

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: November 12, 2019**

ITEM 4 Public Hearing – Request for a Use Permit (UP-19; 6-1) to allow for a drive-through for the bank. The project consists of demolishing 6,700 square feet of commercial space and constructing 7,000 square feet of combined commercial space, including a bank with drive-through. The parcel is located in a “C1,” Retail/Commercial/Office zoning district which allows drive-in/drive-through uses subject to a Use Permit (APN 030-200-074)

Applicant: Bank of Stockton

Supervisorial District: 4

Location: 19892 State Highway 88, Pine Grove, CA 95665 (APN 030-200-074).

A. General Plan Designation: “TC”- Town Center

B. Present Zoning: “C1” – Residential Estates

C. Acreage Involved: 5.00 acres

D. Description: The applicant wishes to demolish an existing 6,700 square foot retail center and secondary building and construct a new 7,000 square foot combination bank (3,400 square feet) with retail tenants (3,600 square feet) on approximately 1.03 acres. The Use Permit application is for the bank’s drive through component which is required in accordance with Section 19.24.040 of the Zoning Code.

E. TAC Review and Recommendation: This project was reviewed by the Technical Advisory Committee on July 17, 2019 for completeness, and again on October 23, 2019 to prepare conditions and a recommendation for the Planning Commission. TAC has no technical objection to the Planning Commission approving the Use Permit subject to the conditions and findings included in the staff report. TAC also recommends the adoption of a Notice of Exemption per Sections 15302(b) of the CEQA Guidelines (Replacement or Reconstruction).

G. Planning Commission Action: Following the public hearing, the first action of the Planning Commission should be the acceptance or rejection of a Notice of Exemption as the appropriate environmental document. Then, a decision to approve or deny the project can be made. If the Planning Commission moves to approve the project, the following findings are recommended in addition to the Conditions of Approval.

H. Recommended Findings

1. The project, as proposed, is consistent with the Amador County General Plan and the “C1” zoning district at this location.
2. The project is not subject to CEQA pursuant to Sections 15303(b) of the CEQA Guidelines (Replacement or Reconstruction). Therefore, a Notice of Exemption will be filed with the Amador County Recorder.
3. 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 county.

**USE PERMIT CONDITIONS OF APPROVAL FOR A
BANK DRIVE-THROUGH IN THE C-1 COMMERCIAL ZONING DISTRICT**

PERMITTEE: Bank of Stockton

ADDRESS: 19892 State Highway 88, Pine Grove, CA 95665

PROJECT DESCRIPTION: Request from Bank of Stockton for a Use Permit (UP-19; 6-1) to allow for a drive-through for the bank. The project consists of demolishing 6,700 square feet of commercial space and constructing 7,000 square feet of combined commercial space, including a bank with drive-through. The parcel is located in a "C1," Retail/Commercial/Office zoning district which allows drive-in/drive-through uses subject to a Use Permit.

PROJECT LOCATION: 19892 State Highway 88, Pine Grove, CA 95665

ASSESSOR PARCEL NUMBER: 030-200-074

USE PERMIT NO.: UP-19; 6-1

PLANNING COMMISSION APPROVAL DATE:



1. *This Use Permit shall not become valid, nor shall any uses commence until such time as the Permittee is either found to be in compliance with or has agreed, in writing, to a program of compliance acceptable to the County. At that time the permit shall be signed by the Planning Department and the use shall commence. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.*
2. *The issuance of this Use Permit is expressly conditioned upon the permittee's compliance with all the provisions contained herein and if any of the provisions contained herein are violated, this Use Permit may be subject to revocation proceedings as set forth in Amador County Code. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.*
3. Construction of the project shall be substantially the same as the site and building construction plans submitted and approved by the County. Any substantial revisions shall be reviewed by the Planning Department for a determination of whether the change should be reviewed by the Planning Commission. THIS REQUIREMENT SHALL BE MONITORED BY THE PLANNING DEPARTMENT.
4. Any new security lighting for the ground facilities shall be shielded and directed in such a manner so as not to direct light onto neighboring properties/buildings/roadways. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
5. Prior to or concurrently with the recordation of the Boundary Line Adjustment, the landowner shall execute an access and public utility easement with Volcano Communications Group removing the conflict with the building, curbs, and landscaping. THIS REQUIREMENT SHALL BE MONITORED BY THE SURVEYING DEPARTMENT.

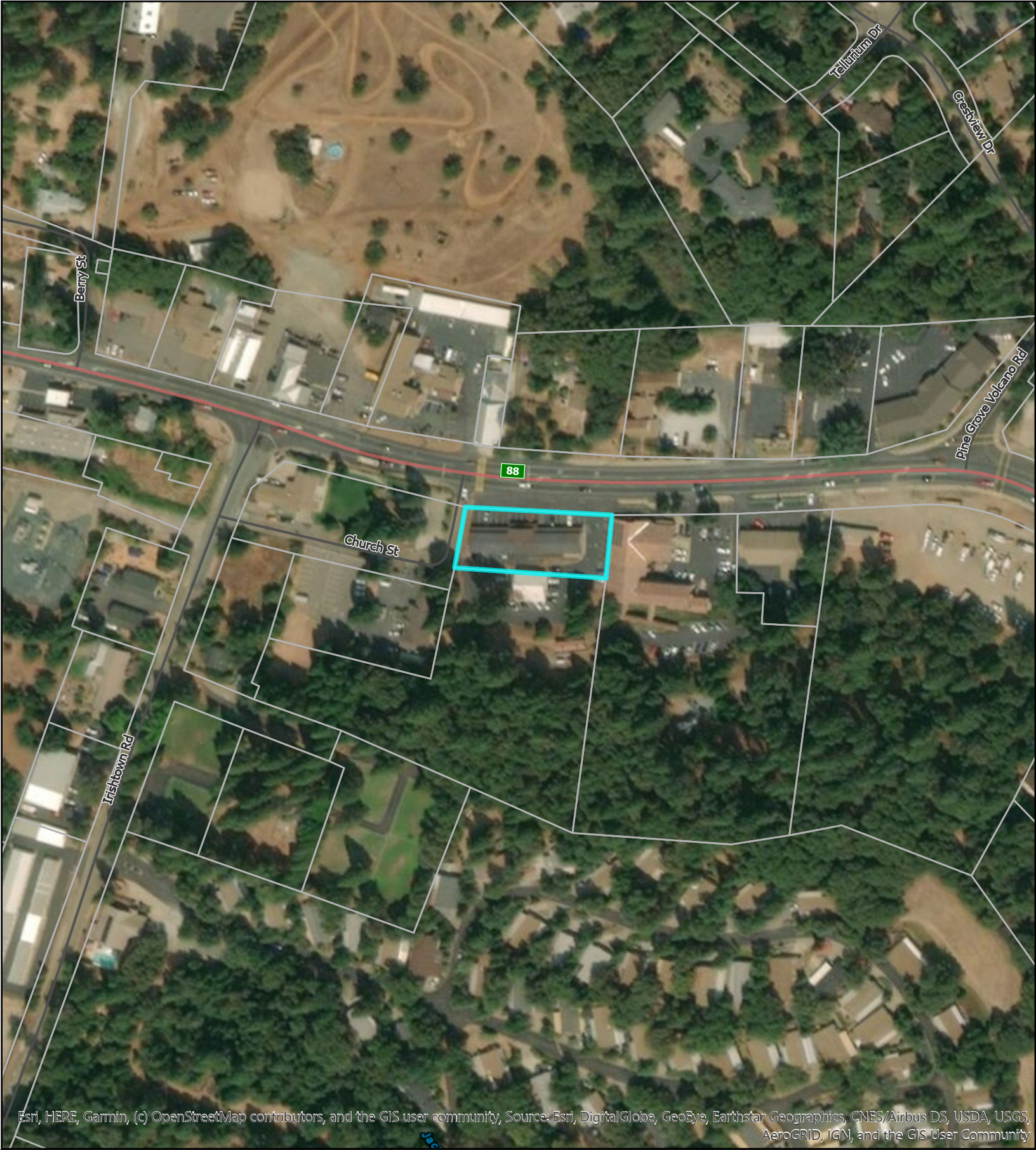
6. The Development will be responsible to design and construct all on and off site improvements deemed necessary by the State, County, and the Agency to adequately serve the Development. The Development will be required to obtain all permits, licenses, acceptances, pay all associated fees, design, construct and make acceptable to the State, County, and the Agency a collection system to server the Development. THE AMADOR COUNTY AMADOR WATER AGENCY SHALL MONITOR THIS CONDITION.
7. The Development’s new building would be placed on the area where the existing septic tanks reside. Structures on top of these tanks preventing inspection, operation, maintenance, or repair are not allowed. Before the proposed boundary line adjustment and building construction, the lot will be required to move these tanks or install new tanks to an accessible area on the property to maintain an independent wastewater connection and collection system according to the Agency Septic Tank Pumped Systems (STEP) standards. THE AMADOR WATER AGENCY SHALL MONITOR THIS CONDITION.
8. Payment of applicable fees for engineering review, administration and construction inspection per the Agency’s rules and regulations in force at the time of application and/or service. THE AMADOR WATER AGENCY SHALL MONITOR THIS CONDITION.
9. The exiting two (2) wastewater Equivalent Dwelling Units (EDUs – 200 gallons per average day) allotted to parcel will remain. This amount is enough to account for the bank only. Upon review of the plans, the Star Donuts bakery and Star Pizza take out restaurant will remain in the leased portion of the building. After review of this, the Development may be required to purchase additional wastewater capacity to service any additional business beyond that of the bank prior to service being initiated. Should the parcel require additional wastewater capacity, EDUs, or capacity allotment they may be available per the Agency’s rules and regulations in force at the time of payment, final map, and/or service, and shall be calculated at the time of service request. Any additional capacity beyond that of the Bank of Stockton portion of the building must be purchased prior to wastewater service being initiated for the additional businesses. Current fees are \$10,359 per EDU. Participation fees increase every July first. THE AMADOR WATER AGENCY SHALL MONITOR THIS CONDITION.
10. If project construction activities will encroach into Caltrans right-of-way, the project proponent must submit an application for an encroachment permit to the Caltrans District 10 Permit Office with California Environmental Quality Act (CEQA) documentation and appropriate supporting technical studies as required. THE CALIFORNIA DEPARTMENT OF TRANSPORTATION SHALL MONITOR THIS CONDITION.
11. The project developer should perpetuate the existing water drainage pattern along State Highway 88 at the location. Any increase in storm water runoff generated by the proposed expansion and construction of the project should be stored and mitigated on site. Drainage plans for the proposed project should be submitted for review as part of an encroachment permit application. THE CALIFORNIA DEPARTMENT OF TRANSPORTATION SHALL MONITOR THIS CONDITION

 Permittee’s Signature

 Date





 Planning Commission Chair’s Signature

 Date



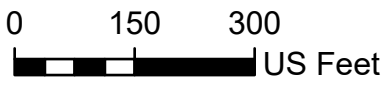
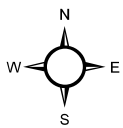
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

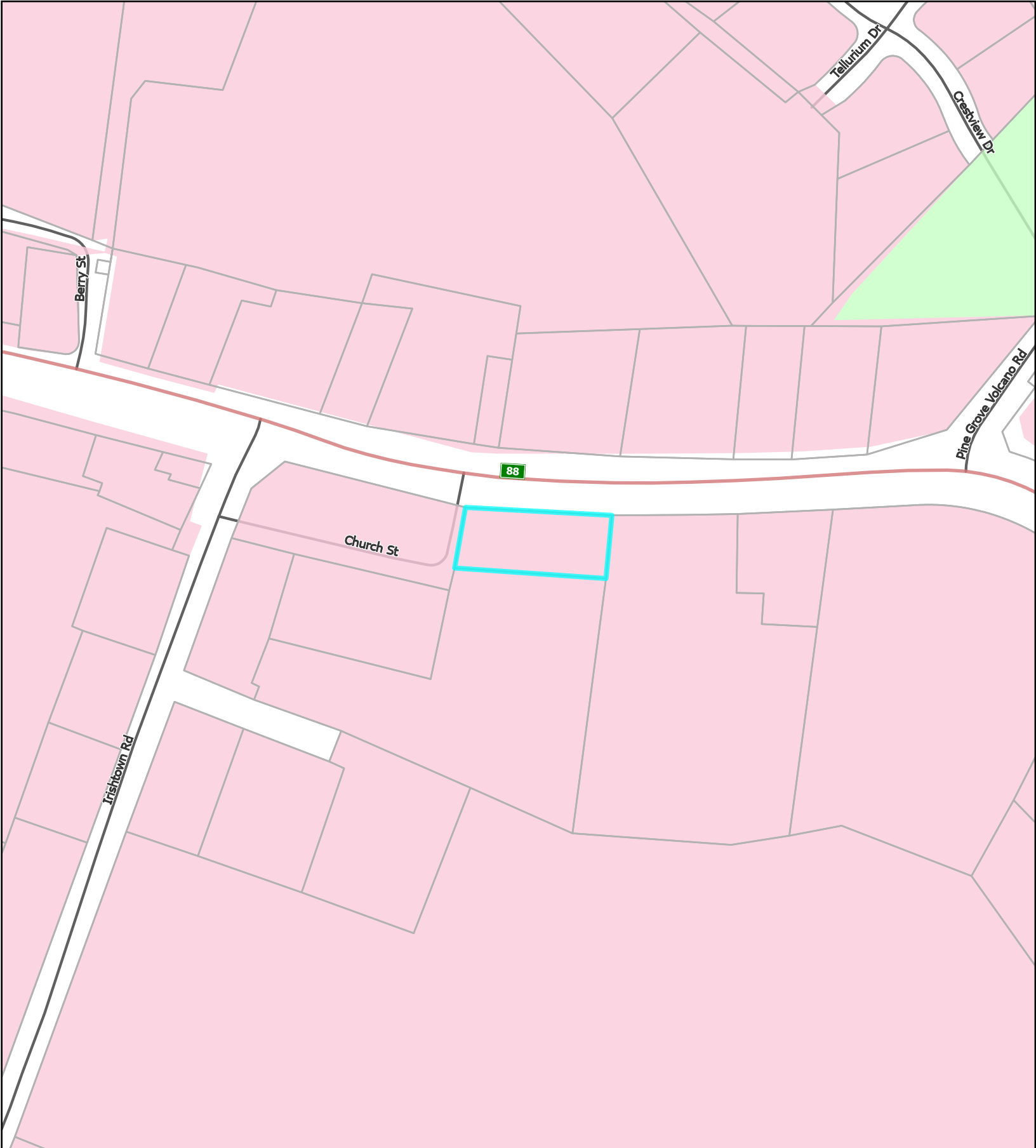
Legend

-  Amador Boundary
-  Assessor Parcels
- Transportation**
-  State Highways
-  County Maintained Roads

**UP-19;6-1
AERIAL VIEW**

REQUEST FROM BANK OF STOCKTON FOR A USE PERMIT (UP-19; 6-1) TO ALLOW FOR A DRIVE-THROUGH FOR THE BANK. THE PROJECT CONSISTS OF DEMOLISHING 6,700 SQUARE FEET OF COMMERCIAL SPACE AND CONSTRUCTING 7,000 SQUARE FEET OF COMBINED COMMERCIAL SPACE, INCLUDING A BANK WITH DRIVE-THROUGH. THE PARCEL IS LOCATED IN A "C1," RETAIL/COMMERCIAL/OFFICE ZONING DISTRICT WHICH ALLOWS DRIVE-IN/DRIVE-THROUGH USES SUBJECT TO A USE PERMIT (APN 030-200-074)






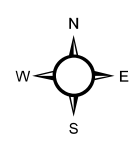
Legend

- Amador Boundary
- Assessor Parcels
- General Plan Designations**
- AT
- TC
- Transportation**
- State Highways
- County Maintained Roads


UP-19;6-1 GENERAL PLAN DESIGNATIONS

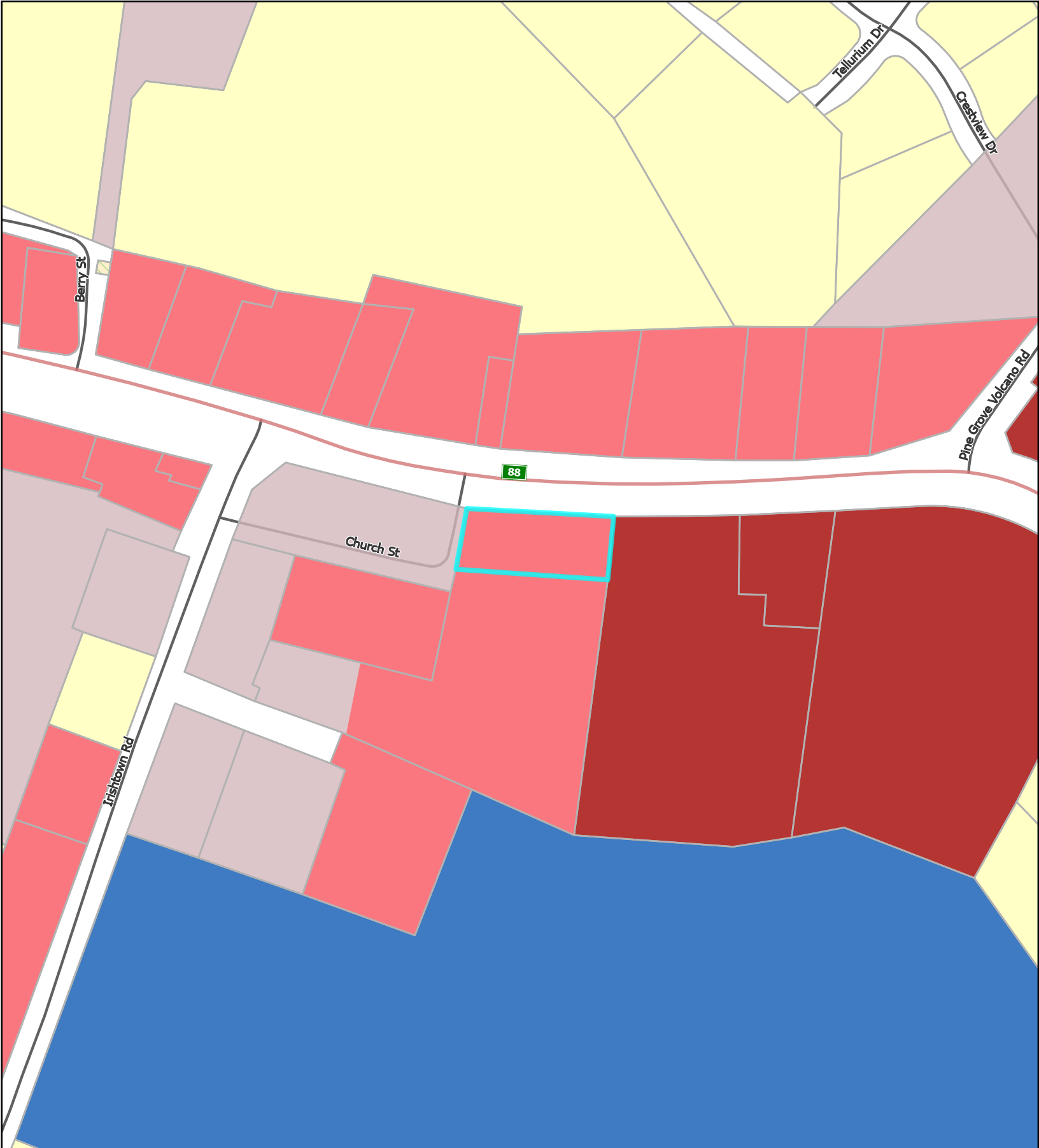


REQUEST FROM BANK OF STOCKTON FOR A USE PERMIT (UP-19; 6-1) TO ALLOW FOR A DRIVE-THROUGH FOR THE BANK. THE PROJECT CONSISTS OF DEMOLISHING 6,700 SQUARE FEET OF COMMERCIAL SPACE AND CONSTRUCTING 7,000 SQUARE FEET OF COMBINED COMMERCIAL SPACE, INCLUDING A BANK WITH DRIVE-THROUGH. THE PARCEL IS LOCATED IN A "C1," RETAIL/COMMERCIAL/OFFICE ZONING DISTRICT WHICH ALLOWS DRIVE-IN/DRIVE-THROUGH USES SUBJECT TO A USE PERMIT (APN 030-200-074)



0 150 300 US Feet





88

Church St

Irishtown Rd

Berry St

Tellurium Dr

Crestview Dr

Pine Grove Volcano Rd

Legend

Amador Boundary (dashed line)
 Assessor Parcels (thin grey line)

Zoning


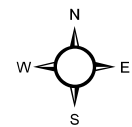
- C1 (light red)
- C2 (dark red)
- NC (white)
- R1 (yellow)
- R1A (yellow with diagonal lines)
- T2 (blue)
- X (light brown)

Transportation


- State Highways (thick red line)
- County Maintained Roads (thin black line)

UP-19;6-1 ZONING DESIGNATIONS

REQUEST FROM BANK OF STOCKTON FOR A USE PERMIT (UP-19; 6-1) TO ALLOW FOR A DRIVE-THROUGH FOR THE BANK. THE PROJECT CONSISTS OF DEMOLISHING 6,700 SQUARE FEET OF COMMERCIAL SPACE AND CONSTRUCTING 7,000 SQUARE FEET OF COMBINED COMMERCIAL SPACE, INCLUDING A BANK WITH DRIVE-THROUGH. THE PARCEL IS LOCATED IN A "C1," RETAIL/COMMERCIAL/OFFICE ZONING DISTRICT WHICH ALLOWS DRIVE-IN/DRIVE-THROUGH USES SUBJECT TO A USE PERMIT (APN 030-200-074)

0 150 300 US Feet





Gary Price
Principal
Price Consulting Services
12144 Bitney Springs Road
Nevada City, CA 95959
(530) 218-1059

May 30, 2019

Chuck Beatty
Planning Director
Planning Department
County of Amador
810 Court Street
Jackson, CA 95642-6380

Subject: Use Permit for Bank of Stockton Project at 19892 Cal 88, Pine Grove, CA.
AP# 30-200-074

Dear Mr. Beatty,

On behalf of the Miner Joaquine Building Corporation and the Bank of Stockton, I am happy to submit this planning application package to you consisting of proposed demolition of the existing 6,700 square foot retail center and secondary building and construction of a new 7,000 square foot combination bank (3,400 square feet) and retail tenants (3,600 square feet) on approximately 38,000 square feet. The Use Permit application is for the bank's drive thru component which is required in accordance with Section 19.24.040 of the Zoning Code.

Enclosed for your review and processing are:

1. Pre-application Form
2. Environmental Information Form
3. Use Permit Application Form
4. Indemnification Agreement
5. Check for application processing for \$5,010 for:
 - a. \$617 for pre-application review

- b. \$2,477 for use permit processing
- c. \$1,000 deposit for environmental review processing
- d. \$500 for Public Works review
- e. \$416 for Environmental Health review
- 6. Property Deeds (see Project Information Package)
- 7. Property Owner Consent (see Project Information Package)
- 8. Assessor's Plat Map (see Project Information Package)
- 9. Plot Plan and related project items (see Project Information Package)
- 10. Cultural Resources study.
- 11. Preliminary Biological study.

We understand that a separate economic impact study is required under Section 19.50.050 of the Zoning Code for this project. We request that the County begin conducting a procurement process to select qualified consultants to prepare this type of study as soon as possible. In the mean-time, we appreciate the Planning Department's approach to start processing the application, including conducting the environmental review, before this separate economic impact study is prepared.

Please let us know when you schedule the project for the Pre-Application Meeting for the project.

On behalf of our project development team, we want to thank you for your assistance in assembling this application package and look forward to working with you and the County to create this community asset.

Please contact me should you have any questions.

Best Regards,

Gary Price
Principal, PCS.

Attachments



20000 Hwy 88 • P.O. Box 1070 • Pine Grove • CA 95665

209.296.7502 • www.VolcanoCommunications.com

Amador County Building Department
810 Court Street
Jackson CA 95642

May 13, 2019

To Whom it may concern:

This letter is to confirm authorization for Miner San Joaquin Building Corp. to file a building application permit for the Sunrise Square Property, APN 030-200-074, located at 19892 State Highway 88, Pine Grove CA 95665

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharon Lundgren', is written over a faint, larger version of the same signature.

Sharon Lundgren
President
Sunrise Square Corporation.

INDEMNIFICATION

Project: Bank of Stockton, New Pine Grove Branch Plus Retail Center

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

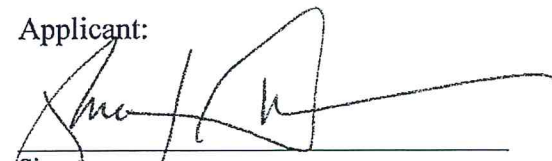
1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

Applicant:



Signature

Owner (if different than Applicant):



Signature



APPLICATION PROCEDURE FOR USE PERMIT

A Public Hearing before the Planning Commission will be scheduled after the following information has been completed and submitted to the Planning Department Office:

- X 1. Complete the following:
- Name of Applicant John Dentoni, Miner Joaquine Building Corporation
- Mailing Address P.O. Box 1110, Stockton, CA 95201
- Phone Number (209) 929-1433
- Assessor Parcel Number) 30-200-074
- Use Permit Applied For:
- Private Academic School
 - Private Nonprofit Recreational Facility
 - Public Building and Use(s)
 - Airport, Heliport
 - Cemetery
 - Radio, Television Transmission Tower
 - Club, Lodge, Fraternal Organization
 - Dump, Garbage Disposal Site
 - Church
 - X OTHER Drive-thru Bank
- X 2. Attach a letter explaining the purpose and need for the Use Permit.
- X 3. Attach a copy of the deed of the property (can be obtained from the County Recorder's Office).
- X 4. If Applicant is not the property owner, a consent letter must be attached.
- X 5. Assessor Plat Map (can be obtained from the County Surveyor's Office).
- X 6. Plot Plan (no larger than 11" X 17") of parcel showing location of request in relation to property lines, road easements, other structures, etc. (see Plot Plan Guidelines). Larger map(s) or plans may be submitted if a photo reduction is provided for notices, Staff Reports, etc. The need is for easy, mass reproduction.
- X 7. Planning Department Filing Fee: \$2,477
- Environmental Health Review Fee: \$1,000
- X Public Works Agency Review Fee: \$500
- X Public Health Agency Review Fee: \$416
- X 8. Complete an Environmental Information Form.
- X 9. Sign Indemnification Form.

NOTES and LEGEND

- DENOTES 3/4" REBAR WITH PLASTIC CAP STAMPED PLS 3570 SET ON THIS SURVEY
- DENOTES SURVEY MARK WITH WASHER STAMPED "PLS 3570 TOMA & ASSOC" SET IN PAVEMENT ON THIS SURVEY
- DENOTES FOUND 1/2" IRON PIPE, NO TAG
- DENOTES FOUND 3/4" REBAR WITH PLASTIC CAP STAMPED PLS 3570, UNLESS OTHERWISE NOTED, PER 65-M-84
- DENOTES A CALCULATED POINT ONLY, NOTHING FOUND OR SET
- DENOTES FOUND 3/4" REBAR TAGGED PLS 3570 PER 65-M-84
- DENOTES FOUND 1/2" IRON PIPE TAGGED LS 3570 PER 65-M-84 UNLESS OTHERWISE NOTED
- () DENOTES RECORD DATA PER 65-M-84
- (()) DENOTES RECORD DATA PER 53-M-88
- RW DENOTES RIGHT-OF-WAY OR DISTANCE TO RIGHT-OF-WAY
- PUE DENOTES PUBLIC UTILITY EASEMENT
- SFN DENOTES SEARCHED FOUND NOTHING

BASIS OF BEARINGS IS REFERRED TO THE SOUTH LINE OF THE "ADJUSTED VOLCANO TELEPHONE COMPANY" PARCEL AS SHOWN ON 65-M-84, THE BEARING OF WHICH IS S 78°05'40" E.

RECORD of SURVEY BOUNDARY LINE ADJUSTMENT

for
VOLCANO TELEPHONE COMPANY,
 a California Corporation
 1998002931 and 2004000098
 and
SUNRISE SQUARE INC.,
 a California Corporation
 694-OR-342

BEING A PORTION OF THE SE 1/4 SECTION 33, T. 7 N., R. 12 E., M. D. M. COUNTY OF AMADOR, STATE OF CALIFORNIA

Scale: 1" = 50'

TOMA & ASSOCIATES INC.
 ENGINEERING - SURVEYING - PLANNING
 41 Summit Street, Jackson, CA 95642
 (209) 223-0156

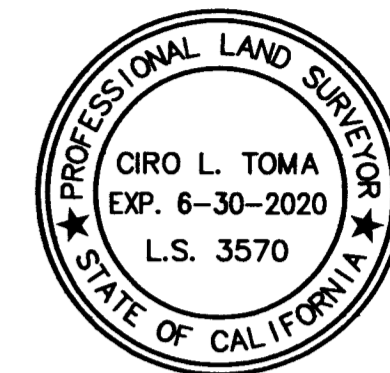
December, 2018

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT AT THE REQUEST OF SHARON LUNDGREN IN NOVEMBER OF 2017.

DATE: JANUARY 18, 2019

Ciro L. Toma
 CIRO L. TOMA P.L.S. 3570
 MY LICENSE EXPIRES 6-30-2020



COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS ACT THIS 25th DAY OF JANUARY, 2019.

Steven A. Zanetta
 STEVEN A. ZANETTA PLS 6245
 AMADOR COUNTY SURVEYOR
 MY LICENSE EXPIRES 3-31-2020



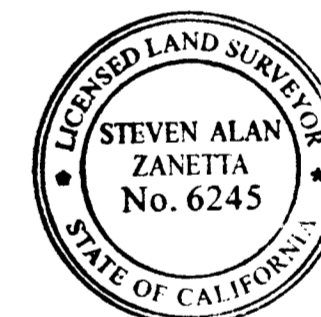
COMPLIANCE CERTIFICATE

THIS BOUNDARY LINE ADJUSTMENT IS IN COMPLIANCE WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE, AND ANY APPLICABLE ORDINANCE ENACTED PURSUANT THERETO.

THIS ADJUSTMENT MUST BE COMPLETED IN ALL ASPECTS BY THE 17th DAY OF JANUARY, 2020. THE EXCHANGE OF DEEDS OR COMPLIANCE CERTIFICATES MUST BE RECORDED BEFORE THE ABOVE DATE PER ORDINANCE No. 1445, CHAPTER 17.89 OF THE AMADOR COUNTY CODE.

DATE: JANUARY 25, 2019

Steven A. Zanetta
 STEVEN A. ZANETTA PLS 6245
 AMADOR COUNTY SURVEYOR
 MY LICENSE EXPIRES 3-31-2020



RECORDER'S STATEMENT

FILED THIS 31st DAY OF JANUARY, 2019 AT 3:34 P.M. IN BOOK 65 OF MAPS AND PLATS AT PAGE 90 AT THE REQUEST OF THE AMADOR COUNTY SURVEYOR.

FEE: \$10⁰⁰ pd/filed

INSTRUMENT No.: 2019-0000754

Kimberly L. Grady
 KIMBERLY L. GRADY
 AMADOR COUNTY RECORDER

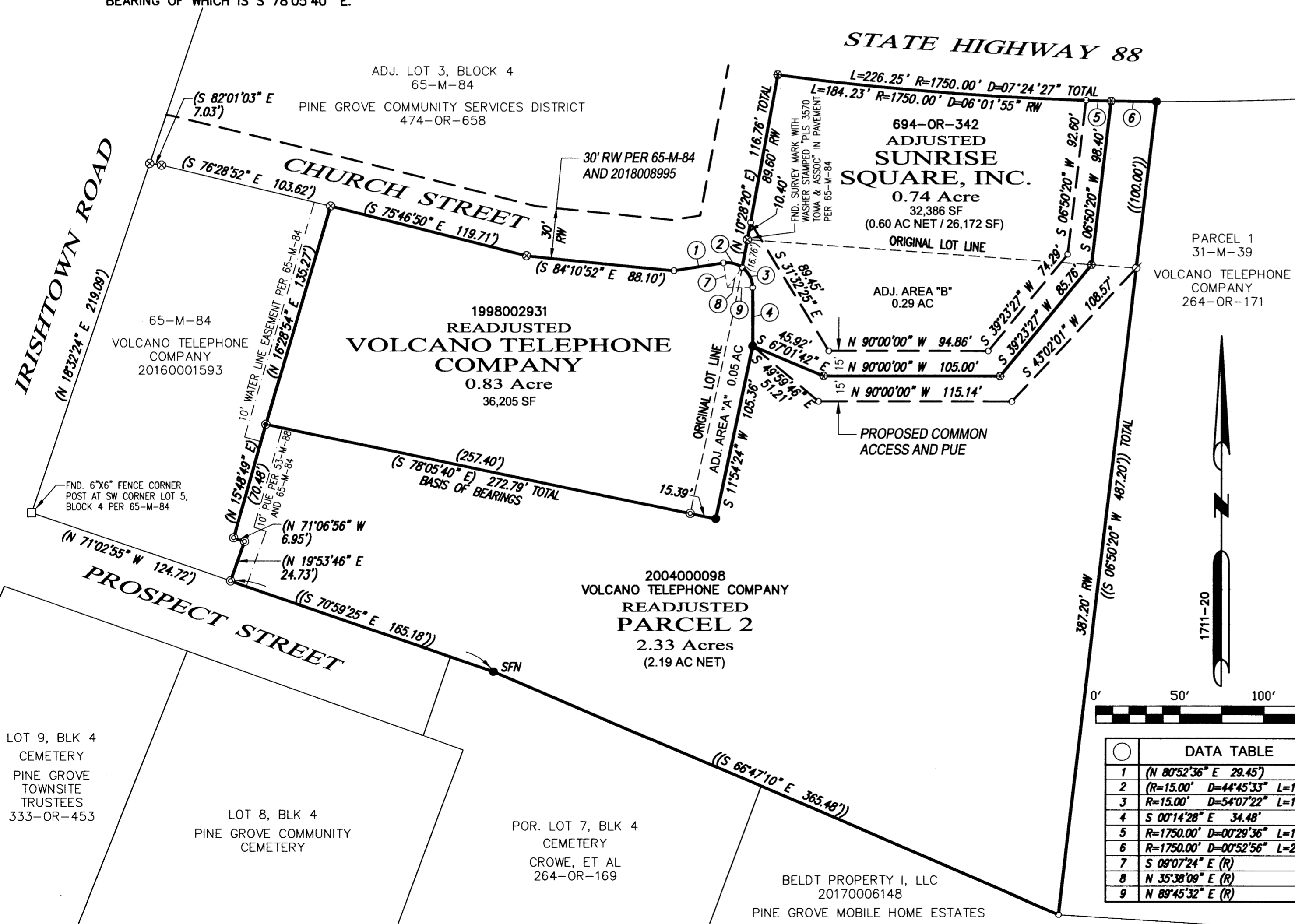
BY: *Alfredo*
 DEPUTY

OWNER'S STATEMENT

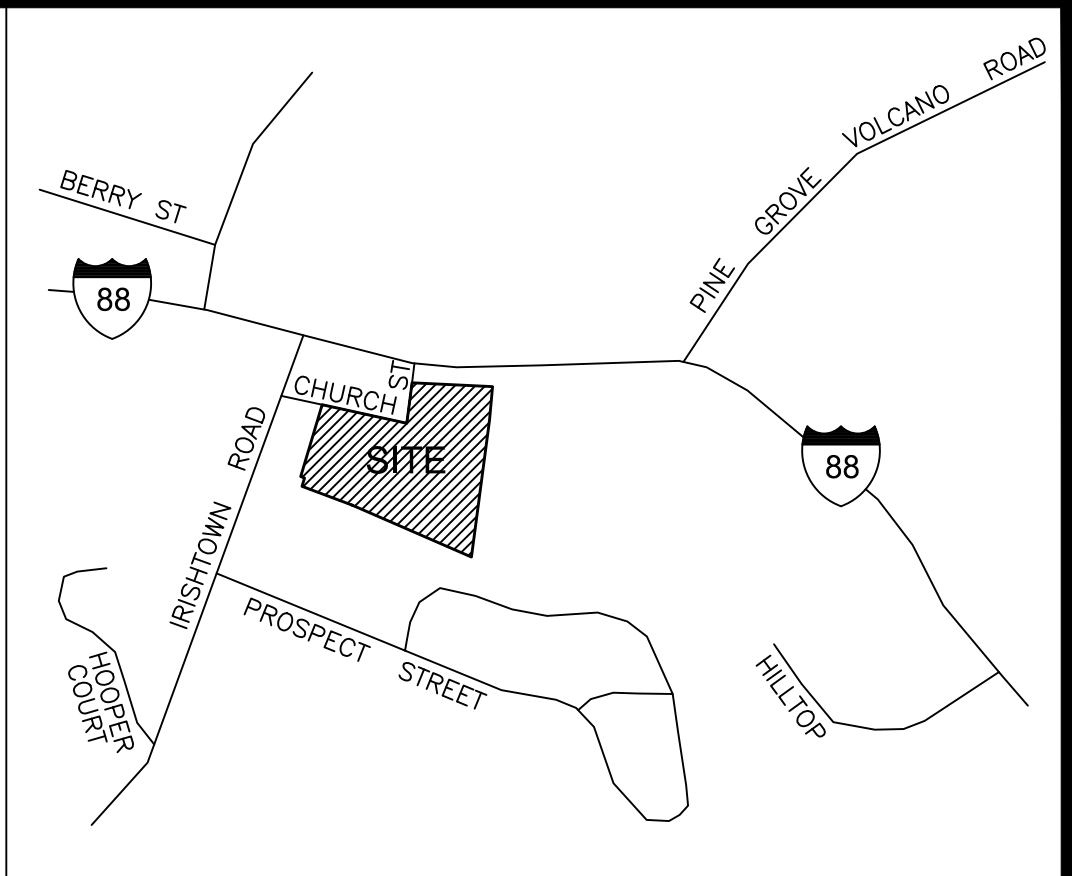
THE UNDERSIGNED, BEING THE OWNERS OF THE PROPERTY DELINEATED HEREON, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP.

Sharon Lundgren
 VOLCANO TELEPHONE COMPANY,
 a California Corporation
 by Sharon Lundgren, President

Sharon Lundgren
 SUNRISE SQUARE, INC.,
 a California Corporation
 by Sharon Lundgren, President



DATA TABLE
1 (N 80°52'36" E 29.45')
2 (R=15.00' D=44°45'33" L=11.72')
3 (R=15.00' D=54°07'22" L=14.17')
4 S 00°14'28" E 34.48'
5 R=1750.00' D=00°29'36" L=15.07'
6 R=1750.00' D=00°52'56" L=26.95'
7 S 09°07'24" E (R)
8 N 35°38'09" E (R)
9 N 89°45'32" E (R)

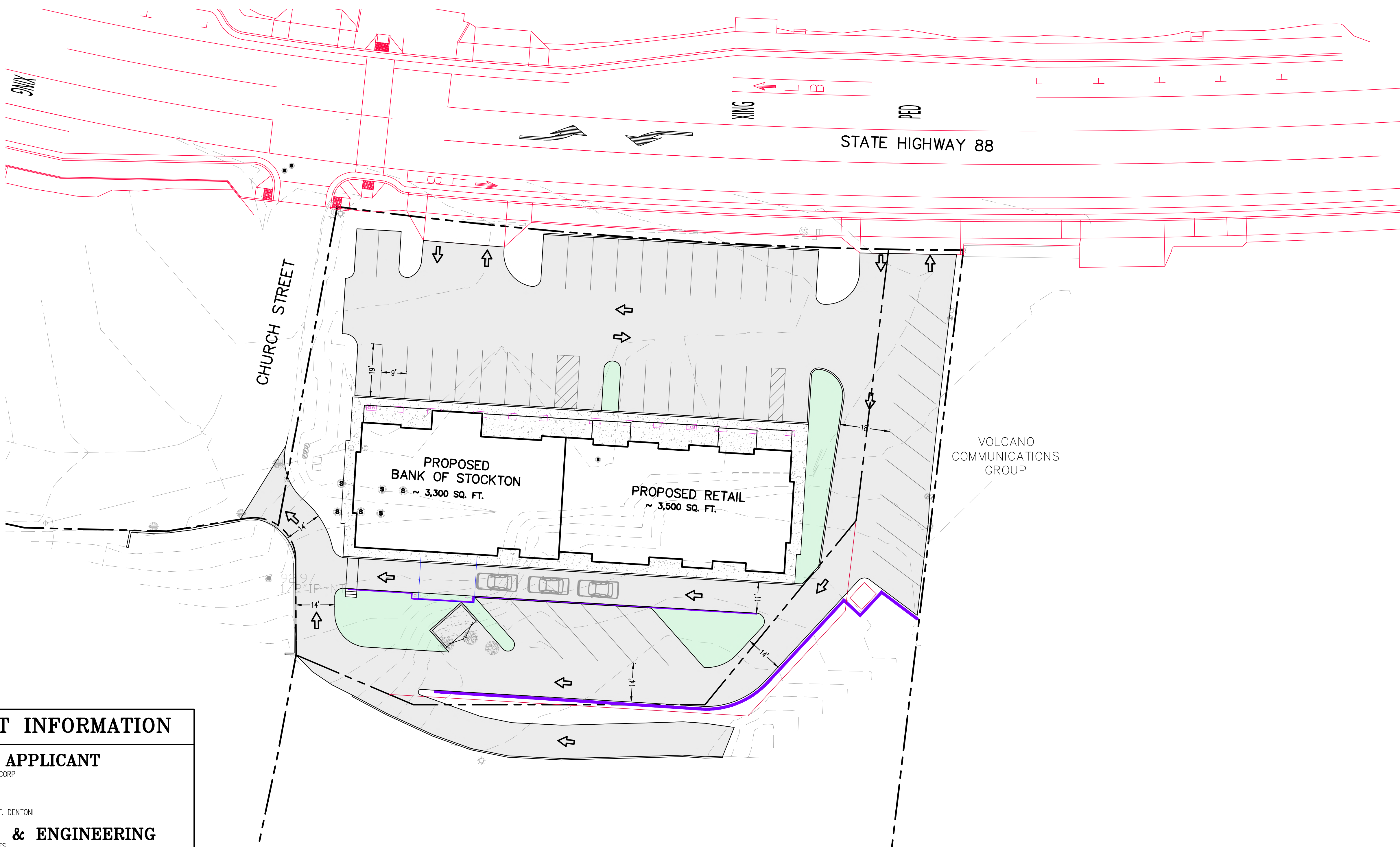


VICINITY MAP
NOT TO SCALE



MILLENNIUM
PLANNING & ENGINEERING
471 Sutton Way, Suite 210
Grass Valley, CA 95945
530-446-6765
www.millenniumpe.com

CALIFORNIA



PARKING STATISTICS

	PROPOSED SPACES	REQUIRED SPACES
90'	25	-
45'	5	-
ADA	2	2
EV	2	2
TOTAL:	34 (1 STALL PER 200 SF)	34 (1 STALL PER 200 SF)

PROJECT INFORMATION

OWNER / APPLICANT

MINER JOAQUIN BUILDING CORP
P.O. BOX 1110
STOCKTON, CA 95201
(209) 929-1433
CONTACT PERSON: JOHN F. DENTONI

PLANNING & ENGINEERING

PRICE CONSULTING SERVICES
12144 BITNEY SPRINGS ROAD
NEVADA CITY, CA 95959
(530) 272-6434
CONTACT PERSON: GARY PRICE (GARY@PLANNERPRICE.COM)

MILLENNIUM PLANNING & ENGINEERING
471 SUTTON WAY, SUITE 210
GRASS VALLEY, CA 95945
(530) 446-6765
CONTACT PERSON: ROB WOOD (rob@millpe.com)

ARCHITECTURE

TR-ARCHITECTURE
13366 ORTON ROAD
GRASS VALLEY, CA 95945
(530) 205-8750
CONTACT PERSON: TOM ROMAN (TOM@TR-ARCHITECTURE.COM)

APN

030-200-074
SITE ADDRESS
19892 STATE HIGHWAY 88
PINE GROVE, CA 95665

BANK OF STOCKTON - PINE GROVE
19892 STATE HIGHWAY 88
OVERALL SITE PLAN

COUNTY OF AMADOR

REV.	DESCRIPTION	DATE

DESIGNED: DEC
DRAWN: DEC
PROJ. NO: 19-0606
DWG. SEE DAYSTAMP
DATE: SEPTEMBER, 2019

SHEET NUMBER
C1.0









