

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: June 14, 2022**

ITEM 4 Use Permit Application UP-22;2-2 Wing It Food Truck, to be located within Martell Plaza parking lot alongside an existing commissary kitchen. The property is 3.37 acres, and is zoned MM, Medium Manufacturing and has a General Plan Designation of RSC, Regional Service Center. Operating hours will be 12 p.m. to 6 p.m. and the concession trailer will be run by up to 4 employees. APN: 044-010-012

Applicant: Manuel Duarte

Property Owner: Martell Investments LLC

Supervisory District: 1

Location: 12275 Martell Rd. Jackson, CA 95642

A. General Plan Designation: RSC, Regional Service Center

B. Present Zoning: MM, Medium Manufacturing

C. Property Size: 3.37 ac

D. Background: This project is a Conditional Use Permit to allow the concession trailer, Wing-It to be located in the Martell Plaza parking lot adjacent to the existing commissary kitchen within the commercial building located on the same parcel. The proposed use may be considered under County Code Chapter 19.24.044(D)(6) under “other uses” allowed within the MM, Medium Manufacturing Zoning District requiring a conditional use permit. This use is considered respective to the existing zoning regulations of the MM District as well as the RSC General Plan Designation of the parcel.

E. Past Review and Recommendation: This project was reviewed by the Technical Advisory Committee (TAC) on **March 3, 2022** for completeness and was forwarded for review by the Amador Airport Land Use Commission (ALUC) which met April 6, 2022 and which determined that the proposed use was consistent with the 2018 Draft Airport Land Use Plan (ALUP). TAC then reviewed the application again for completeness as well as Environmental Review on May 5, 2022 and recommended approval of the project to the Planning Commission, along with the recommendation of the environmental document, a Notice of Exemption under California State CEQA Guidelines Section 15304 Class 4- Minor alterations to land, and the General Rule (CEQA Guidelines 15061(b)(3)). TAC has no technical objection to the Planning Commission recommending approval the Use Permit with the filing of a Notice of Exemption subject to the conditions, mitigation measures, and findings included in the staff report.

F. Planning Commission Action: Following the public hearing, the Planning Commission shall determine the adequacy of the environmental document, a Notice of Exemption under CEQA Section 15304 an/or Section 15061(b)(3), then may move to approve or deny the Use Permit including the attached conditions and findings.

G. Recommended Findings: If the Planning Commission moves to approve this project, the following findings are recommended for adoption:

1. The project, as proposed, is consistent with the Amador County General Plan and proposed zoning district at this location, and County Code Section 19.24.44 MM (Medium Manufacturing) District Regulations. Additionally, this project is found to be consistent with CA GOV Code Section(s) 65860 and 65860(c).

2. The Planning Commission's recommended approval of this Use Permit is sanctioned by Amador County Code Section 19.56.040, and said approval is contingent on the permittee's adherence to County Code Chapter 19.56 Use Permits.
3. There are no project-specific significant, unmitigated effects which are peculiar to the project or its site and this project meets criteria to be determined exempt under CEQA Guidelines Sections 15304 Minor Alterations to Land and 15061(b)(3) Common Sense Exemption.
4. 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.
5. On the basis of the administrative record presented, the Planning Commission and Board of Supervisors find that there is no substantial evidence that the project will have a significant environment and that the decision to file the Notice of Exemption included in the Staff Report reflects the Commission and Board's independent judgement and analysis.



PLANNING DEPARTMENT
Community Development Agency

County Administration Center
 810 Court Street • Jackson, CA 95642-2132
 Telephone: (209) 223-6380
 Website: www.amadorgov.org
 E-mail: planning@amadorgov.org

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 Manuel Duarte - Wing I+On Wheels
 Mailing Address P.O. Box 342 Sutter Creek, CA 95685
dsmannyd@icloud.com
 Phone Number 209-409-9779
 Assessor Parcel Number _____

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 concession trailer

- 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).
- _____ 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.

Cat per ex
 per COOK ✓

7. Planning Department Filing Fee: \$ 1820
 Environmental Health Review Fee: \$ 240.00
 Public Works Agency Review Fee: \$ 85.00
 This project will be subject to a CA Fish & Wildlife fee: \$ NA
 AFPD \$ 176

1069.00
 + 50.00
 \$1119.00
 UP APP Admin Fee
 Total to Planning

- X 8. Complete an Environmental Information Form.
- X 9. Sign Indemnification Form.

INDEMNIFICATION

Project: Wing It on wheels Food Trailer

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 County in its sole discretion may hire outside counsel to handle its defense or may handle the matter internally. Indemnification also includes paying for the County's defense if it elects to hire outside counsel. Indemnification also includes compensating the County for staff time associated with the litigation. 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

ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: Wing It On Wheels Food Trailer

Date Filed: _____ File No. _____

Applicant/ Developer Manuel Duarte Landowner Ronald Regan

Address P.O. Box 342 Sutter Creek Address 12275 Martell Rd Jackson, CA

Phone No. 209-409-9779 95685 Phone No. 95642

Assessor Parcel Number(s) _____

Existing Zoning District _____

Existing General Plan _____

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies _____

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

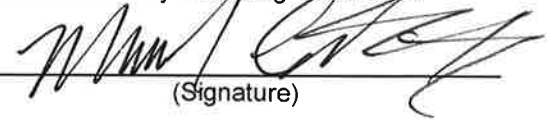
- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Change in scenic views or vistas from existing residential areas, public lands, or roads. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Change in pattern, scale, or character of general area of project. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 20. Significant amounts of solid waste or litter. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Change in dust, ash, smoke, fumes, or odors in the vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Substantial change in existing noise or vibration levels in the vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Site on filled land or has slopes of 10 percent or more. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 28. Does this project have a relationship to a larger project or series of projects? |

ENVIRONMENTAL SETTING

29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 2-10-2022


(Signature)

For _____

Wing It On Wheels

Food Trailer

February 10, 2022

Hello my name is Manuel Duarte and I am looking to park my Hot Wing Food Trailer in front of my Commissary Kitchen across the parking lot in the Martell Plaza.

Back in 2019 my business partner and I took over Wing Dingers, located in the Raley's Shopping Center. We changed the name to WING IT and remodeled the restaurant inside and out. It was a great success for both my partner and I. We definitely poured everything into this restaurant and turning a profit to hopefully expand the business. 2020 arrives and COVID pulls the rug out from under us. By September 2020 we had to make the awful decision to close our doors as we had already laid off all our employees due to lack of business.

Well I just couldn't give up that easy, so I decided to raise money along with the support from my wife and family. My business partner had moved on and started Real Estate with his family. By mid 2021 I was able to raise enough money to build my very own food trailer and named it Wing It On Wheels. Now all I need is a permanent location for my trailer to serve this amazing community and Martell is the perfect location, in between Sutter Creek and Jackson. I recently opened my own Commissary Kitchen in the Martell Plaza along with a buddy that makes and sells beef jerky "Wayne's Upcountry Beef Jerky". The reason I'm asking for this Use Permit is so that I can be within walking distance to and from the Food Trailer and Commissary Kitchen. I also would be in a great location for all the surrounding businesses so their employees and or customers can stop by for lunch, dinner or even just a quick snack.

I really hope you can see that I just want to get back out there and serve my great customers that have missed me and my Wings. I would also like to bring back some employees and try to pick up where we left off in 2020 to get the momentum we had then going again. Thank you for your time and I hope to be serving you the best Wings in Amador County soon.

Manuel Duarte
Owner/Operator
Wing It On Wheels

Project Description:

My trailer will be parked in the Martell Plaza adjacent from and in front of my commissary kitchen across 4 parking spaces that will be coned off. I will be providing 15 parking spaces for my customers for pickup orders. There will be no seating just pickup orders. I also will provide a designated parking space for DoorDash drivers that will ensure a quick pickup and then delivery. My source of clean water will be coming from my commissary kitchen and the waste water will be disposed of at an appropriate RV/Trailer waste dump. My operating hours will be 12pm to 6pm. My bathroom for employees will be inside the commissary kitchen that is within walking distance from the trailer. The type of business is a Hot Wing concession trailer and I will be having 2 to 3 employees in the future including myself. The trailer is 18ft long, along with a 4ft tongue and it is completely self contained.

LAND USE AGREEMENT

This agreement, made this 1st day of January, 2022 by and between Ronald Regan & Martell Investments LLC hereinafter called the Owner, and Manuel Duarte & Wing It On Wheels hereinafter called the Permittee, to enter upon and use the following described area located as described in paragraph 9 of this Land Use Agreement in Jackson, CA of Amador County for the purpose of operating a Concession Trailer. In order to accomplish this purpose the Permittee intends to place or construct the following items on the above described land: park & operate the Wing It On Wheels concession trailer.

This agreement shall be in effect starting on January 1st, 2022.

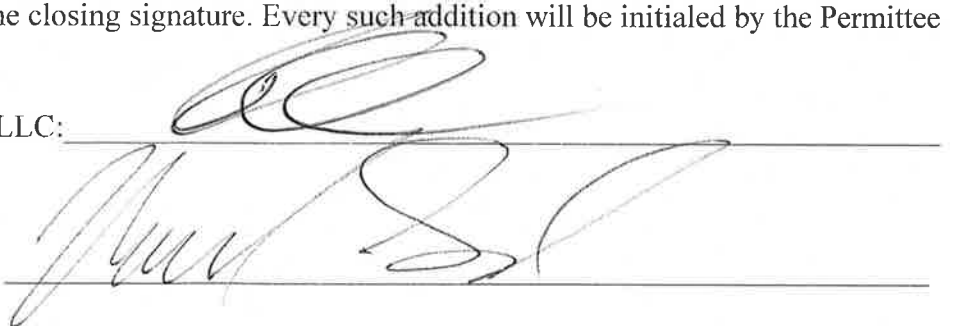
It is understood by the Owner and the Permittee that this agreement is subject to the following conditions:

1. This agreement is nontransferable.
2. All stumps, slash, waste materials and other debris shall be disposed of by the Permittee as directed by the Owner.
3. No cutting or trimming of trees shall be done unless approved by the Owner.
4. All signs, postings, and other markers shall be approved by the owner.
5. The Permittee shall maintain the area under this agreement in a safe condition at all times.
6. The Permittee agrees to protect, indemnify and save harmless the Owner, its agents and employees, from and against any and all claims, demands, suits, liability and expense, by reason of loss or damage to any property or bodily injury to any person whatsoever, that may arise from the construction and placement of objects on the described land and from the maintenance or use of the described land.
7. The area covered by this agreement is open for use to all members of the general public without regard to race, religion, color, sex or national origin.
8. The Owner may terminate this agreement by written notice, if the continued use of this land by the Permittee will interfere with present or future management objectives of the Owner for the above described area.
9. The area covered by this agreement is: Martell Plaza 12275 Martell Rd. Jackson, CA 95642

Additional conditions specifically pertinent to this agreed land use will be valid if enumerated in the space provided between this condition and the closing signature. Every such addition will be initialed by the Permittee and the Owner.

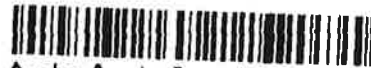
Ronald Regan & Martell Investments LLC:

Manuel Duarte & Wing It On Wheels:



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
Martell Investments LLC
P.O. BOX 338
Jackson, CA 95642



Amador County Recorder
Sheldon D. Johnson
DOC- 2004-0017126-00

Acct 2-First American Title Co
Wednesday, DEC 08, 2004 09:31:00
Ttl Pd \$9.00 Nbr-0000095619
SDJ/R1/1-2

Space Above This Line for Recorder's Use Only

A.P.N.: 044-010-012-000

File No.: 0301-1678678B (RK)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$00.00

- [] computed on the consideration or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[] unincorporated area; [] City of **Jackson**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Martell Investments, LLC, a limited liability company**

hereby GRANTS to **Martell Investments LLC, a California Limited Liability Company**

Unincorporated Area

the following described property in the ~~City~~ of **Jackson**, County of **Amador**, State of **California**:

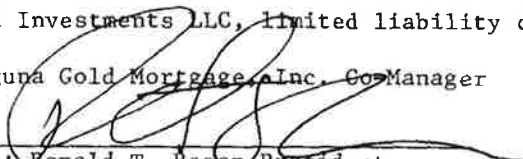
All that real property situated in Sections 19 and 20 of Township 6 North, Range 11 East, M.D.B. & M., more particularly described as follows:

Parcel shown as "Earl J. and Edna Ferrari 3.37 acres", recorded October 11, 1985, in Book 39 of Maps, Page 69, Amador County Records.

Dated: 12/03/2004

Martell Investments LLC, limited liability company

By: Laguna Gold Mortgage, Inc. Co-Manager


BY: Ronald T. Regan President

Mail Tax Statements To: **SAME AS ABOVE**

A.P.N.: 044-010-012-000

Grant Deed - continued

File No.: 0301-1678678B
(RK)

Date: 12/03/2004

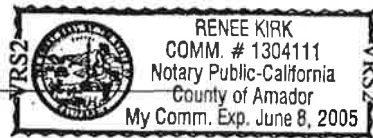
STATE OF CA }
 } ss.
COUNTY OF AMADOR }

On DECEMBER 3, 2004, before me, RENEE KIRK, NOTARY PUBLIC, personally appeared RONALD T. REGAN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*This area for official
notarial seal*

Signature



My Commission Expires: JUNE 8, 2005

Notary Name: RENEE KIRK

Notary Phone: 209-223-0740

Notary Registration Number: 1304111

County of Principal Place of Business: AMADOR

RECORDING REQUESTED BY

WHEN RECORDED RETURN TO:

BENEFICIARY'S RECOVERY SERVICE
47 MAIN ST., P.O. BOX 247
SUTTER CREEK CA 95685



Amador County Recorder
Sheldon D. Johnson
DOC- 2004-0011977-00

Check Number 13569
REGD BY PLACER TITLE COMPANY
Friday, AUG 20, 2004 13:34:29
Ttl Pd \$12.00 Nbr-0000089157
SDJ/R1/1-3

SPLS#: 303192

TSG#: 90-1956

MAIL TAX STATEMENTS TO:

RONALD REGAN et al
PO Box 338
Jackson, CA 95642-0338

- DOCUMENTARY TRANSFER TAX \$ 00.00
- Grantee was the foreclosing beneficiary; consideration \$ 418,870.54
- Computed on the consideration or value of property conveyed OR
- Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Signature of Declarant/Agent determining tax - Firm Name

APN: 044-010-012-000

TRUSTEE'S DEED UPON SALE

AMADOR EQUITY INC., a California corporation dba BENEFICIARY'S RECOVERY SERVICE as duly appointed/substituted/successor Trustee and hereinafter referred to as Trustee, does hereby grant and convey, but without covenant or warranty, express or implied, to **ROBERT W. GOODWIN, TRUSTEE OF THE ROBERT W. GOODWIN REVOCABLE TRUST**, as to an undivided one half-interest and **RONALD T. REGAN and MARIE L. REGAN**, husband and wife as community property with rights of survivorship, as to an undivided one-half interest (herein called Grantee), that certain real property in the County of **AMADOR**, State of California, and legally described as:

AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO

This conveyance is made pursuant to the authority and powers vested in said Trustee, as Trustee, Successor Trustee, or Substituted Trustee under that certain Deed of Trust executed by **BRUCE WHITE and PEGGY WHITE**, husband and wife as community property with rights of survivorship as Trustor, dated **OCTOBER 15, 2002** and recorded **DECEMBER 4, 2002** as Instrument No. **2002-15015**, of Official Records of **AMADOR** County, State of California and pursuant to a Notice of Default recorded **APRIL 20, 2004** as Instrument No. **2004-5250**, of Official Records of said County, said Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by said Deed of Trust, including, among other things, as applicable, the mailing of copies of notices or the publication of a copy of the Notice of Default or the personal delivery of a copy of the Notice of Default or the posting of copies of the Notice of Trustee's Sale or the publication of a copy thereof.

At the time and place fixed in the Notice of Trustee's Sale, said Trustee did sell said hereinbefore described real property at public auction on **AUGUST 19, 2004** to said Grantee, said Grantee being the highest bidder therefore, for **\$418,870.54** in cash, lawful money of the United States, in full satisfaction of the indebtedness then secured by said Deed of Trust.

Date: **AUGUST 20, 2004**

Robert T. Pack, President, Amador Equity, Inc
dba Beneficiary's Recovery Service,
as duly appointed successor/trustee

CALIFORNIA
ALL-PURPOSE
ACKNOWLEDGEMENT

State of California)
) ss.
County of **AMADOR**)

On August 20, 2004 before me, **MARGARET DOLL**, a Notary Public in and for said County and State, personally appeared **ROBERT T. PACK** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Margaret Doll

MARGARET DOLL, Notary Public



OPTIONAL INFORMATION

TITLE OR TYPE OF DOCUMENT _____
DATE OF DOCUMENT _____ NUMBER OF PAGES _____
SIGNER(S) OTHER THAN NAMED ABOVE _____

EXHIBIT "A"

All that real property situated in Sections 19 and 20 of Township 6 North, Range 11 East, M.D.B. & M., more particularly described as follows:

Parcel shown as "Earl J. and Edna Ferrari 3.37 Acres", recorded October 11, 1985 in Book 39 of Maps, Page 69, Amador County Records.

APN: 044-010-012-000

"END OF DOCUMENT"



Martell Plaza Dr

Martell Plaza Dr

Martell Plaza Dr

Martell Plaza Dr

Martell Rd

Martell Rd

Martell Rd

Martell Rd

ENTRANCE

EXIT

COMMISSARY KITCHEN

TRAILER

Wing Ho Wheels

PARKING

PARKING

PARKING

Martell Plaza Shopping Center

Panda House

Store Clean Electric, Inc

Color Me Crazy Salon

Martell's All Natural Foods

Martell Plaza

35

35

12250

12250

12250

12250



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 257-5002
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF PUBLIC HEARING

Notice is hereby given the Planning Commission of the County of Amador, State of California, has received an application for the project described in this notice.

PROJECT NAME AND DESCRIPTION: Use Permit Application UP-22;2-2 Wing It Food Truck, to be located within Martell Plaza parking lot alongside an existing commissary kitchen. The property is 3.37 acres, and is zoned MM, Medium Manufacturing and has a General Plan Designation of RSC, Regional Service Center. Operating hours will be 12 p.m. to 6 p.m. and the concession trailer will be run by up to 4 employees. APN: 044-010-012

PROPERTY OWNERS: Martell Investments LLC
SUPERVISORIAL DISTRICT: 1
LOCATION: 12275 Martell Rd. Jackson, CA 95642

NOTE: SEE MAP ON REVERSE. *The Staff Report will be available online (typically the Tuesday prior to the meeting) for viewing at <http://www.amadorgov.org> in the “Agendas and Minutes” section.*

ENVIRONMENTAL REVIEW PROCESS: In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider the this project exempt under Section 15304 of the State CEQA Guidelines, as the project is consistent with the Amador County General Plan and zoning codes. The environmental assessment and application materials appear to be complete and indicate there are no extraordinary or unique environmental issues not normally mitigated for with the County's standard mitigations which would be applied to this type of project. The Technical Advisory Committee (TAC) has reviewed this project and has found no technical objection to the approval of this project with the filing of a Notice of Exemption following the decision to approve the project. The required environmental review and comment period for this project will commence on May 30, 2022 and ends on June 14, 2022.

PUBLIC HEARING: Notice is hereby given said Planning Commission will hold a public hearing on this project at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on June 14, 2022 at 7:00 p.m. or as soon thereafter as can be heard. Anyone having comments on the project may attend and be heard.

THE AMADOR COUNTY PLANNING COMMISSION WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE. WHILE THIS MEETING WILL STILL BE CONDUCTED IN-PERSON AT THE ABOVE ADDRESS, WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME BY CALLING IN USING ANY OF THE FOLLOWING NUMBERS:

+1 669 900 6833 US
+1 346 248 7799 US

+1 301 715 8592 US
+1 312 626 6799 US

+1 929 205 6099 US
+1 253 215 8782 US

Meeting ID: 537 512 8983

YOU MAY ALSO VIEW AND PARTICIPATE IN THE MEETING USING THIS LINK:

<https://us02web.zoom.us/j/5375128983>

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted by email at planning@amadorgov.org. All emails must be received prior to the start of the meeting and will be included in the record of the meeting. Emails received after those already included in the meeting materials will be printed and distributed to the Commissioners and available to the public, and shall be subject to the same rules as would otherwise govern speaker comments at the Commission meeting.

Letters of comment regarding this matter received by the County prior to the publication of the Staff Report will be sent to each Planning Commissioner as part of the agenda packet (generally the Tuesday prior to the meeting). Letters received

after the Staff Report has been published will be copied and circulated to each Commissioner just prior to the public hearing. Be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the Staff Report is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing. If you have any questions or desire more information, please contact this office.

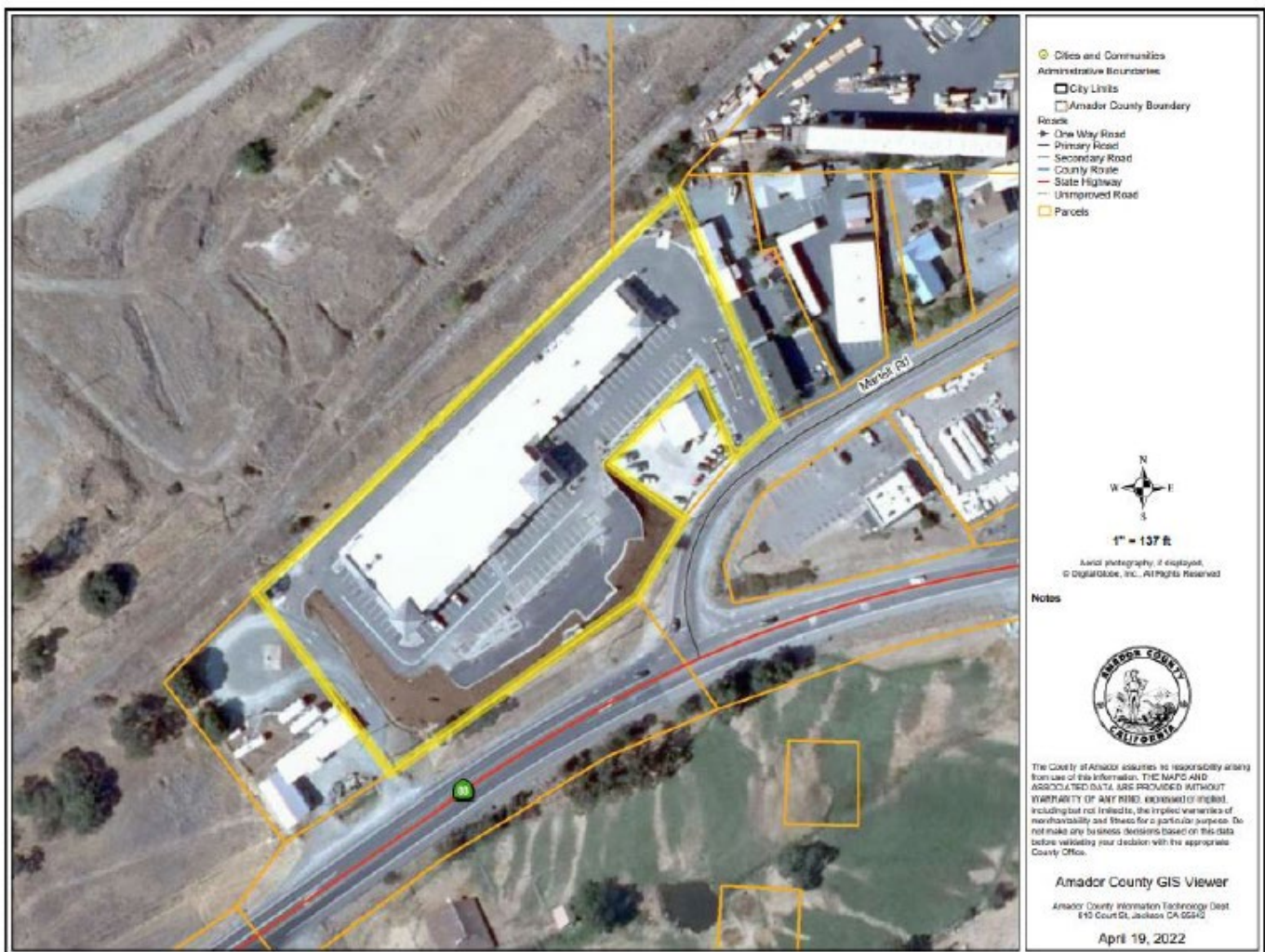
In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to planning@amadorgov.org. Requests must be made as early as possible, and at least two business days before the start of the meeting.

NOTE: If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the Public Hearing.

AMADOR COUNTY PLANNING COMMISSION

Date of this notice: May 30, 2022

SUBJECT AREA HIGHLIGHTED IN YELLOW





Planning Department <planning@amadorgov.org>

TAC Project Referral - UP-22;2-2 Wing-It Food Truck

AFPD Headquarters <afpdhdq@amadorgov.org>

Fri, Feb 18, 2022 at 1:14 PM

To: Amador County Planning Department <planning@amadorgov.org>

Annexing into the CFD applies unless the parcel is protected under the Williamson Act. Thank you.

Nicole Cook
Amador Fire Protection District

[Quoted text hidden]



Tac Referral Memo 3.3.22 Wing It.pdf

262K



TAC Project Referral - UP-22;2-2 Wing-It Food Truck

Michelle Opalenik <mopalenik@amadorgov.org>

Fri, Feb 18, 2022 at 12:38 PM

To: Amador County Planning Department <planning@amadorgov.org>

Cc: Dave Sheppard <dsheppard@amadorgov.org>, Environmental Health <ACEH@amadorgov.org>

Hi Dave,

It is my understanding that this property is commercially zoned and we in Environmental Health were not previously aware of any exclusion of eating and drinking places in this vicinity. We are nearly ready to issue the commissary permit. Commissaries are not eating/drinking places. They are places for caterers and mobile food facilities to wash, clean, and prepare food for their events/routes. It should also be noted that for at least the last few years, there has been a state-approved food manufacturing facility (beef jerky) operating in what will now be the commercial commissary. That space was also being used by a woman packaging baking mixes for sale.

As for Manuel's truck, mobile food facilities are take out facilities. Perhaps we can limit how much seating?

Sincerely,
Michelle

On Fri, Feb 18, 2022 at 11:52 AM Amador County Planning Department <planning@amadorgov.org> wrote:

I have cc'ed the Environmental Health Department with your questions.

Thanks,

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

On Fri, Feb 18, 2022 at 9:14 AM Dave Sheppard <dsheppard@amadorgov.org> wrote:

And how did a commissary kitchen get approved?

On Fri, Feb 18, 2022 at 9:12 AM Dave Sheppard <dsheppard@amadorgov.org> wrote:

Looking at the current ALUP Eating and Drinking places is not compatible in Approach Zone 2.

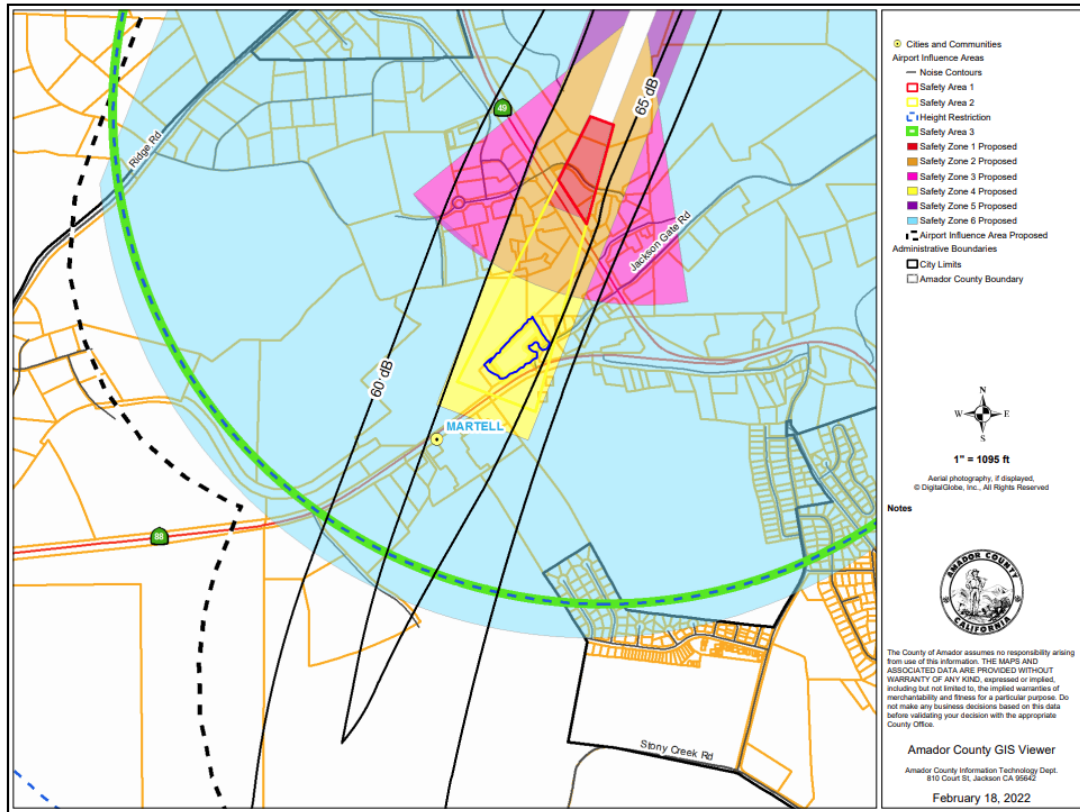
Dave

On Fri, Feb 18, 2022 at 9:02 AM Amador County Planning Department <planning@amadorgov.org> wrote:

Hi Dave,

It appears that the parcel is located entirely within Safety Area 2 of the current ALUP zones.





Thanks,

Krista Ruesel, Planner

Amador County Planning Department
 810 Court Street
 Jackson, CA 95642
 (209) 223-6380
planning@amadorgov.org

On Fri, Feb 18, 2022 at 7:22 AM Dave Sheppard <dsheppard@amadorgov.org> wrote:
 Where within the Martell Plaza will this truck be located?

Anywhere near Safety Zone 2 of the Airport Land Use Plan?

We request an Avigation Easement for this use if it is outside Safety Zone 2.

Dave

On Thu, Feb 17, 2022 at 5:06 PM Amador County Planning Department <planning@amadorgov.org> wrote:
 Hello,

Please note the corrected APN for the property for this project is APN:001-220-013. Please replace the memos in the packet with the attached corrected, memo.

Thank you,

Amador County Planning Department
 810 Court Street
 Jackson, CA 95642
 (209) 223-6380
planning@amadorgov.org

On Thu, Feb 17, 2022 at 4:21 PM Amador County Planning Department <planning@amadorgov.org> wrote:

Greetings,

Please see attached submittal of Use Permit Application UP-22;2-2 Wing-It Food Truck, to be reviewed by the Technical Advisory Committee on **Thursday, March 3, 2022 at 1:00 PM** in the Board of Supervisors Chambers in the Amador County Administration Center, located at [810 Court St., Jackson, CA 95642](#). The Technical Advisory Committee will review the project for completeness.

Thank you,

Krista Ruesel, Planner

Amador County Planning Department
[810 Court Street](#)
[Jackson, CA 95642](#)
[\(209\) 223-6380](#)
planning@amadorgov.org

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David Sheppard
Amador County Airport
Manager
(209) 223-2376

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David Sheppard
Amador County Airport
Manager
(209) 223-2376

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David Sheppard
Amador County Airport
Manager
(209) 223-2376

--

Michelle Opalenik

Michelle Opalenik, Director
Amador County Environmental Health Department
[810 Court Street](#)
[Jackson, CA 95642](#)
(209) 223-6439
(209) 223-6536 (Direct)



Krista Ruesel <kruesel@amadorgov.org>

UP-22;2-2 Wing-It Food Truck

2 messages

Richard Vela <rvela@amadorgov.org>
To: Krista Ruesel <kruesel@amadorgov.org>

Fri, Feb 18, 2022 at 9:22 AM

Hello Krista,

I have reviewed the submittal for Use Permit Application UP-22,22-2 Wing-It Food Truck. Since it is proposed to be located within an existing commercial development, there are no encroachment requirements. There are no traffic impact fees to be collected as they were collected with the development of the commercial building.

--

Richard R. Vela, P.E.
Director
Amador County Department of Transportation and Public Works
[810 Court Street](#)
[Jackson, CA 95642](#)
[209-223-6429 Main](#)
[209-223-6457 Direct](#)
rvela@amadorgov.org

Krista Ruesel <kruesel@amadorgov.org>
To: Richard Vela <rvela@amadorgov.org>

Fri, Feb 18, 2022 at 9:37 AM

Received, thank you.

Krista Ruesel
Planner|Amador County Planning Department
(209)223-6803|kruesel@amadorgov.org

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February 22, 2022

Amador County Planning Department
c/o Krista Ruesel
810 Court Street
Jackson, CA 95642

RE: Use Permit Application UP-22;2-2 Wing It Food Truck
APN: 044-010-012

To Whom It May Concern:

On February 17, 2022, the Amador Water Agency (Agency, AWA) received an early consultation application referral for the Use Permit Application UP-22;2-2 Wing It Food Truck (Development) located at 12275 Martell Road, Jackson, being APN 044-010-012, having been submitted to the County of Amador by Manuel Duarte. The Agency has been informed that the County of Amador (County) is considering a Use Permit for the Development.

The Development is planned to be within the AWA operated Martell Wastewater System Improvement District #12 (System). The Agency has the following comments regarding the Development:

1. The information submitted in the early consultation application referral regarding disposal of the wastewater/sewage is vague and uncertain in terms of where the wastewater/sewage will be disposed. The Amador Water Agency requests clarifying information from Development to the satisfaction of the Agency prior to approval of the Use Permit regarding this disposal option in the form of a letter/contract from/with the RV dump location specified in the early consultation application referral.
2. If wastewater/sewage is found to be disposed of by Development into the Amador Water Agency Wastewater System(s) in manner not authorized by the Amador Water Agency Wastewater Code in effect at the time the Development may be subject to the following:
 - a. Installation of a grease interceptor on the truck wastewater effluent sufficient to Amador Water Agency standards.
 - b. Payment of Capacity Fees, inspection fees and any other fees in place at the time of infraction.
3. This letter is not a commitment of service and in no way guarantees wastewater service for this Development.



A "Developer Packet" with additional information and requirements may be downloaded from <https://amadorwater.org/connection-installation/> for your convenience. Please be aware that the contents of this packet are subject to change from time to time and are intended only as a guideline for Developers.

Please feel free to contact the Agency with any questions, comments, or concerns regarding the contents of this letter.

Kind Regards,

A handwritten signature in blue ink that reads "Lucas Carthew".

Lucas Carthew
Assistant Engineer

This is not a quote or estimate.

CC: File



Krista Ruesel <kruesel@amadorgov.org>

Wing it on Wheels Food Trailer project comment letter

2 messages

Jemberie, Shiferaw@DOT <Shiferaw.Jemberie@dot.ca.gov>

Fri, Mar 4, 2022 at 4:04 PM

To: "kruesel@amadorgov.org" <kruesel@amadorgov.org>

Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Hello Krista,

Attached please find Caltrans comment letter for the Wing it on Wheels Food Trailer project.

Please let me know if you have any questions.

Kind regards,

Shiferaw Jemberie

Transportation Planner

District 10 Rural Planning

Work Phone (209) 986-9635

1976 E. [Dr. Martin Luther King Jr Blvd](#)

[Stockton, CA 95205](#)



Wing it on Wheels Project Comm_Letter.pdf

396K

Krista Ruesel <kruesel@amadorgov.org>

Fri, Mar 4, 2022 at 4:23 PM

To: shiferaw.jemberie@dot.ca.gov

Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Received, thank you.

Krista Ruesel

Planner|Amador County Planning Department

(209)223-6803|kruesel@amadorgov.org

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California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov



March 4, 2022

Ms. Krista Ruesel
Planner
810 Court Street
Jackson, CA 95642

AMA-88-PM 13.977
Wing it on Wheels
Food Trailer
Early Consultation

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Wing it on Wheels Food Trailer Project. The Project proposes to park a mobile food trailer in the parking lot at Martell Plaza adjacent to and in front of commissary kitchen across four parking spaces. The developer will be providing 15 parking lots for customers for pick up orders. There will be no seating and will only accommodate pick up orders only. The developer will also provide a designated parking space for DoorDash drivers to ensure a quick pick up and delivery. The source of clean water for the project will be coming from the commissary kitchen, and the wastewater will be disposed of at an appropriate RV/ Trailer waste dump. The Wing it on Wheels project operating hours will be 12 p.m. to 6 p.m. The bathroom for employees will be inside the commissary kitchen that is within walking distance from the trailer. The type of business is a Hot Wing concession trailer and the owner of the project will have two to three employees in the future. The trailer is 18 feet long, along with a 4 foot tongue, and entirely self-contained.

This project is located within Martell Plaza parking lot alongside an existing commissary kitchen. The location is close to State Route (SR) 88. The property is 3.37 acres, and is zoned Medium Manufacturing (MM) and has a General Plan Designation of Regional Service Center (RSC).

Caltrans has the following comments:

Caltrans suggests that the project proponent continue to coordinate with Amador County Planning Department to consult with Caltrans in identifying and addressing potential pedestrian safety and cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that pedestrian, traffic safety, and quality standards are maintained for the traveling public on existing and future state transportation facilities in Amador County.

Please ensure traffic circulation does not cause blockage to entering/exiting vehicles at the driveway that could cause traffic to spill out to Martell Road.

Ms. Krista Ruesel, Planner
March 4, 2022
Page 2

Encroachment Permits

If any project activities encroach into Caltrans Right of Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. For more information please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

Ms. Krista Ruesel, Planner
March 4, 2022
Page 3

bc: Traffic Operations – Armando Soria
Encroachments—Francisco Rodriguez

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov



May 2, 2022

Krista Ruesel, Planner
Amador Planning Department
County Administration Center
810 Court Street
Jackson, CA 95642

AMA-88-PM 13.977
Wing it on Wheels Food Trailer
Conditional Use Permit (CUP)

Ms. Ruesel,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Wing it on Wheels Food Trailer Project. The Project proposes to park a mobile food trailer in the parking lot at Martell Plaza adjacent to and in front of a commissary kitchen across four parking spaces. The developer will be providing 15 parking lots for customers for pick up orders. There will be no seating and will only accommodate pick up orders only. The developer will also provide a designated parking space for DoorDash drivers to ensure a quick pick up and delivery. The source of clean water for the project will be coming from the commissary kitchen, and the wastewater will be disposed of at an appropriate RV/Trailer waste dump. The Wing it on Wheels project operating hours will be 12 p.m. to 6 p.m. The bathroom for employees will be inside the commissary kitchen that is within walking distance from the trailer. The type of business is a Hot Wing concession trailer, and the owner of the project will have two to three employees in the future. The trailer is 18-feet long, along with a 4-foot tongue, and entirely self-contained. The property is 3.37-acres and is zoned Medium Manufacturing (MM) and has a General Plan Designation of Regional Service Center (RSC) on Assessor Parcel Number (APN) 044-010-012. This project is located within Martell Plaza parking lot alongside an existing commissary kitchen. The food trailer will be located 485 feet from State Route (SR) 88 and Martel Plaza Drive intersection in Jackson, CA.

Caltrans has commented on this project previously on March 4, 2022, and those comments still apply.

Caltrans has the following comments

- Please ensure traffic circulation does not cause blockage to entering/exiting vehicles at the driveway that could cause traffic to spill out to Martell Road.

Ms. Krista Ruesel
May 2, 2022
Page 2

Encroachment Permits

If any future project activities encroach into Caltrans Right-of-Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 or by email: paul.bauldry@dot.ca.gov, or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,

Michael Casas

for

Gregoria Ponce, Chief
Office of Rural Planning

Ms. Krista Ruesel
May 2, 2022
Page 3

bcc: Karimeh Juma
Zeyu (Chester) Gao
Etikela (Sudeepa) Venkata



Krista Ruesel <kruesel@amadorgov.org>

AMA-88-PM 13.977 Wing It On Wheels Food Trailer, Public Hearing Notice

2 messages

Bauldry, Paul@DOT <paul.bauldry@dot.ca.gov>
To: Krista Ruesel <kruesel@amadorgov.org>
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Thu, Jun 9, 2022 at 9:29 AM

Hello Krista,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Wing it on Wheels Food Trailer Project. The Project proposes to park a mobile food trailer in the parking lot at Martell Plaza adjacent to and in front of a commissary kitchen across four parking spaces. The developer will be providing 15 parking lots for customers for pick-up orders. There will be no seating and will only accommodate pick-up orders only. The property is 3.37-acres and is zoned Medium Manufacturing (MM), and has a General Plan Designation of Regional Service Center (RSC) on Assessor Parcel Number (APN) 044-010-012.

This Project is located within the Martell Plaza parking lot alongside an existing commissary kitchen. The food trailer will be located 485 feet from State Route (SR) 88 and Martel Plaza Drive intersection in Jackson.

Caltrans has commented on this project previously on May 2, 2022, and those comments still apply.

Caltrans requests to be included in the review process for all future development at this location.

Thank you.

Paul Bauldry

Caltrans District 10

Office of Rural Planning

Division of Planning, Local Assistance, and Environmental

1976 E. Dr. Martin Luther King Jr Blvd.

Stockton CA 95205

Telework # 209.670.9488

 **AMA-88-PM_13_977_Wing_It_Conditional_Use_Permit_(CUP).pdf**
203K

Krista Ruesel <kruesel@amadorgov.org>
To: "Bauldry, Paul@DOT" <paul.bauldry@dot.ca.gov>

Thu, Jun 9, 2022 at 10:08 AM

Received, thank you.

Krista Ruesel
Planner|Amador County Planning Department
(209)223-6803|kruesel@amadorgov.org

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