



MEMORANDUM

City of Angels Planning Commission

Date: October 9, 2025

To: City of Angels Planning Commissioners

From: Amy Augustine, AICP - City Planner

Re: Resolution 25-15 Finding of Architectural Conformity and Conditional Use Permit for Pastoral Offices and Community Education Center, School

RECOMMENDATION:

The Planning Commission may take one of the following actions:

1. Approve Resolution 25-15 with the conditions as attached; or
2. Approve Resolution 25-15 with changes to the attached conditions; or
3. Deny Resolution 25-15

Note: Appeals of planning commission decisions may be made to the city council. If the applicant or any aggrieved party is dissatisfied with the decision of the planning commission, he/she may, within ten calendar days of the date of the decision, appeal to the city council. The appeal must be filed in writing with the city clerk, stating what action is being appealed and stating the reasons for appeal. An appeal must be accompanied by the appropriate fee as established by the city council. The current fee is \$714.00. Failure to provide the fee with the appeal invalidates the appeal.

PROJECT DESCRIPTION:

OWNER: David and Meg Swarbrick

APPLICANT: Brook Moes

LOCATION: 1250 South Main (Formerly Cascabel's)

**ASSESSOR'S
PARCEL NO.:** 060-012-026

**GENERAL PLAN/
ZONING:** Historical Commercial (HC)

PROJECT DESCRIPTION:

Finding of Architectural Conformity and Conditional Use Permit for:

1. Pastoral Offices for Calaveras Presbyterian Church
2. Education Center (school) for Church members and the community at large

- a. Classes for high school (none of the younger students will be at this location, therefore, no need for outdoor play area). May include music classes for violin, piano, music theory, senior citizen tai chi class, marriage or parenting classes, various bible studies, etc.
- b. Building occupancy is not anticipated to exceed 25.

No alterations to the building are proposed.

BACKGROUND:

The site was formerly a restaurant, Cascabel's. The restaurant equipment has been removed. A parking lot located behind the restaurant supplements on-site parking for businesses in this location.



ANALYSIS:

FINDING 1: FINDING OF ARCHITECTURAL CONFORMITY

Pursuant to AMC Section 17.26.080 a finding of architectural conformity is required for this use as follows:

*All buildings or structures which may hereafter be constructed or altered as to their exterior appearance, situated within the historical commercial district and fronting upon the streets or alleys within or bounding said district, shall as to their exterior appearance within public view substantially conform with the Mother Lode **architectural** style. A determination of conformity with the Mother*

Lode **architectural** style, as defined in Chapter [17.09](#), shall be made by the planning commission unless otherwise specified.

Per AMC Chapter 17.09, the Mother Lode Style of Architecture is defined as:

*"Mother Lode **architectural** style" shall mean any one of the multiple **architectural** styles exhibited in Angels Camp. The historically and **architecturally** significant buildings in Angels Camp are diverse in style, as well as in method and period of construction. They were built of stone, brick, frame, and concrete and had sidings of brick, wood, stucco, and plaster. The **architectural** styles represented include: Greek Revival, Neoclassical, Italianate, Queen Anne, False-Front Commercial, Craftsman, Spanish Eclectic, and Art Deco.*

No changes to the existing building are proposed. Therefore, this finding can be made.

FINDINGS 2: CONDITIONAL USE PERMIT FINDINGS A- F

Pursuant to 17.78.010 of the AMC, the purpose of a conditional use permit is to allow public review and City discretion in the control of certain uses which may be necessary, but which may cause public concern, affect property values or disturb the character of a neighborhood if they are not carefully located or designed. The use permit process is necessary to carry out review and exercise discretion over this category of potentially inappropriate or incompatible uses. Conditional use permits may be approved or denied by the planning commission. Pursuant to AMC Section 17.78.030, the following findings are required for issuance of a conditional use permit:

- A. The proposed use is consistent with the City of Angels Municipal Code; and
- B. The proposed use is consistent with the City of Angels general plan; and
- C. The proposed use will not overburden existing municipal facilities; and
- D. The size and terrain of the parcel are suitable for the proposed use; and
- E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood;
- F. The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices.

Finding A: The proposed use is consistent with the City of Angels Municipal Code

Pursuant to Angels Municipal Code 17.26.040(F), a school requires a conditional use permit. Pursuant to AMC Section 17.26.080, a finding of architectural conformity is required.

Approval of this proposed conditional use permit and a finding of architectural conformity would make the proposed use consistent with the Angels Municipal Code subject to the proposed project conditions and Finding A could be made.

Finding B: The proposed use is consistent with the City of Angels general plan

Applicable General Plan 2020 goals, policies and programs include:

Goal 10A *Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.*

Policy 10.A.1 *Encourage a mixture of uses and activities that will maintain the vitality of the downtown area.*

The proposed project could contribute to the mix of uses downtown. This, in turn, can add to the economic vitality of the downtown area. At the same time, the architectural integrity of the downtown district is not impacted. Therefore, Finding B could be made.

Finding C: The proposed use will not overburden existing municipal facilities

The project was reviewed by the local and state agencies. Those agencies did not identify any conditions for the project. Because the site was, until recently, functioning as a restaurant, it is not anticipated that the use of facilities will change significantly for this use. Therefore, this Finding can be made.

Finding D: The size and terrain of the parcel are suitable for the proposed use

The site is located in the historic downtown district. There is no outdoor area associated with the site. On-street parking is available along the street and a parking lot provides additional parking for behind the building for businesses along SR 49. The proposed use would include high school students only, therefore, no outside recreation area is required. Pastoral offices and classes would be entirely indoors. Therefore, the size and terrain of the parcel are suitable for the proposed use and Finding D can be made.

Finding E: Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood

Landowners within 300 feet were notified of the proposed project. One response was received by phone. George Bennett felt that the school would interfere with tourism. As noted in Finding D, not all uses in the historic district must be tourism-related to support tourism. In Sonora, for example, the success of local downtown restaurants and shops are often tied to the presence of professional offices and county employees working downtown. Professional offices and public education confined to an indoor setting is not anticipated to adversely impact tourism. Instead, students, faculty, church members, and community attending classes can all eat and shop in addition to attending the education center. In that manner, the use could help support businesses downtown. To ensure that visitors or students do not block the sidewalk or otherwise loiter or smoke on the sidewalk, a condition of project approval will be included.

Based on the preceding, Finding E can be made.

Finding F: The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices.

Yards, spaces, walls, fences, landscaping

Pursuant to AMC 17.26.060, site development standards in the HC zoning district are:

Development Standard	Complies, Does not Comply, Not Applicable (N/A)
Minimum lot area for new lots, 2,500 square feet	N/A - No new lot is proposed; therefore, the project complies.
Impervious surfaces, 50% maximum	N/A - No changes to existing building coverage are proposed, therefore, the project complies
Maximum building height, 40 feet	N/A No changes to existing building height are proposed, therefore, the project complies.

Development Standard	Complies, Does not Comply, Not Applicable (N/A)
Lot width: Per planning Commission on a case-by-case basis	No changes to lot size are proposed, therefore, the project complies
Lot depth: Per planning Commission on a case-by-case basis	No changes to lot size are proposed, therefore, the project complies
Front, Rear, Side setbacks - Per planning Commission on a case-by-case basis.	No changes to the existing building will occur, therefore, the project complies.

Parking

Parking in the Historical Commercial Zoning District is governed by AMC Section 17.69.110 as follows:

Parking requirements for uses in the historic commercial zone and district are as follows:

A. Change of Use with No Physical Expansion of the Existing Building Footprint. Where the change of use results in no exterior change or exterior changes consistent with the Secretary of the Interior Standards: 1. Changing a nonresidential use to a nonresidential use (e.g., commercial to commercial, retail to restaurant) requires no additional parking.

For this project, therefore, no additional parking is required.

Based on the preceding, Finding F can be made.

ENVIRONMENTAL ANALYSIS

The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state and City guidelines for the implementation of CEQA pursuant to Section 15301, Class 1 (Existing Facility) of the guidelines. The project involves re-use of an existing commercial structure. None of the exceptions in Section 15300.2(a-f) apply as described in the following: The site was previously a restaurant. No cultural or biological resources are present that could be altered by the proposed use. The project will not remove any trees or rock/stone outcrops along a scenic highway.

ATTACHMENTS:

A. Planning Commission Resolution 25-15 with conditions of project approval

CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 25-15

**RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS PLANNING
COMMISSION FOR**

**CONDITIONAL USE PERMIT FOR PASTORAL OFFICES AND A COMMUNITY EDUCATION
CENTER, SCHOOL AT 1250 SOUTH MAIN STREET
ASSESSOR'S PARCEL NUMBER: 060-012-026**

WHEREAS, the City received an application for pastoral offices, a community education center and school for high school students; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a conditional use permit; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a finding of Architectural Conformity; and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered public input on the proposed project;

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby approves a Finding of Architectural Conformity and Conditional Use Permit based on the following findings and subject to the attached conditions:

- A. The proposed use will involve no exterior alterations and is therefore consistent with the Mother Lode Style of Architecture and a Finding of Architectural Consistency can be made; and
- B. The proposed use is consistent with the City of Angels Municipal Code; and
- C. The proposed use is consistent with the City of Angels general plan; and
- D. The proposed use will not overburden existing municipal facilities; and
- E. The size and terrain of the parcel are suitable for the proposed use; and
- F. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood; and
- G. The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices; and
- H. The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state and City guidelines for the implementation of CEQA Section 15301, Class 1 (Existing Structures).

The foregoing resolution was introduced and moved for adoption October 9, 2025, by

_____ and duly seconded by Commissioner _____. PASSED AND ADOPTED

THIS 9th day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

John Broeder, Chairman

ATTEST:

Caytlyn Schaner, City Clerk

City of Angels

CONDITIONS OF PROJECT APPROVAL

CONDITIONAL USE PERMIT FOR PASTORAL OFFICES AND A COMMUNITY EDUCATION CENTER, SCHOOL AT 1250 SOUTH MAIN STREET ASSESSOR'S PARCEL NUMBER: 060-012-026

THIS IS NOT A BUILDING PERMIT

1. This permit is issued to allow for: Pastoral Offices for Calaveras Presbyterian Church including an Education Center (school) for Church members and the community at large. Classes for high school students only will occur at the site. Music classes for violin, piano, music theory, senior citizen tai chi class, marriage or parenting classes, various bible studies, may occur. Building occupancy is not anticipated to exceed 25; however, building occupancy is limited to 49.
2. To the fullest extent permitted by law, Applicant shall defend, indemnify, and hold harmless City and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, "City's Agents") from any and all liability arising out of a claim, action, or proceeding against City, or City's Agents, to attack, set aside, void, or annul an approval concerning the project, any applicable Permit, or subsequent City approvals. Applicant's duty to indemnify and hold harmless shall not extend to any claim, action, or proceeding arising from the gross negligence or willful misconduct of City or City's Agents.

Upon receiving notice of a claim, action, or proceeding, Applicant shall assume the defense of the claim, action, or proceeding through the prompt payment of all attorneys' fees and costs, incurred in good faith and in the exercise of reasonable discretion, of City's counsel in defending such an action. City shall have the absolute and sole authority to control the litigation and make litigation decisions, including, but not limited to, selecting counsel to defend City and settlement or other disposition of the matter. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

3. Communicable Disease Waiver and Release: Applicant waives and releases the City from any and all claims, causes of action, allegations, or assertions that may arise relating to infection of any person by COVID-19 or other communicable disease that occurs, or is alleged to occur, during any activities undertaken at the project site. Applicant also agrees to defend, indemnify, and hold City harmless from any and all claims, causes of action, allegations, or assertions made against City or City's employees arising from or relating to actual or alleged infection occurring during any event at the site, except where caused by the sole negligence or willful misconduct of the City.

Prior to commencing site use:

4. The project proponent shall sign and acknowledge these conditions of approval.
5. A life safety inspection shall be conducted by the Building Inspector. All improvements and requirements identified by the Fire Department shall be installed and maintained throughout the life of the project or as applicable.

Throughout the Life of the Project:

6. Student outdoor recreation is not permitted.
7. Students and visitors shall not loiter or otherwise block the sidewalk in front of the building.
8. The project shall not exceed the noise standards established in the City of Angels General Plan.

9. This permit does not include approval for serving students food on site. No cafeteria is approved herein. Approval and permitting from the Calaveras County Environmental Management Division and an amendment to this permit is required prior to allowing for food service for students at the site.
10. A Building Permit is required for any interior alterations. It is the responsibility of the owner and applicant to check with the City Building Department before undertaking building alterations.
11. There shall be no outdoor storage associated with school operations visible from any public right-of-way or neighboring property.
12. New signage, temporary or permanent, shall occur only after issuance of a sign permit by the City.
13. The Project shall remain in compliance with all applicable local, state and federal regulations.
14. Significant changes to the above conditions shall require an amendment to this Conditional Use Permit.
15. The City Planner, in consultation with the City Building Inspector, may approve minor deviations from these conditions.
16. The Project Proponent will maintain a valid City business license throughout the life of the project.
17. The Project shall comply with all provisions of the Project Description and these land use entitlements as approved herein.

I, (we) _____, have read, understand, and acknowledge the preceding conditions.

(Print Name _____)

Owner

(Print Name _____)

Applicant

General Plan Noise Limits

Figure 5-1 : Exterior Community Noise Exposure Levels- L_{dn} or CNEL, (in Decibels, dB)

Decibels	55	60	65	70	75	80
Land Use Category						
Residential low-density, single-family, duplex, mobile homes	Normally Acceptable					
		Conditionally Acceptable				
				Normally Unacceptable		
					Clearly Unacceptable	
Residential multi-family	Normally Acceptable					
		Conditionally Acceptable				
				Normally Unacceptable		
					Clearly Unacceptable	
Transient lodging, motels, hotels	Normally Acceptable					
		Conditionally Acceptable				
				Normally Unacceptable		
					Clearly Unacceptable	
Schools, libraries, churches, hospitals, nursing homes	Normally Acceptable					
		Conditionally Acceptable				
				Normally Unacceptable		
					Clearly Unacceptable	
Auditoriums, concert halls, amphitheaters (during use)						
	Conditionally Acceptable					
			Clearly Unacceptable			
Sports arena, outdoor spectator sports (during use)						
	Conditionally Acceptable					
				Clearly Unacceptable		
Playgrounds, neighborhood parks	Normally Acceptable					
				Normally Unacceptable		
					Clearly Unacceptable	
Golf courses, riding stables, water recreation, cemeteries	Normally Acceptable					
				Normally Unacceptable		
					Clearly Unacceptable	
Office buildings, business, commercial and professional	Normally Acceptable					
				Conditionally Acceptable		
					Normally Unacceptable	
Industrial, manufacturing, utilities, agriculture	Normally Acceptable					
				Conditionally Acceptable		
					Normally Unacceptable	

Figure 5-1 Key:

Normally Acceptable:

Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable:

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional Construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally Unacceptable:

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable:

New construction or development should generally not be undertaken.