

The Planning Commission of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chairman Lindstrom.

THOSE PRESENT WERE:

Planning Commissioners: Ray Lindstrom, District I, Chairman
Dave Wardall, District II
Caryl Callsen, District III
Andy Byrne, District IV, Vice Chairman
Ray Ryan, District V

Staff: Grace Pak, Deputy County Counsel
Susan C. Grijalva, Planning Director
Chuck Beatty, Planner
Heidi Jacobs, Recording Secretary

NOTE: The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

A. Pledge of Allegiance.

B. Approval of Agenda:

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Callsen and unanimously carried to approve the agenda as submitted.

C. Minutes: Approval of the April 12, 2016 minutes was continued to the June 14, 2016 meeting.

D. Correspondence:

- General Planning Commission Correspondence:
 - Letter from Mr. and Mrs. Allred dated March 30, 2016 and received April 20, 2016
- Correspondence pertaining to agenda items:
 - Email from Matt Toma dated May 5, 2016 regarding Item 1.
 - Letter from Frank Moreno dated May 9, 2016 regarding Item 3.

E. Public Matters not on the Agenda: None.

F. Recent Board Actions: None.

Agenda Items

Item 1 – Request for a six-year Extension of Time for Tentative Parcel Map No. 2833 for Roman Catholic Bishop of Sacramento (APNs 044-450-007).

Applicant: Roman Catholic Bishop of Sacramento

Supervisory District: II

Location: West of SR49 on the southwest corner of Prospect Drive and Sierra West Court, being lot 6 of the Sierra West Business Park Subdivision in Martell.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Commissioner Callsen announced she would recuse herself to avoid a potential conflict of interest and left the room.

John Gonsalves, representative, stated he was available for questions.

Commissioner Ryan asked why the map has not moved forward yet. Mr. Gonsalves stated there are physical circumstances preventing the land division as it is currently proposed. The existing buildings and demising wall do not meet requirements for a zero property line clearance; they are currently in negotiations to sell the northern parcel. He asked for as much time as the Commission will grant.

Commissioner Ryan asked if there would be two parcels after the land division. Mr. Gonsalves stated three parcels are still being proposed; two with structures and a smaller parcel to the northwest which is undeveloped.

Commissioner Ryan stated the applicant is actively engaged in moving forward with the project and did not object to granting the extension. Commissioner Wardall concurred.

Commissioner Byrne asked if the six years would be necessary to complete the project. Mr. Gonsalves stated he would appreciate having the maximum extension of six years but would be willing to accept the Commission's decision. Commissioner Byrne stated a four year would be more acceptable to him.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Ryan and carried to grant Tentative Parcel Map Number 2833 a four year extension to June 12, 2020.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Planning Commission granted a four year extension for Tentative Parcel Map Number 2833. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to May 20, 2016, at 5:00 p.m. along with the appropriate appeal fee.

Commissioner Callsen returned to her seat at 7:10 p.m.

Item 2 – Request for a two-year Extension of Time for Tentative Subdivision Map No. 137 (Thunder Mountain Lodge) by Rainbow Ventures, LLC (APNs 026-270-021 & 026-270-022).

Applicant: Thomas Patricelli, Rainbow Ventures, LLC

Supervisory District: III

Location: On the west side of Kirkwood Meadow Drive about ¾ mile south of Hwy 88 in Kirkwood, being Lots 1 and 2 of the Timber Creek Village Unit 1 Subdivision.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Andrew Winberry, representative, stated he has the property listed for sale and the owner is requesting to extend the expiration date to maintain the market value. He stated the owner will comply with any weed abatement that is necessary.

Commissioner Ryan stated a two year request is a reasonable request.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Ryan and unanimously carried to grant Tentative Subdivision Map Number 137 a two year extension to May 23, 2018.

NOTE: Mr. Beatty advised the Planning Commission granted a two year extension for Tentative Subdivision Map Number 137. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to May 20, 2016, at 5:00 p.m. along with the appropriate appeal fee.

Public Hearing

Item 3 – Continued - Request by SLO 2 20, LLC Vineyard for a Use Permit to allow the following in an “R1A” zone district in conjunction with an on-site winery: wine tasting and winery tours; retail sales of wine and other grape and wine-related products; and an office (APN 014-230-013).

Applicant: Mark R. Gamache

Supervisorial District: V

Location: 19955 Shenandoah School Road, approximately 1.2 miles east of the intersection with Shenandoah Road in the Shenandoah Valley area.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Mark Gamache, applicant, appreciated the opportunity for the Commission to consider the updated tasting room proposal. He stated the intention for the tasting room is to be small just like he described in the proposal; there are no plans for big concerts, parking lots or lights. He stated they moved to this area specifically to do this and is looking forward to starting the tasting room.

Chairman Lindstrom stated there was a concern raised about the number of 50 occupants and that might exceed the capacity of the number of parking spaces. Mr. Gamache stated in the updated proposal he does indicate limousines would be allowed, one per hour. He stated he was not sure of the occupancy of a limousine but 49 guests could arrive in seven SUVs with seven occupants each.

Commissioner Byrne asked if a condition could be added to limit the number of parking spaces because he understood the concern that it is possible to have 50 people with seven vehicles. Mr. Beatty stated the Commission can add a condition with the maximum number of parking spaces.

Commissioner Ryan stated at the previous meeting concerns were raised about the location of the tasting room, the possibility of events, traffic, and noise. He stated at the previous meeting he felt the Commission was assured there would be no events, appointments only, a few appointments each day with no specific time-set and would be willing to adequately address the concerns which were outlined during that meeting rather than have the Commission and staff draft conditions during that meeting. Commissioner Ryan stated the new proposal does not adequately address the concerns and is different than what was proposed during the previous meeting. For example, the new proposal has specified hours, limousines are now being accepted, and events are being proposed. Commissioner Ryan felt the way the revised conditions are written and the revised description do not adequately address the concerns that were raised. Mr. Gamache stated he thought the updated proposal was very specific without excessively limiting themselves; he stated the request is for a small by appointment only tasting room. Commissioner Ryan was concerned because the request includes business hours of 11 – 7pm, Thursday through Monday; signage will be open or closed, not by appointment only; there is nothing in the conditions that indicates the tasting room will operate by appointment only.

Commissioner Byrne asked if “appointment only” could be included in the conditions. Mr. Beatty stated “appointment only” can be included in the conditions but it can be difficult for staff to enforce. Commissioner Ryan stated he understood that is an issue and the County lacks the ability to police it but the concern raised by the neighbors is the potential impacts to traffic; the appropriate findings can be made by limiting the description and conditions to appointment only.

Commissioner Ryan and Commissioner Byrne agreed that “appointment only” and “electronically controlled gate” need to be included as conditions.

Catherine Cowan, area resident, stated the school bus does drop off/pick up at Votaw Road and turns around there. The proposed hours of operation coincide with the school bus afternoon drop off which is another potential traffic impact. She stated the peace and safety in the area is her biggest concern and it

cannot be controlled unless someone is specifically hired to do it. She urged the Commission to deny the use permit request.

Sue Fox, area resident, agreed the bus stop is a big concern; she stated a sheriff should be available in the Valley to control traffic and parking on the road. Ms. Fox stated she grows and sells grapes and supports the wine-making business.

Judy Weiss, previous owner of Mr. Gamache's property, stated she understood the concerns being raised but Mr. Gamache is not asking for the same thing the current larger tasting rooms are doing.

Todd Pickens, Karmère Winery, stated 12 years ago there were 19 wineries and currently there are 39. Mr. Pickens stated he did not object to the project but it does need limitations because traffic is an issue in the area.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Wardall and unanimously carried to close the public hearing.

Commissioner Wardall recommended the following changes to the proposed Conditions of Approval on pages 8 and 9 of the staff report packet:

- Revise Condition 9 to include "by appointment only" with "one hour appointment blocks,"
- Revise Condition 31 to 30 people,
- Add a condition to have an electronically controlled gate for access,
- Add a condition to have a maximum of eight parking spaces; 7 regular spaces and 1 handicap accessible,
- Add a condition regarding noise that a band can have no more than two amplified instruments, and there is no limit on non-amplified instruments.

Commissioner Byrne stated Commissioner Wardall covered the concerns well with his proposed revisions to the Conditions. Ms. Grijalva stated the description should be revised to include "tasting room **by appointment only**."

Commissioner Ryan asked for the following additions:

- Signage to read "by appointment only" or "open by appointment only,"
- Gates to be locked
- Regarding occupancy it should read: "maximum of # tasting room guests at any one time," and was agreeable to Commissioner Wardall's suggestion of 30 people.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne and unanimously carried to adopt the mitigated negative declaration as the appropriate environmental document.

Commissioner Ryan stated to the best of the ability of the Planning Commission the concerns that have been raised will be mitigated by the proposed conditions of approval and granting the use permit will not be detrimental to the health, welfare, peace and morals of the neighborhood.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne and unanimously carried to approve the use permit subject to the findings and conditions of approval contained in the staff report with the following revisions:

Description

Use Permit to allow the following in a "RIA" zone district in conjunction with an on-site winery: **By Appointment Only** wine tasting, and **winery** tours, and retail sales of wine and other grape and wine-related products with up to 30 wine tasting customers at one time at 19955 Shenandoah School Road. ~~Located at 19955 Shenandoah School Road, approximately 1.2 miles east of the intersection with Shenandoah Road in the Shenandoah Valley.~~

Conditions

9. Tasting Room hours of operation shall be **by appointment only, in one hour blocks**, Thursday through Monday, 11:00 a.m. – 7:00 p.m. ~~but in no case later than 7:00 p.m. seven (7) days a week.~~ THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
28. **No more than 8 parking spaces for tasting room guests shall be permitted on site.** All parking shall be contained on-site **and shall comply with Condition No. 22, above.** There shall be no parking along any public road. THE TRANSPORTATION AND PUBLIC WORKS AGENCY SHALL MONITOR THIS REQUIREMENT.

NUMBER OF VISITORS:

31. At no time shall the number of visitors to **tasting room guests on** the premises exceed 50 **30** persons **at any one time.** **THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.**

ACCESS:

32. **An electronic code-controlled access gate (or manually locked and opened if automated gate is non-operational), bearing a sign stating that the tasting room is "Open By Appointment Only," shall be installed at the driveway to the site. See also, Conditions No. 18 and 19, above.** **THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.**

NOTE: Mr. Beatty advised the Planning Commission granted the use permit. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to May 20, 2016, at 5:00 p.m. along with the appropriate appeal fee.

Adjournment: At 8:47 p.m. Chairman Lindstrom adjourned this meeting of the Planning Commission, to meet again on June 14, 2016.

_____/s/_____
Ray Lindstrom, Chairman
Amador County Planning Commission

_____/s/_____
Heidi Jacobs, Recording Secretary
Amador County Planning Department

_____/s/_____
Susan C. Grijalva, Planning Director
Amador County Planning Department