserve and enhance the historic small-town atmosphere of the 98-block Historic District area

Policy 1.1 External design features, both public and private, shall be consistent with design of the time period from 1850 to 1950.

Policy 1.2 New construction, rehabilitation, and remodeling or other modification of structures shall be designed to be consistent with the architectural styles used during the development of Historic Folsom between 1850 and 1950. Design criteria established for the various locations within historic Folsom shall reflect the growth of the town from its earliest pre-1900 architectural styles in and around Sutter and Figueroa Streets to the later post-1900 styles used in the blocks near the eastern borders of the Historic District.

Policy 1.4 Since the Historic District plays a central role in determining the character of the City of Folsom, every project within the Historic District, at every stage of approval and construction, should be marked by an attention to quality, which will serve as a benchmark to the rest of the community.

Every element of this project, from concept through materials, is "faux."

Goal 2: Preservation of Historic Sites: To maintain, restore, and reconstruct sites which represent the history of the Folsom area.

Policy 2.6: Projects that portray Folsom's historic importance are encouraged. Facets of Folsom's history which should be portrayed and interpreted within the Historic District include, but are not limited to: railroading, Maidu encampment, Chinese settlement, Negro Bar mining, dredging, mine tunnels, Pony Express, water delivery, powerhouse and related structures, Folsom Prison, Rainbow Bridge.

This project does not maintain, restore or reconstruct the Prison because the Prison still exists. There are many other ways to portray and interpret Folsom Prison's history other than creating an amusement-park version of it. For example, the Folsom History Museum has a sizable display on its history, and the Museum gift shop carries books that tell its story. Through the years various businesses have included historic photos of the Prison as part of their decor. These are respectful means of portraying and interpreting the Prison's contribution to Folsom's history.

Goal 3: Economic Development: To encourage an active business climate which promotes development of a diverse range of businesses compatible with the 1850-1950 timeframe of the Historic District

Policy 3.1 Businesses which could have been present from 1850-1950 shall be encouraged, particularly if they are designed and managed in accordance with the styles of that era. Businesses which promote tourism are also encouraged, such as antique and gift shops, galleries, restaurants, and inns. Businesses which could not have been present in that era may be permitted if they are compatible with and will not detract from the historical character of the Historic District.

This design is not in accordance with the styles that would have been present on the main business thoroughfare of Folsom or any other Mother Lode town between 1850 and 1900.

Goal 4: Circulation: To facilitate movement of vehicles, transit systems, pedestrians, and bicycles through the historic district in such a way as to provide adequate access for local and through traffic without excessive traffic impacts on the character of the Historic District area and to facilitate adequate parking.

Policy 4.6: Adequate public parking shall be provided in proximity to commercial uses.

Policy 4.7: Transportation System Management measures shall be included in all developments with the Historic District.

Because the Sutter Street Subarea parking standard was based on its similarity to a shopping center having a balance of uses, each with varying parking demand, technically this project does not require additional parking. If it were located elsewhere within the City, it would be required to provide one space per three seats, a number which can be used to gauge the additional parking impact on an area already saturated with similar uses and no longer balanced out with uses having lower parking demand and different peak times of parking use. Based on square footage, it would require 11 spaces; based on number of seats, it would require 24 spaces. The applicant recognizes the parking issue and has made an effort to mitigate his project's demand by reaching an agreement with the Eagles Lodge and providing a shuttle, although shuttle hours are not specified. At best, since the applicant does not own the Eagles property, any such agreement can only be considered a temporary stopgap measure until the City honors its commitment to provide adequate parking for the Historic District. At present a number of the employees

and patrons of Sutter Street's 600 block park in the residential area, including the applicant's two other drinking establishments.

See also Goal 5, Section 3.03, Section 4.17.02, Section 5.02.01(d)(4), Section 6.01.01(b)(3), and Section 6.03.03 below.

Goal 5: Residential Quality of Life: To retain the diverse, historic small-town atmosphere of the residential areas within the Historic District.

Policy 5.3. The residential areas should be protected from the impact of the commercial areas to the extent feasible. Special events such as craft fairs may cause unavoidable temporary noise, parking, or similar impacts.

Overall, commercial uses have greater impacts on residential uses than vice versa. While recognizing that residential areas should tolerate temporary impacts, this goal calls out the need to protect residential quality of life. As noted above, the impact of commercial parking in the residential area has become permanent, and it will not become temporary until sufficient proximate parking is provided.

Chapter 3 Development Plan Concept

3,01 Land Use

3.01.02 Land Uses in the Historic District

3.01.02(a) Historic Commercial Primary Area

3.01.02(a)(1) Sutter Street Subarea of the Historic Commercial Primary Area

....Retail shops and restaurants have predominated in recent history, and it is hoped that a more "complete" downtown can be achieved, one which is attractive to specialty shoppers and tourists but which also fills needs for services such as banking, venues for performing arts, upstairs residential units, and other businesses that one might find in a small town center....Buildings recently constructed in the district have tended away from authentic historical design; the intent of these Design and Development Guidelines is to reverse that trend in favor of greater historical accuracy....

This project threatens both the balance and historical accuracy called for in this section.

3.03 Infrastructure

3.03.03. Parking

.... As part of the Railroad Block master planning process, the consultant team, citizens committee, and staff were tasked with the responsibility to assure that the preservation of the City's railroad heritage was not achieved at the expense of foreclosing the ability to provide adequate parking for the Subarea. Exhaustive study of potential sites and development scenarios resulted in identification of five sites and preliminary strategies to achieve the number of spaces needed in a cost-effective manner, including three parking structures and two surface lots, evenly distributed through the commercial area. There is the potential that one of the lots may require acquisition of additional land and/or construction of a structure, depending on actual buildout....

Pending completion of specialized study, the strategy is to construct structures on the Leidesdorff Street hotel site, the Railroad Block, and Trader's Lane, in that order, using the Redevelopment tax-increment stream to issue bonds to finance their construction. Participation of property owners may also be necessary. Timing of construction is dependent on both financing and demand, but the phasing intent is: 1) to build the hotel structure first, to address existing demand, 2) to build the Railroad Block structure in concern with development of the Block, avoiding conflict with the lid and bridge construction project, 3) to build the surface lot at Reading Street in conjunction with the light rail project on the Railroad Block, as an interim park-and-ride lot until the line is extended toward the Broadstone area or across the river and the buildout rate of the Sutter Street Subarea requires, 4) to build the Trader's Lane structure at a time when there is sufficient economic stability and the proximate parking for the merchants to withstand a large construction project in the heart of the shopping district, and 5) to re-evaluate the demand and the potential for land acquisition and construction of additional parking in the 500-600 blocks in light of actual development trends in the future.

The existing parking shortfall issues were called out above. This section describes the parking solutions envisioned when the Historic District regulations were adopted in 1998. Five sites were identified. In the intervening years multiple parking studies commissioned

by the City have reached largely the same conclusions: more parking is needed, distributed equitably throughout the Sutter Street Subarea.

Chapter 4. Property Development Policies District-Wide

4.11 Remodeling

...The goal of any remodeling is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible.. In evaluating a remodeling request, the Historic District Commission shall consider:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

4.11.01 Guidance for remodeling

4.11.01(a) Preference

Returning a building to its original, pre-1950 appearance.

4.11.01(b) Second preference

Good design of the "right" era for the Subarea, with exceptions only for continuing a building's original or existing style.

This section calls for good design and historic appropriateness, not a gimmick. To remodel the barn is appropriate since it was built in 1958, after the 1850-1900 design era of Sutter. It took less than a half hour of research at the Folsom History Museum to find that the Prison features this remodel imitates likewise did not exist between 1850 and 1900. There is no benefit to the community of a remodel that simply exchanges one out-of-era building for another out-of-era building, one that would never have been built during the actual era. The brewpub concept is not uniquely beneficial to the community as craft beers are available from at least two existing establishments on Sutter Street.

4.14 Construction

4.17 Density and Intensity of Use

4.17.02 Commercial intensity

....It should be understood that the goal is not to maximize the development potential of the historic area but to preserve the existing structures and the scale and type of development typical of Folsom's past....Besides meeting the standards and intent of the individual Subarea, a proposed project must be considered in the context of available parking, taking into account any on-site parking and the availability and equitable distribution of off-site parking and the availability and equitable distribution of off-site parking.

This section states that the City's first responsibility is to make decisions based on maintaining the success of the City as a whole, not on maximizing the profit potential of an individual property. It also requires that the project be considered in the context of availability and equitable distribution of parking.

Chapter 5 Property Development Policies by Primary Area

5.02. Historic Commercial Primary Area

5.02.01. Sutter Street Subarea of the Historic Commercial Primary Area

5.02.01(c) Design concept

The design concept for the Sutter Street Subarea is to... 2) require new or replacement structures to be of a pre-1900 design.

This section reiterates the concept that new or replacement structures are to be of a pre-1900 design.

5.02.01(d) Standards

5.02.01(d)(4) Parking

All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code and any other adopted City ordinances, policies and requirements.

The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is

property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process.

Besides parking issues discussed above, this section requires financial participation of private owners in provision of City-provided parking. This applicant acknowledges his proposal's impact on the existing parking shortage but offers only temporary, stopgap measures to address it and makes no offer to participate in a permanent solution., this in spite of the considerable existing impacts of his two similar businesses.

Chapter 6. Implementation of Folsom Municipal Code 17.52 and Design and Development Guidelines

6.03. Incentive Programs, Projects and Implementation Measures

6.03.01 Programs and Projects

6.03.01(b) Infrastructure and other construction projects

6.01.01(b)(3) Parking

Provision of public parking is critical to the Sutter Street Subarea, and the City shares with affected properties and businesses the burden of providing adequate parking....

6.03.03 Implementation Measures

.... The general goals of provision of parking in the Sutter Street Subarea and enabling the long-term maintenance of potential facilities to be installed throughout Historic Folsom were identified as essential to the long-term success of the preservation of the Historic District and achievement of the goals stated herein....

These sections "put into writing" the City's assumption of responsibility for providing and maintaining adequate parking, in concert with private properties and businesses, terming parking facilities to be essential to long-term preservation of the Historic District.

Appendix D

A.1.b. New construction

To retain and enhance the attributes that make the Historic District unique while providing a basis for change....

A.1.d. Materials

To ensure that for remodeling work, materials appropriate to the building traditions of the era in which the building was built or remodeled are used.

The faux prison concept is in direct conflict with the goal of retaining and enhancing the District's already defined uniqueness. Additionally, while inauthentic materials are often appropriate, they need to accurately reproduce the appearance of the historic materials they intend to replace. For example, the Turkish limestone reproduction does not resemble the granite prison walls, particularly in its irregular pattern and lack of mortar joints.

B.2 Building Design

B.2.c. New construction design

Design context. In any new construction, the context for design evaluation will be the buildings along the same street adjacent to the property being developed or the predominant style for the Subarea.

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

Articulation. Windows, doors, cornices and other architectural elements shall be designed with respect to the entire facade and shall relate to the adjacent buildings. The proportions of elements shall work together to relate the facade to a human scale.

Since the proposal completely redesigns every visible feature of the existing building, it is appropriate to consider it in relation to the guidance for new construction. This proposal bears no design relation to buildings along the same street nor to the predominant style of the Subarea nor to the patterns and principles of the historic architectural design.

Attachment 2

Comments Regarding the Staff Report for Folsom Prison Brews

HPL Comments Regarding the Staff Report for Folsom Prison Brews

P. 47, paragraph 1

Staff concludes that the project "meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District. The project meets the numerical standards of the Subarea but does not meet all the criteria for the Subarea. See Attachment 1.

P. 49, paragraph 1

What are the hours of operation of the proposed shuttle?

The proposed Condition 28 unfairly subjugates any future plans the Eagles Lodge may have to this location's use of their parking.

P. 49, paragraph 2

What will happen to the tiles made by Cloud's Pottery which now line the pedestrian pathway? It would be unfortunate if this project should erase all traces of a business that anchored this block of Sutter Street for decades.

P. 50, paragraph 1

This paragraph does not address the existing odor problem of the trash facilities.

P. 51-52, Table 1 and subsequent paragraphs

HPL agrees with staff that the proposed hours of operation are more indicative of a continuation of the applicant's existing adjacent businesses than of a craft beer pub. Staff's proposed hours of operation should actually be further shortened, to be more consistent with typical hours of brewpubs in the region. HPL disagrees with staff that the proposed craft beer operation fills a "unique niche." There are at least three businesses on Sutter Street that serve craft beer. HPL agrees with staff that sale of spirits will worsen noise, and other, impacts.

P. 52, third bullet point

What is the occupancy load?

P. 52, last bullet point

Given the proposed folding doors, the prohibition on outdoor entertainment will be extremely difficult to enforce. Does opening the doors constitute outdoor entertainment? The proposed folding doors should be omitted, for this reason and because folding glass doors are not consistent with historic commercial development.

p. 56, paragraph 1

The staff report quotes the intention that the Subarea is intended to become a more "complete" downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Instead of providing a use which is missing, this proposal increases a type of use which is already well represented.

P. 57, paragraph 2 and final paragraph

There are respectful ways to portray and interpret Folsom's history, and other ways which are "modern" and "discordant". There is beauty in Folsom Prison's historic architecture, but it is "discordant" to make a party atmosphere out of it.

P. 59

In regard to the three principles to be considered in a remodeling project: First, only the owner stands to benefit from this project. There is no benefit to the community from a project that is "faux" throughout, from concept to materials. Second, neither the existing 1958 building nor the proposed remodel has architectural and historical value. Third, the Folsom History Museum is replete with resources available for historic authenticity purposes, there are many more authentic materials available than are proposed in this project, and it is hard to imagine that financing a project in Folsom is a significant barrier. To reiterate, the craft beer concept is not unique, and this proposal disrespects both the Prison and the people who work there and those who are incarcerated there.

P. 60, paragraph 1

Use of the City's Cultural Resource List to determine whether a building is historic does not take into account the fact that about 90% of the City's historic resources are not yet listed on it. The Preliminary Cultural Resource List is a much better indicator.

p. 60, paragraph 2

The proposed tower cannot be compared favorably with the tower at 302 Riley Street or with the clock tower on the parking structure or with the tower at the old fire station in the 700 block. Two are actually historic and the third is designed with attention to historic authenticity of design.

p. 60, paragraph 3

HPL agrees with staff that the entry feature is too large. The architect has indicated that the size is necessary to provide light for the building. Light can be provided by windows on the facade adjacent to the public right-of-way or by fixed, flush skylights.

P. 60, final paragraph

Staff concludes that "most" of the buildings materials are appropriate. HPL concludes that "most" are not appropriate, as previously discussed.

p. 61, paragraph 2

While the color scheme may create "visual interest", it further detracts from the proposal's authenticity. The stated model for the project, the historic part of the Prison, has a neutral color scheme, and historic corrugated roofs were likewise neutral in color.

P. 61, paragraph 3

HPL disagrees with staff's determination that the project "has successfully met the architectural and design recommendations" for remodeling.

P. 62, item 3

There are no parapet walls to conceal roof-mounted mechanical equipment. Where is the mechanical equipment located?

P. 62, final paragraph

Perhaps the architect was unaware that the building fronts on a public right-of-way. Has staff consulted with the City's building and fire inspection staff? If for some reason windows are not to be permitted, the existing door would violate the same code and should be removed instead of replaced.

Pp. 62-63

While HPL appreciates that the applicant has made changes in response to our comments, our overall objection remains: the concept and many of its materials are not historically appropriate to the Sutter Street Subarea.

Pp. 64-65

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial (see Attachment 3) Of course the City Attorneys should assist with rewording as they see fit.

Attachment 3

Proposed Findings for Denial

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial.

(The City Attorneys will need to assist with rewording as they see fit.)

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 NOT CONSISTENT WITH THE GENERAL PLAN AND THE CITY CODE IN THAT IT IS NOT IN KEEPING WITH THE GOAL, STATED MULTIPLE TIMES AND IN MULTIPLE PLACES, OF MAINTAINING THE HISTORIC DISTRICT AS A SMALL-TOWN OF THE ERA 1850 TO 1950, FURTHER SPECIFYING THAT THE ERA TO BE MAINTAINED FOR THE SUTTER STREET SUBAREA IS 1850 TO 1900.

CEQA FINDINGS

- C. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS SIGNIFICANT IN THIS CASE IN THAT MULTIPLE PROJECTS OF THE SAME TYPE IN THE SAME BLOCK EXIST AND HAVE ALREADY BEEN PERMITTED AND CONSTRUCTED TO THE POINT THAT THE LACK OF AVAILABLE AND EQUITABLY DISTRIBUTED PARKING, PER SECTION 4.17.02 OF THE CITY COUNCIL-ADOPTED DESIGN AND DEVELOPMENT GUIDELINES OF THE HISTORIC DISTRICT DOES NOT PERMIT APPROVAL OF ANOTHER PROJECT OF THE SAME TYPE IN THE SAME BLOCK.

- D. THE PROPOSED PROJECT WILL CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE, SPECIFICALLY THE FOLSOM HISTORIC DISTRICT, PARTICULARLY THE SUTTER STREET SUBAREA OF THE FOLSOM HISTORIC DISTRICT, IN THAT THE PROPOSED PROJECT CONCEPT IS NOT IN COMPLIANCE WITH MULTIPLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE AND THE ADOPTED DESIGN AND DEVELOPMENT GUIDELINES, INCLUDING ITS APPENDICES, FOR THE FOLSOM HISTORIC DISTRICT.

CONDITIONAL USE PERMIT FINDING

E. THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL, 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, AND BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD AND TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS NOT COMPATIBLE WITH RESIDENTIAL USES IN THE SURROUNDING NEIGHBORHOOD WITH REGARD TO REASONABLE EXPECTATIONS OF RESIDENTIAL QUALITY OF LIFE. FURTHER, THE USE IS NOT COMPATIBLE WITH COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD IN THAT THE CONCEPT, DESIGN, AND MATERIALS UNDERMINE THE BLOCK'S HISTORIC AUTHENTICITY ON WHICH THOSE USES HAVE DEPENDED FOR THEIR SUCCESS.

DESIGN REVIEW FINDINGS

F. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE NOT COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE NOT CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

G. THE PROPOSED PROJECT IS NOT IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

Kelly Mullett

From: Kelly Mullett
Sent: Monday, August 2, 2021 11:07 AM
To: Kelly Mullett
Subject: FW: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

From: Casey Kempenaar <caseykempenaar@gmail.com>
Sent: Friday, July 30, 2021 4:01 PM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Scott Johnson <sjohnson@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>
Subject: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

Some people who received this message don't often get email from caseykempenaar@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Historic District Commission:

I have reviewed the proposed Folsom Brews project at the former Clouds Pottery Building. The proposal includes a façade modification as well as establishment of a Tap House, which will require review and approval from this HDC.

I believe the proposed use of a tap house would be a great addition to the Historic District. While I believe the use is appropriate, I am concerned with the proposed architecture and overall appearance of the building. The current proposal mimics architecture from Folsom Prison, including stone veneer and granite accents. Further, a large fiberglass turret is proposed to mimic the features of the prison (and the more recent construction of the Johnny Cash Trail Bridge).

I encourage you to reject the proposed design and direct the applicant to come back with something more suitable to the historic district. I urge this for two distinct reasons:

1. The proposal is inconsistent with the design intent and vision of the Historic District.
2. The connection to Folsom Prison has been overplayed over recent years and not directly connected to the historic district

Inconsistent with Historic District Vision and Design Guidelines

While the existing building does not appear to be historic, it is surrounded by historic buildings and very visible to visitors coming into the Historic District. While Folsom Prison is a historic feature of our broader Folsom community, the connection to the historic district is less distinct.

The proposed tower element appears tacked on and is proposed to be constructed of fiberglass. This is inconsistent with the Design Guidelines of the Historic District:

To recognize that traditional high quality commercial grade materials (such as brick and ceramic tile) are appropriate to the historic context. These materials age gracefully, are durable and lend a sense of permanence to the building.

New construction must be compatible with the existing Subarea and responsive to the period and predominant building styles.

Avoid contemporary materials not appropriate in restoration. Use of materials not in existence when a storefront was built is discouraged in its "restoration."

Fiberglass does not achieve these values required by the Guidelines or more recent construction in the District (such as Scotts and Sutter Street Steakhouse Building). Further, the design is not responsive to the predominant building styles of the district (the prison is about one mile away from the historic district the way the crow flies).

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

While the design is technically following details of a historic structure of Folsom Prison, that historic structure is not generally visible to the public nor is it a part of the historic district.

Connection to Folsom Prison has been Overplayed

Clearly Folsom Prison has its place in Folsom History; however, Folsom has so much more to offer. Huge marketing efforts and recent projects continue to overplay the importance of the Prison in the community. We have the Johnny Cash Trail (for his connection to the Prison), we have the Johnny Cash Bridge (made to look like the Prison Architecture), the Prison Museum we have the Johnny Cash Art Trail, to name a few.

While these are all great amenities and valuable efforts, shouldn't we focus more on what else is important to our community? The Historic District, Schools, and Open Spaces are the top reasons folks move to Folsom – Not the Prison.

This location is very visible as you come into the district- Is the prison really the tone we want to set for visitors coming to shop and dine?

Conclusion

This location has such great potential to be an amenity for the community. . The applicant should go back to the drawing board and come up with a design more suited to the historic district. Follow the district guidelines, incorporate design features integral to the architecture, incorporate some outdoor seating and make this a building representative of the Historic District- not the Prison.

Thank you for your consideration.

Sincerely,

Casey Kempenaar

Kelly Mullett

From: folsomcandy@sbcglobal.net
Sent: Friday, July 30, 2021 12:44 PM
To: Kelly Mullett
Subject: HDC Meeting agenda item 2 PN 19-174

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kelly, Below are my written comments on the above item.

Others will be pointing out the many ways this project does not comply with Sect. 17.52 and the DDG's for the Historic District. In my opinion this is a structure that would not have been built in the Sutter Street area pre-1900 as the code requires. I feel the decision boils down to if you want to preserve and enhance an authentic Historic District or if you want to build a Disneyland Frontierland in Folsom.

Candy Miller

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 4:44 PM
To: Kelly Mullett
Subject: FW: FW: HDC Letter

From: Rich <rich@sutterstreetsteakhouse.com>
Sent: Wednesday, August 4, 2021 3:33 PM
To: Judy Collinsworth <judy@historicfolsom.org>
Subject: HDC Letter

½

To Whom it may concern;

½

After a detailed review of the proposed project at 608 ½ Sutter Street, I am writing this letter in opposition of said project as it currently stands.

Let me first state that I am a staunch supporter of locally owned small business and free enterprise. ½

However, in no way do I see the current proposal being synergistic, or mutually beneficial to the Historic District as a whole, and for those fortunate to still be on the 600 block, it will be a scourge to their operations in an already difficult climate.

½

I fully endorse the DETAILED comments submitted from the HPL and FHDA, in regards but not limited to; concept, architecture, signage, site design, & conditional use, the areas most concerning to me are;

½

Parking: or lack thereof, 13 spaces allocated/zoned for a project of this size is far from adequate, I know because I live it and hear it everyday from our customers. As well as the ones who choose not to be our customers because they couldn't find parking. The idea of using an offsite location is the pure definition of a stopgap measure, ensuring those now displaced vehicles move into other unwelcome areas of the HD.

Safety: Adding a business concept with a primary alcohol component injects the likelihood for continued issues with vandalism, public intoxication, fighting, noise and general nuisance to both private property owners, and businesses alike. In a block already wrought with said issues again, I can speak from firsthand knowledge. The open-outdoor nature of the proposal only encourages more of these issues with less oversight. No matter how many more company policies I implement in my business to keep my employees and customers safe, that burden should not be passed downstream.

½

Food Truck: Having a food truck taking away valuable parking real estate, while simultaneously positioning possibly inebriated customers in the direct vicinity of moving vehicles, sounds like liability. Compounded by the likely influx of more litter, trash and mess left behind.

As business we already must deal with the general public utilizing the parking garages, spaces, and dumpster areas as their personal trash can and bathroom facilities. On a separate but similar vein, the prospect of having an outside (non HD) food vendor seems to be a direct conflict of interest to those already with food operations on the block/street. As well as not being in tune with the overall spirit, vibrancy and pride that all of us have grown to nurture in the Historic District.

½

I would like to personally encourage, and warmly welcome anyone interested, to come for a site visit with me during the proposed hours of operations. To witness, in real time and have a discussion regarding the concerns all of us have on the 600 block.

Thank you for your time and consideration.

½

Rich Veale

Executive Chef / Owner

Sutter Street Steakhouse

604 Sutter St. Suite 150 | Folsom, Ca | 95630

Ph 916.351.9100 | Fax 916.351.9300

rich@sutterstreetsteakhouse.com

½

Attachment 17

Public Comments Received Regarding Barley Barn Tap House Project



WEST OF CHICAGO RESTAURANTS, INC.

604 Sutter Street, Suite 200 • Folsom, CA 95630 • Office 916 294-7496 • Fax 916 358-9492

August 2, 2021

Historic District Commission,

My name is Eric Schnetz, I am founder and CEO of Chicago Fire (four area locations) and J wild's Livery and Feed. I have operated Chicago Fire and now J Wild's at the site, 614 Sutter Street since 2003.

Please accept this letter as evidence of my enthusiastic support of the proposed Folsom Prison Brews business concept. I believe I am in a unique position to comment on this proposal as it is in very close proximity to my existing restaurant and because I am a long-term tenant of the project's owner, Murray Weaver.

I think the historic theme of the tap house will be a great addition to the Historic District just as J Wild's has been. The more businesses that embrace and promote Folsom's history the more successful the street will be a whole. Given the number of new restaurants that have opened in the district it makes sense to add a casual drinking and entertainment space versus yet another restaurant. This will help support food sales in the restaurants within the near vicinity of Folsom Prison Brews. From my perspective as a tenant of Mr. Weaver's for over 18 years, I have the utmost confidence in his experience and ability to run a successful and professional operation.

This is a very exciting opportunity to turn a tired retail space into a strong local draw for the Folsom Historic District. With all the new construction on the West end of Sutter Street, it would be a nice balance to see some new high-quality improvements to the 600 Block.

Please do not hesitate to contact me for any further feedback or information.

Regards,

Eric Schnetz

C.E.O. West of Chicago Restaurants Inc.

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, November 5, 2021 10:30 AM
To: rholderness@holdernesslaw.com; holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: BARLEY BARN TAP HOUSE SUMMARY

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SUPPORT LETTER BARLEY BARN TAP HOUSE

-----Original Message-----

From: Amber Felts <amber@shoopsphotography.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Fri, Nov 5, 2021 9:01 am
Subject: Re: BARLEY BARN TAP HOUSE SUMMARY

Murray,

This looks great! It seems like you are working very hard at taking feedback and adjusting to public concerns. I love the changes you have made and I look forward to seeing this project come to life!

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography.com>

m: 916.804.8578 (text ok)

a: 805 Sutter Street, STE 220 & 240, Folsom, CA 95630

On Oct 28, 2021, at 11:24 AM, "powerhousepub@aol.com" <powerhousepub@aol.com> wrote:

Amber, So this is the new version of the Tap House we are working on at 608 1/2 Sutter St. Im reahing out to various folks to get their input and hopefully support.

I'll be getting a package to FHDA but wanted to get your input individully as well.

Renderings in separate email.

Thanks Murray

BARLEY BARN TAP HOUSE – OWNER’S NARRATIVE INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, November 1, 2021 10:55 AM
To: holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: moe hirani <moehirani@hotmail.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Sat, Oct 23, 2021 10:29 am
Subject: RE: Barley Barn Tap House, Rendering One, Final Exports

Hello Murray,

Thanks for sharing the revised rendering of the Folsom Taproom. I have to say this was more along the line of what I had in mind when we first discussed a design that would maintain the existing footprint and keeping the " Barn" look with all the building lines minimally altered.

I will certainly be open to more discussions to the taproom concept that you have proposed, which I believe will succeed and compliment other businesses' in the Historic District.

Regards,

Moe.

Sent from [Mail](#) for Windows

From: powerhousepub@aol.com
Sent: Tuesday, October 19, 2021 9:56 AM
To: moehirani@hotmail.com
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

Mo, pls have a look at the revised vintage barn theme for the "beer only' Tap House. Would appreciate your thoughts and support.

Thanks, Murray

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW
THE BARLEY BARN TAP HOUSE**

October 14, 2021 (Project Review - Plans issued 09.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a ‘beer house’, the installation of an outdoor patio and serving area and provision for food delivery at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

PROJECT HISTORY: The brew pub was originally named Folsom Prison Brews. HPL provided comments regarding this application on May 30, 2019 and on August 1, 2021.

After the applicant changed the theme of the brew pub, new plans were submitted to the City on September 15, 2021. This review is based on the revised design.

BACKGROUND

The earlier proposed building design resembled a downsized replica of the perimeter wall, gateway and guard tower at Folsom State Prison. This concept is not connected to the project site and as a result, it was not well received by the community. As an alternative, the applicant is now proposing to maintain the barn theme of the existing building.

GENERAL COMMENTS

The recently prepared set of plans is not complete, and the applicant has not yet submitted a Materials and Color Board. HPL recommends that actual samples of the proposed roof and wall materials should be provided to the Historic District Commission for review at the time of the project hearing.

DESIGN CONCEPT

The proposed barn style is not typical for the early barns that were constructed in the Gold Country or in the Greater Sacramento Area. However, similar designs were used in the United States, during the 1850-1900 time-frame. HPL therefore considers the design theme appropriate for the Sutter Street Subarea.

ENVIRONMENTAL REVIEW

During the previous entitlement process, issues have been raised regarding the projects need for environmental review. It has been the consensus that based on the size of the building, the change of land use and the cumulative impacts on the surrounding neighborhood, the project would not qualify for a categorical exemption. The City’s Attorney’s Office has therefore committed to subject the application to further CEQA analysis in order to determine if an Initial Study will be required.

Recommendation

- Before the project is presented to the Historic District Commission, the City should complete any environmental review that may be required under State Law.

SITE PLAN

Outside the west building façade is a 480 square foot patio area designated for outdoor seating. This area is in close proximity to a larger patio with outdoor seating on the Powerhouse Pub property. Large concrete surfaces can detract from the overall impression of historic development. Many historic districts therefore use natural stones or decomposed granite to provide a level surface.

As an alternative, HPL recommends that concrete used for the patio outside the brew pub could be tinted gray (similar to the concrete used for other infill projects along Sutter Street). In addition, HPL recommends that the iron fencing around the outdoor seating area could be installed between wood posts in order to be more compatible with the barn theme.

Because ‘Cloud’s Pottery Barn’ is a part of the more recent history of the 600-block, HPL recommends that as much as possible of the decorative tiles (manufactured at Cloud’s) along the private walkway between Sutter Street and the Scott Street parking lot should be preserved.

Site Plan Recommendations

- Create an ‘aged’ look by adding a gray tint to the concrete used for patio areas around the barn building.
- Coordinate the wrought iron fencing around the outdoor patio area with the barn building by installing the fence panels between wood posts.
- Preserve as much as possible of the decorative tiles that cover the retaining wall next to the private walkway from Sutter Street to the public parking area by Scott Street.

ARCHITECTURE

The proposed aged wood siding and metal roof should make the building resemble a barn, but material samples will be required before the Historic District Commission can make a final determination. In order to stay consistent with the barn theme, HPL also recommends that the folding glass door along the west façade should be replaced by a sliding barn door. The man door along the same façade should also not be dominated by glass. If more daylight is required inside the west end of the beer pub, windows can be added.

Historic barn buildings typically have open rafters. The proposed wide fascia boards therefore are in conflict with the barn theme.

Architectural Recommendations

- Replace the large folding glass door along the west elevation with a wide barn door that is hanging from an overhead rail.
- Select a more historic entrance door for the west façade, with glass limited to the upper half of the door.
- Expose the roof rafters by eliminating the fascia boards.

SIGNS AND OUTDOOR LIGHTING

As specified in Chapter 5 of the Design and Development Guidelines (DDG’s), the main frontage of a building is the side that is facing a public right-of-way. The north side of the Barley Barn is facing both the alley right-of-way and a public parking lot. Based on the length of the building, this façade could have a sign area of 50 square-feet.

The west side of the proposed barn building can be considered the secondary building frontage (facing a

public area). Per the DDG's, the sign allowance for a secondary frontage is half the area of the main frontage. The brew pub could therefore install a 25 square-foot sign along the west building façade.

A single sign with an area of 33 square-feet has been proposed above the west entrance doors. This sign exceeds the sign allowance by 8 square feet. However, the proposed type of sign (block letters painted on wood) is appropriate for the barn building and the Sutter Street Subarea.

The proposed outdoor light fixtures are also consistent with the 1850-1900 time frame. However, one important aspect is the intensity of the light. Gas lights and early light fixtures had low intensity and a warm tone. As typical for commercial projects the applicant should provide a photometric study that specifies the level of light at the proposed project site after all building and site lights have been installed.

Sign and Lighting Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade (the secondary frontage).
- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding the background area of the sign letters from the estimated sign area.)
- The applicant shall submit a photometric study to demonstrate that the lamps used for site lighting and the outdoor building lights have a low intensity and a warm color range.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. More than a year later, there has been limited progress towards implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. The staff report should analyze how the project will impact the conclusions of previous parking studies (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 3,799 square-foot building would be required to provide 11 parking spaces for the indoor space (1 space per 350 square-feet) and no parking spaces for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. Regarding the private parking lots, all existing spaces have already been dedicated to the on-site businesses. The Eagles Lodge has reduced activities, but meetings are still scheduled for members and the public at the Scott Street facility. The public parking area next to Scott Street has not been able to alleviate the need for parking in the east end of the Sutter Street Subarea.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only

be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

The applicant does not intend to install a kitchen in the Barley Barn. Instead, take-out meals will be delivered to the pub. To accommodate this solution the applicant has proposed to convert two standard parking spaces in the public parking lot outside the brew pub, into one accessible van parking space. This space would be reserved for the Barley Barn, resulting in an actual loss of public parking spaces. The recently approved large patio area at the Powerhouse Pub property (including the access path between the two properties) will also eliminate existing parking spaces while at the same time increase the demand for parking. Information about all anticipated impacts to public/private parking areas, including new directional signage, should be added to the application package or analyzed in the staff report..

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased and if the change to a more intense use in the Sutter Street Subarea should require a parking variance.
- The applicant should provide a business plan that describes all potential impacts on parking (*Including information about where delivery trucks, and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant is proposing to provide limited live entertainment with solo performers or small music groups. An Entertainment Permit will be required before this part of the business model is implemented. Four nights a week the pub is proposing to stay open until 10:00 p.m and three nights a week the pub would close at 12:30 a.m. The oversized door along the west elevation, in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe the brew pub as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing neighboring development. A noise study and a photometric study could provide useful information.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to each local jurisdiction. The Historic District Commission may wish to recommend that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in the proposed manner, the project should be required to prepare a noise study.

(The study should anticipate the potential noise levels when live performances are held simultaneously at both the Powerhouse and at the Barley Barn Tap House. If the noise study demonstrates that mitigation is required, it will be the applicant's responsibility to follow all recommendations to limit future noise levels.)

- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

Steven Banks

From: Michael Reynolds <mjrhfra@gmail.com>
Sent: Friday, October 15, 2021 4:07 PM
To: Steven Banks
Subject: Fwd: Fw: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
Attachments: Request for Comments Barley Barn Tap House (PN 19-174) 9-29-21 with Attachments.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: HFRA Board Comments for Barley Barn Tap House (PN 19-174)

Steve, below are HFRA comments for Barley Barn Tap House. In summary, HFRA is against granting the new use for the following reasons:

- **Parking Variance** - The project requires a parking variance which is unacceptable to the residents. Until a permanent resident parking solution is in place, the addition of new entertainment options in the 600 block will continue to drive more visitor parking into the residential areas.
- **Parking lease with Eagles** - the terms of the lease with the Eagles lodge are too open to be considered as part of a permanent solution. The Eagles have first come first serve priority for any event they hold and so the actual amount of parking available could fluctuate between 0-15 spaces. Most Eagles events occur at night time on the weekends which is the very peak period the proposed establishment will require those parking spaces.
- **Change in Parking Density** - for >20yrs, the barn building has been a retail business with 10-6pm working hours so does not conflict with any of the neighboring 600blk establishments. The shift to an entertainment venue serving alcohol will shift the primary usage to the 5-12am time window which will now overlap with the majority of adjacent businesses in the 600blk. In addition, the capacity of the Brewery will shift the density from light retail to heaving entertainment with a proposed operating capacity of 166 patrons not including the proposed outdoor seating. Assuming an avg visitor arrives 3/vehicle, that is ~50cars on at peak period. This creates significant overflow in the public parking behind the 600 blk and cannibalizes spaces for establishments like the Steakhouse that are reservation based. An rough estimate of the 600blk parking density based on establishment capacity numbers is roughly the following when outdoor seating is included. As you can see from the rough math, the 600 block is ill-equipped to support such an entertainment/alcohol based footprint so the addition of 1 more establishment only furthers an already bad situation with impact to already established business.
 - Steakhouse - 150-200 patrons = 50-75 cars at full capacity
 - Planks - 75-100 patrons = 30-50 cars at full capacity
 - Citizen Vine - 45-60 patrons = 15-20 cars at full capacity
 - JWilds - 136 patrons = 50-75 cars at full capacity
 - Scarletts - 30-65 patrons = 10 - 30 cars at full capacity
 - Powerhouse - 150-200 patrons = 50 - 75 cars at full capacity
- **Hours of operation:** All other beer based establishments in the HD stated closures is 12am. 12:30am is unacceptable. The application should conform to the HD norms.
- **Subjectively:** The Historic District buildout is at a state where the balance of the entire district needs to be considered when granting changes in use conditions. The addition of another alcohol establishment in the 600blk that does not even serve food creates imbalance and adds no additional value to the overall HD tenant mix.

Mike Reynolds

Historic Folsom Residents Association President

----- Forwarded message -----

From: lkatfisher@aim.com <lkatfisher@aim.com>

Date: Thu, Oct 14, 2021 at 6:09 PM

Subject: Fw: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)

To: Mike Reynolds <mjrhfra@gmail.com>

Below it says to send comments to Steve Banks and gives his email.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us

----- Forwarded Message -----

From: "The HFRA" <thehfra@gmail.com>

To: "Carrie Lane" <C_prue@hotmail.com>, "Jennifer Lane" <lane.jenslucy@yahoo.com>, "Laura Fisher" <lkatfisher@aim.com>, "Mike Reynolds" <mjrhfra@gmail.com>

Sent: Wed, Sep 29, 2021 at 3:00 PM

Subject: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)

FYI

----- Forwarded message -----

From: **Karen Sanabria** <ksanabria@folsom.ca.us>

Date: Wed, Sep 29, 2021 at 2:45 PM

Subject: Request for Comments for Barley Barn Tap House (PN 19-174)

To:

Hello,

Please see attached Request for Comments for Barley Barn Tap House.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us.

Thank you,

Karen Sanabria

Sr. Office Assistant

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6203

Steven Banks

From: LJ Laurent <ljlaurent@att.net>
Sent: Thursday, November 4, 2021 10:48 AM
To: Pam Johns; Steve Krahn
Cc: daoffice@sacda.org; Scott Zangrando; Lydia Konopka; Rick Hillman; Ken Cusano; Lauren Ono; Supervisor Sue Frost; Pete Piccardo; Osfm Fire Marshal Ca; The HFRA; John Shaw; Cindy Pharis; Barbara Leary; kevin@duewellaw.com; Dale Kasler; Ben Van Der Meer; sactonewstips@newsreview.com; Steven Banks
Subject: Objections: PN19 174 608.5 Sutter St. Cond. Use permit

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Folsom Plan Dir., Comm. Dev. Dept.
To: City Engineer S. Krahn
To: Asst City Clerk for DISTRIBUTION to HD members and
Folsom City Council
Scott Zagrande Building Dept Eng.
Pete Piccardo Code Enforcement
JJohnsohn Code Enf.
cc: Sac DA Office; FPD, FFD, FFD Fire Marshal; State Fire Marshall; Sac County
Supervisor

Re: "special meeting" PN 19 174 608 1/2 Sutter APN 070 0061 011

As of November 4, 2021, Folsom is again quietly rushing to APPROVE ENTITLEMENTS and LAND USES which are NOT CONSISTENT with Folsom Municipal Code, Street Standards, Infrastructure Dedication Standards, and OFF STREET Parking Requirements.

The Eagles Lodge did NOT provide a Legal/Binding Contract to Provide Parking. If they did so, THEIR OWN parking would be Legally NON-Conforming because they are also holders of ABC Alcohol License. They too are located on 19th Century tiny lanes which ADD RESPONSE TIME and ACCESS for First Responders.

Discriminating against First Responders is just about as OFFENSIVE as any city employee or Elected person can be.

California FIRE CODE is adopted in Totality and this mis-use of a bunch of novice "DESIGN REVIEW ONLY" group -- to GRANT any Land Use Exception is very wrong. It is Black letter law on all counts. This is wrong.

This special meeting DOCUMENT Packet has NEVER had the City Engineer Signature and Seal on it, which compounds the State Law violations. It certainly gives the appearance our Folsom City Engineer is in direct Violation of State Codes, previously enumerated at length. It is HIS DUTY/Obligation to Ensure Laws of ALL levels of Govt. are Obeyed and Enforced. **If he refuses to do His Job, we need an Investigation to Prove WHY Folsom City Engineer considers himself and His License Above the Laws.**

Consequences of violating state, federal, county, local laws for this one single additional usage and an "exception" granted by an ADVISORY ONLY design group are --- at the least --- LIABILITY for all consequences resulting.

This should include Liability/responsibility for Reducing First Responder Access and adding to Response TIME on 19th century streets; Accidents; damages due to this city "design advice" group assuming a Power of Law-making. They have personal Responsibility for any such Exception-Granting, and this City staff and city Council NEEDS TO INFORM these Novices IN WRITING of their Exposures. They need to know Truth Prior to this "special meeting" one-item agenda.

They need to know how they would be complicit in wrong-doing. They need to know city has NOT assumed responsibility for all the Laws they expect this group to Violate, and the harm which would be done.

I know for fact, that Appointed persons DO NOT HAVE a city-link email address. There is NO way for them to get this information so they can CONSULT THEIR OWN COUNSEL. This is so Folsom!

This truly requires a Full Investigation from the backed-up raw sewage SSS Conveyance Pipes/illegal temporary storage vaults in Sutter St. all the way down to the city employees having the Support and Endorsement of elected officials to continue pursuing Wrongful Operations.

NO ONE can legally offer an "exception" of any kind to a STANDARD. Standards in this case are those of city, County, State, Fire Marshal, and state/US Constitutions.

Ignore vital laws, then expect the Consequences. That is why CA Licensed Civil Engineers are Sworn & Licensed Law Enforcers.

Why is oldest, worst-served part of city suddenly being pressed for increased NON-Standard land uses & occupancies which violate legal Standards? Why is NO PERSON with a LICENSE ever asked to Sign/Seal/Approve any of this acts -- and using "special meetings" to expedite a quiet result.

Below is Partial History of emails, but NOT of formal Complaints about Folsom "methods of Operation."

Sue,

Today another Folsom inappropriate Land Use Exception application came in newspaper, Sac Bee Legal Notice, imaged below.

Simply put, it led me to discover Folsom has a pattern of Failure to make Accurate/complete Legal reports to Sacramento County Records and RE Tax Assessor. These false and omitted reports have led to a pattern of cheating city residents, county residents, and everyone whose Land Parcels and Land Usages are

impacted, regulated, and TAXES ARE ASSESSED based upon faulty information. This pattern has been observed since past mayor fired final independent City Engineer, and erased vital portions of Folsom Muni Code which was moved ONLINE ONLY.

Below is the tortured route I traveled in finding hard Proof this city is still changing FMC constantly. Everyday I find something new, of private-gain value, and harmful to EVERYONE.

This is so egregious and obvious, that I am not going to share this all with Principal Planner Steve Banks in Comm. Development Dept. He sounded very, very discouraged today, and being involved in this must be painful to him.

After an attack Sept 5 2020 which left me with a damaging traumatic brain injury, it seemed I'd never recover sufficiently to speak with old friends, or indeed, anyone. I lost speech, Glasgow Coma rating of functionally mute. While speech & memory are not the same, I am able to speak well enough to speak with people like Steve Banks, again. Guess it's a good day for those with TBI, and serious cardiac issues.

Sacramento Bee is correct: this city is far beyond the pale.
This city is a threat. I can only thank Bee for proper, accurate, essential reporting.

Laurie

----- Forwarded Message -----

From: LJ Laurent <ljl Laurent@att.net>

To: net>

Cc: LJ Laurent <ljl Laurent@att.net>

Sent: Friday, July 23, 2021, 01:11:42 PM PDT

Subject: PN19 174 Prison Theme on 608 Sutter St. Cond. Use permit

To:

From: Laurie

July 23, 2021

Re: PN 19 -174 APN 070 0061 013 608 Sutter St.,

First CONTEXT, but the final contexts are frightening.:

PN19-174; conversation with Steve Banks this date.

Steve will receive most of these legal/Engineering COMMENTS, but it is known he will NOT be able to impact what "city leaders" and "Comm. Dev. employees do."

Steve has promised to respond to my email with 2019 Applicant's documents, sent via email to me.

If he fails to notify Folsom Licensed Engineers, lawyers, and city council elected officials, of all this information, it is up to old area RESIDENTS to ensure city council is made aware of federal, state, county, CA Fire Marshal laws/regs. Again, this researcher has never yet had a critic discover even 1 single error in Research Reports. Good Luck.

PN 19-174 Cond. Use Permit for 4377 Sq Ft building "CRAFT BEER" usage indoors, outside, with modification of Front Structure appearance to "prison theme."

Note spoke with Steve Banks this a.m. about this old application, and expressed to Steve there are residents concerned about any claim the HDC can make a FINAL Cond. Permit decision. Reminded Steve: FMC city law chapter 17.52 HD is legally an OVERLAY ZONE and NOT a ZONE DISTRICT. That means, the "architectural review" laymen are not the panel to review Structure Changes, Inadequate PARKING, Failure to Prove ADA Compliance [see federal law link below].

From Public Notice, This is Meeting of HD group to consider exterior appearance, and "conditional Use Permit" which is NOT legally within the Jurisdiction of HDC Architectural Review laymen. Includes interior demolition for brewery as well as converting front facade to "prison" theme. Parking is extremely limited for 4,377 Sq Ft. Commercial Zone Usage.

Please NOTE Public Notice WORDS:

"Please refer to the PLAN COMMISSION AGENDA for ways to participate remotely." **USE PERMITS are PC Duty, by Law, to hold public hearings, accept information, answer questions and FINALLY, make only a Recommendation to City Council.** This is how this state runs Oversight on cities, lesser jurisdictions. If you require State Law Citations, just ask.

Issue

"Parking 21 spaces on site for USE of POWERHOUSE PUB, which is not listed Petitioner.

"Parking" 21 spaces on site, and **private parking lot" Eagle Lodge.**

<http://www.findglocal.com/US/Folsom/1870969316526147/Folsom-Fraternal-Order-of-Eagles-%23929>

[Folsom Fraternal Order of Eagles Officers | Folsom Fraternal Order of Eagles](#)

Note: CROSSING Scott St. to use a 'Private Parking' Lot of a charitable **group "not for profit" with special TAX Exemptions, may be of concern.**

The Fraternal Order of Eagles is an international non-profit organization uniting fraternally in the spirit of liberty, truth, justice, and equality, to make human life more desirable by lessening its ills and promoting peace, prosperity, gladness and hope. The F.O.E. donates more than \$10 million a year to local communities, fundraisers, charities and more. As part of its philosophy, the F.O.E

Please Note Public Notice FAILS TO MENTION ON-SITE Americans with Disabilities Law: **This is why a CITY ENGINEER MUST** be involved to Seal & Sign Formal Plans for Proposal and an elected COUNCIL MUST MAKE such Critical Decisions about Federal Law Compliance. ADA:

https://www.ada.gov/restriping_parking/restriping2015.html

CONTEXT: there are many, many Plaintiffs willing to sue owner & city for dis-obeying ADA laws/rules.



**NOTICE OF PUBLIC HEARING
CITY OF FOLSOM HISTORIC DISTRICT**

DATE OF HEARING: August 4, 2021

TIME OF HEARING: 5:00 PM.

PLACE OF HEARING: City Council Chambers,
Folsom, CA 95630

NOTICE IS HEREBY GIVEN THAT: A public hearing will be held by the Historic District Commission of the City of Folsom following:

PROJECT NAME: Folsom Prison Brews Tap House
Property Owner/Applicant: Mr. Murray Weaver
Project Location/APN: 608 Sutter Street/APN 060800010
Planning No.: PN-19-174
Staff Contact: Steve Banks, Principal Planner
sbanks@folsom.ca.us

Entitlements: a. Conditional Use Permit
b. Design Review

Project Description: The proposed project includes a Conditional Use Permit and Design Review for a craft beer establishment within an existing 4,377 square foot building at 608 Sutter Street. The proposed project involves the demolition of the existing 4,377-square-foot building to create space for the building. Demolition and interior tenant improvements will transform the interior building area into a space for a craft beer establishment. The proposed project also includes use of an outdoor patio area enclosed by decorative tubular steel fencing. In terms of parking, the project intends to utilize existing public parking facilities, including the Powerhouse Pub (adjacent to the project site, at 500 Sutter Street) and Eagles Lodge.

Environmental Review: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under the Existing Facilities of the California Environmental Quality Act (CEQA).

Please refer to the Historic District Commission meeting agenda to participate in this meeting remotely.

All persons interested in these matters are invited to attend the public hearings orally or in writing during the public hearings. Public comments are available for review at, and further information is available from the Community Development Department, 500 Sutter Street, Folsom, CA 95630.

CITY ENGINEER must rule & opine on Health & Safety laws, Fire/Emergency Access -- using his Seal/Signature to ensure an EXPERT OPINION -- that is **WHAT WE PAY HIM/THEM to DO.**

(10 unread) x | Sacramento x | Sacramento x | FG Folsom Fra x | SAC Assessor Pe x | 608 Sutt

google.com/maps/place/608+Sutter+St,+Folsom,+CA+95630/@38.6783806,-121.17568

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609

Jedediah St

Riley St

Scott St

orff St

608 Sutter St

Sutter St

Riley St

Powerhouse Pub

ATM

SEI Solid Waste

Essex Mortgage - Folsom

608 Sutter St

Sutter Street Steakhouse Takeout

J. Wild's Livery & Feed Takeout · Delivery

Mystique Dining Fine Dining

Glass West

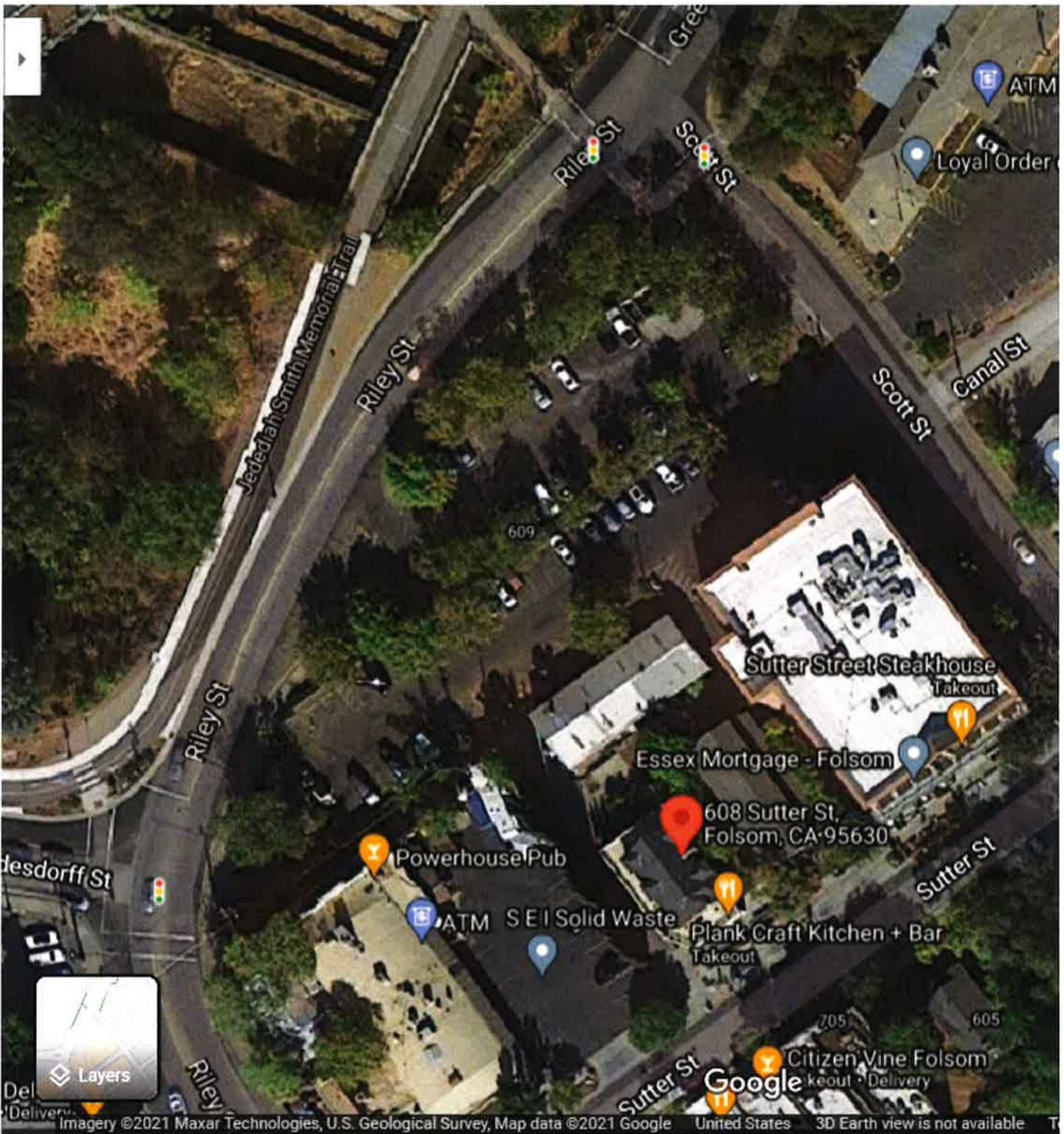
Planet Earth Rising

Layers

Google

Map data ©2021 Google United States

Windows taskbar icons: Start, Edge, File Explorer, Paint, Chrome, etc.



Responsibilities for a Voice of Residents:

suggested ACTIONS to locals to take immediately:

Make a formal Public Record Act Request for Context issue:

"How many Calif ABC Alcohol Sales Licenses are currently IN USE on Sutter St., or other "historic area" location as of this date?"

Ask City Engineer to REVIEW formally the fire, explosion, Riot, shooting access for Exiting 18 foot wide Sutter in a catastrophe situation requiring IMMEDIATE access by First Responders,
Immediate ESCAPE by crowds, all Persons impacted/endangered.

Ask Folsom Fire Chief, and Folsom Fire Marshal Lauren Ono for a written Report on ACCESSIBILITY.

Ask city lawyer for PROVE of ADA Compliance in all respects -- including Emergency ACCESS/accessibility.

Ask city council to PROVIDE PROOF OF NEED for this "conditional use" for yet another location serving ALCOHOL.

Ask Police Chief & his staff for a Report and Comments on all of above. They bear Responsibility for EVERYONE's SAFETY.
Let's respect them and HONOR them.

Closing: you have phone #, so ASK if you do not follow Engineering language, or details of very abstruse, messed up & complicated Laws.

MONEY: and proper REPORTING TO RE TAX MAN:

608 sutter st. folsom ca



Parcel Details

Layers

Measure

Search Results

Select Parcels

Recent Sales

Legend

Net Assessed Value \$900,666

Property tax bill information [Link to ePropTax](#)

Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@sacounty.net.

LAND INFORMATION

Thomas Brothers 261 8 4
Map

Assessor Land Use Code BAB00A

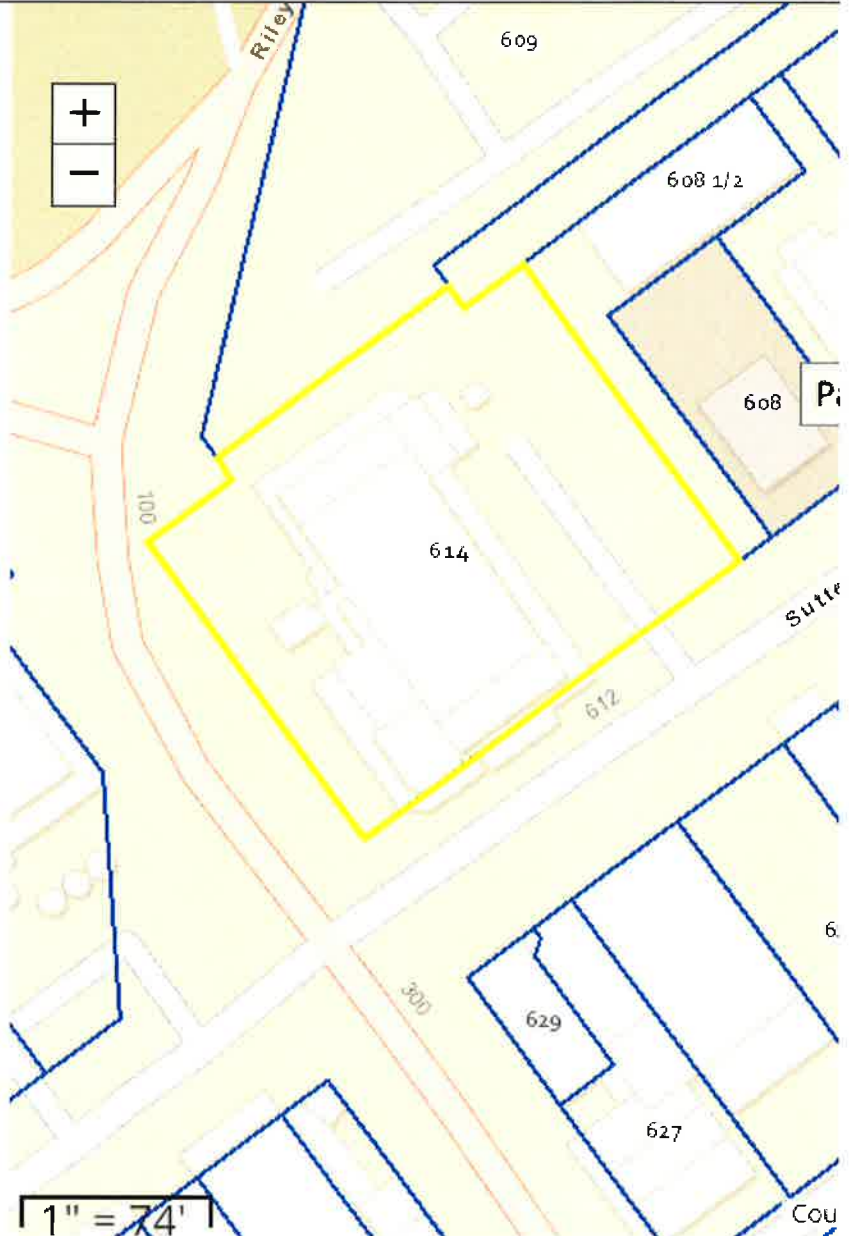
Assessor's Property Description LTS 9 10 11&W 28 FT OF LT 12 BLK 23 FOLSOM & SEL Y 10 FT OF ALLEY ABND PER 770201/0685

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION



CONTEXT: HD DISTRICT is NOT a defined Zone District per FMC Chapter 17

CONTEXT: Folsom Never published, nor held Public Hearings nor announced it had REMOVED ALL "Zone District" Designations and Definitions from Folsom Muni Code Chapter 17.

Since Folsom leadership has seen fit to REMOVE all Zone District Definitions, Whence does city council/staff derive a RIGHT to Exercise Land-Usage Police Control???

This is DIRECT VIOLATION OF State Law. to wit

IF Folsom is correct, and "historic district" **is a ZONE DISTRICT** which Determines the proper USES, Infrastructure, roadway size, compatibility of Uses, **then the ENTIRETY of all "historic district" would have ONE ZONE DISTRICT ONLY by law with a formal "definition" of each/every single ZONE DISTRICT.** This is NOT allowed under State Government Codes, Zoning, and **Intent of State to determine the Standards, Land Uses, Hazards, Safety, Infrastructure Sizes, Oversight Codes, and SPECIAL EXCEPTION Laws & Codes & Standards.** Licensed Civil Engineers are Essential to enforce Laws, Standards, adequate Infrastructure, adequate developer Financing of dedicated Improvements, Subdivisions, and appropriate Zone Districts for EACH PARCEL.

If Folsom correctly reported all of the oldest, most poorly-served area of city as ONE SINGLE ZONE by Definition, there WOULD BE SOLELY ONE SINGLE LAND USE applied -- - by Law -- to every single Parcel.

How long has city of Folsom violated Higher Jurisdiction Laws?

What enforcement agency will conduct a full Investigation of such long-standing city practices which are outside the State Enabling Laws as referenced as CA Government Code 65800 [Zoning]?

For verification, higher authorities need to consult Folsom Muni Code Chapter 17 Zoning, to see if they can locate a Definition Section for each Zone District, such as county's BAB00A Small retail..... which has a definition on screen as Multiple retail vendors, with small occupancy, in a building of considerably Different Size than Folsom reports it in Formal Public Notice.

Analysis & IMAGES of FMC which is ONLINE only, hence changed online at will.

<https://www.codepublishing.com/CA/Folsom/#!/Folsom17/Folsom1710.html#17.10>

Folsom Municipal Code

Chapter 17.10 DESIGNATION OF DISTRICTS

Sections:

17.10.010 Established.

17.10.020 Special districts established.

17.10.010 Established.  SHARE

The several classes of general districts established and into which they are designated as follows:

- A. R-1-L, R-1-ML, R-1-M, single-family residence districts;
- B. R-2, two-family residence district;
- C. R-3, neighborhood apartment district;

Folsom Municipal Code

- C. R-3, neighborhood apartment district;
- D. R-4, general apartment district;
- E. C-1, neighborhood business district;
- F. C-2, central business district;
- G. C-3, general commercial district;
- H. CH, highway service commercial district;
- I. CM, commercial-manufacturing district;
- J. M-1, light industrial district;
- K. M-2, general industrial district;
- L. M-L, limited industrial district;
- M. MF, industrial frontage district;

Folsom Municipal Code

- N. PD, planned development district;
- O. R-M, residential, multifamily dwelling district;
- P. BP, business and professional office district. (Ord. 378 (part § 3102.01)

17.10.020 Special districts established. [SHARE](#)

In addition to the foregoing classes of districts, certain combining districts and are designated as follows:

- A. A, special agricultural district;
- B. B, special building site district;
- C. F, special highway frontage district;
- D. P, special parking district;

Folsom Municipal Code

- B. B, special building site district;
 - C. F, special highway frontage district;
 - D. P, special parking district;
 - E. H, special height limit district;
 - F. CD, special civic district. (Ord. 378 (part), 1979: Ord. 239 § 1 § 3102.02)
-

Home

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The Folsom Municipal Code is current through Ordinance 1313, passed

Disclaimer: The City Clerk's office has the official version of the Folsom Municipal Code. If you have any questions, you should contact the City Clerk's office for ordinances passed subsequent to this version.

CONCLUSION: This is Folsom's own designated Chapter 17, analyzed for "Definitions", and searched for Definition of Each ZONE DISTRICT, along with its STANDARDS, Permitted Land Uses, abutting Land Zone District Uses.

Folsom's Print Editions from past do include the standards, and Definitions for each "Zone District" and included a Map within Chapter 17 FMC Zoning.

All this is gone with the wind. There is no "Historic District Zone", and there is no Enforcement in Folsom of STANDARDS, Infrastructure Requirements, Streets wide enough for First Responders and Safe Ingress/Egress. Folsom has an "architectural review group" for this old area, but they are the SECOND Review group and they are NOT a Plan Commission. Folsom has a Plan Commission which only holds hearings, provides expert testimony venue for questions, and makes only Recommendations to city council for changes to existing legislation on Land Uses, Standards, Safety, Infrastructure. Folsom continues to act as if an "architectural review" group has Legal POWER to alter LAND USAGES, GRANT Exceptions to Law in FMC 17. This is very wrong and harmful.

Additionally, this system has resulted in substantial LOSS of Revenue by Sacramento County and those whom it serves. Folsom practices have caused huge Profits to a select few, and huge losses to others, especially to suffering old city Residents. All five council have been almost totally local Business owners, for decades. They have had support of various chambers, groups, and public tax beneficiaries.

Old city residents feel powerless. That is because they are. If Licensed civil City Engineer and licensed City Attorney FAIL to deliver signed/sealed Reports, this will continue as business as usual -- to the detriment of all.

Although not land use directly, consider also FMC 13.30 a quietly passed law which states Folsom lacks water for it entitled new developments, but passes the Onus onto Sacramento County to bail out Folsom when the remaining surface water is all gone. As Sac Bee pointed out, this is only city which has ZERO groundwater, as it is built upon a granite base.

PURSUANT TO GOVERNMENT CODE SECTION 65800 ET. SEQ., THE STATE OF CALIFORNIA GRANTS TO A CITY THE POWER TO APPLY ZONING TO LANDS WITHIN ITS CITY LIMITS. THE PURPOSE OF ZONING IS TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE. THE CONSTITUTIONALITY OF ZONING HAS BEEN UPHeld BY THE UNITED STATES SUPREME COURT SINCE 1926, EUCLID V. AMBER REALTY COMPANY (272 US 365).

•

Context 17.02.420 is VIOLATED repeatedly by Folsom CA.

"Street" means a public or permanent private way thirty-six feet or more in width which affords a primary means of access to property. (Prior code § 3104.67)

Context 17.02.281: Public Notice in Sac Bee indicates this fits Folsom definition, since it is called microbrewery and IT SERVES alcohol as well.

17.02.281"Microbrewery" means an alcoholic beverage manufacturing facility that produces fifteen thousand barrels of beer per year or less on site in accordance with a valid alcohol production license from the state of California, and may include an on-site restaurant and/or bar that serves its locally crafted beer. (Ord. 1236 § 2, 2015)

Folsom Municipal Code lacks Definitions for Zone District impacting this Parcel - or indeed ANY city Parcel.

However Sacramento County RE Assessor & County Record DO HAVE Specified Land Uses which are PERMITTED upon this Parcel APN #, and which CONTROL the TAX CATEGORY the County Uses in Assessing a FAIR, Equitable TAX. BELOW IMAGE: Sacramento County clearly defines USAGES and TAXES based UPON this Official Category **BAB00A as small retail Land Usage**

obtained by contacting the Assessor's Office at 916-875-0700 or assessor@saccounty.net.

LAND INFORMATION

Thomas Brothers 261 B 4 Map

Assessor Land Use Code **BAB00A**

- General Retail / Commercial
- Specific Small Retail
- Occupancy Multi-Tenant
- Character of Use Most probable use

Assessor's Property Description LTS 9 10 OF LT 12 SOM & S ALLEY A 770201/

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION

<https://assessorparcelviewer.saccounty.net/JSViewer/assessor.html#>

CONTEXT: again, please note folsom has removed all Zone District Definitions -- secretly, with NO public knowledge nor participation. Yet in case of PARCEL in this

Prison theme microbrewery Change of Usage, the city has given Sacramento County a false Zone District Designation. There is no "historic district" land Use Definition. Indeed all Zone Definitions are totally missing/gone/caput.

NOTE also BUILDING SIZE is NOT what Folsom advertised. Why is this huge discrepancy in a Public Notice? PN states 4377 sq ft.

Gross Building Area 7898 sq ft

Net Rentable Area 7898 sq ft

Ground Floor Area 7898 sq ft

Built 1948 -- exactly how SAFE is this building for Changed Uses?

Does it have sprinklers? Full Street size Access for First Responders? What is actual "condition" of this building with following Sacramento County Facts:

Assessor Land Use Code BAB00A

Use General: Retail Commercial

Specific: small retail

Occupancy: Multi Tenant

Character of Use: most probably use that is, SMALL RETAIL, Multi-tenant.

If city of Folsom had accurately reported this building and had submitted the CHANGE of USE and Condition Use Permit Application dated 2019 as PN 19-174 -- then Sacramento County Assessor WOULD HAVE the Intended Change of Land Use, Major Alterations to building, USAGE, OCCUPANCY, PARKING and Street Access requirements.

This is officially a matter of Concern for Sacramento County Assessor and County Recorder, as well as Residents of this old-infrastructure part of old city, and County residents deprived of Determination of Fair Real Estate Assessments as reported by city of Folsom.

question:

at bottom, below, does "quality class D", does D mean it has been dangerous for some length of time??? Sac County Codes are not easily found online, if indeed Assessor "codes" are explained formally anywhere for Public.

Information for Parcel:

070-0061-010-0000

[Read Our Data Disclaimer](#)

PROPERTY INFORMATION

Assessor Parcel # 07000610100000

Address 614 SUTTER ST

Postal City, Zip FOLSOM 95630

Jurisdiction City of Folsom
County Supervisor District [Sue Frost - District 4](#)
Assessor Roll Status ACTIVE
Assessor's Map [Assessor's Map Book 070,](#)
[Page 006](#)

PROPERTY TAX BILL

A summary of the most recent property tax bill is available on the [e-PropTax](#) site.

Tax Rate Area Code [04-018](#)
Jurisdiction Used on Most FOLSOM
Recent Tax Roll
Last Roll Year 2020

ASSESSOR'S ROLL VALUES

as of June 25, 2021

Tax Roll Year	2021
Land Value	\$310,465
Improvement Value	\$590,201

County Recorder's Document Book 20110325, Page 911

Number

Event Date Fri Mar 25 2011

PROPERTY BUILDING INFORMATION

Gross Building Area 7898 sq ft

Net Rentable Area 7898 sq ft

Ground Floor Area 7898 sq ft

Year Built 1948

Effective Year 1948

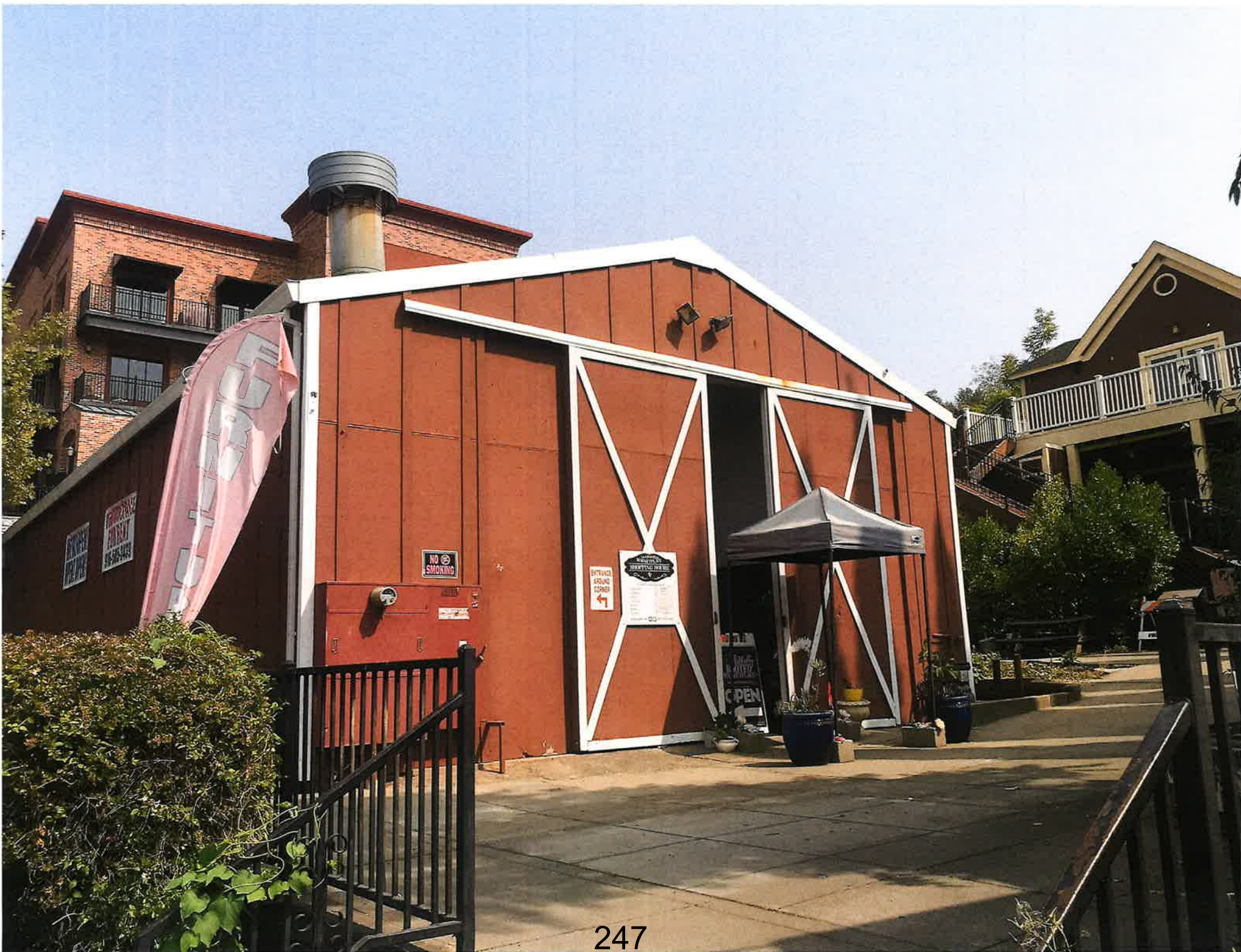
Stories 1

Quality Class AverageD

Attachment 18
Site Photographs







NO SMOKING

ENTRANCE AROUND CORNER

WINE TASTING & PURCHASE

OPEN



248

