

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 18th DAY OF JUNE, 2014

On the 18th day of June, 2014 at 6:30 p.m., the Planning Commission of the City of Yreka met in the City Council Chamber in said City in regular session. The meeting was called to order by City Manager Steve Baker and present were:

Commissioners: Deborah Baird, Diane Knitter, Steve Leal, and Richard Rolzinski.

Absent: Paul McCoy, Barry Ohlund and Matt Osborn.

City Manager Steve Baker asked for a volunteer from the commissioners to assume the position of Chair. Commissioner Rolzinski assumed the position of Chair.

Conflict of Interest Declaration – Commissioner Knitter stated for the record that she has a potential conflict of interest due to her financial interest in property located within 500 feet of the subject property.

City Manager Baker stated that the three other Commissions are out of town and unable to attend the meeting. If Commissioner Knitter recused herself from voting on the project, the Planning Commission would not have a quorum, therefore Commissioner Knitter is eligible to vote as her vote is needed and authorized as legally required participation.

PUBLIC COMMENTS:

Consent Calendar: Chair Rolzinski announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the regular meeting held on May 21st, 2014.

Following Commission discussion, Commissioner Leal moved to approve the minutes of the regular meeting held May 21st, 2014 as submitted.

Commissioner Knitter seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, and Rolzinski.

Chair Rolzinski thereupon declared the motion carried.

Discussion/Possible Action – Adopt Resolution No. PC 2014-05 Consideration of Conditional Use Permit (CUP) #4214 for establishment and operation of the business of The Etna Brewery Tap House.

The Commission reviewed Resolution No. PC 2014-05 Conditional Use Permit for establishment and operation of the business of The Etna Brewery Tap House. Applicant: Kit Marshall, Location: 231 W. Miner Street, C-2 (Commercial Downtown) Zone, HD (Historic Downtown) General Plan designation. Assessor's Parcel Numbers 054-041-360.

City Manager Steve Baker presented the Commission with the staff report and the following background – The City has received an application for the establishment and operation of the Etna Brewery Tap House, with the seating capacity of up to 49 seats, to be located in an existing facility located at 231 W. Miner Street. The subject property is zoned C-2 Downtown Commercial and is located within the Downtown Historic District. YMC Section 16.34.050 provides that various retail establishments and personal service establishments are permitted by right in the C-2 Downtown zoning district. However, the use such as a Cocktail lounge, or restaurant, having a seating capacity of twenty-one (21) or more requires a Condition Use Permit, pursuant to YMC Section 16.34.070. The business will be located in an existing facility and can be served by existing municipal parking facilities.

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 exemptions consist of the operation, maintenance, permitting, or licensing of existing public or private structures or facilities involving negligible or no expansion of the use beyond what existed at the time of the lead agency's determination.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on June 4, 2014 and a Notice of Public Hearing was published in the Siskiyou Daily News on June 6, 2014.

Public Hearing - This being the time and date set for the public hearing, Chair Rolzinski opened the hearing to the audience.

Applicant Kit Marshall, presented the commissioner with the history of The Etna Brewery and answered questions.

The following spoke as proponents of The Etna Brewery Project.

Jim Peluso – Property owner of 231 W. Miner Street.

Judy Grensted – Property owner of 331-333 W. Miner Street.

There being no other statements or comments from the audience, Chair Rolzinski closed the public hearing and discussion was opened to the Commission.

Commissioner Leal moved to determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities of the CEQA Guideline.

Commissioner Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, and Rolzinski.

Chair Rolzinski thereupon declared the motion carried.

Commissioner Knitter moved to adopt Planning Commission Resolution #PC 2014-05 making the findings and subject to the Conditions of Approval and approve Conditional Use Permit #4214, to allow the establishment and operation of the Etna Brewery Tap House said Resolution being in the words as follows:

**PLANNING COMMISSION RESOLUTION #PC 2014-05
APPROVING CONDITIONAL USE PERMIT # 4214**

1. The proposal will not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposal will not be materially detrimental to property or improvements in the neighborhood.
3. The proposal will not be materially detrimental to the general welfare of the city.

The Planning Commission of the City of Yreka does hereby approve Conditional Use Permit #4214, subject to the following conditions:

General Conditions of Approval:

1. Permittee granted a permit to establish and operate the business of The Etna Brewery Tap House located at 231 W. Miner Street, APN: 054-041-360.
2. The business will be located in an existing facility in the C2 (Downtown Commercial) zone and can be served by existing municipal parking facilities.
3. Use shall be conducted in accordance with the application as submitted for the property located at 231 W. Miner Street, as approved by the Planning Commission on June 18, 2014.
4. Permittee shall comply at all times with the zoning district regulations for a C2, *Commercial Downtown* zone, as set forth in section 16.34 of the Yreka Municipal Code. HD (Historic District) General Plan designation.
5. Permittee shall obtain a building permit and shall pay the necessary fees prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure.

6. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that the structure meets the building standards and fire regulations of the California Building Code, California Fire Codes and the California Historical Building Code standards prior to commercial use.
7. No signs shall be placed on the premises without first obtaining a sign permit.
8. Permittee shall maintain an annual City business license to carry on the business of the Etna Brewery Tap House.
9. The use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the Planning Commission finds, with the concurrence of the City Council, that the continuance of the use permit will endanger the public health, safety, or welfare.

Commissioner Leal seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, and Rolzinski.

Chair Rolzinski thereupon declared the motion carried.

There being no further business before the Commission, the meeting was adjourned.

Matt Osborn, Chair
Approved by motion of the Planning
Commission on July 16, 2014