

Folsom City Council Staff Report

MEETING DATE:	1/11/2022
AGENDA SECTION:	Public Hearing
SUBJECT:	Appeal by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to deny the appeal by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA.

BACKGROUND

The existing 4,377-square-foot commercial building located at 608 ½ Sutter Street, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City’s Cultural Resource Inventory List. The existing commercial building is currently occupied by an art and crafts store (Artfully Rooted) that provides an eclectic mix of artistic décor, furniture, fashion, vintage, antiques, and repurposed items.

On September 22, 2021, the applicant (Regina Konet) submitted a development application for approval of a Conditional Use Permit and Design Review for development and operation of a

craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The proposed interior layout of Barley Barn Tap House includes 2,433 square feet of floor area on the first level including a large central area with moveable tables and seating, a bar area, a cooler room, and restroom facilities. The second floor of the building, which will be reduced from 1,944 square feet to 1,366 square feet, will be utilized for storage purposes only. The resulting total square footage of the building will be 3,799 square feet. Barley Barn Tap House will also include a fenced outdoor patio (approximately 480 square feet in size) which is located on the west side of the building. In terms of operational characteristics, Barley Barn Tap House has proposed serving craft beers and food, both of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m.

The Barley Barn Tap House project also included a request for Design Review approval for exterior and interior modifications to the existing building in order to create a rural vernacular which is reminiscent of the historic barns throughout California. The proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, galvanized metal gooseneck light fixtures, vintage signage painted on wood, faux dutch doors to emulate horse stables, and corrugated metal roofing. The color scheme is predominantly rustic brown in nature due to the extensive use of the reclaimed wood siding. The roofing material will be a reddish-gray tint to emulate an aged metal roof with an appealing patina. The doors and windows will be a dark brown color.

Vehicle access to the Barley Barn Tap House site is provided by existing roadways including Sutter Street, Scott Street, and Riley Street, while pedestrian access to the site is facilitated by existing sidewalks and pedestrian walkways. Parking to serve the Barley Barn Tap House project is proposed to be provided by utilizing existing public and private parking options in the immediate project area including the Powerhouse Pub parking lot (21 spaces), the adjacent Historic District Parking Lot (72 spaces), and the Folsom Electric Building parking garage (51 spaces). In addition, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot for exclusive use by Eagles Lodge members and customers and employees of Barley Barn Tap House.

The Historic District Commission reviewed the Barley Barn Tap House project at its November 18, 2021 meeting. At this meeting, twelve individuals (including residents, business owners, and community organizations) voiced concern regarding the proposed project, while three individuals (a resident, a business operator, and a community organization) spoke in favor of the proposed project. In addition, the City received numerous comment letters regarding the proposed project and a previous iteration of the project (Folsom Prison Brews). The majority of the comment letters were from individuals who expressed opposition

to the proposed project, although there were also letters from individuals supporting the proposed project. All of the comment letters were provided to the Commissioners for their consideration (included as part of Attachment 4 to this staff report) at the November 18, 2021 Historic District Commission meeting.

The individuals who were opposed to the proposed project voiced concern regarding a number of topics including the following:

- Bar/Brewery Use
- Building Design
- Concentration of Bars Along Sutter Street
- Hours of Operation
- Noise
- Parking and Off-site Parking Agreement
- Pedestrian Safety
- Traffic and Circulation
- Use of CEQA Exemption

The individuals who expressed support for the proposed project focused their comments on a number of issues including the following:

- Business Owner Character
- Craft Beer Business Model
- Historic Building Design
- Off-Site Parking Solution
- Positive Economic Impact
- Sutter Street Surfer Transportation Option

Following extensive public comment, the Historic District Commission engaged in a lengthy debate regarding the proposed project. The primary issues discussed by the Commission were related to potential parking impacts, potential noise impacts, and use of the CEQA Exemption for the project.

With respect to parking, the Commission discussed the existing parking conditions in the Historic District, the parking requirements of the proposed project, and the parking solutions provided by the project. In relation to existing parking conditions, the Commission expressed concern that addition of another bar-type use at this specific location could potentially exacerbate parking conditions in the Historic District. The Commission acknowledged that there are a number of parking solutions that have been implemented or are in the process of being implemented (wayfinding program, residential parking permit program, etc.) in the

Historic District, but that the timing of other solutions (parking in-lie fee, parking structure, etc.) are more long term in nature and may not be pertinent to the proposed project at this time.

The Commission inquired about the parking requirements for the proposed project. In response, City staff commented that the Folsom Municipal Code (FMC, Section 17.52.510) requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. However, City staff noted that City practice has been that projects involving existing buildings that do not result in an increase in density (increased building square footage) such as exterior tenant improvements, interior tenant improvements, and similar projects are not required to provide any additional on-site parking. Consistent with past City practice, staff determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any on-site parking spaces. Staff noted to the Commission that if the proposed project were subject to the aforementioned parking requirements, 11 on-site parking spaces would have been required, which do not need to be on the project site.

The Commission also asked about the parking solutions being provided by the proposed project. City staff explained that existing nearby parking options anticipated to serve the proposed project include 21 parking spaces located within the adjacent Powerhouse Pub parking lot (under same private ownership as subject property), 72 parking spaces located in the adjacent public Historic District Parking Lot, and 51 parking spaces located within the Folsom Electric Building parking garage. In addition to the existing parking options in the project vicinity, staff commented that the proposed project includes the provision of 15 shared off-site parking spaces (lease agreement) at the Folsom Eagles Lodge site, approximately 220 feet to the east of the subject parcel. Staff indicated that the lease agreement for the 15 off-site parking spaces is required to remain in effect as long as the Barley Barn Tap House or any other subsequent establishment operation at the subject location remains in business. Lastly, staff stated that the project applicant committed to offering a complimentary shuttle service (Sutter Surfer) to transfer customers to and from the Historic District parking structure and other public parking lots within the district and the project site.

The Commission discussed potential noise impacts associated with the proposed project in relation to nearby businesses and residential neighborhoods. City staff explained that a number of conditions of approval were placed on the project to minimize potential noise impacts including limitation on hours of operation, prohibiting outdoor speakers, requiring door and windows to be closed during entertainment activities, and complying with the City's Noise Control Ordinance. City staff also commented that the proposed hours of operation associated with the proposed project are similar to other bar-type businesses located along Sutter Street. Lastly, City staff stated the Conditional Use Permit for the proposed project can be revoked if it is determined that the project deviates from the Historic District Commission approval and is not in compliance with all conditions of approval.

With regard to environmental review, the Commission asked for more clarification and details regarding the CEQA Exemption being used for the proposed project. City staff stated that the project was determined to be categorically exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines and that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case. City staff proceeded to discuss some of the exceptions (location, cumulative impact, significant effect, and historical resources) in more detail with the Commission.

At the conclusion of the November 18, 2021 Historic District Commission meeting, the Commission was satisfied with the determination that the proposed project is exempt from CEQA and voted on two separate motions associated with the proposed project. First, the Commission adopted a motion (4-1-2-0) to approve a Conditional Use Permit for the Barley Barn Tap House project. Second, the Commission adopted a motion (5-0-2-0) to approve Design Review for the Barley Barn Tap House project.

POLICY / RULE

As set forth in Section 17.52.700 of the Folsom Municipal Code, actions of the Historic District Commission may be appealed to the City Council. The appeal shall be in writing, shall state the specific reason for the appeal and grounds asserted for relief, and shall be filed no later than 10 calendar days after the date of the action being appealed.

APPEALS/ANALYSIS

On November 24, 2021, Bob Delp submitted a timely appeal of the decision of the Historic District Commission approving the proposed project. On December 3, 2021, Folsom Railroad Block Developer, LLC and the Historic Folsom Residents Association submitted separate timely appeals as well. Each of the three appeals will be addressed separately below in this staff report.

A. APPEAL No. 1 – Bob Delp

As noted above, Bob Delp submitted a timely Notice of Appeal and associated background letters appealing the Historic District Commission's decision to approve the Barley Barn Tap House project (Attachment 1). Listed below are the ten reasons that Mr. Delp identified in his appeal letter for contesting the Historic District Commission's decision, and City staff's response to each item.

1. Information and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project's potential impacts and for the HDC to make a fully informed decision about the Project entitlements.

City Staff Response:

City staff evaluated the Barley Barn Tap House project in accordance with requirements and recommendations established by the Folsom Municipal Code and the Historic District Design and Development Guidelines. Staff included all pertinent information regarding the proposed project in the Staff Report to the HDC and provided detailed analysis of the project's proposal and potential impacts under the requirements established by the Folsom Municipal Code:

- FMC Chapter 15.52; HD, Historic District
- FMC Section 17.52.300, Design Review
- FMC Section 17.52.360, Conditional Use Permit Review
- FMC Section 17.52.660, Demolition
- FMC Chapter 17.57, Parking Requirements
- FMC Chapter 17.60, Use Permits

In particular, staff followed established practices in reviewing the proposed project with respect to parking requirements. All information and analysis provided to the HDC was sufficient for the Commission to make a decision about the project, and the Commission did, in fact, make a fully informed decision following a lengthy discussion and review of the proposed project.

2. Issues associated with the Project, including interpretation of certain provisions of the Folsom Municipal Code ("FMC"), have broad policy implications for future projects in the Historic District and warrant consideration by the City Council.

City Staff Response:

Staff is unable to respond since no FMC provision is specified which the appellant contents warrant consideration by the City Council.

3. The change in the type and intensity of use at the Project site should result in a requirement for the Project to provide parking in accordance with FMC Section 17.52.510(F) parking standards or for the Project applicant to obtain approval of a variance if such parking requirements are not met. FMC Section 17.52.510(F) states, "All uses must provide parking spaces at the following ratios:..." Although the applicable parking standard is based on building size, it is the change in use that results in the requirement to comply with the standard.

City Staff Response:

Section 17.52.510(F) of the Folsom Municipal Code requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. This requirement is met because the project applicant is proposing to provide 15 parking spaces in a nearby private (non-public) parking lot to serve the

proposed project where 11 parking spaces would be required under FMC 17.52.510(F). The Code does not require the required parking spaces be provided on-site within the Sutter Street Subarea.

4. The actual parking demand that would be generated by the Project was not assessed or disclosed in the staff information presented to the HDC. An understanding the actual parking demand is essential for meaningful consideration of the Project impacts to Historic District businesses, visitors, and residents as a result of the increased parking burden. Without that assessment and information, the Council is not sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.

City Staff Response:

In evaluating new development projects within the Historic District and outside of the Historic District, City staff utilizes the respective parking-related sections of the Folsom Municipal Code to determine the specific parking requirements. As an example, if a new 3,500-square-foot craft brewery were proposed to be built on a vacant parcel within the Sutter Street Subarea, City staff would require the project to provide 10 parking spaces in accordance with Section 17.52.510 of the Folsom Municipal Code. With respect to changes of use within **existing buildings** in the Sutter Street Subarea, City practice has also been that projects that do not result in an increase in density (increased building square footage) such as, for example, exterior tenant improvements and/or interior tenant improvements, are not required to provide any additional parking because the building is already existing and does not need to be constructed.

While City staff determined that the Barley Barn Tap House project was not required to provide any parking spaces per established City practice, City staff and the applicant did recognize that the existing building's change in land use from a retail business to a craft beer establishment has the potential to result in a higher demand for parking. To address this concern, the applicant entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot (approximately 200 feet to the east of the subject property across Scott Street) for exclusive use by Eagles Lodge members as well as customers and employees of Barley Barn Tap House. To ensure that adequate parking is continuously provided for the proposed project, the lease agreement for the 15 parking spaces at the Eagle Lodge property is required to remain in effect as long as Barley Barn Tap House or any subsequent establishment operates at this location pursuant to the Conditional Use Permit.

5. The number of parking spaces for persons with a disability that are required based on the Project's actual parking demand and for compliance with FMC 17.57.050 has not been identified. The Project proposes to install an accessible lift to allow use of an existing handicapped parking space at an adjacent property separated by as much as

100 feet of travel between the parking space and Barley Barn. It is unclear that this concept would November 24, 2021 Page 2 provide parking and access to the Project for persons with a disability without also reducing the availability of existing handicapped parking spaces that already serve existing businesses.

City Staff Response:

The parking spaces proposed by the Barley Barn Tap House project is required to provide one parking space for individuals with a disability pursuant to Section 17.57.050(B) of the Folsom Municipal Code. The applicant is required to comply with this requirement, which is consistent with the requirements established by the 2019 California Building Code. The 2019 California Building Code (CBC Section 11B-208.1) requires one handicapped accessible parking space for projects that are required to provide between 1 and 25 parking spaces. The proposed project includes one handicapped accessible parking space which will be located in the adjacent Powerhouse Pub parking lot (under same ownership). City staff has determined that the proposed project meets the accessible parking requirement.

6. The existing daily and peak-hour vehicle trip volumes and estimated Project daily and peak-hour trip volumes on streets within the Project area (e.g., Scott, Bridge, Sutter, Figueroa, Mormon, Coloma, Leidesdorff, and Riley streets) have not been assessed or disclosed in the City's evaluation. Yet, an understanding of existing and Project-related vehicle trips is essential for meaningful consideration of the Project's traffic-related impacts to Historic District businesses, visitors, and residents and to understand if there are any locations and/or time periods during which Project trips would exacerbate traffic conditions in a manner that would affect motorist, bicyclist, and/or pedestrian circulation or safety (including, but not limited to, increased traffic volumes, changes in vehicle circulation patterns, and increased risk of vehicle/pedestrian collision). Without that assessment, the City Council would not be sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.

City Staff Response:

The Barley Barn Tap House project involves a proposed craft beer business within an existing building. The proposed project does not involve any changes or modifications relative to streets, driveways, or pedestrian access. City staff evaluated the proposed project to determine whether there would be any traffic, access, and circulation-related impacts and determined that there would be no impacts based on nature of the project, the low projected amount of vehicle trips (approximately 28 Weekday PM Peak Hour Trips, ITE Trip Generation Manual 10th Edition), and the lack of any need to provide project-related modifications to street-driveway-pedestrian features. It is also important to note that City practice is only to prepare project-specific traffic studies for new development projects and/or or development projects that involve significant changes and that these projects generate more than 50 Weekday PM Peak Hour trips.

Based on these factors, staff determined that the proposed project would not result in any significant traffic, access, and circulation related impacts and that no further analysis is required.

7. Issues surrounding the proposed use of the Eagles Lodge parking lot for the Project have not been seriously vetted. Staff statements at the HDC hearing suggested that staff acknowledges that there are at least three days each week that the lot is used by the Eagles. The frequency of special events and other circumstances that might also preclude use of the Eagles lot for Barley Barn parking on other days have simply not been addressed yet are important to understand in assessing whether the Eagles lot component of the Project has merit.

City Staff Response:

The project owner/applicant has entered into a lease agreement with the Eagles Lodge for the joint use of 15 parking spaces located in their private (non-public) parking lot located at 215 Scott Street. According to a representative for the Eagles Lodge, the Lodge hosts special events at their facility one to two times per month. The Lodge also hosts board meetings (approximately ten board members) every other Tuesday from 5:30 p.m. to 8:30 p.m. In addition, the Lodge is open to its members (approximately 200 members) Wednesday and Friday nights from 5:30 p.m. to 8:30 p.m. Given the limited number of events and scheduled uses at the Eagles Lodge, staff has determined that the leased parking spaces at the private Eagles Lodge parking lot will be available for use by employees and customers of the Barley Barn Tap House on a regular basis.

8. Although availability of the Eagles lot for use by the Project might be more limited than some have suggested, use of the Eagles lot by the Project would be an expansion of the existing use (e.g., more days and longer hours of use, increased simultaneous inbound/outbound vehicles, etc.) and requires meaningful evaluation in terms of required entitlements, design standards, circulation, and public safety. Issues warranting meaningful evaluation include:
 - a. The Eagles Lodge parking expansion of use should be considered in terms of FMC chapter 17.57 "Parking Requirements" associated with "change of occupancy or use" (17.57.030(I) requirements and design standards. An assessment of required modifications to the Eagle's parking lot and the parking lot's interface with Canal Street for compliance with the FMC parking design standards is needed.
 - b. City-owned right-of-way (Canal Street) provides access to the Eagles Lodge parking lot and the expansion of use of the parking lot requires a design assessment to determine if and what modifications are required for the parking lot's ingress/egress to Canal Street and the Canal Street/Scott Street intersection.

- c. The Project's expansion of use at the Eagles Lodge parking lot would exacerbate existing vehicle/pedestrian collision risk associated with 1) pedestrian movement along Canal Street between Bridge Street and Scott Street, 2) pedestrian circulation along Scott Street crossing Canal Street, and 3) pedestrian circulation across Scott Street between the Project (Barley Barn) and the Eagles Lodge parking lot. A meaningful evaluation of these issues is needed.

City Staff Response:

Because the Barley Barn Tap House project is located within the Historic District, it is subject to the parking requirements in Section 17.52.510(F) of the Folsom Municipal Code. The proposed project includes the joint use of the existing Eagles Lodge parking lot; no change of use of either the Eagles Lodge or its parking lot is proposed, hence no review for the Eagles Lodge parking lot is required under Section 17.57.030(C) of the Folsom Municipal Code. The Historic District Commission did place a condition of approval (Condition No. 31) on the Barley Barn Tap House project that requires the owner/applicant make a good faith effort to pave and strip the Eagles Lodge parking lot with the voluntary approval of the Eagles Lodge.

Access to the Eagles Lodge parking lot is provided by an existing driveway located on south side of Canal Street, slightly east side of the intersection of Scott Street and Canal Street. The proposed project does not involve any changes or modifications to Canal Street or to the Eagles Lodge parking lot area (other than the potential paving and striping of the parking lot area). As a result, no design assessment is necessary with respect to ingress and egress associated with Canal Street and the Eagles Lodge parking lot.

The Barley Barn Tap house project includes the utilization of the existing Eagles Lodge parking lot through a joint-use lease agreement. No change to the already-existing use of the Eagles Lodge parking lot for vehicular parking is proposed, although it is expected that the parking lot will be utilized more frequently than it is currently used. Pedestrian access to the project site from the Eagles Lodge parking lot is safely provided by existing sidewalks located along both sides of Scott Street, the north side of Sutter Street, and the south side of Riley Street. There are existing pedestrian crosswalks located at the intersection of Sutter Street and Scott Street and the intersection of Riley Street and Scott Street. City staff evaluated the existing on-site and off-site pedestrian circulation system and determined that the existing pedestrian facilities are safe and adequate to serve the proposed project.

9. The Project does not qualify for CEQA exemption. Assuming for the sake of argument that CEQA Guidelines section 15303, New Construction or Conversion of Small Structures, were applicable to the design review approval, there is no basis for extending that exemption to approval of the CUP. Issuance of the CUP is a

discretionary action and subject to CEQA. Simply put, a CUP that allows for a substantial change in the use of the property cannot be excused from CEQA review using a CEQA exemption applicable to the conversion of a small structure. Nor can the section 15303 exemption be extended to other components of the Project that are unrelated to the conversion of the structure (e.g., installation of a lift that is not a part of the structure and is located 50 feet or more from the structure to be converted; expansion of use at a parking lot at a separate property and located 200 feet or more from the structure to be converted). An environmental document in compliance with CEQA must be prepared to evaluate and disclose the Project's potential impacts.

City Staff Response:

The Barley Barn Tap House project is categorically exempt from environmental review under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. Section 15303 applies to conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. One of the examples given under Section 15303 in urbanized areas is "up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive." While Section 15303 allows up to four commercial buildings not exceeding a total of 10,000 square feet in floor area, the proposed project involves only one commercial building that is only 4,377 square-foot in size. Additionally, based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to prevent the use of the categorical exemption in this case. Exceptions listed within Section 15300.2 include: (a) Location, (b) Cumulative Impact, (c) Significant Effect, (d) Scenic Highway, (e) Hazardous Waste Sites, and (f) Historical Resources. A description of the most applicable of these exceptions is listed below with a brief response as to why each of these exceptions do not apply to the proposed project.

(b) Cumulative Impact. The exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

In analyzing whether this exception applies, both the "same type" and the "same place" limitations have to be considered. When analyzing this exception with respect to the proposed project, the City staff considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in the noise impacts section of the Planning Commission report. City staff considered projects in the "same place" to be projects on Sutter Street.

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place as the proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts. With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This is commonly referred to as the “unusual circumstances exception.”

The unusual circumstances exception to the use of a categorical exemption applies only when both unusual circumstances exist and there is a reasonable possibility that the project will have a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1104.)

In making this decision, the decision-making body is required to consider whether the proposed project’s circumstances differ significantly from the circumstances typical of the type of projects covered by the exemption, namely, other small structures in the Historic District that are either converted from one use to another or newly constructed. The exception applies only if the claimed unusual circumstance relates to the proposed action under consideration; it does not apply if the unusual circumstances are part of the existing conditions baseline. (*Bottini v. City of San Diego* 27 Cal.App.5th 281; *World Business Academy v. State Lands Commission* (2018) 24 Cal.App.5th 476, 498; *North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.)

Another consideration is whether there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. (*Berkeley Hillside Preservation*,

60 Cal.4th at p. 1115.) The decision-making body answers this question by determining if there is any substantial evidence before it that would support a fair argument that a significant impact on the environment may occur as a result of the proposed project. (*Id.*) A reasonable possibility of a significant impact may be found only if the proposed project will have an impact on the physical environment. If there is no change from existing baseline physical conditions, the exception does not apply. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.) The exception also does not apply if the project will have only a social impact and will not result in a potentially significant change to the physical environment. (*Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; *City of Pasadena v. State* (1993) 14 Cal.App.4th 810, 826.)

The question is not whether the project will have an adverse impact on some persons, but whether it will adversely affect the environment of persons in general due to unusual circumstances. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1392.)

After analyzing the unusual circumstances exception in association with this project, City staff determined that no unusual circumstances exist to distinguish this project from others in the exempt class. While an argument could be made that the small parcel size and the location of the parcel within the public parking lot are unusual circumstances, both of those conditions exist at this time. The presence of bars and restaurants on Sutter Street is not uncommon, so any impacts associated with the proposed use itself are not unusual. In addition, parking impacts associated with new businesses on Sutter Street are not unusual.

City staff also determined that there is not a reasonable possibility of a significant effect on the environment due to any claimed unusual circumstances for this project. Any possibility of a significant impact on the physical environment allegedly caused by proposed project would not be the result of any claimed unusual circumstances. As mentioned above, the proposed use is not unusual, and the parking impacts associated with new businesses on Sutter Street are not unusual. Even so, as described in detail in other sections of this report, the project applicant has secured a lease for 15 parking spots at the nearby Eagle's Lodge in an attempt to address any potential parking-related impacts and the City has conditioned the project to require those parking spots to remain available for the life of the Conditional Use Permit. As a result, City staff has determined that any possible significant effects related to parking are not unusual and do not require application of the exception for this project.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property, which is located at 608 ½ Sutter Street (APN: 070-0061-011-0000), is developed with an existing 4,377-square-foot commercial building which was built in 1958. The existing building is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List nor any other State or Federal historic or cultural resource inventory or list.

10. During the HDC's November 18, 2021, meeting, comments by the Project applicant's team asserted specific direct and indirect economic benefits of the Project and referenced IMPLAN modeling that was apparently performed for the Project. Documentation of that analysis was not provided for public review prior to the hearing, and it is unclear if any documentation was provided to the HDC. To the extent that economic factors may be considered by the City Council, documentation of any economic analysis used as the basis for the Council's consideration should be provided for public review prior to a Council hearing.

City Staff Response:

During the November 18, 2021 Historic District Commission, the applicant's team made a number of comments regarding potential economic benefits of the proposed project. Specifically, the applicant's team noted that the Barley Barn Tap House would be offering food and beverage provided by other local businesses which would be of a potential economic benefit to the community. In addition, a member of the public (Mr. Joe Gagliardi) spoke and shared a document with the Commission that the proposed project had the potential for direct and indirect economic benefits to the community. No other written documentation regarding potential economic impacts associated with the proposed project have been provided by the applicant. It is also important to note that a project's economic impacts are not part of the findings that Historic District Commission considered in approving the Conditional Use Permit and Design Review for the Barley Barn Tap House project.

B. APPEAL No. 2 – Folsom Railroad Block Developer, LLC

On December 3, 2021, Craig Sandberg on behalf of the Folsom Railroad Block Developer, LLC, submitted a Notice of Appeal and associated background letter (Attachment 2) appealing the Historic District Commission's decision to approve the Barley Barn Tap House project. The appeal is considered timely due to an inadvertent staff error declining to accept this appeal during the 10-day appeal timeframe since an appeal had already been filed by Mr. Delp. In the appeal letter Mr. Sandberg states that his primary concern is the parking analysis and conclusions made for the Barley Barn Tap House project. In the appeal letter Mr. Sandberg also provides an overview of the parking problems that have impacted the Historic District for

many years and references a number of parking studies (Attachment 7) that have been prepared for the Historic District including the December 9, 2008 Historic District Parking Implementation Plan Update, the January 17, 2014 Historic District Parking Implementation Plan Update, and the October 18, 2018 Historic District Parking Implementation Plan Update. Mr. Sandberg indicates in the appeal letter that the aforementioned studies should have been provided to the Historic District Commission as part of Barley Barn Tap House project. Lastly, Mr. Sandberg comments that, based on historic trends, the Historic District has reached the saturation point in terms of parking supply and parking demand.

City Staff Response:

As stated previously within this report, Section 17.52.510(F) of the Folsom Municipal Code requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. The Folsom Municipal Code does not differentiate specific parking requirements based on type of land use or the intensity of the land use. In other words, the fact that the use of the existing commercial building at 608 ½ Sutter Street is changing use from an art and crafts store (Artfully Rooted) to a craft beer establishment (Barley Barn Tap House) does not prompt the applicant to provide any additional parking. That being said, City staff recognized that the change in use will likely lead to an increased demand for parking and requested that the applicant provide additional parking to serve the Barley Barn Tap House project. In response, the applicant agreed to enter into a lease agreement with the Folsom Eagles Lodge to secure 15 parking spaces in a private (non-public) parking lot at 215 Scott Street. Based on the fact that the proposed project includes 15 parking spaces at the Eagles Lodge location, has access to 195 public and private parking spaces within the 600-block area of Sutter Street, has access to 624 public parking spaces in other portions of the Sutter Street Subarea, and is providing a shuttle service (Sutter Surfer) to employees and customers, staff determined that adequate parking is provided to serve the Barley Barn Tap House project.

As alluded to in Mr. Sandberg's appeal letter, the City has commissioned numerous parking studies and updates (Attachment 7) over the past 20 years in order to identify parking solutions to address parking concerns within the Historic District. The most recent of these parking studies (October 18, 2018 Study) provided an update to existing parking conditions (parking supply, occupancy, and development). In addition, the 2018 Study included project parking "shortages" for future supply and demand and an approximate time frame for the need for an additional parking supply. Of note, the 2018 Study indicated that there were 801 on-street and off-street parking spaces within the commercial portion of the Historic District, with a weekday peak hour combined (on-street and off-street) parking space occupancy that peaks at 60 percent and a weekend peak hour combined occupancy that peaks at 59 percent.

With respect to future parking supply and demand, the 2018 Study modeled that the commercial portion of the Historic District may reach a parking saturation point by September of 2023 unless new parking solutions (parking structure, parking permits, etc.) were identified and implemented. However, there were many assumptions made with respect to the parking

saturation timeline in the 2018 Study that may no longer hold true including full development of the railroad block and increased commercial development in the Historic District. City staff has previously provided the Historic District Commission a copy of the 2018 Study as recently as August 19, 2020 as part of the 603 Sutter Street Mixed-Use project. However, City staff did not provide a copy of the 2018 Study to the Historic District Commission as part of the Barley Barn Tap House project given the limited nature of the project and the fact that the project is meeting their parking requirement.

C. APPEAL No. 3 – Historic Folsom Residents Association

On December 3, 2021, Michael Reynolds on behalf of the Historic Folsom Residents Association (HFRA), submitted a Notice of Appeal and associated background letter (Attachment 3) appealing the Historic District Commission’s decision to approve the Barley Barn Tap House project. The appeal is considered timely due to the same inadvertent staff error declining to accept this appeal during the 10-day appeal timeframe since an appeal had already been filed by Mr. Delp.

In the appeal letter Mr. Reynolds states that the Barley Barn Tap House project would detrimental or injurious to neighbors and nearby businesses based on the parking as proposed and that the Commission was prevented from fully evaluating if the proposed project would or would not be detrimental or injurious to others because they were not provided copies of the three Historic District parking studies (2008, 2014, and 2018 Parking Studies), and the project applicant did not submit a parking impacts analysis. Lastly, Mr. Reynolds indicates in the appeal letter that City staff relied on past practices in evaluating the Conditional Use Permit and that specific examples of past practices were not provided to assist the Historic District Commission in evaluating the proposed project.

City Staff Response:

At the November 18, 2021 Historic District Commission meeting, the Commission discussed and debated a number of issues associated with the Barley Barn Tap House project at great length, including substantial discussions regarding parking. At the end of the meeting, the Commission made two motions, one to approve a Conditional Use Permit and the other to approve Design Review for the Barley Barn Tap House. Both motions were subject the findings (Findings A-I) and conditions of approval attached to the staff report. In particular, the Commission approved Finding G (Conditional Use Permit Finding) which states the following:

CONDITIONAL USE PERMIT FINDING

G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

As previously discussed within this report, City staff determined that the Barley Barn Tap House project provides adequate parking to serve the proposed use taking into consideration the project includes 15 parking spaces at the Eagles Lodge location, has access to 195 public and private parking spaces with the 600 block area of Sutter Street, has access to 624 public parking spaces in other portions of the Sutter Street Subarea, and is providing a shuttle service (Sutter Surfer) to employees and customers. City staff did not provide the Historic District Commission with copies of the 2008, 2014, or 2018 Historic District Parking Implementation Plan Updates based on the limited extent of the project and the fact that the project is meeting their parking requirement. That being said, City staff has attached the aforementioned parking studies (Attachment 7) to this staff report as they are referenced in the appeal letters.

In evaluating the Barley Barn Tap House project, City staff relied on past practices in determining the parking requirements. Specifically, the City's past practice regarding required parking within the Sutter Street Subarea of the Historic District is that all new development projects which increase density (increased square footage) are required to provide on-site parking spaces at the parking ratios described previously in this report. However, City practice has also been those projects involving existing structures that do not result in an increase in density (increased building square footage) such as exterior tenant improvements and/or interior tenant improvements are not required to provide any additional on-site parking. Consistent with past City practice, staff has determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any additional on-site parking spaces. The project is providing 15 parking spaces as mentioned throughout this report. A specific example of City staff implementation of this practice regarding parking was the conversion of the commercial building located at 608 Sutter Street (Donnelly House) from an office use to a restaurant/bar use (Hampton's) in 2013. A more current example of this practice is the ongoing conversion of the commercial building at located at 811 Sutter Street (Sutter Street Grill) from a restaurant use to service use (Maribou Hair Salon). In both of these specific cases, no additional parking

was required based on the change in use because they involve existing structures. In addition, City staff has not been able to document an instance where additional parking has been required within the Sutter Street Subarea simply for a change in use of a building.

Based on the foregoing, staff respectfully requests that the City Council **DENY** the appeals by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of the Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA based on the following Findings;

CEQA FINDINGS

- A. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- B. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- C. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- D. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- E. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

DESIGN REVIEW FINDINGS

- F. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

G. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

CONCLUSION

The City Council concludes that the decisions of the Historic District Commission approving a Conditional Use Permit and Design Review and determining that the proposed Barley Barn Tap House project is exempt from CEQA are correct.

ATTACHMENTS

1. Letter of Appeal from Bob Delp, dated November 24, 2021
2. Letter of Appeal from Folsom Railroad Block Developer, LLC, dated December 1, 2021
3. Letter of Appeal from Historic Folsom Residents Association, dated December 3, 2021
4. Historic District Commission Staff Report, dated November 18, 2021
5. Historic District Commission Additional Information, dated November 18, 2021
6. Off-Site Parking Lease Agreement, dated October 15, 2021
7. Minutes from November 18, 2021 Historic District Commission Meeting
8. Historic District Parking Implementation Plan Updates, dated January 16, 2009, January 17, 2014, and October 18, 2018
9. Remy-Moose-Manley CEQA Response Letter, dated December 23, 2021
10. Applicant Response Letter, dated December 28, 2021
11. Bob Delp Appeal Hearing Procedure Letter, dated December 30, 2021
12. Additional Public Comment Letters
13. Barley Barn Tap House Economic Snapshot, received December 20, 2021

Submitted,



PAM JOHNS
Community Development Director

Attachment 1

**Letter of Appeal from Bob Delp
Dated November 24, 2021**

CITY OF FOLSOM

NOTICE OF APPEAL

NAME OF APPELLANT: Bob Delp
MAILING ADDRESS: [Redacted]
Folsom, CA 95630
INTEREST IN MATTER: Resident and property owner
DAYTIME TELEPHONE: [Redacted]
APN/PROJECT REF. NO. PN 19-174 (Barley Barn Tap House)
ACTION BEING APPEALED: HDC Design Review/CUP Approval & CEQA Exemption
DATE OF DECISION OR DATE PROJECT HEARD: November 18, 2021
REASON FOR APPEAL: Information considered by the Historic District Commission was insufficient for a fully informed decision. Issues associated with the Project, including zoning code interpretation, warrant consideration by the City Council. The Project does not qualify for a CEQA exemption. The project would adversely affect public safety and welfare.

[Signature]
APPELLANT'S SIGNATURE

November 24, 2021
DATE FILED

STAFF USE ONLY:

Date/Time Received: 11/24/2021 11:59am Fee Paid: \$479 Res. 10297

Admin. (staff decision) Appeal Planning Comm. Decision Appeal
Owner Occupied \$233 Owner Occupied/Single Family Dwelling \$238
Other (deposit) \$468 Developer/other \$479

Tentative Hearing Date: Time Limit Waived: w/a

Copies to: Community Development Director (2)
City Manager (2)
City Attorney (2)
City Clerk

Received by: Lyndi J. Korplan

November 24, 2021

City of Folsom City Clerk's Office
Attn: Ms. Christa Freemantle, City Clerk
50 Natoma Street
Folsom, CA 95630
Hand Delivered
via email to cfreemantle@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Appeal of Historic District Commission Approval to City Council

Dear Ms. Freemantle:

I am appealing to the City Council the decision by the Historic District Commission (“HDC”) approving the Barley Barn Tap House Project (PN 19-174) design review and conditional use permit (“Project”), and the HDC’s determination that the Project is exempt from the California Environmental Quality Act (“CEQA”). The attached November 18, 2021, letter was submitted to the HDC prior to its November 18, 2021, hearing and is incorporated herein by this reference (Attachment 1). I reserve the right to bring additional information and arguments to the City Council on appeal.

I am appealing to the City Council for reasons including, but not limited to, those listed below.

1. Information and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project’s potential impacts and for the HDC to make a fully informed decision about the Project.
2. Issues associated with the Project, including interpretation of certain provisions of the Folsom Municipal Code (“FMC”), have broad policy implications for future projects in the Historic District and warrant consideration by the City Council.
3. The change in the type and intensity of *use* at the Project site should result in a requirement for the Project to provide parking in accordance with FMC Section 17.52.510(F) parking standards or for the Project applicant to obtain approval of a variance if such parking requirements are not met. FMC Section 17.52.510(F) states, “All *uses* must provide parking spaces at the following ratios:...” Although the applicable parking standard is based on building size, it is the change in *use* that results in the requirement to comply with the standard.
4. The *actual* parking demand that would be generated by the Project was not assessed or disclosed in the staff information presented to the HDC. An understanding the actual parking demand is essential for meaningful consideration of the Project impacts to Historic District businesses, visitors, and residents as a result of the increased parking burden. Without that assessment and information, the Council is not sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.
5. The number of parking spaces for persons with a disability that are required based on the Project’s *actual* parking demand and for compliance with FMC 17.57.050 has not been identified. The Project proposes to install an accessible lift to allow use of an existing handicapped parking space at an adjacent property separated by as much as 100 feet of travel between the parking space and Barley Barn. It is unclear that this concept would

- provide parking and access to the Project for persons with a disability without also reducing the availability of existing handicapped parking spaces that already serve existing businesses.
6. The existing daily and peak-hour vehicle trip volumes and estimated Project daily and peak-hour trip volumes on streets within the Project area (e.g., Scott, Bridge, Sutter, Figueroa, Mormon, Coloma, Leidesdorff, and Riley streets) have not been assessed or disclosed in the City's evaluation. Yet, an understanding of existing and Project-related vehicle trips is essential for meaningful consideration of the Project's traffic-related impacts to Historic District businesses, visitors, and residents and to understand if there are any locations and/or time periods during which Project trips would exacerbate traffic conditions in a manner that would affect motorist, bicyclist, and/or pedestrian circulation or safety (including, but not limited to, increased traffic volumes, changes in vehicle circulation patterns, and increased risk of vehicle/pedestrian collision). Without that assessment, the City Council would not be sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.
 7. Issues surrounding the proposed use of the Eagles Lodge parking lot for the Project have not been seriously vetted. Staff statements at the HDC hearing suggested that staff acknowledges that there are at least three days each week that the lot is used by the Eagles. The frequency of special events and other circumstances that might also preclude use of the Eagles lot for Barley Barn parking on other days have simply not been addressed yet are important to understand in assessing whether the Eagles lot component of the Project has merit.
 8. Although availability of the Eagles lot for use by the Project might be more limited than some have suggested, use of the Eagles lot by the Project would be an expansion of the existing use (e.g., more days and longer hours of use, increased simultaneous inbound/outbound vehicles, etc.) and requires meaningful evaluation in terms of required entitlements, design standards, circulation, and public safety. Issues warranting meaningful evaluation include:
 - a. The Eagles Lodge parking expansion of use should be considered in terms of FMC chapter 17.57 "Parking Requirements" associated with "change of occupancy or use" (17.57.030(C)) requirements and design standards. An assessment of required modifications to the Eagle's parking lot and the parking lot's interface with Canal Street for compliance with the FMC parking design standards is needed.
 - b. City-owned right-of-way (Canal Street) provides access to the Eagles Lodge parking lot and the expansion of use of the parking lot requires a design assessment to determine if and what modifications are required for the parking lot's ingress/egress to Canal Street and the Canal Street/Scott Street intersection.
 - c. The Project's expansion of use at the Eagles Lodge parking lot would exacerbate existing vehicle/pedestrian collision risk associated with 1) pedestrian movement along Canal Street between Bridge Street and Scott Street, 2) pedestrian circulation along Scott Street crossing Canal Street, and 3) pedestrian circulation across Scott Street between the Project (Barley Barn) and the Eagles Lodge parking lot. A meaningful evaluation of these issues is needed.

9. The Project does not qualify for CEQA exemption. Assuming for the sake of argument that CEQA Guidelines section 15303, New Construction or Conversion of Small Structures, were applicable to the *design review* approval, there is no basis for extending that exemption to approval of the *CUP*. Issuance of the *CUP* is a discretionary action and subject to CEQA. Simply put, a *CUP* that allows for a substantial change in the *use* of the property cannot be excused from CEQA review using a CEQA exemption applicable to the conversion of a small structure. Nor can the section 15303 exemption be extended to other components of the Project that are unrelated to the conversion of the structure (e.g., installation of a lift that is not a part of the structure and is located 50 feet or more from the structure to be converted; expansion of use at a parking lot at a separate property and located 200 feet or more from the structure to be converted). An environmental document in compliance with CEQA must be prepared to evaluate and disclose the Project's potential impacts.
10. During the HDC's November 18, 2021, meeting, comments by the Project applicant's team asserted specific direct and indirect economic benefits of the Project and referenced IMPLAN modeling that was apparently performed for the Project. Documentation of that analysis was not provided for public review prior to the hearing, and it is unclear if any documentation was provided to the HDC. To the extent that economic factors may be considered by the City Council, documentation of any economic analysis used as the basis for the Council's consideration should be provided for public review prior to a Council hearing.

Thank you for processing this appeal.

Sincerely,



Bob Delp

[REDACTED]
Folsom, CA 95630

[REDACTED]
[REDACTED]

Attachments:

1. Bob Delp, November 18, 2021, letter subject: *Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission*

November 24, 2021

Attachment 1

**Bob Delp, November 18, 2021, letter subject:
Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission**

November 18, 2021

City of Folsom Historic District Commission
50 Natoma Street
Folsom, CA 95630
via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am requesting that at your November 18, 2021, public hearing for the Barley Barn Tap House project (PN 19-174) (“Project”), the Historic District Commission (“HDC”) decline to approve the Project either by denying the Project or by declining to take an approval or denial action and instead direct staff to:

1. identify all relevant and necessarily entitlements, necessary for the Project and require a complete application(s) for all such entitlements,
2. prepare a clear and complete description of all aspects of the Project,
3. perform pedestrian safety analysis for the Project and seek input from the Traffic Safety Committee,
4. conduct environmental review of the Project in compliance with the California Environmental Quality Act (“CEQA”),
5. conduct a public workshop to receive input on the proposed Project and draft CEQA document,
6. prepare a revised staff report incorporating the above and provide a draft of the staff report and staff-recommended conditions of approval for public review and input,
7. finalize the staff report in consideration of public review and input on the draft,
8. provide proper hearing noticing, including posting of all parcels affected by the Project with public notices in compliance with the Folsom Municipal Code (“FMC”), and only then
9. return to the HDC for a public hearing on the Project.

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

I. REQUIRED NOTICING FOR THE NOVEMBER 18, 2021, HDC HEARING DID NOT COMPLY WITH THE FMC

On August 10, 2021, City staff made certain public noticing commitments on behalf of the Community Development Department. The FMC also has noticing requirements. The commitments and the FMC requirements were not fully complied with for the November 18, 2021, HDC hearing. As of November 17, 2021, no signs were posted at the Project site notifying of the November 18, 2021, HDC Public Hearing. The HDC should request City staff input regarding public hearing noticing and address any deficiencies prior to holding a public hearing.

II. THE PROJECT DESCRIPTION IS UNCLEAR AND INCOMPLETE

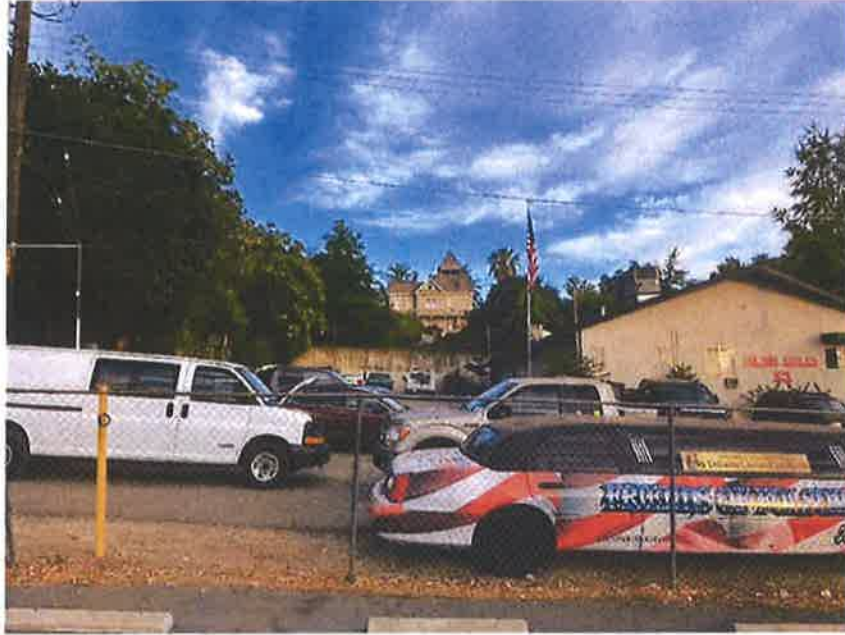
The staff report provides incomplete and inconsistent information about the Project making it impossible to understand the entirety of the Project. If the HDC were to approve “the Project” at its November 18, 2021, hearing, it would not be possible for the HDC to accurately understand the full extent of what you are approving.

The Applicant’s project narrative (HDC packet pg. 126) states that the Project will include “an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged.”

Yet, the staff report does not discuss the lift, where it would be located, what it would look like, how it would be operated and maintained, how it would be powered, how much noise it would generate, how much lighting it would require, or what its hours of use would be. Furthermore, there is no Powerhouse Pub Patio area, and a previous staff-level approval of a patio is no longer valid as no building permit for that patio was issued and the approval period has expired. (See Attachment A of this letter.) Identification of even the basic location, design, and operational elements of such a lift cannot be deferred and must be described and evaluated as a component of the Project prior to an HDC decision.

The staff report discusses that the Project would include the use of an existing offsite parking lot at the Eagles Lodge. However, no information is provided with regard to any entitlements, zoning restrictions/permissions, and engineered design that would be necessary for the expansions of use of that lot. Although the existing use may be grandfathered in, the substantial increase in the intensity of that use is not. The Eagles Lodge property owner should be required to obtain a Conditional Use Permit and the CUP process should require improvements such as paving, striping, lighting, pedestrian walkways, etc. Furthermore, the Eagles Lodge parking lot is accessed by City right-of-way, and would therefore require an encroachment permit and consideration of improvements to the City right-of-way. No information has been provided as to what those improvements might need to consist of. Additionally, the capacity of the Eagles lot is overstated by staff, both in potential number of spaces and in the days/times it is currently used by the Eagles and therefore not available to Barley Barn.

The Eagles Lodge parking capacity is noted in the staff report as 15 spaces, but is noted on the Applicant’s drawings as at most 14 and even that is noted as “hypothetical” needing to be field verified. Furthermore, the proposed lease attached to the staff report allows the Eagles to not just continue using the lot but also to exclude Barley Barn use at the Eagles discretion. Staff is on record as having previously advised the HDC (at its August 4, 2021 meeting) that “The Eagles Lodge parking lot is infrequently used – there are events once a month or maybe once every two months when this parking lot is utilized to its full capacity.” That is incorrect. The Eagles Lodge holds events or open hours multiple times each week during which their lot is often filled, likely beyond capacity (double parked vehicles in the City right-of-way, etc.).



Eagles Lodge Parking Availability – August 2, 2021

The Eagles lot parking scheme is dubious and, for reasons discussed below in this letter, potentially dangerous. At a minimum, this element of the Project should be eliminated unless and until it undergoes a meaningful evaluation and is subject to property approvals and conditions.

III. THE PROJECT DOES NOT QUALIFY FOR A CEQA CATEGORICAL EXEMPTION

Contrary to staff's recommendation in the staff report for the HDC's November 18, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act ("CEQA").

FMC 17.52.390, "Environmental review", states, "Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents."

The staff report for your November 18, 2021, meeting, claims one (as opposed to the two claimed in the August 4, 2021, staff report for the formerly proposed Folsom Prison Brews) CEQA categorical exemption class as the basis for staff's recommendation that the Project is exempt from CEQA— CEQA Guidelines section 15303, "New Construction or Conversion of Small Structures." The cited class is not applicable to the Project.

III.A The Project Does Not Qualify for a Class 3 CEQA Exemption

November 18, 2021

The staff report for the November 18, 2021, HDC selectively cites CEQA Guidelines Section 15303, but a more complete read of 15303 leads to a conclusion that the Project does not qualify for a Class 3 CEQA exemption. The staff report states as follows in attempting to apply the Class 3 exemption (staff report pg. 23; packet pg. 71) (note that this is a quotation from the staff report, not CEQA):

The New Construction of Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption.

In fact, what CEQA Guidelines Section 15303 states is (emphasis added):

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and **the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.** ... Examples of this exemption include, but are not limited to:

... (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, **and not exceeding 2500 square feet in floor area.** In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances **where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.**

There are several factors that exclude the Project from the Class 3 exemption; let's explore some of them.

1. "...the conversion of a **small structure...**". As cited above, the exemption considers a "small" structure as "not exceeding 2500 square feet in floor area." The staff report omits mention of the 2500 square feet criteria and instead attempts to apply the 10,000 square feet that is applicable only when there are multiple buildings under consideration. The Project does not consist of multiple buildings. It is one building that is 4,377 square feet (as cited in staff report), and clearly exceeds the criteria of a small structure as defined by CEQA. For this reason, the Project does not qualify for the Class 3 CEQA exemption.
2. "...where only **minor modifications** are made to the **existing structure...**". The Project proposes substantial modification to the existing structure. Additionally, the Project includes development of an outdoor courtyard, installation of fencing, installation of an accessible lift (details unknown as discussed in this letter), use of an off-site parking area that, although required improvements have not yet been identified, will undoubtedly require modification to be suitable for the proposed Project's use; and several public

facility infrastructure modifications (see item 3, below). For this reason, the Project does not qualify for the Class 3 CEQA exemption.

3. "...where all necessary **public services and facilities are available...**". The staff report provides no discussion of the public services and facilities requirements for the Project. First, the staff report does discuss that the Project site is unable to provide parking required for the Project – that is one facility that is not available. Second, the Project includes an accessible lift to accommodate public access, that is another public facility that is not currently available. Third, the Project requires a new sewer line and sewer and water connection, as those facilities are not available (Attachment B), Fourth, the Project requires, or could require (this is not fully disclosed), an electrical transformer tie in and a 10 ft by 10 ft concrete pad with additional area to accommodate a new transformer (Attachment B). Fifth, the Project requires the replacement of a rotting and tilted electrical pole to provide for safety of Project patrons (Attachment B). Sixth, the Project may also include or result in the undergrounding of a segment of electrical utility line (Attachment B). Each of these public facility infrastructure modifications associated with the Project individually exclude the Project from being exempt CEQA. For this reason, the Project does not qualify for the Class 3 CEQA categorical exemption.

III.B The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from *any* CEQA Categorical Exemption

As discussed above, the Project does not meet the criteria required for a CEQA categorical exemption. Furthermore, even if a categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects and cumulative impacts makes the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The staff report (pg. 24, HDC packet pg. 72) states:

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use.

First, the City has not evaluated potential environmental impacts of the Project. Thus, staff report's assertion that "the project will not result in any adverse impacts" is not supported in the record, nor is it factual. In fact, as discussed below, in several instances the staff report

acknowledged that impact will occur and simply downplays them and asserts that conditions of approval will minimize them but with no meaningful evaluation. As discussed herein, the Project would have the potential to result in significant impacts, therefore, it would also have the potential to result in cumulative impacts meaning that even if the Project were eligible for a categorical exemption (which, as discussed above, it is not), the cumulative impact exception to any such exemption would preclude the exemption's applicability to the Project.

The staff report (pg. 24, HDC packet pg. 72) states:

When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

The referenced "hours of operations" chart lists seven businesses within the 600 block of Sutter Street that each have bars that serve alcohol. The Project would be eighth. Although there are other businesses and other areas (not just alcohol serving and not just on the 600 block, but we can concede to the City's approach and focus on those for the purposes of discussion here).

On August 4, 2021, Assistant City Attorney Sari Dierking explained to the Historic District Commission during a hearing regarding the formerly proposed Folsom Prison Brews project (with the exception of building design, essentially the same as the currently proposed Project). Ms. Dierking advised the HDC in layman's terms that considering cumulative impacts for a CEQA exemption the issue is to determine whether there are, "*so many projects just like this one happening so that this one's sort of the straw that broke the camel's back; we can't keep doing this over and over again without making a huge impact on the environment.*" The Project would be at least the eighth alcohol serving business on the 600 block of Sutter Street. Just how strong is the camel's back?

The Project would exacerbate existing parking deficiencies associated with the existing businesses in this area of the Historic District. The Project would increase vehicle travel to and through the area in the commercial district as well as adjacent neighborhoods that lack sidewalks and experience substantial aggressive drivers cutting through the neighborhoods, and the Project would therefore exacerbate existing pedestrian safety issues. The Project would increase vehicle noise and increase outdoor noise, in an unquantified manner, that would contribute to and exacerbate existing noise that frequently already reaches adjacent neighborhoods into late hours of the night and early morning. The Project would substantially increase the use of the existing Eagles Lodge parking lot, increasing the noise, light, dust, vehicles crossing the pedestrian walkway as compared to the existing use, exacerbating these cumulative effects. For these reasons, the Project would result in cumulative impacts that must be evaluated under CEQA.

Furthermore, the staff report's approach of considering only existing bars and only those on the 600 block fails to consider other existing businesses within the 600 block, bars and other businesses within other areas of the Historic District Sutter Street Subarea, and other reasonably foreseeable projects such as the proposed 603 Sutter Street project which is a current active application with the City and would increase traffic, noise, light, etc., and would further exacerbate existing parking deficiencies and related impacts in the neighboring residential area including pedestrian safety risk.

The staff report (pg. 24, HDC packet pg. 72) states:

The proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area.

This description fails to acknowledge that the building would be substantially modified, the “re-use of the courtyard” would involve installation of fencing, tables, and other modifications, and fails to mention and consider other components of the Project such as the accessible lift, new sewer lines, electrical transformer, and substantial increase in use of an offsite currently gravel surfaced parking lot that will undoubtedly require improvements for safety and security (the staff report provides no discussion of offsite parking lot *improvements*, however, the existing lot does not meet City parking standards and will require improvements if it is to be used by the Project). Thus, the Project would not be limited to the mere remodeling of a building and use of outdoor patio and impacts associated with the entire Project have not been fully considered by the City for their potential contribution to cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

In terms of parking, the proposed project is not required to provide any onsite parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns.

Established City practice of not requiring onsite parking is inconsistent with the Folsom Municipal Code. More relevant here, however, is that it is that very practice that has created and, if perpetuated, will continue to exacerbate the existing parking deficiencies and public safety issues associated with neighborhood parking in the Project area. Furthermore, evidence in the staff report suggests that there are, at most, 14 hypothetical parking spaces at the proposed offsite location. Furthermore, the proposed offsite parking lot would only be available for Project use when it is not in use by its owner and that owner would retain the right to exclude Project use of the lot any time for any reason. Thus, the offsite parking lot component of the Project has limited value in providing parking.

Additionally, the offsite parking lot, when it is available for use, would create a situation that attracts vehicles to an already often congested segment of Scott Street and would create the potential for substantially increasing pedestrian risk conditions along Scott Street. Additional vehicles on Scott Street and additional pedestrians attempting to cross Scott Street between the lot and the Project would exacerbate pedestrian risk resulting in a significant Project impact and a substantial contribution to the existing cumulative risk. Thus, the Project would result in significant cumulative effects associated with public safety.

The staff report (pg. 24, HDC packet pg. 72) states:

In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

The City has performed no meaningful impact analysis associated with potential noise and light impacts. Yet, the staff report acknowledges the need to apply conditions of approval to address such impacts, implicitly acknowledging that the Project would have the potential to result in noise and light impacts and, thus, proposes mitigation-like conditions attempting to address those impacts. Although the staff report discusses that these mitigations/conditions would minimize any potential effects, there is no analysis of what the pre-mitigated impacts would be, no analysis of the actual efficacy of the proposed mitigation, and no analysis of what the residual impacts would be. Even if the staff report is correct that conditions of approval would “minimize” the cumulative impacts associated with these minimized impacts is still not evaluated. In fact, the Project will have the potential to result in significant noise and light impacts and would have the potential to result in cumulative noise and light impacts. Furthermore, the City has made no

attempt to evaluate noise and lighting impacts associated with the proposed use of the offsite parking lot, which would also contribute to the Project's project-specific and cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

This barren attempt at blanket coverage of "any other potential impacts cause by the proposed use" is insufficient evidence of anything, except perhaps the City's acknowledgement that there are "other potential impacts [that will be] caused by the proposed use." I agree.

The City's decisions to attempt a CEQA exemption for the Project has resulted in the City's failure to perform environmental impact evaluation of the Project. Therefore, the City has thus far failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project.

Potential impacts and substantial evidence of a fair argument that the Project may have one or more significant effects discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project's modification of the existing structure. Other Project components having the potential to significantly alter the visual character of the Project area – including the development of an accessible lift, an outdoor patio that apparently would be somehow joined with a speculative outdoor patio at an adjacent property, modifications and signage that would be needed to facilitate use of the Eagles Parking lot, have not been fully described. These components must be clearly described and evaluated in compliance with CEQA.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties. Air quality impacts of the Project must be evaluated in compliance with CEQA.

Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Project. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation requirements to avoid significant impacts to special-status species must be evaluated and documented in a CEQA document.

Land Use/Planning. The proposed leasing of the Eagles Lodge parking lot for use by another party must be assessed in terms of applicable General Plan policies and zoning requirements.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. Staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

On August 4, 2021, during a presentation to the HDC regarding the then-proposed Folsom Prison Brews project, staff planner Steve Banks stated to the HDC, "noise and noise-related issues were evaluated at great length by City staff." Subsequent to that HDC meeting, the Community Development Direct advised that the Department does not have in-house capabilities to perform noise evaluations. The staff report for the November 18, 2021, HDC hearing states that "staff evaluated potential noise impacts associated with the proposed project," yet staff does not have the capability to perform noise evaluations. The staff report discusses hours of operation for the proposed tap house and discusses existing hours of operation for other businesses in the area, but the staff report neither cites a noise study nor presents any information resembling a noise impact evaluation.

Basic and fundamental information essential for a noise impact evaluation, such as existing and predicted with-project noise levels, is not provided in the staff report nor any supporting documentation. There is no discussion in the staff report "Noise Impacts"

section (packet pgs. 57-59) of the predicted noise levels associated with the proposed tap house, nor is there any discussion of noise impacts associated with the Project's use of the Eagle Lodge parking lot. There is no discussion of anticipated vehicle trips and associated traffic noise levels that would result from the project. The distances to nearest residences cited in the staff report fail to acknowledge residential uses at 605 and 607 Sutter Street (both of which are within less than 100 feet of the project site and within 200 feet of the proposed outdoor patio) or residential uses in proximity to the Eagles Lodge parking lot component of the project. The staff report fails to discuss other noise-sensitive land uses, such as the existing outdoor dining areas at nearby restaurants.

Also, even though the staff report seemingly attempts to base the "evaluation" on hours of operation, there is no discussion of the City General Plan daytime and nighttime exterior standards or time periods for which those standards are based, which then fails to disclose the fact that the project's proposed hours of operations on Thursday, Friday, and Saturday extend into the nighttime period during which the General Plan standards recognize increased noise sensitivity. Instead, the staff report incorrectly suggests that the Project would not result in noise impacts because other bars and restaurants are also open late into the evening.

The Project would have the potential to result in significant noise impacts associated with construction activities, the proposed tap house use, the proposed use of the Eagles Lodge parking area, the proposed lift operation, and the increased vehicle trips and resulting traffic noise. A noise impact evaluation must be prepared and potential impacts and mitigation identified in compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit, the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

Furthermore, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The discussion of pedestrian access in the staff report fails to even acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed.

For any one of the reasons discussed above, the Project does not qualify for a CEQA categorical exemption. Furthermore, even if it did, three exceptions to that exemption would preclude the use of a categorical exemption. Therefore, the City must prepare and circulate a CEQA environmental document for public review prior to proceeding with a Project decision.

IV. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, "The findings of the planning commission [in this case, the HDC] shall be that the establishment, maintenance or operation of the use or building applied for will or 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 city."

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business (the discussion does not consider pedestrian movement between the Eagles lot and Barley Barn site) and provides no indication that staff considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Furthermore, and as discussed above, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The direct path between the Barley Barn site and the Eagles lot is mid-block on Scott Street (between Sutter and Riley streets) and pedestrians would likely seek to cross there where no crosswalk is available. The discussion of pedestrian access in the staff report fails to even

acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed. The City's Traffic Safety Committee has not been given an opportunity to meet and discuss the Project and made recommendations to City decision-makers.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

V. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

The staff report does not provide information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they are not provided. For a meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit.

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking that would be available during all days and times of Project operation. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing ensured parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by the Project.

The Project's parking requirements must be determined and the Project should not be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process at which a City decision making body is able to consider whether the Project meets the findings required for such variance.

VI. CONCLUSION

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and

November 18, 2021

staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

Please require that a more complete description of the Project be developed which comprehensively identify all required entitlements, conduct the necessary safety and environmental analysis, and invite the community to engage in discussion of the Project's potential benefits and challenges before making an approval decision.

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630

Attachments:

- A. Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219) Approval is Null and Void
- B. Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

November 18, 2021

Attachment A

**Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219)
Approval is Null and Void**

Re: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void

Bob Delp <bdelp@live.com>

Thu 9/30/2021 7:16 AM

To: Pam Johns <pjohns@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>

Pam:

Per my message below, can you please confirm that the City's records have been adjusted to reflect the expiration of the 2018 staff-level approval for hardscape/landscape work at 614 Sutter Street and that any future similar proposal would be presented for review and approval by the HDC through a public hearing process?

Thank you,

-Bob Delp

Bob Delp

916-812-8122

bdelp@live.com

From: Bob Delp

Sent: Sunday, September 12, 2021 9:20 AM

To: Pam Johns <pjohns@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>

Subject: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void

Ms. Johns:

At the August 4, 2021, Historic District Commission (HDC) meeting during a presentation regarding the proposed Folsom Prison Brews project, Steve Banks advised the HDC that the Folsom Prison Brews applicant had received separate staff-level approval of hardscape and landscape improvements on the adjacent Powerhouse Pub property (614 Sutter Street). As discussed below, records indicate that this approval is null and void and I am requesting that the record be adjusted accordingly.

In materials I received as a result of a public records request for entitlements associated with properties including 614 Sutter Street, I have reviewed a September 11, 2018, staff letter approving PN 18-219 Site Design Review of a proposed excavated landscaped patio at 614 Sutter Street. FMC 17.52.350 states that, "an approval by the historic district commission shall be null and void unless the applicant submits a complete application for a building permit within one year from the date of approval" and allows that the HDC may grant a 1-year extension of an approval if specific actions are taken by the applicant, including a written request for such extension at least 60 days prior to the initial expiration. Staff-level approvals (which are to be limited to *design* decisions only) are allowed by delegation of HDC's authority and are therefore subject to the same requirements and expiration terms of an approval granted by the HDC.

I see no evidence in the records provided that a building permit application has been submitted for the patio improvements. Without such an application having been submitted prior to September 11, 2019, the 2018 approval is null and void. The record for PN 18-219 should be adjusted to reflect that expiration.

In addition to acknowledging that the approval is null and void, I am requesting that any future proposal for a development in the Historic District that would consume 1 or more existing parking spaces and/or in any manner expand any commercial use (the patio would have done both) be publicly noticed and brought to the HDC for consideration and not be permitted by staff-level review. In fact, since the matter of the patio was not merely a "design" issue and also involved grading, expansion of use, and elimination of existing parking, a staff-level approval was in conflict with FMC Section 17.52.395(B) which limits HDC delegation of its authority to staff to matters of design only (delegation is allowed only if "approval of the design of the project is the only matter within the jurisdiction of the historic district commission").

Nor in the record for PN 18-219 did I see any evidence that staff presented the approval to the HDC as required by the FMC. Perhaps this occurred and was not included in the records I received, however, please be reminded that FMC Section 17.52.395(E) requires that "the planning, inspections and permitting department shall review the design of all approved projects with the historic district commission at its regular monthly meeting. Such review will allow the commission to provide input to the department concerning the appropriateness of the approvals and help the commission and the department develop a consistent approach to design review."

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

November 18, 2021

Attachment B

**Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews
Update and Questions_2020-10-08”**

From: [Steven Banks](#)
To: [Reggie Konet](#)
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08
Date: Wednesday, October 14, 2020 2:00:00 PM
Attachments: [North of 50 Development Impact and Permit Fees for \(2020.07.01\).pdf](#)
[Impact Fee Estimate Data Sheet.pdf](#)

FYI

From: Daniel Wolfe <dwolfe@folsom.ca.us>
Sent: Wednesday, October 14, 2020 2:00 PM
To: Steven Banks <sbanks@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: RE: Folsom Prison Brews Update and Questions_2020-10-08

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Wednesday, October 14, 2020 1:33 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi guys,

Would you be able to help answer some of the utility questions below associated with the Folsom Prison Brews project?

Thanks,

Steve

From: Steven Banks
Sent: Thursday, October 8, 2020 12:46 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi Dan,

The applicant for the Folsom Prison Brews project was forwarded me with a list of questions, some of which I may need your assistance with (see below No. 1, No. 2, and No. 3).

Thanks,

Steve

From: Reggie Konet <konetarchitecture@gmail.com>
Sent: Thursday, October 8, 2020 10:44 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Murray Weaver <powerhousepub@aol.com>

Subject: Folsom Prison Brews Update and Questions_2020-10-08

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Folsom Prison Brews
PN18-174

Good morning Steve,

I hope this email finds you well.

Murray and I met with my MEP engineers yesterday at the site. The SMUD agent did not show up and never responded to my invites.

But we did have a productive meeting and I'd like to ask you the following questions.

1. For our new waste line, we may tie into the existing connection at the WEST side of the building, or we may tie into the waste line downhill from the building to the NORTH. If so, what is the sewer connection fee for a new connection?

Each Parcel shall have it's own water and sewer connection. If the parcel has an existing connection it may use it. It may not tie into a service on a different parcel. Same goes for water. A fee schedule is attached. I can give you an estimate if you fill out the data sheet and send it back to me.

2. For our new electric, we will need to tie into a transformer. There is an existing one at the EAST edge of parking lot. Do you feel that SMUD will allow us to do so? If we have to provide our own new transformer, it needs to be located on a 10' x 10' conc pad with the additional clear floor area. This would drastically reduce Murray's outdoor patio area.

That is between you and SMUD. The city does not get involved unless we are inspecting new service improvements for code compliance.

3. CITY UTILITIES PLAN. Do you have access to the underground utility location map? Location, size of pipes, easements, etc.

We get you the utility maps that we have on file. Please be aware that they are not always 100% accurate.

4. Remind me again on the time schedule for the HDC review? How far are they backed up?

5. Last but not least, the elec pole that is on the northwest edge between this property and the Powerhouse Pub is rotting and tilted. I realize that SMUD comment 1 states that if it needs to be moved for the project, the cost is on Murray. BUT, we do not need to move it for this project. ALTHOUGH, we are very concerned about

the safety of Murray's properties due to the condition of this pole. Also, it is the last above grade pole. The continuation of the lines are buried at that point moving east. So we thought it may behoove the Historic District to request SMUD to bury the lines at this point going west to the next pole. It would eliminate our concern of safety and it would benefit the aesthetic of the Historic District entry point. Many folks park in that lot and walk up the stairs toward Sutter Street. This particular pole is visually detrimental. Is there something we could do to request action on SMUD's part to perform this work?
PLEASE SEE MURRAY'S LETTER attached.

Thank you so much, Steve. I realize how busy you are and I greatly appreciate your assistance.

REGGIE KONET, AIA

CA LIC #33835
NY LIC #031827

KONET ARCHITECTURE

c 916.835.4222

www.houzz.com/pro/reggiekonet/

**255 American River Canyon Drive
Folsom, CA 95630**

Attachment 2

**Letter of Appeal from Folsom Railroad Block Developer,
LLC, Dated December 3, 2021**

CITY OF FOLSOM

NOTICE OF APPEAL

NAME OF APPELLANT: FOLSOM RAILROAD BLOCK DEVELOPER LLC

MAILING ADDRESS: [REDACTED]

FOLSOM, CA. 95630

INTEREST IN MATTER: LANDOWNER

DAYTIME TELEPHONE: [REDACTED]

APN/PROJECT REF. NO. PN 19-174 BARLEY BARN TAP HOUSE

ACTION BEING APPEALED: HDC USE PERMIT APPROVAL

DATE OF DECISION OR DATE PROJECT HEARD: NOVEMBER 10, 2021

REASON FOR APPEAL: FAILURE BY HDC TO ADEQUATELY
CONSIDER IMPACTS

SEE ATTACHED

Craig M. Sanchez
APPELLANT'S SIGNATURE
FOR APPELLANT

12/3/21
DATE FILED

STAFF USE ONLY:

Date/Time Received: _____ Fee Paid: _____ Res. 9600

Admin. (staff decision) Appeal
Owner Occupied \$239
Developer/other \$479

Planning Comm. Decision Appeal
Owner Occupied \$239
Developer/other \$479

Tentative Hearing Date: _____ Time Limit Waived: _____

Copies to: Community Development Director _____
City Manager (2) _____
City Attorney (2) _____
City Clerk _____

Received by: _____

1024 Iron Point Road
Ste. 100 #1280
Folsom, CA 95630

LAW OFFICES OF
CRAIG M. SANDBERG

Tel: (916) 357-6698
Email Craig@Sandberglaw.net

December 3, 2021

City Clerk
City of Folsom
Attn: Christa Freemantle
50 Natoma Street
Folsom, CA 95630

Via email: cfreemantle@folsom.ca.us

Rc: Barley Barn Tap House Appeal (PN 19-174)

Dear Ms. Freemantle:

This office represents Folsom Railroad Block Developers, LLC, appealing the approval of the above described project by the Historic District Commission on November 18, 2021. Although an appeal has already been filed by other parties we have been advised that it would be appropriate for us to submit an appeal as well.

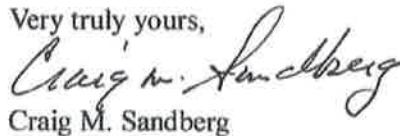
Our primary concern is the parking analysis and conclusions made for this project. It is no secret that there is a parking problem in the Historic District, which has long been an area of concern. City staff did a presentation to the City Council in February, 2008, describing the need for a strategy for accommodating the need for additional parking in the District. Later the same year, the City commissioned Kimley-Horn and Associates to prepare the *Historic District Parking Implementation Plan Update*, dated December 9, 2008. The Implementation Plan provided a comprehensive review of the on-street and off-street parking available in the Historic District together with the planned expansion of parking facilities. The conclusion was that in 2008 the parking inventory was generally adequate to accommodate the then existing uses in the Historic District but in order to accommodate approved uses, such as the Railroad Block Master Plan and other growth in the Historic District, additional parking facilities would be needed. Specifically, a new parking structure on Trader Lane, without which there will be no more parking capacity. Accordingly, the Implementation Plan suggested changes to the parking requirement ratios and financing strategies to construct new facilities. None of the suggested changes, nor financing strategies were implemented and accordingly, no new facilities have been constructed. The Implementation Plan has since been updated in 2014 and again in 2018, which confirmed the concern raised in the 2008 study that with expected growth the available parking would become inadequate. Attached is a graphic taken from the 2018 update which depicts the supply of parking in relation to the growth of the Historic District based on historic trends. Although you probably do not need a graph to realize the parking has become a problem in the Historic District, the graph clearly shows that the saturation point has been reached. This reality is reflected in comments from other business owners expressing their concerns about the proposed expanded use, together with the appeal filed on behalf of the neighbors.

City Clerk
City of Folsom
December 3, 2021
Page 2

The City has spent considerable time and money studying the parking issue in the Historic District and yet, none of this information was presented to the HDC. These referenced studies should have been "Exhibit A" in the discussion, however they were not presented and it appeared based on comments at the hearing that members of the Commission were completely unaware of them.

The applicant is, of course, aware that parking would be an issue and offers to increase the parking supply through a lease of 15 parking spaces at the Eagles Lodge. Unfortunately, there is no guaranty that these spaces will be available at any given time as they will be shared with Lodge visitors. Even if this was a viable approach it would not provide enough parking to accommodate the proposed use. Utilizing the standard 1 space per 350 square feet for parking generation is not applicable here as the possible occupancy of the facility increases dramatically with the proposed change of use. Hence the need for a special use permit, to weigh the impacts of a change in use regardless of whether the building is enlarged. The City Council has full discretion in considering the appeal of a use permit and we believe that for the preservation of the Historic District and the surrounding neighborhoods, the project should not go forward.

Very truly yours,



Craig M. Sandberg

cc: Client

Steve Banks, via email - sbanks@folsom.ca.us

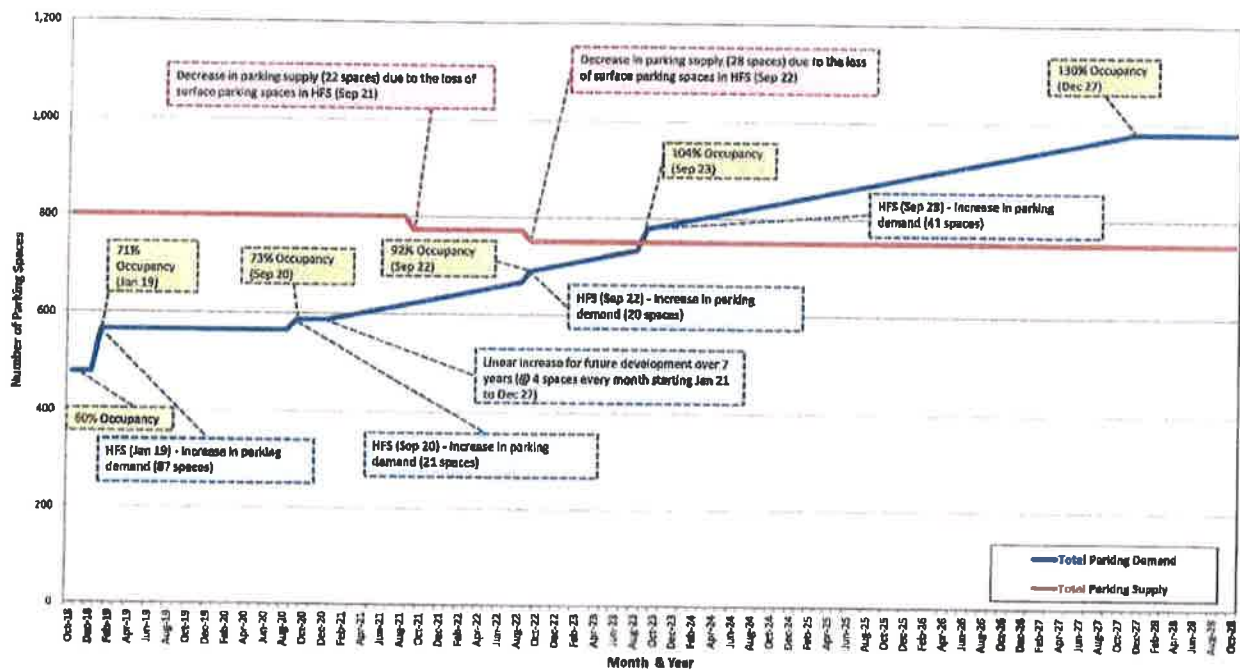


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

Attachment 3

**Letter of Appeal from Historic Folsom Residents Association
Dated December 3, 2021**

CITY OF FOLSOM

FOLSOM CITY CLERK'S DEPT
3 DEC '21 PM 4:00

NOTICE OF APPEAL

NAME OF APPELLANT: Michael J. Reynolds HFRA President

MAILING ADDRESS: [Redacted]
Folsom, CA. 95630

INTEREST IN MATTER: President of Historic Folsom Residents Assoc

DAYTIME TELEPHONE: [Redacted]

APN/PROJECT REF. NO. PN 19-174 Bowley Barn Tap House

ACTION BEING APPEALED: HDC Granting of Conditional Use Permit

DATE OF DECISION OR DATE PROJECT HEARD: Nov 18, 2021 HDC

REASON FOR APPEAL: See Attached

Michael J. Reynolds

APPELLANT'S SIGNATURE

12/3/2021

DATE FILED

STAFF USE ONLY:

Date/Time Received: 12/3/2021 Fee Paid: na Res. 10297

Admin. (staff decision) Appeal	Planning Comm. Decision Appeal
Owner Occupied \$233	Owner Occupied/Single Family Dwelling \$238
Other (deposit) \$468	Developer/other \$479

Tentative Hearing Date: 1/11/2022 Time Limit Waived: _____

Copies to: Community Development Director (2) _____

City Manager (2) _____

City Attorney (2) _____

City Clerk _____

Received by: Lydia Konopka

Per Folsom Municipal Code Section 17.52.510, the Historic District Commission, before issuing a conditional use permit, must find that the “establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental or injurious 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 city.” Almost all of the public comments on this project from both neighbors and nearby businesses identified parking as an issue that would be “detrimental or injurious” to them if this conditional use permit were approved, yet this detrimental effect was not debated under the code section.

The Historic District Commission was prevented from fully evaluating if the proposed project would or would not be detrimental or injurious to others. The Barley Barn project would convert the business type from retail business to an entertainment business which should trigger an analysis per city definition. The three parking studies sponsored by the city in 2008, 2013 and 2018 already demonstrate there is a lack of parking relative to the existing businesses but those studies were not submitted as a part of the staff report, nor did the applicant submit a parking impacts analysis.

City staff relied on past practice regarding issuance of conditional use permits repeatedly throughout the report in discussing this project. Past practice can serve as a guide, but cannot be a response in and of itself. City staff did not augment the past practices claim with any specific examples of application of past practices. Providing the Historic District Commissioners with specific examples would have allowed the Commissioners to put this particular project in context with those stated past practices in order to make an independent determination as to whether or not this particular request for a conditional use permit aligned with those past practices.

In addition to the above, we reserve the right to bring additional information and arguments forward in the de novo hearing before Folsom City Council.

Sincerely,



Mike Reynolds
President
HFRA



Cindy Pharis
Board Member
HFRA



Laura Fisher
Board Member
HFRA



Jennifer Lane
Board Member
HFRA



Bonnie Darrah
Board Member
HFRA



Carrie Lane
Board Member
HFRA

Attachment 4

**Historic District Commission Staff Report
Dated November 18, 2021**



**CITY OF
FOLSOM**
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 18, 2021

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Barley Barn Tap House
File #: PN 19-174
Request: Conditional Use Permit and Design Review
Location: 608 ½ Sutter Street
Parcel(s): 070-0061-011
Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner

Name: Weaver Trust
Address: 4800 Manzanillo Street
Fair Oaks, CA 95628

Applicant

Name: Regina Konet
Address: 8931 River Palm Court
Fort Meyers, FL 33919

Recommendation: Conduct a public hearing and upon conclusion approve a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

Project Summary: The proposed project includes a request for approval of a Conditional Use Permit to allow for the development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. Barley Barn Tap House is proposing to serve craft beers and food, both of which will be provided by off-site vendors. Live entertainment is proposed on a limited basis within the interior of the building. The proposed project also includes a request for Design Review approval for exterior and interior remodeling of the existing building to create a historic rural barn design theme.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Conditions of Approval
- 4 - Vicinity Map
- 5 - Site Plan, dated September 16, 2021
- 6 - Off-Site Parking Plan, dated September 16, 2021



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 18, 2021

- 7 - Demolition Plans, dated September 16, 2021
- 8 - Building Elevations, dated September 16, 2021
- 9 - Building Renderings, dated received September 27, 2021
- 10 - Color and Materials Exhibits
- 11 - Signage Details, dated September 16, 2021
- 12 - Site Details
- 13 - Floor Plans, dated September 16, 2021
- 14 - Project Narratives, dated received September 22, 2021
- 15 - Off-Site Parking Lease Agreement, dated October 15, 2021
- 16 - Public Comments Received Regarding Folsom Prison Brews Project
- 17 - Public Comments Received Regarding Barley Barn Tap House Project
- 18 - Site Photographs

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS
Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

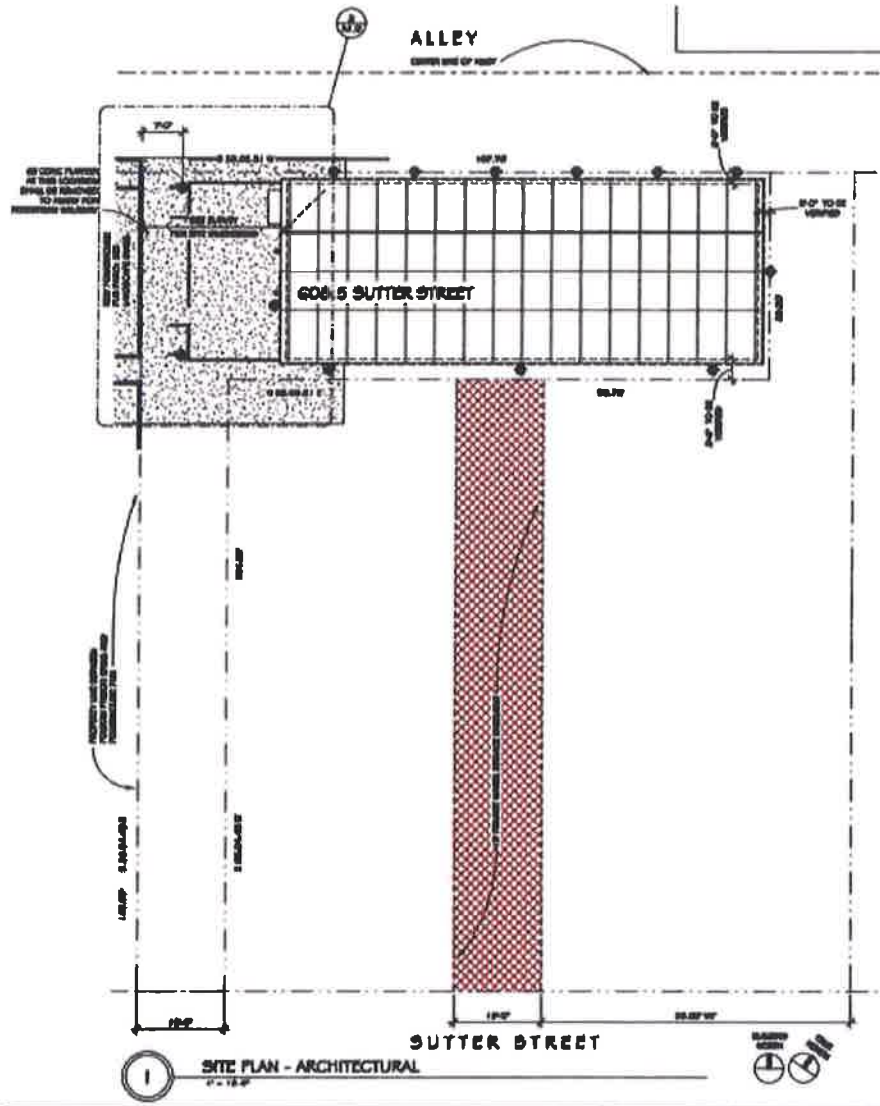
APPLICANT'S PROPOSAL

The applicant, Regina Konet (Konet Architecture), is requesting approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The proposed interior layout of Barley Barn Tap House includes 2,433 square feet of floor area on the first level including a large central area with moveable tables and seating, a bar area, a cooler room, and restroom facilities. The second floor of the building, which will be reduced from 1,944 square feet to 1,366 square feet, will be utilized for storage purposes only. The resulting total square footage of the building will be 3,799 square feet. Barley Barn Tap House will also include a fenced outdoor patio (approximately 480 square feet in size) which is located on the west side of the building. In terms of operational characteristics, Barley Barn Tap House has proposed serving craft beers and food, both of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m.

The proposed project also includes a request for Design Review approval for exterior and interior modifications to the existing building in order to create a rural vernacular which is reminiscent of the historic barns throughout California. The proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, galvanized metal gooseneck light fixtures, vintage signage painted on wood, faux dutch doors to emulate horse stables, and corrugated metal roofing. The color scheme is predominantly rustic brown in nature due to the extensive use of the reclaimed wood siding. The roofing material will be a reddish-gray tint to emulate an aged metal roof with an appealing patina. The doors and windows will be a dark brown color.

Vehicle access to the project site is provided by existing roadways including Sutter Street, Scott Street, and Riley Street. Pedestrian access to the project site is provided by existing sidewalks and pedestrian walkways. Parking to serve the Barley Barn Tap House project is proposed to be provided by utilizing existing public and private parking options in the immediate project area including the Powerhouse Pub parking lot (21 spaces), the adjacent Historic District Parking Lot (72 spaces), and the Folsom Electric Building parking garage (51 spaces). In addition, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot for exclusive use by Eagles Lodge members and customers and employees of Barley Barn Tap House. The proposed site plan is shown in Figure 1 on the following page:

FIGURE 1: PROPOSED SITE PLAN



POLICY/RULE

The Folsom Municipal Code (FMC Section 17.52.510(A)(1)(c)) states that bars, taverns, and similar uses are required to obtain approval of a Conditional Use Permit from the Historic District Commission. The Folsom Municipal Code (FMC Section 17.52.400) also requires that all new structures and alterations to existing structures located within the Historic District obtain Design Review approval from the Historic District Commission.

ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the project site is HF (Historic Folsom) and the zoning designation for the project site is HD (Historic District, Sutter Street Subarea of the Commercial Primary Area). Pursuant to Section 17.52.510 of the Folsom Municipal Code, bars, taverns, and similar uses located within the Sutter Street Subarea of the Historic District are required obtain a Conditional Use Permit from the Historic District Commission. Staff has determined that the proposed project is consistent with the General Plan land use designation and the zoning designation upon approval of a Conditional Use Permit by the Historic District Commission. In addition, staff has determined that the proposed project, which does not alter the building footprint or location of the existing structure, meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District.

Land Use Compatibility

The Barley Barn Tap House project site, which is comprised of a single 0.12-acre parcel, is located at 608 ½ Sutter Street. The project site is bounded by Sutter Street to the south with commercial development beyond, a Historic District parking lot to the north with Riley Street beyond, commercial development to the west with Riley Street beyond, and commercial development to the east with Scott Street beyond.

As described above, the project site is located within an area that is predominantly commercial in nature, with numerous restaurants, bars, and retail businesses located adjacent and in close proximity to the project site. In particular, there are eight restaurants and bars located within the 600 block of Sutter Street including Citizen Vine, Inspired Living, J. Wild's Livery & Feed, Mystic Dining, Plank Craft Kitchen and Bar, Powerhouse Pub, Scarlet's Saloon, and Sutter Street Steakhouse. The closest residential land uses to the project site are single-family residences situated approximately 270 feet to the east on Scott Street and approximately 320 feet to the south on Figueroa Street. Based on this information, staff has determined that proposed project is compatible with the surrounding land uses. Detailed discussions regarding parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise are contained within subsequent sections of this staff report.

Conditional Use Permit

As previously stated within this report, the Folsom Municipal Code, (Section 17.52.510) requires that bars, taverns, and similar uses obtain a Conditional Use Permit if the use is located within the Sutter Street Subarea of the Historic District. In this particular case, the applicant is requesting approval of a Conditional Use Permit to operate Barley Barn Tap House within an existing commercial building located at 608 ½ Sutter Street.

In order to approve this request for a Conditional Use Permit, the Commission must find that 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 City”.

In evaluating the Conditional Use Permit for Barley Barn Tap House, staff considered implications of the proposed project relative to parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise.

Parking

As shown on the submitted site plan (Attachment 5), the project site does not currently provide any on-site parking spaces nor are any on-site parking spaces proposed given the limitations of the subject parcel’s relatively small parcel size and the existing commercial building footprint. As is the case with many businesses located within the Sutter Street Subarea, the project site has relied on adjacent and nearby public parking options to serve the various businesses that have occupied the existing 4,377-square-foot commercial building since it was constructed in 1958. Existing nearby parking options anticipated to serve the proposed project include 21 parking spaces located within the adjacent Powerhouse Pub parking lot (under same private ownership as subject property), 72 parking spaces located in the adjacent public Historic District Parking Lot, and 51 parking spaces located within the Folsom Electric Building parking garage. In addition to the existing parking options in the project vicinity, the proposed project includes the provision of 15 shared off-site parking spaces at the Folsom Eagles Lodge site (Attachment 6), approximately 220 feet to the east of the subject parcel.

The Folsom Municipal Code (FMC, Section 17.52.510) requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. The City’s past practice regarding required parking within the Sutter Street Subarea of the Historic District is that all new development projects which increase density (increased square footage) are required to provide on-site parking spaces at the parking ratios described above. However, City practice has also been that development projects that do not result in an increase in density (increased building square footage) such as exterior tenant improvements, interior tenant improvements, and similar projects are not required to provide any additional on-site parking. Consistent with past City practice, staff has determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any on-site parking spaces. It should be noted that if the proposed project were subject to the aforementioned parking requirements, 11 on-site parking spaces would have been required.

While the proposed project is not required to provide any on-site parking spaces per established City practice, City staff and the applicant recognize that the existing building’s change in land use from a retail business to a craft beer establishment has the potential to result in a higher demand for parking. To address this concern, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby

Eagles Lodge parking lot (approximately 200 feet to the east of the subject property across Scott Street) for exclusive use by Eagles Lodge members as well as customers and employees of Barley Barn Tap House. In addition to securing 15 off-site parking spaces to serve Barley Barn Tap House, the applicant has indicated that they will offer a complimentary shuttle service (Sutter Surfer) to transfer customers to and from the Historic District parking structure and other public parking lots within the district and the project site. To ensure that adequate parking is continuously provided for the proposed project, staff recommends that the lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business. Condition No. 28 is included to reflect this requirement.

Pedestrian Circulation

Access to the project site is provided by a combination of public sidewalks and private pedestrian pathways. Public sidewalks are located along the street frontages of Sutter Street, Scott Street, and Riley Street respectively. A privately-owned pedestrian pathway (approximately 15 feet in width) provides access to the project site directly from Sutter Street and directly from the Historic District public parking lot located north of the project site. The applicant is proposing to maintain the private pedestrian pathway and continue to allow public use of the pathway to access the project site and the adjacent Historic District public parking lot to the north.

Fencing

As shown on the submitted site plan, the applicant is proposing to create a 480-square-foot enclosed outdoor patio area on the western side of the project site adjacent to the primary building entrance. The outdoor patio area is proposed to be enclosed with 42-inch-tall decorative metal fencing (black finish) with two access gates. Staff recommends that the final location, height, design, materials, and color of the proposed fencing and gates be subject to review and approval by the Community Development Department to ensure consistency with the Historic District Design and Development Guidelines. Condition No. 29-8 is included to reflect this requirement.

Lighting

As shown on the submitted building elevations (Attachment 8) and color and materials exhibit (Attachment 10), the applicant is proposing to use pole-mounted lights and building-attached gooseneck arm-style lighting fixtures to illuminate the building, pedestrian pathways, and the outdoor patio area. The proposed lighting poles and light fixtures have been designed to complement the rural farm-style design theme of the building while also being consistent with the recommendations of the Design and Development Guidelines. In addition, the lighting has been designed to minimize light/glare impacts to the adjacent properties by ensuring that all exterior lighting is shielded and directed downward. Staff recommends that the final exterior building and site lighting plans be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, staff recommends all lighting is

designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Condition No. 16 is included to reflect these requirements.

Trash/Recycling

There are currently multiple existing public trash and recycling enclosures located in the Historic District parking lot adjacent to the project site to the north. The applicant is proposing to utilize the existing trash and recycle enclosures to dispose of trash and recycling products generated by the proposed project. The City's Solid Waste Division has determined that the existing trash/recycling enclosures have sufficient capacity to accommodate the demand created by the proposed project.

Signage

The applicant is proposing to install a painted-on project identification sign on the west building elevation above the front entry doors. The proposed painted-on wall sign, which is approximately 33 square feet in size (18-inch-tall letters with Playbill Font), includes two lines of copy that reads "Barley Barn Tap House". The two lines of copy (painted white) are proposed to be painted directly onto a wood siding backdrop (painted red) to mimic historic "ghost signage". Painted wall signs were historically called "ghost signs" because they faded with time if they were not regularly painted and became less visible. The painted-on wall sign is proposed to be indirectly illuminated by two gooseneck-style light fixtures.

The Historic District Design and Development Guidelines (DDGs) provide sign allowances based on the frontage width of the business. In this particular case, the proposed project has a frontage width of approximately 80 feet, thus the project is permitted a maximum of 50 square feet of sign area. Staff has determined that the proposed sign area is consistent with the maximum allowable sign area established by the Design and Development Guidelines by providing 33 square feet of sign area whereas 50 square feet of sign area are allowed.

With respect to sign design, the Design and Development Guidelines state that sign materials may be wood, metal, or other historically appropriate combination of materials. The Guidelines also state the sign styles and lettering should be compatible with the period in which the building was built, but that simple contemporary graphic styles may be appropriate as well. In addition, the Guidelines indicate that sign illumination must be subdued and indirect and may not create excessive glare. Staff has determined that the proposed painted-on wall sign is consistent with the design, material, and illumination recommendations of the Design and Development Guidelines. Staff recommends that the owner/applicant obtain a sign permit prior to installation of the painted-on wall sign. Condition No. 30 is included to reflect this requirement.

Landscaping

The project site includes a number of existing landscape planters located around the perimeter of the building and along the pedestrian walkway. The applicant is not proposing to install any new landscaped areas and is proposing to maintain the existing landscaping located in the planters throughout the project site. Staff recommends that the applicant be responsible for on-site landscape maintenance throughout the life of the project. Condition No. 15 is included to reflect this requirement.

Noise Impacts

Based on the relatively close proximity of the project site to single family residences (approximately 270 feet and 320 feet to the east and south respectively), staff evaluated potential noise impacts associated with the proposed project. Potential new noise sources associated with the proposed project may include noise generated inside Barley Barn Tap House and noise generated in the patio area outside Barley Barn Tap House. As described in the project narratives (Attachment 14), Barley Barn Tap House has proposed serving craft beers and food, all of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m. The following table shows the Barley Barn Tap House proposed closing times as compared to other restaurants and bars located within the 600 block of Sutter Street:

TABLE 1: CLOSING TIME COMPARISION TABLE

	M	TU	W	TH	F	S	SU
Barley Barn Tap House	10 pm	10 pm	10 pm	12:30 am	12:30 am	12:30 am	10 pm
Powerhouse Pub	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Scarlett's Saloon	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Cltizen Vine	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	7 pm
Plank Craft Kitchen and Bar	Closed	Closed	9 pm	9 pm	10 pm	10 pm	9 pm
Mystic Dining	9 pm	9 pm	9 pm	9 pm	11 pm	11 pm	9 pm
Sutter Street Steakhouse	Closed	9 pm	9 pm	9 pm	9 pm	9 pm	9 pm
J. Wilds Livery & Feed	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	9 pm

As described in the project narrative and shown in the Closing Time Comparison Table above, the applicant is proposing hours of operation in which the closing time for the business extends into the late evening Sunday thru Wednesday and early morning hours Thursday thru Saturday. Staff has determined that the proposed hours of operation are compatible with the hours of operation for other restaurant/bar businesses currently located within the 600 block of Sutter Street. In addition, staff has determined that the proposed hours of operation are similar to the hours of operation for other bar-type establishments located along different blocks of Sutter Street to the west including but noted limited to Samuel Horne's Tavern (12:00 a.m.) and Fat Rabbit (1:00 a.m.).

The applicant is proposing to have live entertainment (solo, duet, or trio-type performers) on a limited basis within the interior of the building. The interior of the building will not have a stage or raised platform as the proposed entertainment is anticipated to be more subtle in nature according to the applicant. To ensure that the proposed project does not result in significant noise-related impacts associated with live entertainment and other aspects of the business, staff recommends that the following measures be implemented to the satisfaction of the Community Development Department (Condition Nos. 18-28).

- Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.
- A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission's approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.
- The owner/applicant shall maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this Conditional Use Permit and the ABC license, the more stringent regulation shall apply.
- All entertainment (as defined in Chapter 5.90 of the Folsom Municipal Code) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.
- Compliance with the City of Folsom's Noise Control Ordinance (Folsom Municipal Code Chapter 8.42) and General Plan Noise Element shall be required.
- Hours of operation (including private parties) shall be limited as follows:
 - Sunday-Wednesday: 11:00 a.m. to 10:00 p.m.
 - Thursday-Saturday: 11:00 a.m. to 12:30 a.m.

No expansion of business hours beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a Conditional Use Permit Modification.

- Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.
- Doors and windows to the outdoor patio area shall be closed at all times when music is being played.
- No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.
- No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.

Architecture/Design

As described in the project narratives, the applicant is requesting Design Review approval for exterior and interior modifications to an existing 4,377-square-foot commercial building located at 608 ½ Sutter Street. As stated by the applicant, the intent of the project is to create a rural design theme that is reminiscent of the historic barns found throughout California. Distinct architectural features include a clerestory with windows added to the upper portion of the existing structure to allow more natural light to enter the building, custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

In support of the rural barn design theme, proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage signage panels, and corrugated metal roofing. The color scheme is predominantly rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. Proposed building elevations and color renderings are shown in the Figures on the following pages.

FIGURE 4: BUILDING RENDERING (NORTHWEST)



FIGURE 5: BUILDING RENDERING (SOUTHWEST)



The Sutter Street Subarea encompasses Folsom's original central business district, the area first zoned for historic preservation. Retail shops and restaurants have predominated in recent history. The Subarea is intended to become a more "complete" downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Overall, the Sutter Street Subarea represents a mixture of development that is representative of the 1850 to early 1900s timeframe. The Folsom Municipal Code (FMC, Chapter 17.52, Historic District) serves as regulatory document for development within the Historic District. In addition, the Historic District Design and Development Guidelines (Design Guidelines), which were adopted on October 1, 1998, provide architectural guidance for development activity within the Sutter Street Subarea.

The purpose and intent of Chapter 17.52 (Historic District) of the Folsom Municipal Code is to preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950; maintain, restore, and reconstruct historic structures and sites within the historic district; encourage an active business climate

which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950; ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950; and increase the awareness, understanding, and appreciation of the history of the city

In conjunction with the regulations imposed by Chapter 17.52 of the Folsom Municipal Code, the Historic District Design and Development Guidelines limit new construction in the Historic District to architectural styles extant in California from 1850 to 1950, a limitation intended to encourage the diversity which is the charm of old Folsom while preventing construction of modern buildings which would be discordant. The overall concept is to maintain a traditional small town at the heart of a modern, developing City.

The Historic District Design and Development Guidelines include a number of goals and policies intended to inform and guide development within the Historic District. The first Goal (Goal 1: Community Identity) of the Design and Development Guidelines is to preserve and enhance the historic, small-town atmosphere of the 98-block Historic District area. Policy 1.1 associated with Goal 1 states that external design features, both public and private, shall be consistent with design of the time period from 1850 to 1950. As noted in the project description and shown in the submitted plans, the proposed building is modeled after rural barns found throughout California from the mid 1800's to the early 1900's. Shown below and on the following page are two examples of historic barns that represent the rural vernacular the applicant is hoping to achieve with the proposed project.

FIGURE 6: PHOTOGRAPH OF CAMARILLO RANCH HOUSE (1905)



FIGURE 7: PHOTOGRAPH OF COOPER MOLERA BARN (Est. 1850's)



The Design and Development Guidelines state that the goal of any remodeling project such as the proposed project is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible. In evaluating a request to remodel a structure, the Design Guidelines indicate that the Historic District Commission shall consider the following factors:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value.
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

In reviewing the proposed project, staff identified two potential benefits to the property owner and community. The first benefit would be the introduction of a unique business (craft beer establishment) that would allow local beer producers the opportunity exhibit and sell their products. In addition, consumers would have the opportunity to try local products within a unique venue on Sutter Street. The second benefit would be to acknowledge and recognize the rural ranching history of Folsom with development of a

rural barn-style structure on the site. One of the most notable ranch properties in Folsom was the Broder Family Ranch (1878), which included an Italianate-style home, a barn, and several other buildings. While the proposed project is not designed to mimic the architecture of the barn that was located on the Broder Family Ranch property, it does include some similar design elements.

With regard to architectural and historical value, the existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List.

In reviewing the design of the proposed project, staff took into consideration the recommendations of the Design and Development Guidelines relative to architectural design and features, building materials, and building colors. With respect to architectural design and features, the proposed project is maintaining most of the existing building shapes and forms with exception of the new clerestory with windows added on top of the existing roof structure. Other distinct architectural features included with the project are custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

With respect to building materials, the primary building material utilized will be vertical reclaimed wood siding. Additional proposed building materials include aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage wood signage panels, and corrugated metal roofing.

The Design Guidelines encourage the use of high quality, commercial-grade durable materials that are complementary to the historic context. Wood siding and wood-framed windows are high-quality building materials that are utilized on numerous buildings throughout the Sutter Street Subarea. The Design and Development Guidelines also state that roofs shall be constructed of traditional materials including fireproof wood shingles, wood shakes, corrugated metal, composition fiberglass shingles, clay tiles, and other materials supported by historic evidence. The proposed corrugated roofing material is consistent with the roof material recommendations of the Design Guidelines. Staff has determined that the other supplemental building materials utilized for the doors, windows, and lighting are appropriate materials for use in the Sutter Street Subarea.

The color scheme for the remodeled building is predominately rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. The Design Guidelines recommend that bland color schemes be avoided where the color values are all the same or very similar. Staff has determined that the proposed color scheme is consistent with the Design Guidelines in that the colors of the reclaimed wood siding and the corrugated

metal roofing include a blending of colors that creates an appropriate level of visual interest.

In summary, staff has determined that the proposed project has successfully met the architectural and design recommendations for remodeling of existing structures in the Historic District as suggested by the Historic District Design and Development Guidelines. In addition, staff has determined that the proposed building design, building materials, and building colors are also consistent with the recommendations of the Design and Development Guidelines. Staff forwards the following design recommendations to the Commission for consideration:

1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021.
2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department.
3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings.
5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department.
6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department.
7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department.

These recommendations are included in the conditions of approval presented for consideration by the Historic District Commission (Condition No. 29).

PUBLIC COMMENT

The Community Development Department received numerous comment letters (Attachment 16) from residents as well as the Heritage Preservation League (HPL) and the Historic Folsom Residents Association (HFRA) expressing concerns regarding a number of issues associated with the previously proposed version of the project (Folsom Prison Brews) including the bar/brewery use, architecture, site design, parking, noise, and landscaping. Staff has included these comments as an attachment to the staff report as some of them as still applicable to the proposed project (Barley Barn Tap House).

The Community Development Department also received comment letters (Attachment 17) from residents as well as the Heritage Preservation League (HPL) and Historic Folsom Residents Association (HFRA) expressing concern and raising questions regarding a number of similar topics associated with the revised project (Barley Barn Tap House). In addition, there were residents and businesses who submitted letters in support of the proposed project.

In relation to the proposed craft brewery use, there were a number of comments expressing concern with the addition of another bar-type establishment within the 600 block of Sutter Street and the potential impacts it may have relative to parking, noise, and lighting. Along those same lines, there were comments noting concern about the increased concentration of bar-type businesses within the 600 block of Sutter Street and the Sutter Street Subarea as a whole. The City of Folsom does not currently have any rules or regulations in place governing the concentration of business that sell alcoholic beverages. In addition, the State of California (Department of Alcohol and Beverage Control) is the agency responsible for issuance of a license for the sale of alcoholic beverages to bars and restaurants. A condition of approval (Condition No. 20) has been placed on the proposed project requiring the owner/applicant to maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions.

With respect to architecture and design, the Heritage Preservation League (HPL) stated that while the proposed design is not typical for early barns that were construction in the region, similar barn designs were used at other locations throughout the United States during the 1850-1900 timeframe. The HPL concluded in their comment letter that the proposed barn design theme is appropriate for the Sutter Street Subarea. However, the HPL recommended that the applicant consider making a number of design modifications to ensure an authentic barn design including replacing the glass folding entry door with a wide barn door, replacing the small front entry door with a more historic entry door, and exposing the roof rafters.

In response to the HPL's design-related comments, the applicant stated that the objective with the proposed bi-fold entry doors is to provide as much natural light and ventilation for the building as possible (which will assist the project in meeting its Title 24 Building

Code requirements). The applicant also commented that the proposed bi-fold doors will provide the largest opening into the interior of the building possible, while not impeding the required access to the electrical panels or the utility services that are both located on the outside of the west building elevation. The applicant indicated that barn-style doors would need uninterrupted wall space in order to be rolled out and that amount of space is not available to accommodate this on the project site. The applicant also stated that the barn-style doors would provide a thermally broken closure, meaning that they are not air-tight (like the proposed bi-fold doors) and would not meet California energy code requirements.

With respect to HPL's request that the small glass front entry door on the west building elevation be replaced with a more historic looking door, the applicant stated that they are open to modifying the design with the acknowledgement that the door is required to be fire-rated to meet National Fire Protection Association (NFPA) requirements as well as building code egress requirements. As a result, staff recommends that the design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door, within the bottom half of the door being a solid material to the satisfaction of the Community Development Department. Condition No. 29-6 is included to reflect this requirement.

With regard to HPL's request to expose the roof rafters on the building by eliminating the fascia boards, the applicant commented that while this would enhance the barn-style appearance of the building, it is not feasible due to the fact that extending the rafters would not be compliant with current building code requirements due the existing building being located on the northern property boundary. The applicant noted that the rafters on the new clerestory feature could be exposed, but it would not enhance the overall appearance of the building if rafters were only exposed on a portion of the building.

In terms of site design, the HPL expressed concern that the large concrete patio might detract from the overall impression of historic development as historic districts typically use natural stones or decomposed granite to provide a level surface. In addition, the HPL has suggestions regarding the perimeter fencing proposed around the outdoor patio area. The HPL recommended a few modifications to address their site design concerns including tinting the existing concrete patio area to create an aged appearance, adding wood post and wood panels to the perimeter wrought-iron patio fencing, and preserving the existing decorative tiles on the retaining walls adjacent to the pedestrian walkway.

In response to HPL's comments regarding the project's site design, the applicant stated that they are willing to make the suggested modifications relative to the color of the concrete patio, the enhancement of the outdoor patio fencing, and attempting to preserve the decorative tiles that cover the retaining wall along the private walkway. As a result, staff recommends that the applicant create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tiles on the retaining wall located along the private

walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. Condition No. 29-7 is included to reflect these requirements.

The HPL, HFRA, and residents expressed concerns regarding potential parking impacts associated with the proposed project. In particular, concerns were raised regarding lack of existing parking options within the 600 block of Sutter Street, the increased parking demand associated with the proposed project, and the effectiveness of the parking lease agreement (lease agreement with the Eagles Lodge) submitted by the applicant. A number of suggestions were made to address the potential parking impacts including requiring the project applicant to participate in a funding mechanism to provide an additional public parking facility, reevaluating the current parking requirements for the Sutter Street Subarea, and requiring the applicant to submit a business plan that describes all potential parking impacts. The City is actively involved in evaluating and implementing district-wide parking solutions that were recommended by the Historic District Ad Hoc Parking Committee. The parking section of this staff report provides detailed analysis of the parking requirements and impacts associated with the proposed project.

Potential noise impacts were commented on in a number of letters that were submitted to the City, particularly in relation to the live entertainment aspect of the proposed project and the proposed business hours. The Noise Impacts section of this staff report contains a detailed discussion regarding the live entertainment component of the proposed business (including proposed business hours) and the extensive list of requirements and conditions that have been placed on the project to minimize potential noise impacts to surrounding businesses and residents.

The HPL made a number of comments regarding the proposed signage and lighting associated with the proposed project. With respect to signage, the HPL stated that the proposed sign type (block letters painted on wood) is appropriate for Sutter Street Subarea. However, the HPL recommends that the painted-on wall sign be relocated to the northern building elevation and that a blade sign be placed on the western building elevation. The HPL also states that the proposed painted-on wall sign exceeds the maximum allowable sign area for the western building elevation. Staff is supportive of the proposed size and location of the painted-on wall sign as this is the primary building entrance.

The HPL commented that the proposed gooseneck light fixtures are consistent with the design of light fixtures found in the 1850-1900 timeframe. However, the HPL is concerned that the level or intensity of illumination associated with the gooseneck light fixtures might be too great and not be consistent with the lower-level light intensity found on historic light fixtures. Staff has included a condition of approval on the project that requires final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass. In addition, this condition requires that all lighting be

designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.

The HPL and a number of residents commented that the proposed project should not be exempt from review under the California Environmental Quality Act and that an Initial Study and Negative Declaration/Mitigation Negative Declaration should be prepared for the proposed project. City staff reviewed these comments and confirmed that the proposed project does qualify for an exemption from CEQA. Specifically, staff determined that the proposed project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. In addition, staff determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

The New Construction or Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption .

City staff has also determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case. Exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources.

ENVIRONMENTAL REVIEW

The project is categorically exempt under 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

As referenced previously within this report, the exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources. A description of the most applicable of these exceptions is listed below with a brief response as to why each of these exceptions do not apply to the proposed project.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

In analyzing whether this exception applies, both the "same type" and the "same place" limitations should be considered. When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts. With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

City staff has determined that the cumulative impact of the proposed project is not significant in that the project will not result in any adverse impacts with respect building design, site design, parking, lighting, and noise. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

CEQA Guidelines section 15300.2(c) states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This is commonly referred to as the “unusual circumstances exception.”

The unusual circumstances exception to the use of a categorical exemption applies only when both unusual circumstances exist and there is a reasonable possibility that the project will have a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1104.)

Whether unusual circumstances exist to distinguish this project from others in the exempt class is a factual question. The answer to that factual question must be supported by substantial evidence.

In making this decision, the Commission should consider whether the proposed project's circumstances differ significantly from the circumstances typical of the type of projects covered by the exemption, namely, other small structures in the Historic District that are either converted from one use to another or newly constructed. The exception applies only if the claimed unusual circumstance relates to the proposed action under consideration; it does not apply if the unusual circumstances are part of the existing conditions baseline. (*Bottini v. City of San Diego* 27 Cal.App.5th 281; *World Business Academy v. State Lands Commission* (2018) 24 Cal.App.5th 476, 498; *North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.)

Another consideration is whether there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. (*Berkeley Hillside Preservation*, 60 Cal.4th at p. 1115.) The Commission answers this question by determining if there is any substantial evidence before it that would support a fair argument that a significant impact on the environment may occur as a result of the proposed project. (*Id.*) A reasonable possibility of a significant impact may be found only if the proposed project will have an impact on the physical environment. If there is no change from existing baseline physical conditions, the exception does not apply. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.) The exception also does not apply if the project will have only a social impact and will not result in a potentially significant change to the physical environment. (*Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; *City of Pasadena v. State* (1993)

14 Cal.App.4th 810, 826.)

The question is not whether the project will have an adverse impact on some persons, but whether it will adversely affect the environment of persons in general due to unusual circumstances. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1392.

After analyzing the unusual circumstances exception in association with this project, the City determined that no unusual circumstances exist to distinguish this project from others in the exempt class. While an argument could be made that the small parcel size and the location of the parcel within the public parking lot are unusual circumstances, both of those conditions exist at this time. The presence of bars and restaurants on Sutter Street is not uncommon, so any impacts associated with the proposed use itself are not unusual. In addition, parking impacts associated with new businesses on Sutter Street are not unusual.

The City also determined that there is not a reasonable possibility of a significant effect on the environment due to any claimed unusual circumstances for this project. Any possibility of a significant impact on the physical environment allegedly caused by proposed project would not be the result of any claimed unusual circumstances. As mentioned above, the proposed use is not unusual, so any possible significant effects associated with that use are not sufficient to support the exception in this case. In addition, as stated above, parking impacts associated with new businesses on Sutter Street are not unusual. Even so, as described in detail in other sections of this report, the project applicant has secured a lease for 15 shared parking spots at the nearby Eagle's Lodge in an attempt to address any potential parking-related impacts and the City has conditioned the project to require those parking spots to remain available for the life of the Conditional Use Permit. As a result, the City has determined that any possible significant effects related to parking are not unusual and do not require application of the exception for this project.

(f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property, which is located at 608 ½ Sutter Street (APN: 070-0061-011-0000), is developed with an existing 4,377-square-foot commercial building which was built in 1958. The existing building is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List nor any other State or Federal historic or cultural resource

inventory or list.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the conditions of approval included in this report.

HISTORIC DISTRICT COMMISSION ACTION

Move to approve a Conditional Use Permit and Design Review (PN 19-174) for Barley Barn Tap House, which includes development and operation of a craft beer establishment within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

DESIGN REVIEW FINDINGS

- H. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.
- I. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

ATTACHMENT 2 BACKGROUND

BACKGROUND

The existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List. The existing commercial building is currently occupied by an art and crafts store (Artfully Rooted) that provides an eclectic mix of artistic décor, furniture, fashion, vintage, antiques, and repurposed items. A photograph of the existing commercial building is shown in Figure 4 below:

FIGURE 4: COMMERCIAL BUILDING AT 608 ½ SUTTER STREET



GENERAL PLAN DESIGNATION	HF, Historic Folsom
ZONING	HD, Sutter Street Subarea of the Commercial Primary Area
ADJACENT LAND USES/ZONING	North: Public Parking Lot (HD) with Riley Street Beyond South: Sutter Street with Commercial Development (HD) Beyond East: Commercial Development (HD) with Scott Street Beyond West: Commercial Development (HD) with Riley Street Beyond
SITE CHARACTERISTICS	The L-shaped project site, which is approximately 0.12-acres in size, is developed with a 4,377-square-foot building (currently occupied by Artfully Rooted) and associated site improvements including a paved patio area, pedestrian walkways, and landscaped planters.
APPLICABLE CODES	<u>FMC</u> Chapter 15.52; HD, Historic District <u>FMC</u> Section 17.52.300, Design Review <u>FMC</u> Section 17.52.660, Demolition <u>FMC</u> Chapter 17.57, Parking Requirements <u>FMC</u> Chapter 17.60, Use Permits Historic District Design and Development Guidelines

Attachment 3

Proposed Conditions of Approval

CONDITIONS OF APPROVAL FOR BARLEY BARN TAP HOUSE CONDITIONAL USE PERMIT AND DESIGN REVIEW 608 ½ SUTTER STREET (PN 19-174)					
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS		When Required	Responsible Department
1.		<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. Site Plan, dated September 16, 2021 2. Off-Site Parking Plan, dated September 16, 2021 3. Demolition Plans, dated September 16, 2021 4. Building Elevations, dated September 16, 2021 5. Building Renderings, dated received September 27, 2021 6. Color and Materials Exhibits 7. Signage Details, dated September 16, 2021 8. Site Details 9. Floor Plans, dated September 16, 2021 10. Project Narratives, dated received September 22, 2021 11. Off-Site Parking Lease Agreement, dated October 15, 2021 <p>The project is approved for the development of the 3,799-square-foot Barley Barn Tap House project. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>		B	CD (P)(E)
2.		<p>Building plans, and all applicable civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>		B	CD (P)(E)(B)

3.		<p>The project approvals (Conditional Use Permit and Design Review) granted under this staff report shall remain in effect for one year from final date of approval (November 18, 2022). If the Conditional Use Permit has not been exercised within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, respectively, these approvals shall be considered null and void without further action. The owner/applicant may file an application with the Community Development Department for a permit extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to <u>Chapter 17.60 of the Folsom Municipal Code</u>.</p>	B	CD (P)
4.		<p>If the Community Development Director finds evidence that conditions of approval for Barley Barn Tap House have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>	OG	CD (P)
5.		<p>This Conditional Use Permit shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months.</p>	OG	CD
6.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD

7.		Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.	OG	CD (B)
8.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior's Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.	B	CD (P)(E)(B)
9.		In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner's representative appropriate disposition of the remains and any grave goods.	B	CD (P)(E)(B)
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
10.		The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	B	CD (P)(E)
11.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	B	CD (P)(E)

12.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	B	CD (P)(E)
13.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
14.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
LANDSCAPE REQUIREMENT				
15.		The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department.	OG	CD (P)(E)
LIGHTING REQUIREMENT				
16.		Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, all lighting shall be designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.	B	CD (P)
NOISE REQUIREMENT				
17.		Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. Construction equipment shall be muffled and shrouded to minimize noise levels.	B	CD (P)(E)

CONDITIONAL USE PERMIT REQUIREMENTS				
18.		Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.	B, OG	FD NS (B)
19.		A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission's approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.	OG	CD, PD
20.		The owner/applicant shall maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this Conditional Use Permit and the ABC license, the more stringent regulation shall apply.	OG	CD (P)
21.		All entertainment (as defined in Chapter 5.90 of the <u>Folsom Municipal Code</u>) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.	OG	CD (P)
22.		Compliance with the City of Folsom's Noise Control Ordinance (<u>Folsom Municipal Code Chapter 8.42</u>) and General Plan Noise Element shall be required.	OG	CD (P)
23.		Hours of operation (including private parties) shall be limited as follows: <ul style="list-style-type: none"> o Sunday-Wednesday: 11:00 a.m. to 10:00 p.m. o Thursday-Saturday: 11:00 a.m. to 12:30 a.m. No expansion of business hours beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a discretionary Conditional Use Permit Modification.	OG	CD (P)
24.		Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.	OG	CD (P)
25.		Doors and windows to the outdoor patio area shall be closed at all times when music is being played.	OG	CD (P)
26.		No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.	OG	CD (P)

27.		No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.	OG	CD (P)
28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.	OG	CD (P)

ARCHITECTURE/SITE DESIGN REQUIREMENTS				
29.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021. 2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department. 3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features. 4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings. 5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department. 6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department. 7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. 	I, B	CD (P)

SIGN REQUIREMENT			
30.		The owner/applicant shall obtain a sign permit prior to installation of the painted-on wall sign.	B CD (P)
31.		<u>The owner/applicant shall make a good faith effort to improve the Eagles Lodge parking lot area with paving and striping with the voluntary approval of the Eagles Lodge (This condition was added by the Historic District Commission at its November 18, 2021 meeting).</u>	B CD (P)(E)

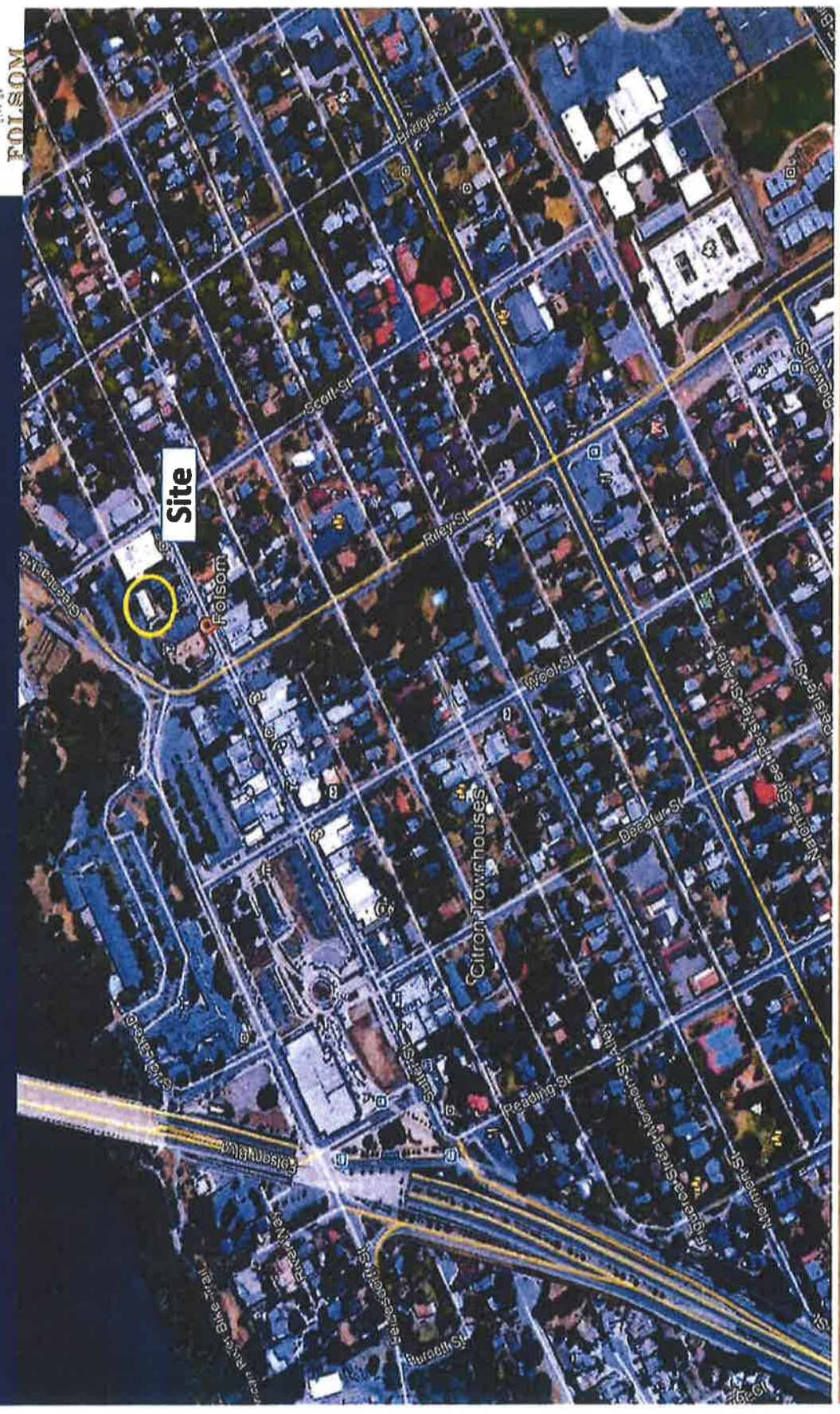
RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
(P)		M	Prior to approval of Final Map
(E)		B	Prior to issuance of first Building Permit
(B)		O	Prior to approval of Occupancy Permit
(F)		G	Prior to issuance of Grading Permit
PW		Public Works Department	DC
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 4

Vicinity Map

Vicinity Map



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 5

Site Plan, dated September 16, 2021

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 6

Off-Site Parking Plan, dated September 16, 2021

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 7

Demolition Plans, dated September 16, 2021

KONET ARCHITECTURE

REGGIE KONET, AIA
230 AMERICAN RIVER CANYON DR
FOLSOM, CA 95630
916-938-4323
Murray Weber, Licensed Architect
CA Arch License #C28765

www.konetarchitecture.com

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No.	Description	Date

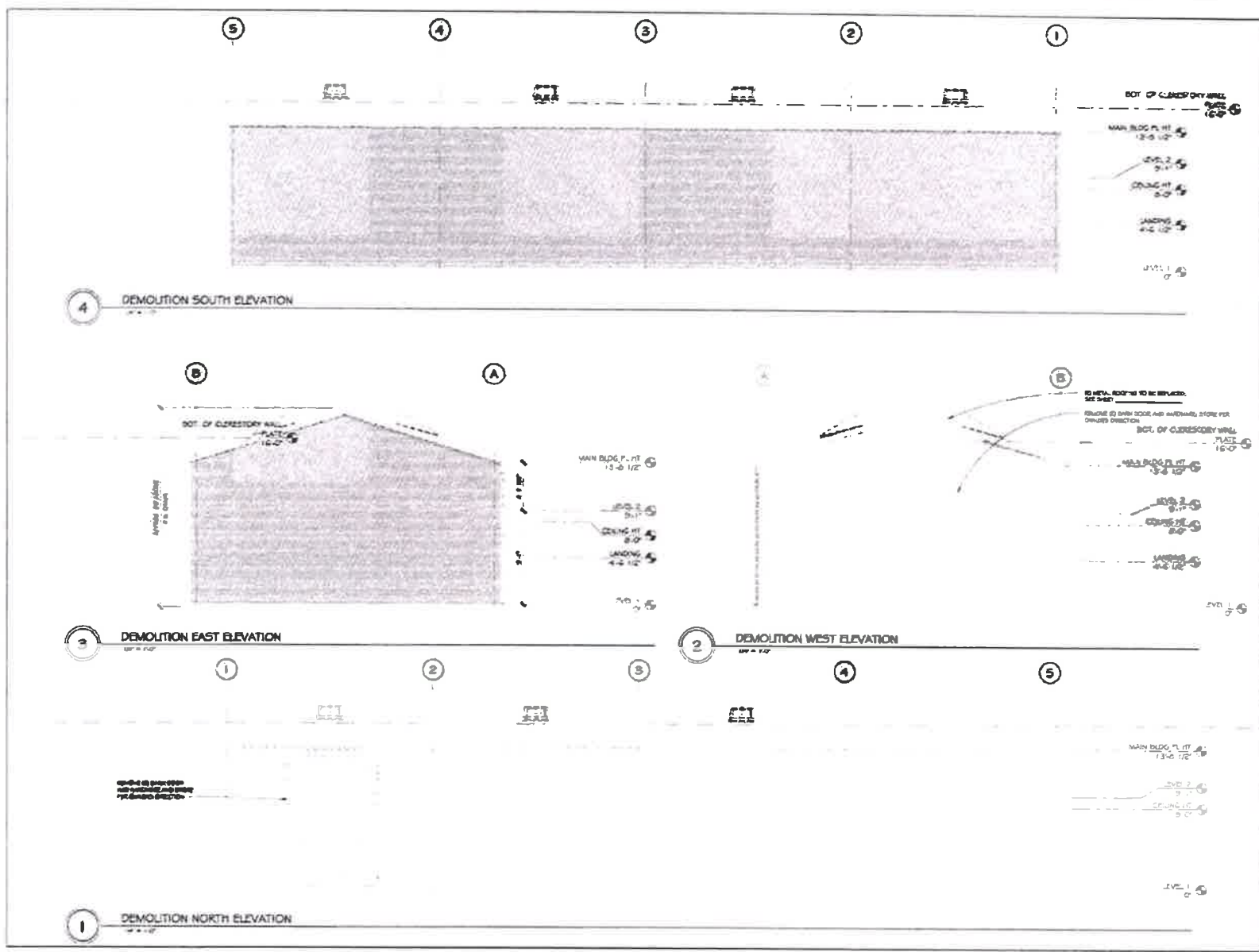
Murray Weber, Licensed Architect
BARLEY BARN TAP HOUSE
509 1/2 Sutter Street
Folsom, CA 95630
APN: 050-009-011-0000

DEMOLITION ELEVATIONS

Project No: 2018-01
Date: 08/14/18
Drawn by: Reggie Konet, AIA
Checked by: Murray Weber

A3.0

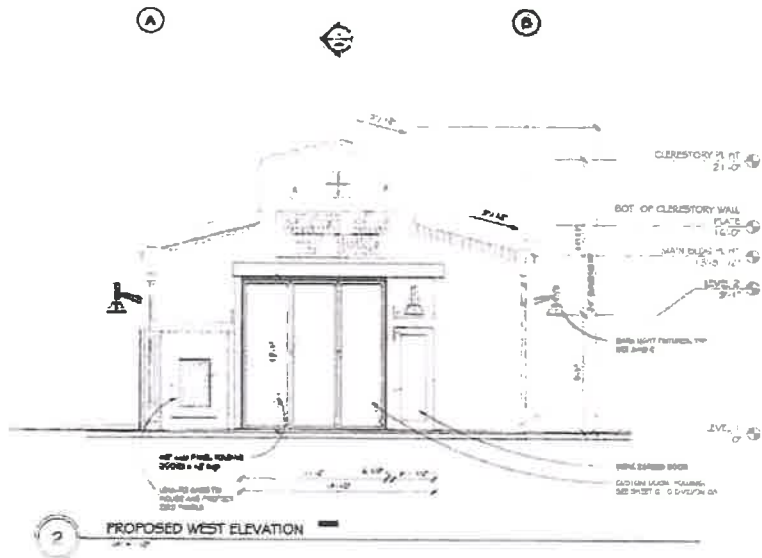
180818-01



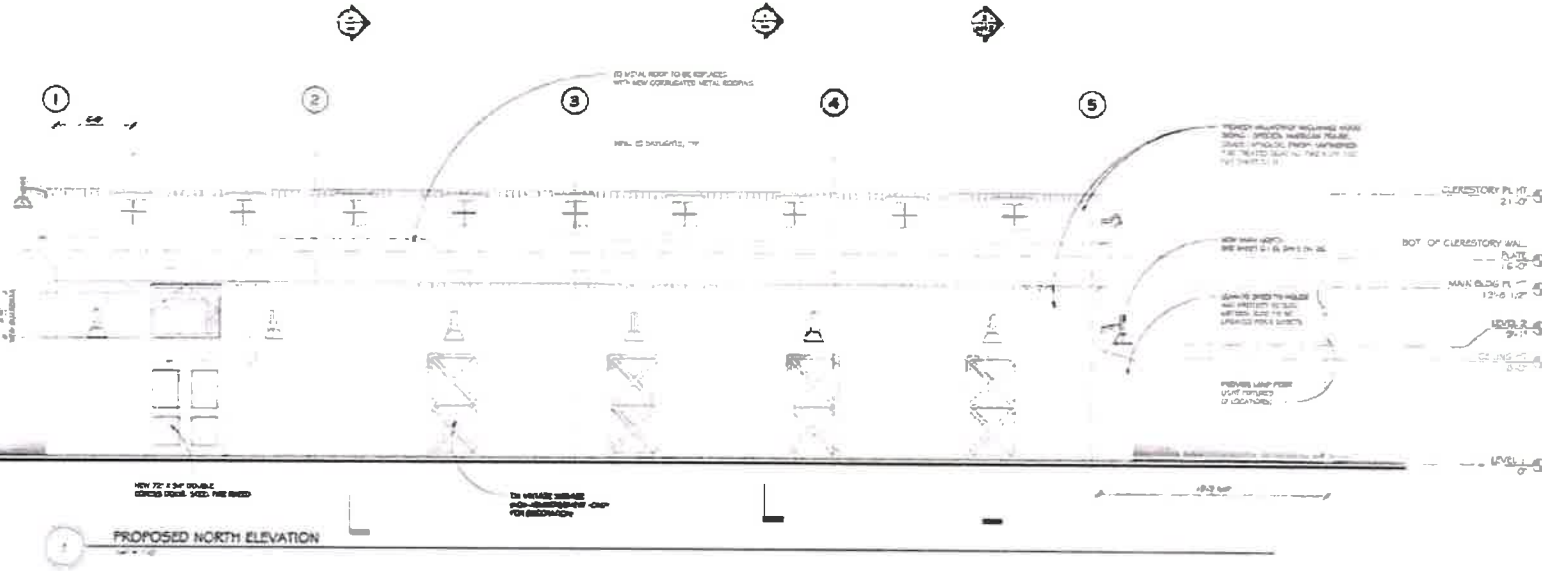
Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 8

Building Elevations, dated September 16, 2021



3 BARN LIGHT DIAGRAM
 ORDER: HALL LIGHTING RETURNED TO THE ORIGINAL, 875 - CALYPSO DR. 643 AGORA RD. 404



KONET
 ARCHITECTURE
 REGGIE KONET, AIA
 100 AMERICAN RIVER CANYON DR.
 FOLSOM, CA 95630
 916-835-4322
 konetarchitecture@gmail.com
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NO.	DATE	DESCRIPTION

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061 011-0000

PROPOSED NORTH & WEST ELEVATIONS

DATE: 11/11/2011
 DRAWN BY: REGGIE KONET
 CHECKED BY: REGGIE KONET
 PROJECT NO: 11-001

A9.0

DATE PLOTTED: 11/11/2011 10:00 AM

KONET ARCHITECTURE
 REGGIE KONET, AIA
 255 AMERICAN RIVER CANYON DR.
 FOLSOM, CA 95630
 916-835-4222
 info@konetarchitecture.com
 CA Arch License #C37815

www.konetarchitecture.com

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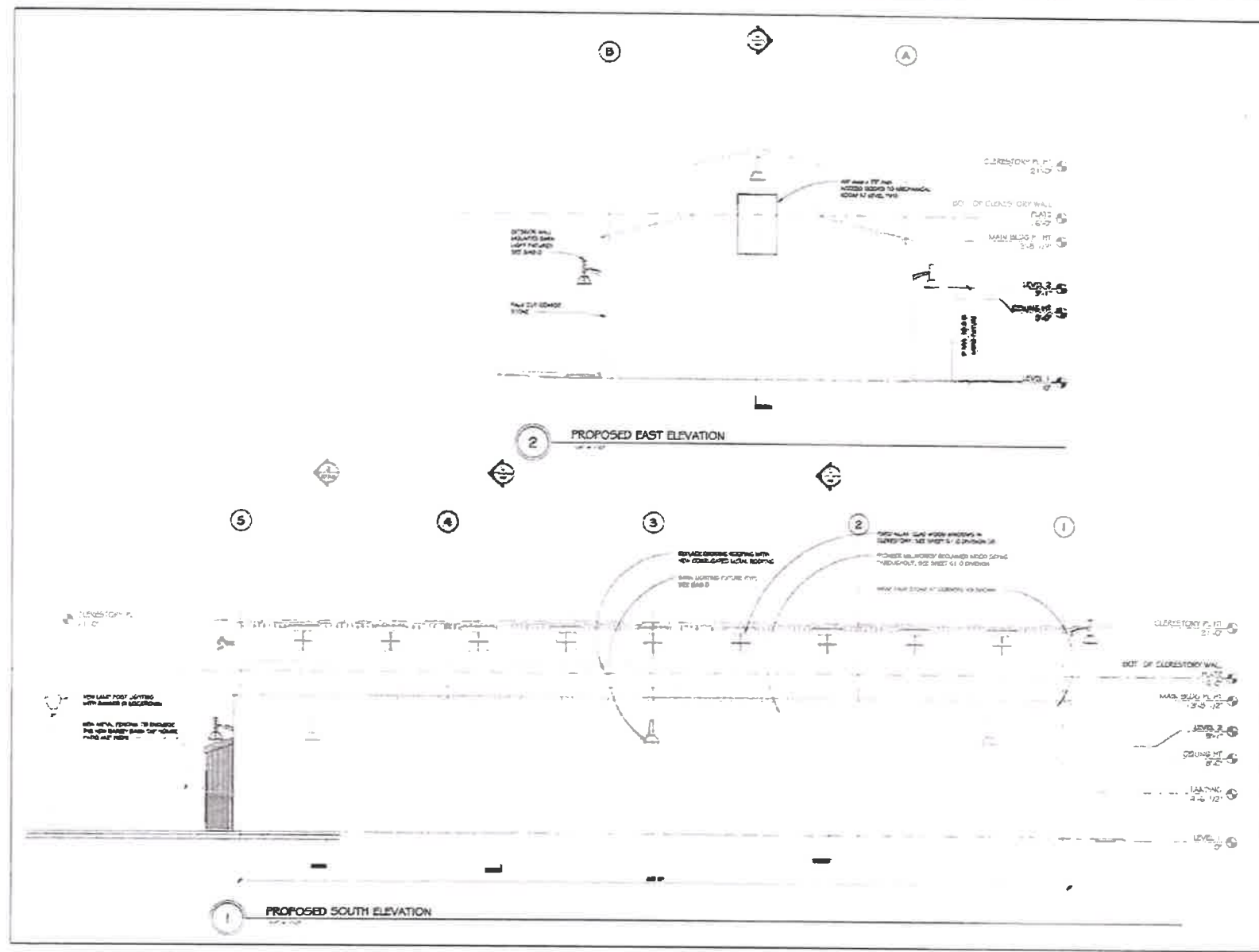
NO.	DESCRIPTION	DATE
1	CONCEPT DESIGN	10/15/10
2	PRELIMINARY DESIGN	11/15/10
3	SCHEMATIC DESIGN	12/15/10
4	DESIGN DEVELOPMENT	01/15/11
5	CONSTRUCTION DOCUMENTS	02/15/11

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070 0061-011-0000

PROPOSED SOUTH & EAST ELEVATIONS

DATE PLOTTED	10/28/10
DATE	10/28/10
PROJECT	Barley Barn, AIA
DESIGNER	Reggie Konet
CHECKER	Reggie Konet
A10.0	

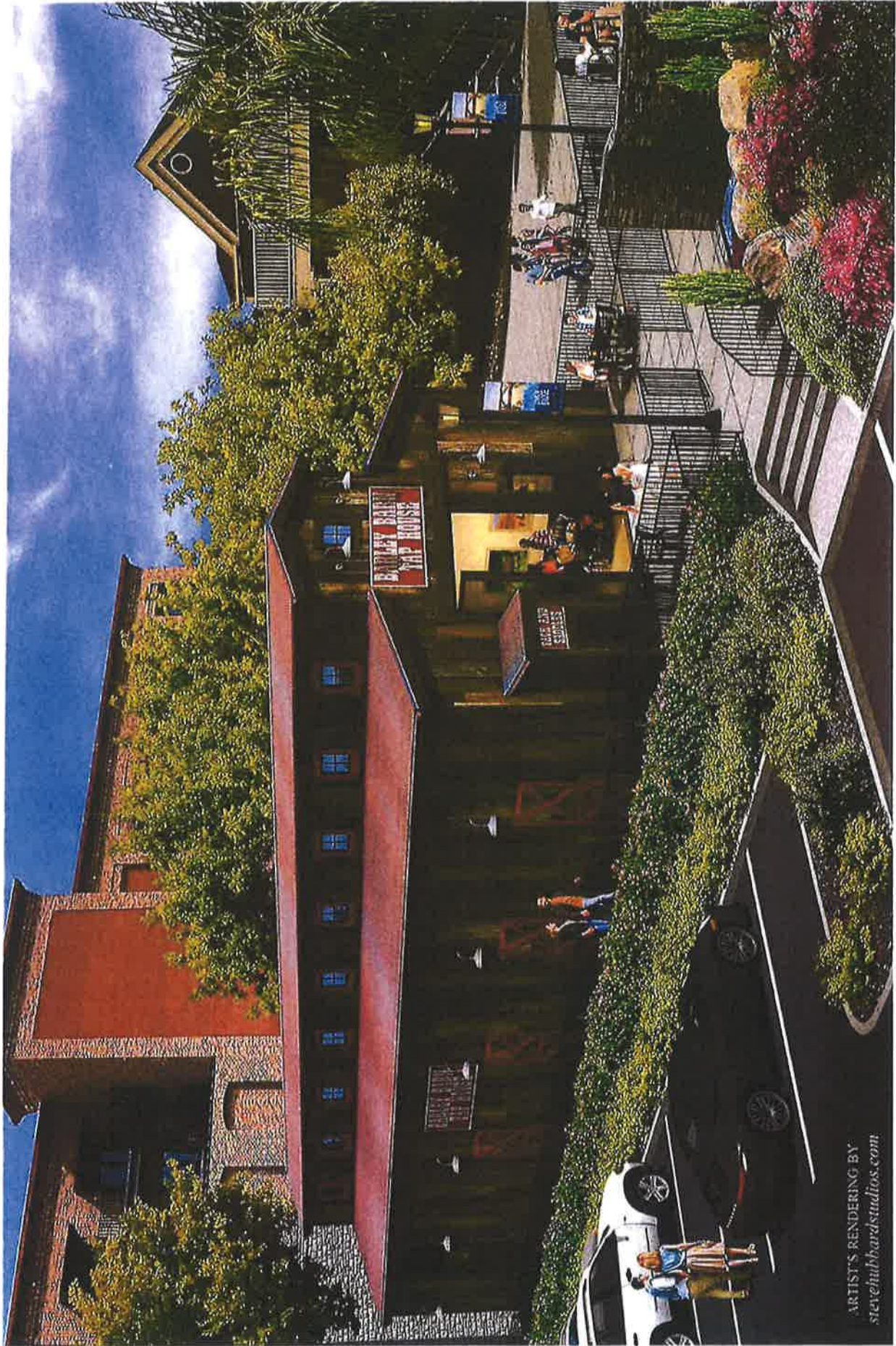
DATE PLOTTED



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 9

**Building Renderings
Dated Received, September 27, 2021**



ARTIST'S RENDERING BY
stevhubbardstudios.com



BARLEY BARN
TAT HOUSE

THE AMP
THEATRE

SUTTER STREET →

← POWERHOUSE PUB

ARTIST'S RENDERING BY
stevehubbardstudios.com

**Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021**

Attachment 10

Color and Materials Exhibits



CORRUGATED METAL ROOFING



RECLAIMED WOOD SIDING
BY PIONEER MILLWORKS



ALUM. CLADDING COLOR FOR
ENTRY DOORS BROWN

BARLEY BARN TAP HOUSE
608-1/2 SUTTER STREET, FOLSOM, CA 95630
OWNER: MURRAY WEAVER 916-862-1327
ARCHITECT: REGGIE KONET 916-835-4222

BARLEY BARN TAP HOUSE
ENTRY FOLDING DOORS
COLOR = BROWN



PELLA® BIFOLD DOORS



Make an impressive statement.

Create outdoor living at its finest. Pella bifold patio doors fold neatly to make a beautiful opening to the outside – and extend living spaces beyond the walls. Whether your project calls for the fine, thoughtful details of traditional design or the clean lines on contemporary products, you can create your desired look with the flexible design of Pella Architect Series bifold doors.

Versatile style.

Enjoy added design flexibility of an expansive door, or size down to create a pass-through window. Tracks can be straight or meet at a 90-degree corner.

The perfect finishing touch.

Choose from a broad range of hardware styles and finishes to create a seamless look across your Pella project. Concealed multipoint locks provide easy operation and unparalleled aesthetic.

The best limited lifetime warranty for wood patio doors.*

Built to last, Pella aluminum clad wood patio doors are backed by the Pella Limited Lifetime Warranty.



Choose different hardware finishes for the exterior and interior to perfectly complement your look.



* Based on comparing written limited warranties of leading national wood window and wood patio door brands. See Pella written Limited Warranty for details, including exceptions and limitations, at pella.com/warranty, or contact Pella Customer Service at 877-473-5527.



Create a sleek design.

Elegant interior finishes.

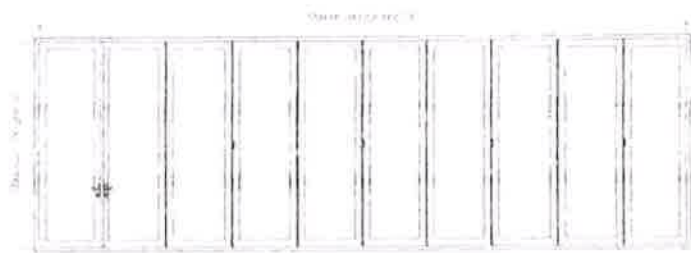
Complement home décor with an impressive collection of wood interiors including rich Mahogany and distinctive Douglas Fir. Pine interiors are available unfinished, primed or prefinished in your choice of 16 stain or paint colors.

Beautiful, long-lasting exteriors.

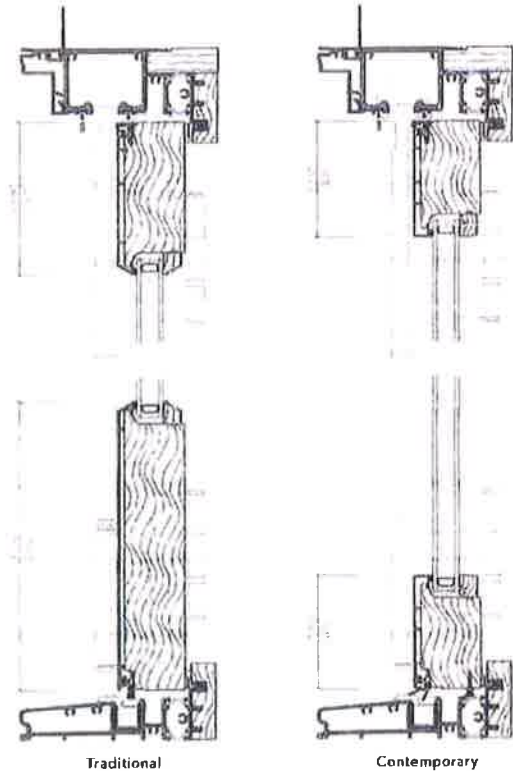
Customize the exterior color or choose one of 21 standard colors and styles. Exteriors offer exterior aluminum cladding.

Built-in peace of mind.

Add integrated Pella[®] Insynctive[™] security sensors and give homeowners the ability to monitor doors from virtually anywhere with the Pella Insynctive mobile app or a rugged, professionally monitored system.



Bifold panel sizes range from 14-1/4" x 48" to 42" x 117-3/8".
Using 10 door panels, the maximum opening is 26'.



Energy Ratings

Dual Pane with Argon
Triple Pane with Argon

U-Factors

27 - 50
24 - 32

SHGC

12 - 53
11 - 38

Performance Ratings²

Standard Sill - Out-Swing
Standard Sill - In-Swing
Low-Profile and Flush Sills

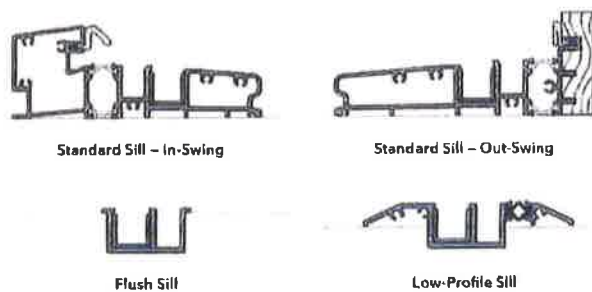
Up to 8'

PG25
NC

Up to 10'

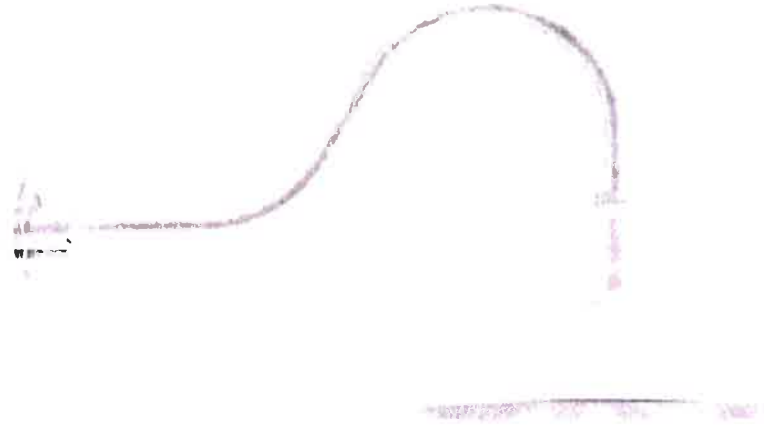
PG35
NC

Sill Types Available



Model 260 - 2017 Energy Star Certified Windows and Doors. For more information, visit www.pella.com.
PG25 and PG35 are Energy Star Certified Windows and Doors. For more information, visit www.pella.com.
NC is a National Fenestration Rating Council (NFRC) Energy Star Certified Window and Door. For more information, visit www.pella.com.

BARN LIGHT ELECTRIC COMPANY
16" THE ORIGINAL
975 - GALVANIZED
G22 GOOSENECK ARM



Based on designs from the early 20th century, The Original™ is an iconic, stylish, and dependable gooseneck light. This straightforward look features a tall neck that fans out into a sleek RLM warehouse shade. Affixed to any one of our traditional gooseneck arms, The Original™ offers the perfect dimensions and aesthetic for any space. Popular in classically styled homes, gooseneck lighting also complements ultra-modern urban lofts, trendy businesses, and more.

The Original™ is constructed the old-fashioned way: completely by hand, using commercial-grade materials. Customization options for this gooseneck light include multiple finish options – powder coat, copper or brass, and our signature high-gloss porcelain – and rugged guards.

- Hand built with an American-made RLM warehouse shade, this quality industrial wall lighting is a lasting gooseneck option.
- Made-to-order, learn more about the process [here](#).
- Learn more about The Original™ Warehouse Gooseneck Light over on our [blog](#)!!

CSA Listed Wet Location

Number of Sockets 1

DIMENSIONS

MAX WATTAGE PER SOCKET

COPPER & BRASS

PORCELAIN ENAMEL

LEAD TIMES & RETURNS

FINISH CARE & MAINTENANCE

Delivering unmatched strength, engineered for lasting durability.¹

Pella's Proprietary Fiberglass vs. Andersen Fibrex² *

Resists dents. **100x** more impact-resistant

Resists bends. **10x** stronger

Resists breaks. **20x** the tensile strength

Product Specifications

Window & Patio Door Style	Min. Width	Min. Height	Max. Width	Max. Height	Performance Class & Grade	Performance Values			Frame/Inset
						U-Factor	SNGC	STC	
Vent Awning	20"	17-1/2"	59-1/2"	59-7/2"	LC50	0.18-0.48	0.14-0.55	29-37	Block Frame, Standard Fin, Off-Set Fin, Integral Fin
Fixed Awning	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC50	0.14-0.49	0.18-0.63	28-36	
Vent Casement	17-1/2"	20"	37-1/2"	19-1/2"	LC40-LC50	0.26-0.45	0.18-0.55	25-32	
Fixed Casement	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC45-LC50	0.22-0.46	0.20-0.62	27-33	
Vent Double-Hung	17-1/2"	29-1/2"	47-1/2"	77-1/2"	LC30-LC50	0.25-0.49	0.19-0.58	26-29	
Vent Single-Hung	17-1/2"	23-1/2"	47-1/2"	77-1/2"	LC40-LC50	0.24-0.51	0.19-0.59	26-32	Block Frame Standard Fin, Off-Set Fin, Integral Fin, Flush Frame
Sliding Window (DK, RD)	23-1/2"	11-1/2"	71-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-33	
Sliding Window (RDR)	47-1/2"	17-1/2"	107-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-32	
Road Sash and Frame	13-1/2"	13-1/2"	71-1/2"	71-1/2"	CW35-CW50	0.22-0.50	0.20-0.62	27-33	Block Frame, Standard Fin, Off-Set Fin
Fixed Frame Direct Set	11-1/2"	11-1/2"	143-1/2"	143-1/2"	CAS	0.14-0.46	0.18-0.69	28-36	
Sliding Patio Door (One Panel)	27"	71-1/2"	49"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	
Sliding Patio Door (Two Panels)	47-1/2"	71-1/2"	95-1/2"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	Block Frame

Window sizes available in 1/8" increments. Maximum width and height may vary by product. Minimum sill and head height cannot exceed the maximum square footage. Special orders available.

Glass & Additional Energy Efficiency Upgrades

InsulShield® Low-E Glass*

Pella Impervio products offer energy-efficient options that will meet or exceed ENERGY STAR guidelines in all 50 states.⁹



Advanced Low-E Insulating dual- or triple-pane glass with argon



Advanced Comfort Low-E Insulating dual-pane glass with argon



Natural Rich Low-E Insulating dual- or triple-pane glass with argon



SunDeflect™ Low-E Insulating dual- or triple-pane glass with argon

Additional Glass Options



Clear insulating glass



Tempered glass



Laminated (non-impervio-resistant™) tinted or obscure glass also available on select products



STC Sound Transmission Class (improved) double-pane sound control glass†



Triple Pane †

Foam Insulation Options

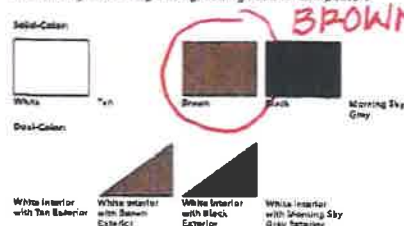
Optional foam-insulated frame and sash are available to increase energy efficiency.

* See back cover for details.

Color & Finishes

Frame Colors

Dual-color frames allow your homeowner to choose a different color for the exterior with a White interior. Our long-lasting powder-coat finish resists chipping and fading and meets AAMA 624, which is the highest rated fiberglass coating among leading national competitors.



Window Hardware

Casement & Awning

The patent-pending Easy-Slide Operator is a revolutionary way to operate casement and awning windows. Simply slide to open, without the effort of cranking. With track-in venting technology, the window will open to an exact location. Or select the fold-away crank, that folds neatly away, against the window frame. No other solution will interfere with roomside window treatments.



Easy-Slide Operator



Fold-Away Crank

Color-Matched Finishes



White Tan



Brown Black Morning Sky Grey

Additional Finishes



Silver Nickel

Sliding, Single & Double-Hung

Pella's cam-action lock pulls the sashes against the weatherstripping for a tighter seal.



Cam-Action Lock

Color-Matched Finishes



White Tan



Brown

Additional Finishes



Bright Bronze Off-White Bronze Gold Nickel



Matte Black Morning Sky Grey

* See back cover for details.

BARLEY BARN TAP HOUSE
- FR COATING FOR SIDING



NATIONS #1 FLAME RETARDANT

HEAVY DUTY - MAXIMUM PROTECTION
**COMMERCIAL, INDUSTRIAL, MILITARY
AND RESIDENTIAL USE**

**A Superior Class "A"
Intumescent Flame Retardant**

Fire Kote 100™ Heavy Duty water and resin based application. As a coating and a penetration agent it automatically reacts with fire and heat. It changes the chemicals in the wood and reverses the fire process.

Universal Fire Shield's exclusive Trade Secret formula is un-matched in performance and safety. Nitrogen is produced under high heat and fire displacing oxygen therefore reversing the ignition process.

Fire Kote 100™ comes with a 100% money back guarantee for performance and it protects like no other product. Fire Kote 100™ is the Nations number one seller. It out performs all other products on the market world wide. A clear coating that enhances and protects all natural wood surfaces. Can be a spray-on, rolled or brushed on or dipped to apply.

**WHEN ONLY THE BEST IS
GOOD ENOUGH!**

UNISHIELD INTERNATIONAL, LLC

3544 WATERFIELD PKWY - LAKELAND, FL 33803

1-800-608-5699 - www.firechemicals.com - info@universalfireshield.com



RECOMMENDED FOR:

All unfinished wood and wood material surfaces.

Plywood, OSB board, Man made board, Lumber, Timbers, I-Beams, Ship lap, Paneling, Decks, Doors, Window frames, Fencing, Cabinets, Furniture, Post, Sheds, also styrafoam sheets can be treated.

FIRE KOTE 100™

Renders most woods non-combustible.



UNIVERSAL FIRE-KOTE 100™

NATIONS #1 FLAME RETARDANT



APPLICATIONS: COMMERCIAL, INDUSTRIAL AND MILITARY

An exclusive heavy duty formula flame inhibiting chemical un-matched by any other product on the market. A SUPERIOR HEAVY DUTY GRADE. Fire Rated Class "A". Specifically formulated for maximum protection. EXTERIOR AND INTERIOR Woods, Lumber, Leaves, Straw, Rope, Fiberboard. Paperboard. Corrugated box board, fabric materials such as canvas and other materials. Meets Military and NFPA 30 standards for packaging. Fire-Kote 100™ formula has met the test, Southwest Research and other testing agencies. Universal Fire-Kote 100™ meets and exceeds the ASTM E-84, (UL 263 same tunnel test) UBC 42-1 and NFPA 255 for surface burning characteristics for applied coatings, NFPA 703, ESTM E-108. Can be applied to most porous surfaces. For other uses contact our home office. Recommended for professional applicators. Most powerful fire retardant known. When only the best is good enough always demand Fire Kote 100™. On wood surfaces 5 year exterior and 25 year interior.

UNIVERSAL PROTECTIVE TECHNOLOGIES, UNIVERSAL FIRE-SHIELD, LLC™

are leaders dedicated to setting standards for Fire Prevention Chemicals through our on going research and development. It is our resolve to educate and inform the Public, Contractors, Industrial users, manufacturer and Architects. Environmentally safe flame retardant chemicals.

UNIVERSAL FIRE-KOTE 100™ Trade Secret Formula - ZB MSDS=Phosphoric Acid 18%, Formaldehyde 2%. This is an aqueous based resin liquid coating and penetrant. Total Solids =49.1%, weight per gallon 9.1 lbs., specific gravity = 1.33, PH factor =5.5, Flash Point Non-flammable, Color =Blue tint clear at 78 degrees F Slight haze at 50 degrees F. and lower, Volatility= no petroleum or lead, Fungus= anti-fungus, Bacteria=mildly resistant, Linear shrinkage=None, Moisture absorption=None, Corrosion=Mildly when in solution, Preservative=excellent, Pest resistant= excellent. These chemicals comply with all United States Federal Regulations. Meets or exceeds national, city, county and state fire codes.

APPLICATION PROCEDURE:

Can be applied by brush, roll coater, paint roller. Pressure spray at 50-250 psi. is recommended for commercial applications. For best results apply Fire-Kote 100™ two coats. Allow to dry slightly between coatings. Application rate 200 sq. ft. to one gallon. Applicator of chemical should wear protective clothing, eye ware, neoprene gloves and an appropriate mask the same type as for paints or chemicals for inclosed areas. Good ventilation is recommended. Allow to dry between coatings. Clean up over spray as soon as possible, clean up equipment as soon as possible with water and detergent soap or bleach. Mildly toxic during application phase only. **KEEP OUT OF REACH OF CHILDREN. DO NOT TAKE INTERNALLY.** If chemical gets into eyes wash out immediately flood with water. SAME PRECAUTIONS AS FOR PAINT AND STAIN.

Classified: FIRE RETARDANT COATING, SURFACE BURNING CHARACTERISTICS OF APPLIED COATING . FIRE-KOTE 100™ Superior Heavy Duty Grade. Fire Rated Class "A"

Yellow Pine, Redwood, Plywood, Cedar, Manufactured Board. Flame Spread =10, Smoke developed =50, Number of coats = 2, Rate per coat (ft2/gal) 360, Flash point= 0, clear liquid coating , no flash. Meets or exceeds ASTM E-84, (U.L. 723 same tunnel test), NFPA 255, NFPA 703, ASTM E-108, UBC 42-1 .

Universal Fire-Shield Chemicals™ meet or exceed existing and current federal, state, industrial, national and local fire codes.



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 11

Signage Details, dated September 16, 2021

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 12

Site Details



ascension-lift.com (520) 881-3993

the Virtuoso

blending safety and functionality to
deliver exceptional accessibility

The Lift That Started It All...

The Ascension Virtuoso vertical platform lift is unmatched for safe, attractive, and quiet wheelchair access.

Key features include full rigid safety skirting, an electro-hydraulic drivetrain, and a sleek, low profile. The Virtuoso is perfect for locations where image counts, such as stages and orchestra pits.

Vertical Travel:	12" to 60"
Capacity:	750lbs
Platform Size:	36" wide x 54" long
Lift Size:	48" wide x 63" long
Required Space:	52" wide x 64" long



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 13

Floor Plans, dated September 16, 2021

KONET ARCHITECTURE

REGGIE KONNET, AIA
255 AMERICAN RIVER CANYON OR
FOLOM, CA 95630

PHONE: 916.822.4323
WWW.KONETARCHITECTURE.COM
CA Arch License: RC 18613

www.konetarchitecture.com

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

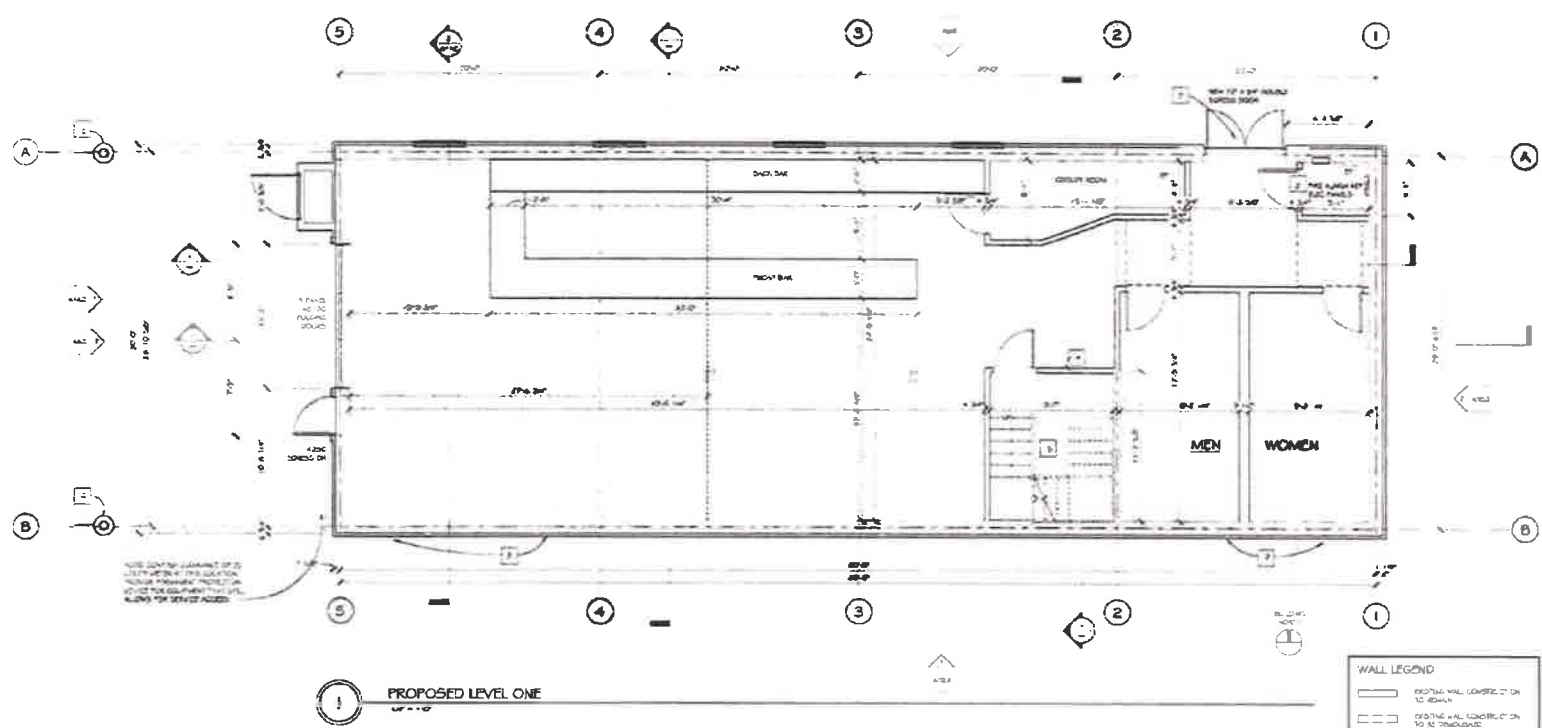
PROPOSED LEVEL ONE PLAN

Prepared by: REGGIE KONNET
Date: 10/15/18
Project: BARLEY BARN TAP HOUSE
Checked by: REGGIE KONNET

A5.0

LEVEL ONE NOTES:

1. CONTRACTOR TO VERIFY CONDITIONS, DIMENSIONS, AND ELEVATIONS OF EXISTING IN THE FIELD BEFORE COMMENCING WORK. TO AVOID DISCREPANCIES, CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DIMENSIONS OF ALL EXISTING STRUCTURES AND UTILITIES TO VERIFY BEFORE THE BEGINNING OF CONSTRUCTION.
2. PROVIDE A 1/2" DIA. VENT PIPE TO EXTERIOR TO FLOOR AND CEILING. PROVIDE VENT PIPE WITH 1/2" DIA. VENT CAP AND 1/2" DIA. VENT PIPE. PROVIDE 1/2" DIA. VENT PIPE WITH 1/2" DIA. VENT CAP AND 1/2" DIA. VENT PIPE.
3. ALL NEW WORK SHALL BE WITH 1/2" DIA. VENT PIPE TO EXTERIOR.
4. PROVIDE 1/2" DIA. VENT PIPE TO EXTERIOR TO FLOOR AND CEILING.
5. PROVIDE 1/2" DIA. VENT PIPE TO EXTERIOR TO FLOOR AND CEILING.
6. PROVIDE 1/2" DIA. VENT PIPE TO EXTERIOR TO FLOOR AND CEILING.
7. PROVIDE 1/2" DIA. VENT PIPE TO EXTERIOR TO FLOOR AND CEILING.



KONET ARCHITECTURE

REGGIE KONET, AIA
233 AMERICAN RIVER CANYON DR
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CA Arch License #C31815

www.konetarchitecture.com

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THIS PLAN IS THE PROPERTY OF KONET ARCHITECTURE AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KONET ARCHITECTURE.

NO.	REVISION	DATE

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

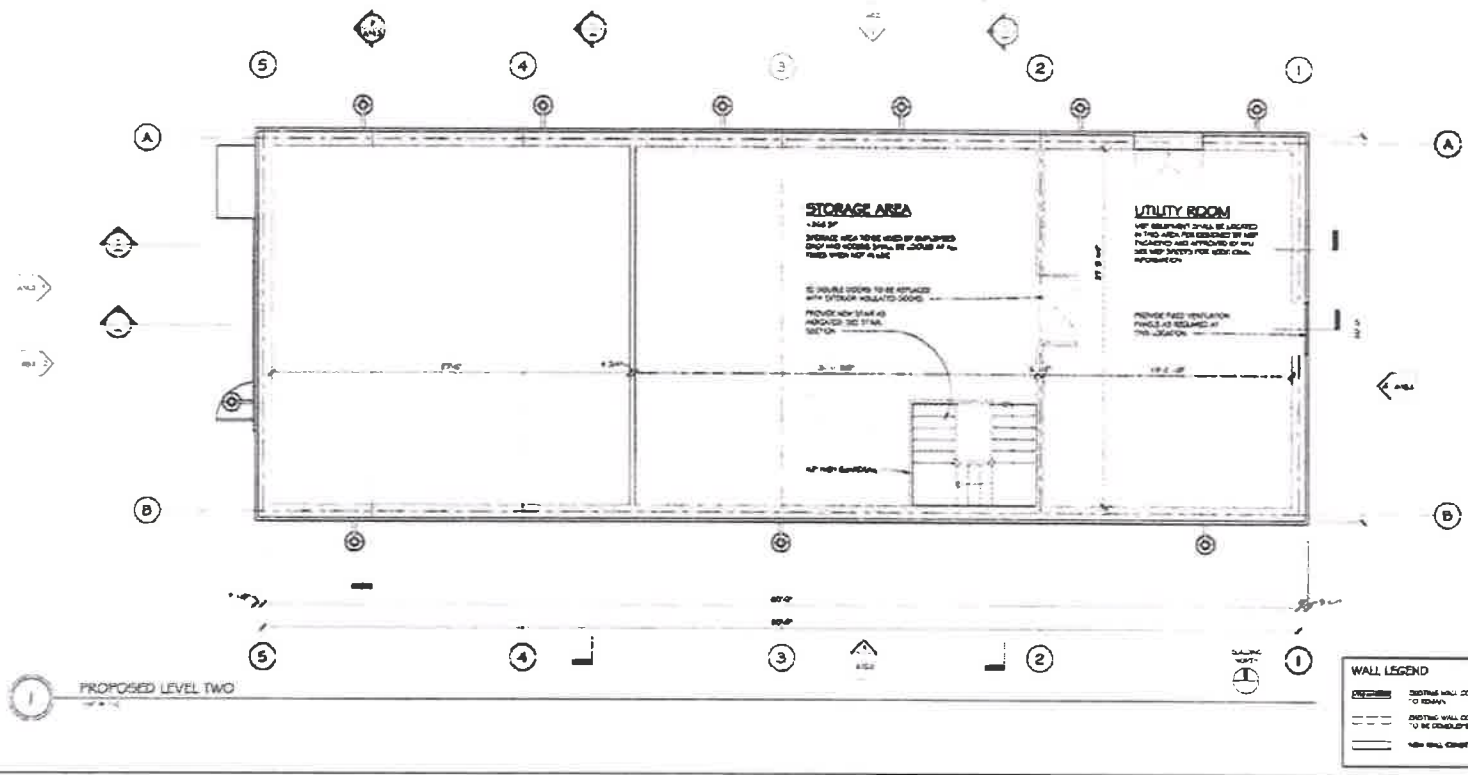
PROPOSED LEVEL TWO PLAN

Project Number	2018-010
Date	June 2018
Project Name	Barley Barn, Folsom, CA
Client	Clayton

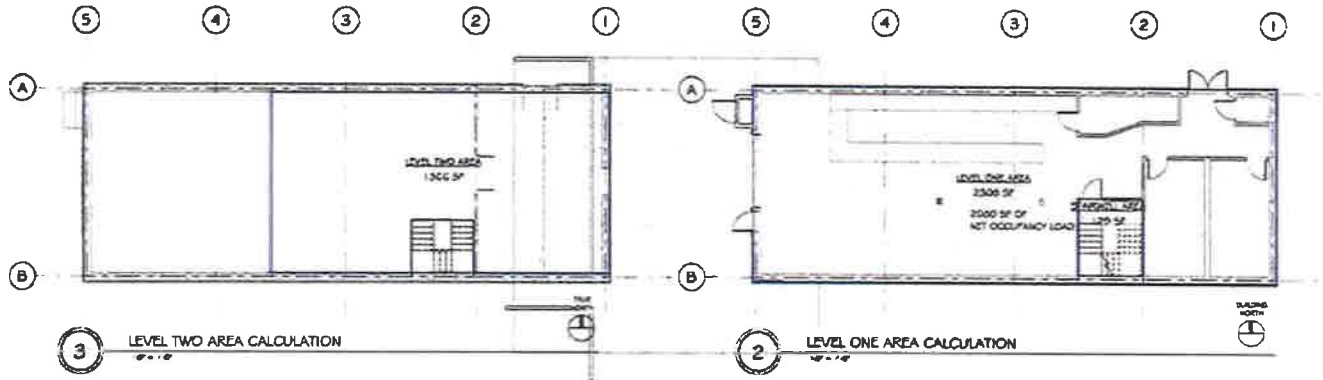
A6.0

LEVEL TWO NOTES:

1. THE LEVEL TWO STORAGE AREA WILL NOT BE A CHANGE IN USE. THE STORAGE AREA AT LEVEL TWO WILL BE EXHAUST AS SHOWN AND NOT AS INDICATED.
2. THE LEVEL TWO STORAGE AREA WILL BE FOR SUPPLY OF OIL AND SHALL HAVE A SEGREGATED LOCKER DOOR AT THE ENTRY TO THE 9" TUNNEL.
3. A CONTRACTOR SHALL COORDINATE WITH MECHANICAL ENGINEER OF THE PROJECT FOR THE STORAGE AREA. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND SHALL BE SUBJECT TO THE STRUCTURAL ENGINEER'S REVIEW AND APPROVAL.



PROPOSED LEVEL TWO



ROOM AREA NOTES:

1. LEVEL ONE TOTAL FLOOR AREA: 2168 SF
LEVEL TWO TOTAL FLOOR AREA: 1300 SF
TOTAL AREA OF BUILDING: 3468 SF
2. THE NET OCCUPANCY LOAD FOR THE BUILDING
REASON: 2500 SF



ROOF PLAN NOTES:

1. ALL METAL ROOF TO BE REPLACED WITH
CORROSION RESISTANT METAL ROOFING. SEE SHEET
61-0 FOR DETAILS.
2. ROOFING INDICATED BY LOCATIONS AND WILL
CORRELATE WITH NEW ROOF CONSTRUCTION TO DETAILS
ON SHEET _____
3. FROM VISUAL TO ROOF PLAN AND NOTIFY ARCHITECT
OF ANY DISCREPANCIES



KONET
ARCHITECTURE

RECILE KONET, AIA
253 AMERICAN RIVER CANYON DR
FOLSOM, CA 95640
916-853-6223
konetarchitect@earthlink.net
CA Arch License #C13903

www.konetarchitecture.com

NOT FOR CONSTRUCTION

ATTENTION: ALL CONTRACTORS AND OTHER TRADES
MANUFACTURERS: VERIFY ALL DIMENSIONS AND
WELL VERIFY THE ACCURACY OF ALL DIMENSIONS
GIVEN TO YOU FOR CONSTRUCTION. VERIFY
THESE DIMENSIONS WITH THE ARCHITECT'S
CONSTRUCTION DOCUMENTS AND NOTIFY ARCHITECT
OF ANY DISCREPANCIES IMMEDIATELY.

Rev	Description	Date

Murray Weaver
BARLEY BARN TAP HOUSE
608 1/2 Sutter Street
Folsom, CA 95630
APN: 070-0061-011-0000

PROPOSED ROOF PLAN

Project Number:	2024-010
Client:	Murray Weaver
Designer:	Recile Konet, AIA
Checker:	

A8.0

Sheet 1 of 14

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 14

Project Narratives

Dated Received September 22, 2021

BARLEY BARN TAP HOUSE -- project narrative

PN

The project we are proposing, the Barley Barn Tap House, is reminiscent to the historic fruit warehouses and the historic rural barn vernacular.

The existing building footprint will remain as it is but there will be a clerestory mass added to the upper portion of the building. The clerestory will not increase the area of the building but will increase the volume of the building.

The clerestory will provide partial natural light from above. The clerestory windows will be located at a distance greater than 5 feet from any property line, and therefore, shall adhere to Table 705.8 of the 2019 California Building Code.

The north façade will retain the exit at the east end of the wall, but the doors will be replaced with code compliant egress doors. The window above these doors will be replaced with fixed, safety glass windows and a guard rail will be added.

On the lower portion of the north façade there will be a row of barn lights that illuminate faux stable dutch doors that were common in horse stables. These doors shall not be operable.

The roof overhang on the north side of the building will adhere to the 2019 California Building Code Table 705.2 Minimum Distance of Projection. For fire separation distance 0 to 2 feet, projections are not permitted. The building is approximately 2 feet or less from the north property line per the survey obtained.

The existing pedestrian walkway which allows foot travel between the Historic Folsom lower parking lot to Sutter Street will continue to be utilized as such but with improvements to lighting.

On the west side of the building, there will be an outdoor seating area which will be enclosed with a 42" high powder coated aluminum fence which will be black to resemble wrought iron fencing. The outdoor patio will not impede the pedestrian walkway from Sutter Street to the north parking lot.

The west façade of the building will have a lean-to shed of which will resemble a tack room cabinet but functionally it will house the electrical panels in a secure method.

There will be an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged.

The proposed Barley Barn Tap House will offer parking to its patrons as follows:

- the Powerhouse Parking lot which contains 21 parking spaces* and is under the same ownership;
- the adjacent Folsom Historic Parking lot adjacent to the building which contains 69 standard parking spaces + 3 accessible parking spaces;
- the Steakhouse covered parking lot which contains 23 standard parking spaces + 2 accessible parking spaces;
- the Eagles Lodge parking lot which contains 14 parking spaces (the Project Owner has entered an exclusive lease with the Eagles Lodge to use this lot).

*The Owner is proposing to convert (1) one standard parking space in the Powerhouse Parking lot into (1) one accessible van parking space. This new accessible space will be dedicated for the Barley Barn Tap House patrons. There is currently (1) one existing accessible parking space in this lot. Therefore, there will be a total of (2) two accessible parking spaces in the Powerhouse Parking lot.

In addition to the mentioned upgrades, the Applicant currently provides a complimentary shuttle service, the "Sutter Surfer", which transfers Sutter Street patrons to and from the parking garage and the other various parking lots. This service reduces the neighborhood parking.

The business model will focus on the popular craft beer industry by involving all beer producers and aficionados, both local and national, and by creatively exhibiting and offering their beverages. Food will be sold using the resources of the adjacent Wild's BBQ (formerly Chicago Fire) and other restaurants in the near vicinity.

The interior layout of the proposed Barley Barn Tap House will provide movable seating and tables throughout and seating at the bar. A small stage area will be identified for limited entertainment in accordance with the City of Folsom's Entertainment Permit.

Hours of operation will be as follows:

Sunday – Wednesday: 11am to 10 pm

Thursday – Saturday: 11am to 12:30am

The Barley Barn Tap House is an appropriate building type of which will be presented in a unique setting that offers food, beverage, and light entertainment.

Reggie Konet, AIA NCARB
Konet Architecture
CA Arch Lic#C33835
2021-09-22

BARLEY BARN TAP HOUSE – OWNER'S NARRATIVE

INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

THE CONDITIONS CONTAINED IN THE STAFF RECOMENDATION FOR APPROVAL WILL BE FULLY MET

These include omitting the request for a full "hard " liquor license and instead employ the use of a beer only, ABC Type 40 license. This license, consistent with the Tap House theme, will allow minors on premises without the necessity of a full service on site kitchen, although the location of the Barley Barn will in effect be many restaurants in one because applicant intends to have food service by the many restaurants less than a 3 minute walk away on Barley Barn premises , waterfall deck and patio areas .These include Wilds BBQ, Hacienda ,Pizzeria Classico Citizen Vine, Plank , Sutter Steakhouse and others.. Delivery services by the venues, Door Dash, Grub Hub, and others will be used to facilitate this popular function. This will be a significant assistance to these restaurants creating an additional customer base for them without adding to the high concentration of food service places already in the locale.

Hours of operation will be reduced from applicant's original request to : Sunday to Wednesday 11 am to 10:00 pm
Thursday to Saturday 11 am to 12:30 am

These hours of operation are the minimum necessary for financial viability since high profit hard liquor and food sales are now omitted from the business model. They are also consistent with other similar venues on Sutter Street and recent HDC approvals.

ENTERTAINMENT

The historic district is home to a variety of public and private live music venues and genres. These include the Sutter St Amphitheater and associated performances like the Thursday Music Series, weekend street musicians, private venues like Powerhouse , Folsom Hotel, Hacienda , Gaslight, and others. Applicant wishes to also provide limited entertainment not to be confused by a full band "club" type stage performance i.e., PowerHouse or Folsom Hotel , but a solo, duet or trio type offering in keeping with a Tap House theme. No raised stage type area is contemplated for this more subdued performance type.

It should be noted strict sound ,security and safety requirements are mandated by all Sutter St entertainment venues in their Entertainment Permit .Applicant is practiced at responsible hospitality measures including security staffing, cameras ,neighborhood cleanup, well light exterior grounds ,well-marked ride sharing pick up locations, and continued operation of the Sutter Street Surfer Free Shuttle.

ARCHITECTURE

Applicant received a variety of negative comments regarding the Folsom Prison Brews architectural theme and association with Folsom State Prison. Therefore a completely new theme was chosen for the Tap House in accordance with public comments and all Folsom Codes including adherence to Section 17.52.To provide an historical observance the building will be themed in the iconic old western barn type structure that was so prevalently used in and around Folsom A typical raised loft and large entry doors will be constructed as if to accommodate wagons, livestock or crops common to the barn construction of the day. Windows will be provided to copy those needed to provide light for the packing sheds like the Earl Fruit Co. or DiGiorgio Fruit Co . Actual reclaimed barnwood will be used for external siding depicting a truly old authentic look for the building A detailed Architectural report will be included in this narrative.

Murray Weaver Owner

2021-09-22

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 15

Off-Site Parking Lease Agreement Dated October 15, 2021

EAGLES #929 PARKING LOT LEASE

Landlord: Eagles Lodge #929, Fraternal Order of Eagles

Tenant: Murray Weaver

Property: Parking Lot located at 215 Scott Street, Folsom, California

- A. Eagles Lodge #929 is the owner of that certain real property, which is located at 215 Scott Street, Folsom, California. This real property consists of a lodge or clubhouse, landscaping, and approximately 15 parking spaces. The parking lot is mainly graveled, not paved.
- B. Murray Weaver is the owner of a building which is located at 608 ½ Sutter Street, Folsom, California. Mr. Weaver desires to locate a business to be known as the Barley Barn Tap House in that building.
- C. The real property at 608 ½ Sutter Street abuts a public parking lot which is currently accessible by the customers and patrons of businesses located in the building on that property. Mr. Weaver wants to provide additional parking for patrons of his 608 ½ Sutter Street establishment at the Eagles' parking lot, and the Eagles are willing to lease their parking lot to Mr. Weaver for that purpose upon the terms and conditions herein stated.

In consideration of these facts and circumstances, Eagles Lodge #929 and Murray Weaver agree to the following:

1. Tenant will pay the sum of \$500, on the first of each month, beginning September 1, 2021, to Landlord, as rent for the use of the Parking Lot owned by Landlord. This lease shall continue for a term of 20 years, unless sooner terminated by the parties in accordance with the terms of this lease. As additional rent, Tenant will provide Landlord with a minimum of four (4) free admittances per month to any event held by Powerhouse Entertainment.
2. During the term of this lease, Landlord retains use of this parking lot for the convenience of its members and guests, in a manner consistent with the Tenant's rights under this Lease.
3. In the event of a request from Landlord, Tenant shall provide a parking lot attendant on Friday and Saturday evenings from 5pm until 10pm. This obligation to provide an attendant shall commence upon the opening of the Barley Barn Tap House at 608 ½ Sutter Street. Tenant will post, at Tenant's sole risk and expense a sign that states: "Parking Exclusively for Members of Eagles #929 and customers of Barley Barn Tap House. All others will be towed at Owner's expense. CVC, Section 22658(A)."
4. Tenant or his designee will maintain general liability insurance coverage for not less than one million dollars with Eagles #929 named as an additional

insured. Tenant hereby agrees to hold Landlord and its property harmless from and against all claims, suits, or the like which may be brought against it by reason of Tenant's leasehold or its actions upon Landlord's subject property.

5. Landlord and Tenant agree that the parking lot is being rented on an "as is" basis and that Landlord disclaims any and all warranties, express or implied.
6. This lease may be terminated by either party upon the giving of one year's written notice of termination to the other party. Landlord may terminate this lease, in the event of non-payment of rent for a continuous period of 45 days from and after the due date, upon 30 days written notice of said non-payment of rent and election to terminate by Landlord to Tenant.
7. This agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous agreements or understandings between the Landlord and the Tenant.
8. Any and all notices and communications required under this agreement shall be given to each of the parties as follows:

Landlord:

Sarah Woods
c/o Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Tenant:

Murray Weaver
608 1/2 Sutter Street
Folsom, CA. 95630

Dated: October 15, 2021



Murray Weaver, Tenant
Barley Barn Tap House
608 1/2 Sutter Street
Folsom, CA. 95630



Sarah Woods, Landlord
Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 16

Public Comments Received Regarding Folsom Prison Brews Project

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

May 30, 2019

PROJECT: The conversion of a 2,433 square-foot barn-like building to a 'beer house', the installation of an 840 square-foot outdoor patio and serving area at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Conditional Use Permit, Design Review and Parking Variance (for 20 off-site parking spaces).

PROJECT

HISTORY: Application Circulated by City on May 23, 2019 and feedback requested by June 7.

PROJECT REVIEW:

Background

Before comments were prepared regarding the current application, HPL considered the history of the project site and previous reconstructions in the Sutter Street Commercial Subarea.

During the late half of the 1800s, the Odd Fellows Hall and the Natoma Company's Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street (across from the railroad block). All these buildings later burned down. The 'pottery barn' building in the current application has been on the property since the late 1990s.

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, a replica of blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad.

Architecture

The applicant is proposing to cover the walls of the former pottery barn with a stone veneer, replace the corrugated fiberglass roof cover with standing seam sheet metal and add a raised tower that resembles the guard towers of the original Folsom State Prison. Only the raised tower would include windows. As a general impression, the uninterrupted 'prison walls' lacks interest and variety, and the reproduction of a Folsom Prison guard tower appears out of context with the surrounding neighborhood.

At the west entrance (facing the patio), the applicant is proposing to install a detached archway with concealed lighting that will 'wash' over the rock façade. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. These details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea

It is HPL's conclusion that the proposed building remodel will look 'staged' and could make the 600-block appear less historic. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to continue the 'prison theme', HPL recommends that the tower feature is changed (to no longer resemble a historic guard tower at Folsom

State Prison), windows are incorporated along the facades, the archway at the west entrance is incorporated with the wall and all floodlights are eliminated. In addition, the selected sky lights should have a low profile and non-reflective glass.

Site Design

An outdoor seating area is proposed to be installed on the west side of the beer house. This area will be fenced off to allow for outdoor serving of alcohol. As a result, the existing private walkway that connects Sutter Street with the parking area at Scott Street appears to be cut off. The outdoor seating area also encroaches across the west property boundary and impacts the parking area of Powerhouse Pub.

The submitted Landscape Plan does not clearly demonstrate how the future pedestrian circulation system will work or where all the retaining walls and fences will be located. A new pedestrian path to the Scott Street parking area has been proposed along the west side of the fenced seating area, but the plan does not indicate if this path will be open to the public. The Landscape Plan also seems to provide the opportunity to connect the existing walkway from Sutter Street could to the Powerhouse Pub property.

HPL recommends that the applicant should be encouraged to continue a pedestrian connection from Sutter Street to the lower parking area. More information about the proposed site changes on the Powerhouse Pub property also seems necessary (to answer the question if existing parking spaces will be lost and if a dumpster enclosure will be added). The board has assumed that an encroachment permit will be processed before the outdoor seating area can extend across the shared boundary.

Parking

Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas.

The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house.

Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brews in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

Landscape Plan

Because the project site is facing a public alley, HPL has assumed that the applicant will be required to maintain the existing landscape strip in the buildings 'frontage area'. The planter that separates the property from the parking lot driveway should therefore be included with the landscape plans.

Signs

The name of the beer house is shown on the archway to the west entrance, but the application does not provide any design details about this sign. A sign permit needs to be processed for all on- and off-site signs.

SUMMARY OF RECOMMENDATIONS:

1. Revise the building design to resemble a pre-1900 meeting hall, winery building or city jail. HPL recommends that the new design is based on the following standards:
 - a) If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.
 - b) Windows should be incorporated with the building facades.
 - c) Avoid non-historic details such as a detached archway with concealed flood lights.
 - d) Use skylights with a low-profile and non-reflective glass.
2. Submit a Site Plan that demonstrates where all new retaining walls, fences and walkway connections will be located, in addition to all proposed site changes at Powerhouse Pub.
3. Identify the parking area assigned to Prison Brews on the Eagle Lodge property and describe how this area will be marked.
4. Provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house
5. Submit a set of planting and irrigation plans that include the building frontage area within the alley (north of the building).
6. Submit a sign permit application for all building and site signs within and outside the property.

In addition, HPL recommends that the applicant is encouraged to keep a public walkway connection between Sutter Street and the public parking lot.

Steven Banks

From: Adena Blair <adenacblair@yahoo.com>
Sent: Monday, June 10, 2019 7:34 AM
To: Steven Banks
Cc: John Shaw; rebmngt@aol.com; Paul Keast; Dori Keast; Mike and Shannon Berenkwitz; Becky Shaw; Laura Fisher; Justin Gilhuly; Deino Trotta; Cindy Pharis; Mike Reynolds; Deborah Grassl; Dean Handy; Terry Sorensen
Subject: Comments regarding the Folsom Prison Brews Project

I reside at 607 Figueroa St.
I am opposed to this project for the following reasons:

Historically, to my knowledge, there was never any structure resembling a prison on Sutter St. This building will go against the historic guidelines and change the environment of Sutter St from one of fairly well preserved history to something more akin to a theme park.

The number of individuals visiting such an establishment will severely impact the neighborhoods nearby, because we already have a parking issue. Allowing 20 spaces from the Folsom Eagles DOES NOT INCREASE the number of available spaces in the historic district. Where are the Eagles going to park?

We need the city to disallow any further parking variances for Historic District businesses until we have the recommendation and actions of the Ad Hoc Parking Committee in place. The city has acknowledged we have a parking issue by establishing the Ad Hoc Committee, therefore they should be agreeable to putting a hold on any further parking variances for the time being.

Lastly, I understand that this place would be serving alcohol. I feel that this becoming another issue in the historic district business area. What is the limit of numbers of alcohol permits in this area? I feel that any such establishments must also serve meals, and not just alcohol. There needs to be a limited number of permits per businesses in any specific area of Folsom. I do not want to see Folsom to gain a reputation as a party town, and it seems to be on it's way to becoming another Chico.

I am not opposed to development, however I believe it needs to be thoughtful, balanced, and include family oriented businesses, to retain our reputation as a great town to raise a family, including in the historic district.

Respectfully,
Adena Blair

Steven Banks

From: rebmngt@aol.com
Sent: Friday, June 7, 2019 7:38 AM
To: Steven Banks
Cc: shanjean1@aol.com; adenacblair@yahoo.com; jpshawman@gmail.com; mrpdk@comcast.net; lkatfisher@aim.com; jgilhuly@gmail.com
Subject: Folsom Prison Brews

Good Morning Mr. Banks,

I am resident of the Historic Folsom Neighborhood. I have recently been informed on the proposed Folsom Prison Brews project {PN 19-174}. I would like to respectfully request that this project be denied on the following grounds;

1) As you know, Sutter Street's commercial district is 4 blocks long with approximately 90 commercial businesses. In that distance there are 16 food establishments serving alcohol and 10 wine and spirits establishments. This averages to 1 alcohol serving establishment to every 4 commercial businesses. Our lovely historic downtown is being turned into liquor and party central. As you know, the residents near the Sutter Street corridor have been having serious problems with noise, public drunkenness, trash and human waste in our yards and this will not help the problem.

2) The City Counsel has recently established an AD-HOC committee to find a solution for the serious Sutter Street parking problem. Another high parking use liquor establishment will only add to the problem. Although I respect the submitter's proposal to lease parking space at the Eagles lodge, this is only a temporary fix and will not be a permanent solution to a huge problem. A lease can be revoked anytime and the customers will have to use the existing parking. Also, the existing parking lot's behind the Sutter Steak house and Traders Lane are the best areas for new parking structures.

3) The Folsom Prison Brews project will require more variances to be issues from the City in violation of the Historic District Guidelines.

Again, I respectfully ask the City to deny this project!

Thank you.

Sincerely,

Mike Brenkwitz
603 Figueroa St.

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 1:54 PM
To: Kelly Mullett
Subject: FW: Folsom Prison Brew Letter

I strongly oppose the proposed Brew Pub concept for the former art barn location in historic Folsom. This would literally be adding gas to an already existing fire.

Parking is challenging already.

This area is already dense with establishments that offer alcohol. I witness drunk, disorderly and distraught behavior and individuals regularly in the 600 block already as a result of the existing offering.

Emergency calls have increased in recent years to this area as have assaults.

A strong NO from me and my business.

Terry Commons
Owner - Mystique Dining
611 Sutter St.
916-757-3705



MYSTIQUE DINING
A VINTAGE DRINKING EXPERIENCE
Terry Commons
www.mystiquedining.com
611 SUTTER STREET FOLSOM, CA

August 4, 2021

City of Folsom Historic District Commission
50 Natoma Street
Folsom, CA 95630
via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Folsom Prison Brews Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am opposed to the proposed Folsom Prison Brews project (PN 19-174) (“Project”) and request that the Historic District Commission (“HDC”) deny the Project. Additionally, for reason outlined in the attached email correspondence, this Project does not have a complete application on file with the City, staff have provided incomplete and inconsistent information to me and other members of the public making it impossible to actually understand the entirety of the Project, and the hearing was not properly noticed. The process has denied, and continues to deny, meaningful public participation, and the HDC should refuse to conduct a hearing until the proper process is followed.

The Project proposes to install an ADA lift, or ramp, or maybe neither or maybe both of those things between the Project site and the Powerhouse Pub parking lot¹ and the Project proposes to create a faux representation of Folsom Prison and increase the intensity of use of at least three properties in Folsom’s Historic District. The proposed exterior design of the building conflicts with the City of Folsom Municipal Code (“FMC”) which specifically states the City’s intent to “*preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950.*” (FMC section 17.52.010) Furthermore, the proposed use would intensify the use of the Project site and adjacent public and private parking lots and the Project would generate substantially more vehicle trips, during substantially longer hours of operation, and a substantial increase in the demand for parking as compared to the existing use of the site. This will not just exacerbate existing parking and traffic circulation-related conflicts, but it will also substantially worsen existing public health and safety issues associated with motor vehicle operation and parking in the Sutter Street commercial area and on streets in the adjacent residential neighborhood.

Staff opines that the Project design is intended to, “create a design theme that honors the local history associated with the Folsom State Prison,” yet staff provides no discussion or evidence to support the notion that a faux replica of the prison has any historic relevance to the Historic District. For better or worse, the City has already invested substantial resources in paying homage to Johnny Cash’s song “Folsom Prison Blues” and Cash’s performance at the prison in 1968. The Johnny Cash trail, the planned trail art commemorating Cash’s song and live performance, and the trail’s bridge over Folsom Lake Crossing (which is designed to resemble elements of the prison architecture) are appropriately located outside of the Historic District.

Simply put, a building with a prison design has no place in the Historic District and would create a theme park-like sore in this most important area of the City of Folsom. It is unclear why staff would bring a project like this to the HDC with a recommendation for approval; however, I expect individual Commissioners will have no problem denying this project in short order.

¹ See attached email correspondence regarding multiple version of parking plan drawings.

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There may very well be a business opportunity for a tap room focused on craft beer sales at the Project location. With proper planning, building design, parking provisions, public safety protocol (including focused and permanent motor vehicle law enforcement in the Historic District), and meaningful public involvement, a tap room project could have merit and could be acceptable to this community. The current Project does not accomplish this and the Project cannot simply be “conditioned” with a few random tweaks into a project that does.

The remainder of this letter provides additional input regarding why the Project should, and legally must, be denied; but, in short, please deny the Project.

1. THE PROJECT DOES NOT QUALIFY FOR AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AN ENVIRONMENTAL DOCUMENT MUST BE PREPARED PRIOR TO CONSIDERING PROJECT APPROVAL

Contrary to staff’s recommendation in the staff report for the HDC’s August 4, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act (“CEQA”).

FMC 17.52.390, “Environmental review”, states, “*Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents.*”

The staff report for your August 4, 2021, meeting, claims two CEQA categorical exemption classes as the basis for staff’s recommendation that the Project is exempt from CEQA – CEQA Guidelines section 15301, “Existing Facilities,” and CEQA Guidelines section 15303, “New Construction or Conversion of Small Structures.” Neither of the cited classes is applicable to the Project.

1.A The Project Does Not Qualify for a Class 1 CEQA Exemption

In relevant part, CEQA Guidelines section 15301 states, “*Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. ... The key consideration is whether the project involves negligible or no expansion of use.*”

The Project would substantially expand the use of the Project site. The staff report includes scant information on the existing use of the project site and building; however, the staff report does acknowledge that the Project would result in increased use and parking and discusses, “City staff and the applicant recognize that the **existing building's change in land use from a retail business to a craft beer establishment is likely to result in a higher demand for parking.**” Staff proposes several schemes for providing additional parking to meet this higher demand, clearly indicating that there is, in fact, an anticipated expansion of use in terms of customer visitation and parking demand.

One method of examining the Project’s expansion of use is to consider the Project hours of operation as compared to the existing site use. The Project’s proposed hours of operation are

substantially longer each day than the existing small, local retail use of the property. As shown in Table 1, below, as proposed and as conditioned by staff's recommendation, the Project would result in more than a four-fold increase in the number of hours of operation each week – from just 20 hours a week under existing conditions to 91 or 83 hours as proposed and as conditioned, respectively. This expansion of use is not negligible, instead it is substantial in terms of the potential to result in parking, public safety, environmental and other impacts.

Table 1. Existing and Proposed Hours of Operation

Day of Week	Hours of Operation		
	Existing Business (Artfully Rooted)	Project as Proposed	Project as Conditioned by Staff Recommendation
Monday	0 hrs Closed	11 hrs 11am – 10pm	11 hrs 11am – 10pm
Tuesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Wednesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Thursday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Friday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Saturday	6 hrs 11am – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Sunday	4 hrs 11am – 4pm	9 hrs 11am – 10pm	11 hrs 11am – 10pm
Total Hours per Week	20 hours	91 hours	83 hours

The staff report acknowledges the Project's potential to cause noise, lighting, parking and other impacts. In fact, staff proposes conditions of approval in an attempt to reduce these impacts. As discussed further below, the staff report provides no actual analysis of impacts and staff's attempts at reducing impacts through conditions of approval are largely ineffective in terms of addressing impacts (staff does not evaluate their efficacy); nevertheless, the mere fact that staff proposes mitigation-like conditions of approval for Project impacts is a clear indication that the Project's expansion of use is not merely negligible. For reasons including those presented here, the Project does not qualify for a CEQA Class 1 exemption.

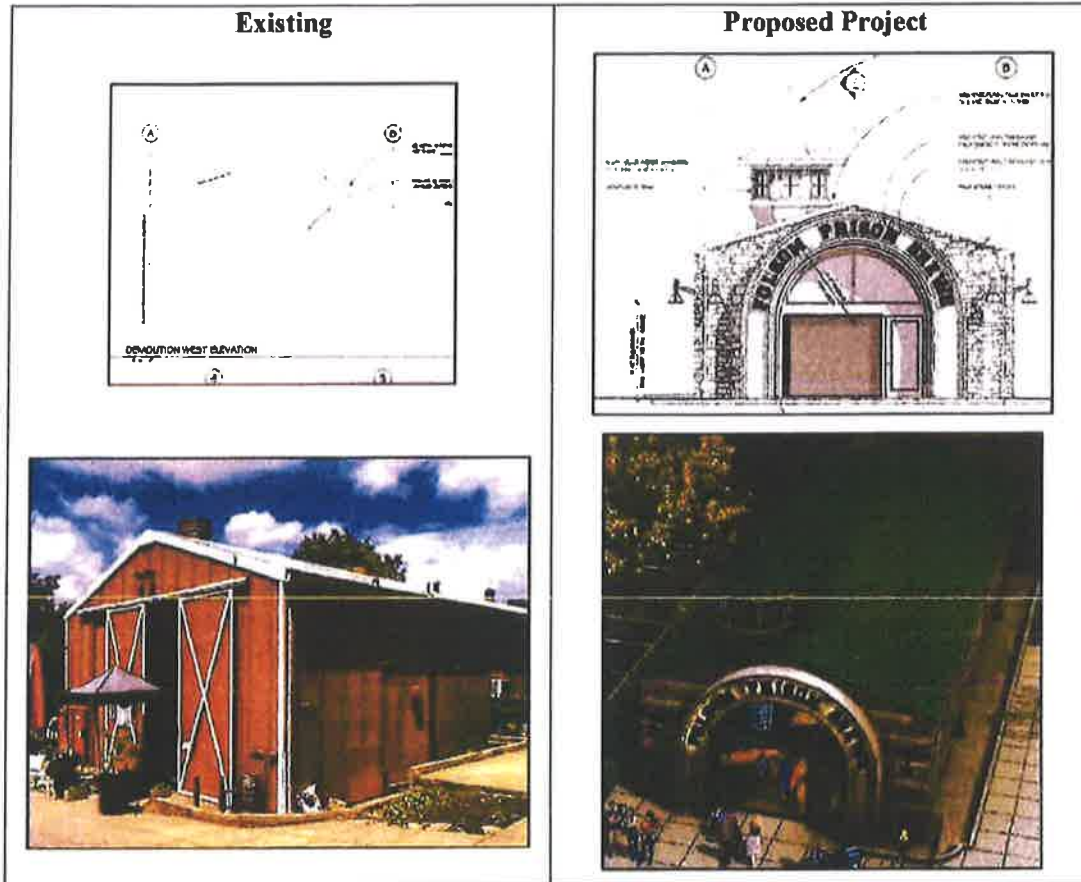
1.B The Project Does Not Qualify for a Class 3 CEQA Exemption

In relevant part, CEQA Guidelines section 15303 states, *“Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.”*

The Project would substantially modify the exterior of the existing structure. As shown on Figure 1, “Existing and Proposed Exterior Structure Design Modifications,” the appearance of the structure would be changed from that of a red barn with wood-appearance siding, sliding large barn door entry, and a white metal roof, to the proposed Project design of a faux granite walled structure with an arched train-station style entrance, topped with a large dominant turret looking rooftop feature. In short, the building's exterior structure would be converted from a pastoral barn appearance to an institutional prison appearance. In fact, the substantial

modification of the exterior of the structure is directly intended and necessary to achieve the proposed Project's gimmicky theme. Given the Project's substantial modifications to the structure exterior, the Project does not qualify for a Class 3 exemption.

Figure 1. Existing and Proposed Exterior Structure Design Modifications



1.C The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from any CEQA Categorical Exemption

The Project fails to meet the criteria required for a CEQA exemption under each of the categorical exemption classes identified by staff and is therefore not exempt from CEQA. Furthermore, even if one of these or another categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects make the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

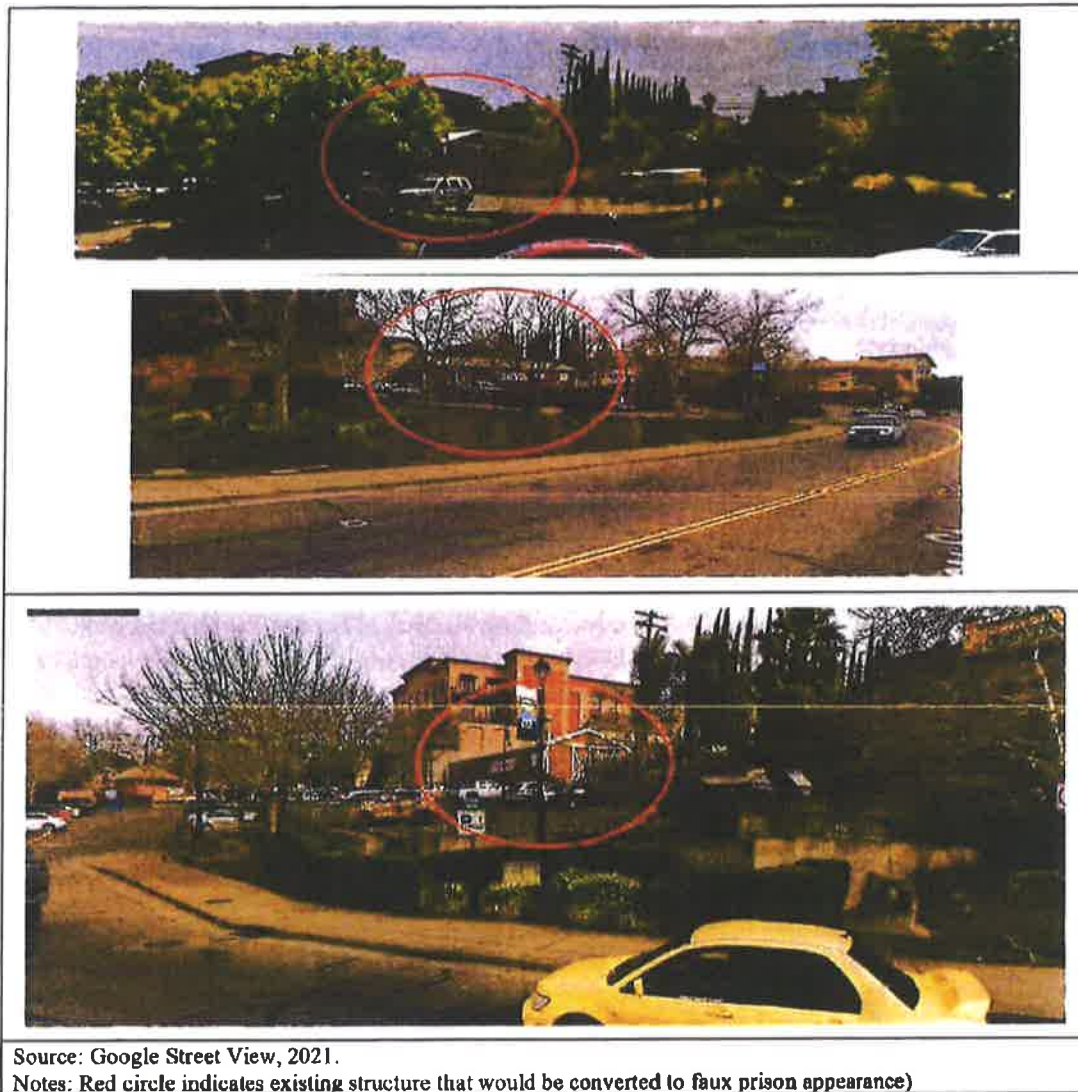
The City has performed no environmental impact evaluation of the Project and, therefore, has failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project. Potential impacts and substantial evidence that a fair argument exists that the Project may have one or more significant effects that must be evaluated under CEQA are discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the proposed Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties.

Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within

Figure 2. Views Toward Project from Riley Street



Source: Google Street View, 2021.

Notes: Red circle indicates existing structure that would be converted to faux prison appearance)

that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Folsom Prison Brew project's demolition, remodel, landscaping components. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation proposals must be evaluated and documented in a CEQA document.

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Cultural/Historic Resources. The Project is located in the Folsom Historic District, a historic area of local important, and in proximity to other individual properties of state/federal and/or local historical significance as listed in the City of Folsom Cultural Resources Inventory (1998), including:

- Folsom Hydroelectric National Historic Landmark, CA-Sac-429H
- Powerhouse 1 , NRHP Property, CHL, est. 1895
- Powerhouse 2, NRHP Property, CHL
- Twin Mines/ Gray Eagle Mine
- Livermore sawmill foundation remnants and mill pond
- 701 Sutter Street, Murer Gas Station, circa 1920
- 707, 709, 711 , 713 Sutter Street, Commercial buildings, circa 1860
- 607 Sutter Street, original library, circa 1915
- Rainbow Bridge, NRHP eligible, factual 1917
- Steel Truss Bridge, factual 1983-1930

The Project's cultural modification of creating a faux-prison design of inconsistent character with the historic architecture and goals of the Historic District would have the potential to result in significant adverse impacts to the Historic District, generally, as well as one or more individual historic resources within and adjacent to the Historic District. The CEQA statute advises that a resource need not be listed on a state or federal register to be deemed a significant resource.

Land Use/Planning. The Project's design as a faux prison would conflict with the FMC Purpose and Intent to "preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950" and to "ensure that new...commercial development is consistent with the historical character of the historic district" (FMC 17.52.010[2] and [5]). The Project's incompatibility with the character of the Historic District and the Project's conflict with the FMC is grounds for project denial. At a minimum, to consider approval, the Project's conflicts must be evaluated and disclosed in a CEQA document.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. For instance, staff recommends that dancing be prohibit, yet provides no evidence of noise levels associated with dancing (unless staff is concerned about traditional Irish or tap dancing, I'm not sure dancing in and of itself is a particular noisy activity). Furthermore, staff recommends reducing the hours of operation from proposed 2am to midnight on certain nights; however, staff provides no rationale for how noise levels at midnight are somehow more acceptable than those at 2am and staff makes no mention of the City General Plan day/night distinguish time of 10pm which would be a more rational criteria for hours of operation. Regardless, staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit (CUP), the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

For the reasons discussed above, the Project does not qualify for a CEQA exemption. Prior to conducting a public hearing at which approval of the Project can be considered, the City must prepare and circulate for public review.

2. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, *"The findings of the planning commission [in this case, the HDC] shall be that the establishment, maintenance or operation of the use or building applied for will or 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 city."*

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business and provides no indication that staff even considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

3. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

Although requested (see attachments), the City has provided no information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project and staff presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they have not. For any meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit. (See attached email correspondence regarding the lack of a complete application, lack of information necessary to understand and evaluated the full project, and failure of required public hearing noticing.)

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing any actual ensured added parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by Folsom Prison Brews. The proposal has no merit.

The Project's parking requirements must be determined and the Project cannot be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process. It is unlikely that the Project would not meet the findings required for such variance; which hopefully is not the reason the need for a parking variance has been ignored by staff.

Neither the applicant nor staff has provided any basis to indicate that existing lots currently used by others can in any way offset the increased demand for parking that would be generated by Folsom Prison Brews. The Eagles Lodge lease retains the right for the Eagles Lodge to continue use and allows the Eagles Lodge to deny use for Folsom Prison Brews, therefore, it is meaningless in terms of meeting any of the Folsom Prison Brews parking demand.

A proper analysis would identify whether any parking spaces are dedicated to the existing use at the Project site and would identify not just the parking space requirement associated with the FMC 1space/350sqft requirement, but would also discuss the actual parking demand and times of use of the existing business at the property. This has not been done and the HDC has no basis on which to make a meaningful decision regarding the Project's parking impacts.

Because there is no evidence to substantiate any existing parking allocation for the existing use, the Project cannot rely on the proposed parking scheme. Because the Project would not provide the additional parking necessary to meet the increased parking demand it would generate, the Project would not comply with the FMC parking requirements and requires an application for and HDC consideration of a parking variance.

4. IF APPROVED, THE CITY MUST OBTAIN FINANCIAL ASSURANCE FOR SUBSEQUENT REMOVAL OF THE BUILDING TO AVOID THE LONG-TERM PRESENCE OF THE INCOMPATIBLE BUILDING DESIGN

Since the Project proposes a structure that is inconsistent and in conflict with the FMC design requirements and the Historic District design objectives, if the building is somehow approved and developed, the City should ensure funding is available to provide for its removal once the CUP is revoked or the business otherwise ceases to operate. The project would create a building design that is very specific to the proposed use and schtick of the proposed name and type of business. The building will be an eyesore and should be removed immediately upon revocation or abandonment of the CUP. With buildings designed consistent with the Historic District character, it is reasonable to expect that the buildings can serve a variety of future commercial uses. However, since it is unlikely that a subsequent business would be inclined to occupy a prison-themed building (Folsom Prison *Shoes*, maybe?), it would be in the City's best interest to include a condition of approval that 1) requires the permittee to remodel the building to a design consistent with the Historic District (to be approved by the HDC) and 2) requires the permittee to obtain and maintain a financial assurance mechanism (bond, letter of credit, etc.) naming the City as the beneficiary and in an amount sufficient to provide funds for the City to remodel (or simply demolish) the building in the event the permittee is unable or unwilling to do so upon termination of the CUP.

5. CONDITIONS OF APPROVAL ARE INEFFECTIVE AND REQUIRE ADDITIONAL CONSIDERATION WITH MEANINGFUL PUBLIC INPUT

In April 2021, I requested that the City's ongoing (then and now) zoning code update provide for public review of staff's draft proposed conditions of approval prior to staff finalizing their recommended conditions of approval. I also suggested that process could be implemented immediately and not wait for the zoning code update process to be completed. Staff declined my request, so that process has not occurred. Instead, staff produced an 87-page staff report a mere

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6 days prior to the HDC's August 4th hearing and included 30 conditions of approval. Many of the conditions of approval would be ineffective, at best, in their apparently intended outcome. **I urge the HDC to NOT attempt to substantially rework conditions of approval during its August 4th hearing. If the HDC is inclined to pursue Project approval, please provide for a process to allow additional discussion and public input on the HDC's proposed changes before making a final approval decision.**

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
bdelp@live.com

Attachments:

1. Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project Application Materials
2. Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

August 4, 2021

Attachment 1

**Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project
Application Materials**

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Bob Delp <bdelp@live.com>

Wed 8/4/2021 11:42 AM

To: Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; daronbr@pacbell.net <daronbr@pacbell.net>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>

Ms. Dierking: Yesterday, you directed me to Project application materials on the City's Pending Development Applications webpage. I downloaded the site plans and reviewed them and noticed that Sheet X1.0 notes "ADJACENT OR NEAR TO THIS NEW PARKING SPACE WILL BE THE ADA LIFT WHICH WILL ALLOW AN ACCESSIBLE ROUTE TO THE FOLSOM PRISON BREWS ENTRANCE." Until then, I had no idea an ADA lift was part of the project, and it is not discussed in the staff report. Then, in then preparing my comments regarding that lift, I see that sheet X1.0 in the staff report is different than the version on the PDA webpage that you directed me to. The staff report version is difficult to read and at first glance seems to be the same as the Sheet X1.0 on the PDA webpage, but instead of referencing an ADA lift and it references an accessible aisle. Neither a lift nor an aisle between these two properties appears to be addressed in the staff report. Adding to the confusion, the version on the PDA webpage is marked "HDC Review Set" (dated July 22, 2021) whereas the version in the staff report is not marked HDC review version and the date is illegible. I don't know, just hours before a schedule hearing to approve the proposed monstrosity, whether a ramp, a lift, or nothing is proposed between the two properties. I'm guessing that very few people know, including the HDC.

"Frustrating" would be an understatement. In my busy schedule, I am trying to provide meaningful review and input on this proposal and am constantly roadblocked by the incomplete, unclear, inconsistent project documents that staff is circulating and directing me to. It is simply unconscionable that City staff put well-meaning citizens through such a maze - and the thought of this mess of a project record being presented at a hearing has disaster written all over it. I am asking again that someone with the authority to do so put the brakes on this project and postpone the hearing until some semblance of organization is provided.

Thank you.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>

Sent: Wednesday, August 4, 2021 5:19 AM

To: Sari Dierking <sdierking@folsom.ca.us>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>; Elaine Andersen <eandersen@folsom.ca.us>

daronbr@pacbell.net <daronbr@pacbell.net>

Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Ms. Dierking:

The plan set on the City's Pending Development Applications website to which you referred me for the project application not only does not represent a complete application (as outlined in my email below), but the plan set itself is incomplete based on the Sheet Index of the plan set itself (see below for list of the sheets identified on the Title Sheet but not included in the plan set). The missing sheets would provide important information about the project and are omitted from the publicly available plan set, and it's unclear if the City has these sheets but omitted them from the posted version or if the City simply does not have the sheets. A project approval that includes approval of the plan set could inadvertently (or perhaps intentionally by staff) approve these missing site plan sheets and notes that they might include. That is unacceptable as the HDC would be approving elements and details that have not been made available to them let alone made available to the public

Furthermore, the plan set includes a sheet (X1.0) entitled "Parking Lots and Data" and present information and proposed modifications at two other properties "Powerhouse Parking Lot - Existing" and Eagles Lodge Parking Lot - Existing". Neither a location map nor the APNs or addresses of these two properties are identified, however, the drawings and notes clearly indicate proposed modifications/use of these properties as part of the Folsom Prison Brews proposal. Thus, the City must treat these as part of the project.

A landscape plan is required, but has not been provided. However, sheet A1.0 of the plan set includes two notes regarding landscaping plans, noting, "*4. FOR LANDSCAPE INFORMATION AND DRAWING, SEE LANDSCAPE PLAN BY FIVE STAR LANDSCAPE, MICHAEL SHULAR LA, 916-989-3372 OR INFO@MSLADESIGN.COM*" and noting (on the adjacent property but apparently a component of the proposed project), "*POWERHOUSE PUB PATIO - NEW: SEE LANDSCAPE PLAN FOR INFORMATION AND DETAILS.*" No landscape plan for the project site or for the adjacent property for which landscaping is apparently also proposed (based on the sheet note above and based on a rendering in the staff report). The landscape plan must be provided for public review, but also should have been provided to the City before staff proceeding with processing this project.

The Title Sheet (T1.0) includes an index listing the following sheets all of which are NOT included in the plan set on the City's Pending Development Applications webpage and have not otherwise been made available to the public:

G2.0 CA STATE AND REGIONAL REGULATIONS
A4.0 FOUNDATION PLAN - ARCHITECTURAL
A7.0 PROPOSED ROOF PLAN
A10.0 BUILDING SECTIONS
A11.0 WALL SECTIONS & ARCH DETAILS
A12.0 ENLARGED FLOOR PLANS
A13.0 INTERIOR ELEVATIONS
S1.0 GENERAL NOTES
S2.0 FOUNDATION PLAN
S2.1 ROOF FRAMING PLAN
S2.2 EXTERIOR ELEVATIONS
S3.0 FOUNDATION DETAILS
S3.1 ROOF DETAILS
S3.2 SHEAR WALL & TYPICAL WOOD DETAILS

S3.3 SIMPSON STRONG WALL DETAILS
E1.0 ELECTRICAL PLAN & ELECTRICAL LEGEND

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, August 3, 2021 7:17 PM
To: Sari Dierking <sdierking@folsom.ca.us>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet (Folsom Prison Brews Application)

Ms. Dierking: Thank you for your feedback. In your response you state that existing records responsive to my request to see the complete application are available on the Pending Development Applications website. I have reviewed that information several times, most recently five minutes ago, and if the information posted on the website is the entirety of the application, then the City does not have a complete application for this project and must stop processing (and never should have started) until the application is complete. The webpage includes only the project plan set and a one-page project narrative, both of which are unsigned.

The following are required for design review, and **are not provided and no checklist of required content is provided** on the referenced webpage.

1. A completed and signed application form including name, address and telephone number of the applicant (no application form whatsoever is provided, signed or unsigned). A completed and signed application must be submitted for the requested CUP and for Design review - neither has been submitted.
2. Fees - Yes, I am requesting to see record of the fees required and date(s) the fees were paid.
3. Agent Authorization
4. Radius Map
5. Radius List
6. Vicinity Map - On plan set, but does not identify either of the project's proposed private parking lot use locations.
7. Project Narrative - a signed/dated project narrative is not provided. As noted above, there are now two project narratives floating around - one on the Pending Development Applications webpage and one in the staff report, and there is no indication of which is part of the application.
8. Environmental Information Form
9. Landscaping Plans - landscaping/courtyard is shown on project renderings, and apparently would require grading and stairway construction, but no landscape plan or other information on grading is provided
10. Design Guidelines/Development Standards - Some design info is on plan set, but info on compliance with HD Design Guidelines/FMC standards

Regarding existing entitlements: I must be misunderstanding you. Are you saying that the City does not have any record of entitlements for the three properties in question (the project site, and the two proposed parking locations, both of which as I understand currently have uses that serve alcohol and therefore are required to have CUPs)? Understanding existing entitlements is crucial for understanding how those existing entitlements relate to changes due to the proposed project. It would have been

impossible for staff to conduct a meaningful evaluation of the project if staff does not have any information about existing entitlements. Please clarify.

Thank you for your assistance.

Bob Delp
916-812-8122
bdelp@live.com

From: Sari Dierking <sdierking@folsom.ca.us>
Sent: Tuesday, August 3, 2021 4:59 PM
To: bdelp@live.com <bdelp@live.com>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: FW: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Dear Mr. Delp,

The City of Folsom is in receipt of your Public Records Act request for the following records regarding the proposed Folsom Prison Brews project:

1. The complete application with all FMC-required application materials.
2. FMC 17.52.310 "Design review submittal requirements" item C, "A copy of **all entitlements granted for the property by the city, including conditions of approval** and the environmental documentation" as related to:
 - a. the existing use at the project site; and
 - a. the existing uses at other properties identified for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use.
3. The City's application content checklist (for design review and for CUPs) and all of the required content.

Existing records responsive to items 1 and 3 have been posted to the City's website under Pending Development Applications, with the following exceptions:

- Site photographs are included with the staff report.
- Records reflecting payment of the application fee are not on the website. Please confirm whether you are requesting these specific records.
- The material samples and color board is available for public inspection at the Community Development Department counter during regular business hours. It will also be available for public inspection at the Historic District Commission meeting tomorrow night at 5 pm.

After a diligent search and a reasonable inquiry, no records responsive to items 2(a) or 2(b) were found.

Sincerely,
Sari Dierking

Sari Myers Dierking

Assistant City Attorney

City Attorney's Office

50 Natoma Street, Folsom, CA 95630

O: 916.461.6025

F: 916.351.0536



www.folsom.ca.us

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From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of all entitlements granted for the property by the city, including conditions of approval and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>

Sent: Friday, July 30, 2021 1:05 PM

To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdejp@live.com <bdejp@live.com>; loretta@shaunv.com <loretta@shaunv.com>

Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the **Webex** information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001

Meeting Number: 182 793 3916

Meeting Password: 693 383 23

Thank you!

Kelly Mullett

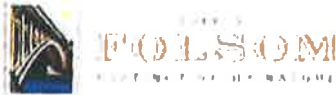
Administrative Assistant

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6231

F: 916.355.7274



www.folsom.ca.us

August 4, 2021

Attachment 1

Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Bob Delp <bdelp@live.com>

Tue 8/3/2021 7:51 PM

To: Steven Banks <sbanks@folsom.ca.us>

Cc: Pam Johns <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>

Steve:

Thank you for your feedback, however, I think it is reasonable for me to request and obtain evidence, not simply a staff statement, that the hearing noticing requirements have been complied with. As you know, notices for a CUP hearing must be provided a minimum of 10 days prior to the hearing, and evidence of that noticing is important to me and others in this community as well as for the project record. Based on the notification methods referenced in your reply below, can you please provide the following which I'm sure must be readily available to you:

1. date of notice posting at 608 1/2 and by who (City staff or applicant)
2. date that notice was published in the Sacramento Bee (publications typically provide proof of publication that should be easy for you to forward to me)
3. date on which public notices were mailed to property owners within 300 feet
4. map used for determining the 300-ft distribution
5. list of persons/property addresses (or APNs) to whom the notice was mailed

Also, if you have any basis for staff's determination that noticing is not required the Eagles Lodge parking component of the project, I would very much like to know what that basis is. The Eagles Lodge parking lot is clearly a part of the project - both the applicant proposes its use and staff's recommended conditions of approval for the CUP *require* its use, so it seems obvious that residents and businesses near that location who stand to be directly affected by the increased activity (noise, dust, etc.) deserve the same hearing notifications as required for any project site.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>

Sent: Tuesday, August 3, 2021 4:18 PM

To: Bob Delp <bdelp@live.com>

Cc: Pam Johns <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>

Subject: RE: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Good afternoon Bob,

Thank you for your questions regarding the public noticing process and requirements for the Folsom Prison Brews project (PN 19-174). City staff reviewed the public noticing conducted for the proposed project, which included posting of public notice on the project site at 608 1/2 Sutter Street, printing of the public notice in the Sacramento Bee, and mailing of the public notice to all property owners located

within 300 feet of the subject property, and determined that the proposed project has been noticed properly in accordance with the requirements of the Folsom Municipal Code and State Law. In addition, City staff also determined that posting of a public notice at the Eagles Lodge property is not required.

Best regards,

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us

From: Bob Delp <bdelp@live.com>

Sent: Monday, August 2, 2021 11:34 AM

To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>

Cc: Michael Reynolds <mjrhra@gmail.com>; Paul Keast <mrpd@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com; Kelly Mullett <kmullett@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; daronbr@pacbell.net; kcolepolicy@gmail.com; ankhelyi@comcast.net; Kelly Mullett <kmullett@folsom.ca.us>; danwestmit@yahoo.com; kevin.duewel@gmail.com

Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

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Pam and Steve:

With the very limited amount of time the public has been given to review and comment on the Folsom Prison Brews project and staff's recommendation in an 86-page staff report, the need for your timely feedback with the project application materials and other information requested in my emails below is critical to allowing meaningful opportunity for public input in advance of and at the HDC public hearing.

Furthermore, as of yesterday there was no public notice posted at the Eagles Lodge property. Since the project as proposed (and as conditioned per staff's recommended conditions of approval) would use the Eagles Lodge for parking, the hearing notice must be posted at the Eagles Lodge property and must be mailed to property owners within 300 feet of that property. The staff report provides no evidence that the required noticing has been provided. In the absence of that notification, property owners near a property that is a component of the project and at which the project would create the potential for increased noise, dust, and traffic circulation/safety issues associated with the increased use of parking at the Eagles Lodge property have not had sufficient opportunity to meaningfully participate in the project review process.

Unless you are able to provide documentation verifying that all required public notices have been timely made, please remove the Folsom Prison Brews project from the August 4 HDC meeting agenda.

Also, the public notice that is posted at the proposed Folsom Prison Brews location (I saw the notice yesterday, but no information has yet been provided of when it was posted) references that "the environmental review documents" are available for public review at the City. My understanding is that staff is asserting the project is exempt from CEQA (I will document why the project *is not exempt* from CEQA in written comments to the HDC) and I do not see any environmental documents or studies referenced in the staff report. Can you let me know what environmental documents have been prepared and is it possible for you to post those on the City's Pending Development Applications' website so they can be reviewed online?

I am doing my best to understand the project and prepare meaningful input to the HDC; however, cannot do so without the requested information.

Thank you in advance for your help with this.

-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 10:53 AM
To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; Joretta <joretta@shaunv.com> <joretta@shaunv.com>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Pam and Steve:

The Folsom Prison Brews staff report states that "City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking." Can you provide supporting document for when and by what mechanism that policy has been adopted by the City Council or other City authority? Also, the staff report doesn't discuss so can you provide an explanation of how staff defines "density" in its application of this policy and how staff interprets "additional on-site parking" in this context?

Since it's understood that the FMC 1space/350sf standard does not reflect actual parking demand generated by various commercial uses, has staff generated parking demand estimates for the existing use and for the proposed use to compare the actual anticipated change in parking demand that would result from the project? Parking spillover in the nearby neighborhood areas (and related traffic and pedestrian safety effects) adversely affects the health, safety, comfort, and general welfare of those of us who reside and work in the area. Therefore, changes in actual parking demand and induced spillover to residential neighborhoods is a key factor in determining whether the finding necessary for issuing a CUP can be made.

Thanks for in advance for any input you can provide.

-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of all entitlements granted for the property by the city, including conditions of approval and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Friday, July 30, 2021 1:05 PM
To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdelp@live.com <bdelp@live.com>; loretta@shaunv.com <loretta@shaunv.com>
Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the Webex information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001
Meeting Number: 182 793 3916
Meeting Password: 693 383 23

Thank you!

Kelly Mullett
Administrative Assistant

Community Development Department
50 Natoma Street, Folsom, CA 95630
O: 916.461.6231
F: 916.355.7274

Kelly Mullett

From: Kelly Mullett
Sent: Tuesday, August 3, 2021 5:01 PM
To: Kelly Mullett
Subject: RE: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

From: LJ Laurent <lilaurent@att.net>
Sent: Tuesday, August 3, 2021 10:15 AM
To: Sarah Aquino <saquino@folsom.ca.us>
Cc: Steve Krahn <skrahn@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; The HFRA <thefra@gmail.com>; Mike Brenkwitz <rebrnngt@aol.com>; Adena Blair <adenacblair@yahoo.com>; Lydia Konopka <lkonopka@folsom.ca.us>; Shannon Brenkwitz <shanglean1@aol.com>; John Shaw <jpshawman@gmail.com>; Laura Fisher <lkatfisher@aim.com>; Justin Gilhuly <jgilhuly@gmail.com>; Debra <arm@artpass.net>; Deino Trotta <deino@gingerwood.com>; Cindy Pharis <crpharis@att.net>; Ken Cusano <kcusano@folsom.ca.us>; Lauren Ono <lono@folsom.ca.us>; Rick Hillman <rhillman@folsom.ca.us>; Supervisor Sue Frost <supervisorfrost@saccounty.net>; Ben Fuentes <fuentesben@comcast.net>
Subject: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

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To: Sarah Aquino Vice Mayor
Folsom City Officials, Clerk, Lawyer, City Engineer,
Planner Steve Banks
cc: Asst. City Clerk for Clerk FILE PN19 174; FFD Chief, Fire Marshal Ono; FPD Chief
From: Laurette Laurent
August 3, 2021

Re: PN19-174 Official Public Comment re FMC 17.52.120 to
Folsom City Attorney/Office, City Engineer -- IGNORED completely.

Sarah, there is no way to contact Historic Preservation League, yet it appears to be a city official group. **Please send this directly to Beth Kelly and all members** of this city group. Otherwise it will appear there is some desire to stifle Public Comments -- officially, by the city stifled. Clearly this city council is somehow connected to the Control of Public Comments and Access to Public Comments made directly to Licensed city staffers who are paid to Certify & Sign that there is Legal Compliance with all laws. Myself, I am dealing with a disability, and suspect this is part of the reason city staff believe they can ignore my Research Reports. However, I have remedies available right now, and will use them if my Comments continue to be Omitted as a policy.

Sarah,

My Comments to City Engineer Krahn and City Attorneys Wang & assistant, were explicitly incorporated into this Applications STAFF REPORT without the Folsom Muni

Code Laws I cited In their Entirety. In other cases, FMC subsections were cited as if they were Legally binding despite violating State Enabling Legislation Govt. Code 65000 et seq. and as if a "subsection" can revoke or Override a Definition, a General Law, or Standards. It's as if Negation was dumped into 17.52 -- at will, in the dark, at the discretion of unknown persons acting without Public knowledge.

Clearly this case is riddled with issues. Creating new subsections at will is just the tip of the iceberg. *Creating a second City Council which can REZONE and grant EXCEPTIONS* to Title 17 at will, is offensive, improper, and destructive to any democracy and Safety & Equal Treatment under Law.

This is a formal objection that again, **my email comments were totally omitted. My email to Planner Steve Banks is OMITTED** from Public Comments shown in Agenda Attachment, in re Legal Issues governing, among other issues: "Change of Use"; Legal Definition of historic district group AKA "commission" or a 2nd "plan commission" with Separate set of Land Use Standards and INFRASTRUCTURE and FIRE STANDARDS, and ADA Compliance." My email did note that Formal Complaints were filed with proper oversight authorities and persons.

To keep this simple, my formal email to City Lawyer/his office and City Engineer were NOT given direct Responses. It's as if those Licensed City Employees considered their License Obligations as Irrelevant and NOT binding to their Clients -- of which I am one.

This is a huge Issue, which will absolutely force residents opposed to such city actions outside State and Federal laws, to be Cause for Complaints. Why does our current Mayor refuse to demand our Licensed Legal & Engineering Law experts provide him with Sealed, Signed Official Reports? Why have lawyers and engineers if elected officials never use their LICENSE APPROVALS to ensure FULL legal compliance per their License Requirements.

If you look carefully, **actual screen shots of FMC 17.52.120 are utilized in my Email, to ensure subsequent, secret alterations or Misquoting is prevented. The duties of the h.d. group are clearly defined, and they DO NOT** include Change of Land Use which to you is called "REZONE" of parcel. They do NOT include a State of California Enabled Right under State law, to grant Rezones, Exceptions, Enforcement of Standards to a second and totally separate Plan Commission.

State Law allows one Plan Commission which can [1] Hold **Public Hearings** [2] Address **Questions & Answers** between Licensed city staff and public, and [3] **Make a formal Recommendation to city council** for a Legislative action to alter Land Use, Bulk Standards, Access Standards, Street Standards, Infrastructure Standards and [4] Use this process to inform and **RECOMMEND to City Council** the Action/Legislation enacted by CITY COUNCIL. Council must determine whether CEQA Compliance is Satisfied as "fulfilled to proper legal Standards and applicable local, county, state and federal laws.

1. Where is the Discussion of California Fire Code Compliance?

2. Access for ALL FIRE ENGINES and Fire Water TRUCKS in the event hydrant pressure is < 4,000 PSI during this drought?
3. Where is hard Proof this former factory and its entire vehicular and pedestrian access points meet Americans with Disabilities Act requirements?
4. Where does California Govt. Code 65000 et seq state a city can HAVE & USE two different sets of Standards and Regulations for Land Uses?
Where does it state an OVERLAY of extra aesthetic issues such as 17.52, can be converted into granting another non-elected group the POWER to REZONE, to change Land Uses? To WAIVE City STANDARDS?

There are other Questions which ONLY an Elected Body can Decide, upon and with the signed Advice of Legal Council, and Seal of City Engineer.

- [1] The so-called lease do not prove signator for "Eagles" has any Legal Authority to enter into such a Lease.
- [2] Street Address does not match the old Clouds Pottery factory.
- [3] Street FRONTAGE is less than 19 feet of pedestrian only access.
- [4] Parking will end up destroying historic RESIDENCES.
- [5] Ignoring Fire Code and ADA will result in direct harms to persons/properties, not to mention Health Safety & Welfare.
- [6] There is NO Finding of Fact to prove new owner did not create his own Hardships by over-reaching and seeking exceptions to critical Fire, Access, Bulk Standards, Parking Standards/Laws.

NO CITY CAN HAVE TWO SEPARATE SETS OF STANDARDS which permit exceptions to State, Federal, County Laws.
Staff with Licenses are PAID to protect residents & others from Life-threatening Uses, Configurations, First Responder Access.



637630874703773299

2 / 128



125%



categorically exempt under Section 15303 (New Construction of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines (Project Planner: Josh Kinkade/Applicant: Pamela

PUBLIC HEARING

2. PN 19-174, Folsom Prison Brews Conditional Use Permit, Design Review and Project is Exempt from CEQA

A Public Hearing to consider a request from Konet Architecture for approval of a Conditional Use Permit for a new building for development and operation of a craft beer establishment (Folsom Prison Brews) in an existing 4,377-square-foot building located at 608 ½ Sutter Street. The zoning classification is C-2 (Community Center) (Historic District/Sutter Street Subarea), while the General Plan land-use designation is C-2 (Community Center). The project is categorically exempt under Section 15301 Existing Facilities, and 15303 Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Konet Architecture)

HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **August 18, 2021**. Additional items may be added to the agenda; any such additions will be posted on the bulletin board at least 72 hours prior to the meeting. Persons having questions on any of these items may contact the Planning and Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at 1000 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a related modification or accommodation to participate in the meeting, please contact the





		<p>Thursday-Saturday: 11:00 a.m. to 12:00 a.m.</p> <p>No expansion of business hours beyond what is stated above shall be permitted w approval being obtained from the Historic District Commission through a discreti Conditional Use Permit Modification.</p>
14.		Folsom Prison Brews shall be limited to the sale and consumption of beer, non-al beverages, and food products. No sale or consumption of spirits shall be permitte
15.		Doors and windows to the outdoor patio area shall be closed at all times when mu played.
16.		No audio speakers, music, televisions, or screens shall be permitted on the outdoo building exterior walls, windows, or any other exterior architectural elements.
17.		No dancing shall be permitted anywhere in the premises including the outdoor pat addition, there shall be no structurally designated or raised dance floor or bandstai

Historic District Commission
 Folsom Prison Brews (PN 19-174)
 August 4, 2021

28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces Lodge property remain in effect as long as Folsom Prisons Brews or any subsequ establishment operating at this location pursuant to the Conditional Use Permit re business.
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Historic District Commission
 Folsom Prison Brews (PN 19-174)
 August 4, 2021

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department	I	Prior to approval of Improvement Plans
	Planning Division	M	Prior to approval of Final Map
	Engineering Division	B	Prior to issuance of first Building Permit
	Building Division	O	Prior to approval of Occupancy Permit
	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		



How very "expedient" there is NO MENTION of this 503c Organizations OFFICERS:



Folsom Fraternal Order of Eagles

[Home](#) [Officers](#) [Events](#) [News](#) [Hall Rentals](#) [Contact Us](#)

Officers

Office:

Officer:

Proudly powered by WordPress



Even the IRS has no record of Eagles Folsom Aerie 929

Results for Tax Exempt Organization Search

Select Database ⓘ	Search By ⓘ	Search Term ⓘ
Search All ▼	Organization Name ▼	Eagles Folsom Aerie 929
City	State	Country
folsom	CA ▼	United States ▼
<input type="button" value="Search"/>	<input type="button" value="Reset"/>	Search Tips

• **Your search did not return any results. Please try again.**



Fifteen Spaces for a huge 4K sq foot building is not exactly providing OFF-STREET PARKING to City Code Standards, is it?
Lease Agreement is shot full of omissions, exceptions, closures, NO EVIDENCE of this 503c3 group's Status or Land Use Compliance either.
How much more "questionable" could Applications "facts" be?



Folsom Prison Brews - Lessor

- 1 Folsom Prison Brews will pay to Eagles \$6000 per year @ \$500 per month for use of the Eagles lot from the operational opening of Folsom Prison Brews until permanently changed to a new use by Eagles or Folsom Prison Brews ceases to
- 2 Signs at Folsom Prison Brews expense will be posted stating "Eagles Members - Folsom Brews parking ONLY: all others will be towed at owners' expense." 22 Folsom Prison Brews shall, at the request of the Eagles, provide a parking lot at Friday & Saturdays from 6pm- 10pm to ensure parking conditions are enforced
- 3 Eagles, at their discretion, may continue to charge for public parking whenever the
- 4 Eagles, at their discretion may close their lot for special Eagles events
- 5 Folsom Prison Brews will maintain general liability insurance coverage for not less than \$1,000,000 with a "hold harmless" and additionally insured designation for the
- 6 Folsom Prison Brews shall provide to the Eagles a minimum of 4 free admittance per month for event held at Powerhouse Entertainment

Folsom Prison Brews
608 1/2 Sutter St. Folsom

M. Wilson

12/1/20

Sarah W.

Eagles Folsom CA #

215 Scott St. Folsom

Sarah W.



**Google shows 608.5 Sutter St. as a different structure.
WHICH IS RIGHT Folsom City Engineer & Surveyor?**

15 untr... x | Sacram... x | 637630 x | SAC Assess... x | (9 untr... x | 637630 x | 608 1

← ↻ 🏠 🔒 assessorparcelviewer.saccounty.net/ISViewer/Assessor.html

⚙️ Settings Imported From Fire... 🔄 FMC Title 17 ZON... 📄 Drought Impacts L...

SACRAMENTO COUNTY
Assessor Parcel Viewer

070-0061-011

Parcel Details
Layers
Measure
Search Results
Select Parcels
Recent Sales
Legend

A summary of the most recent property tax bill is available on the e-PropTax site.

Tax Rate Area Code **04-018**

Jurisdiction Used on Most Recent Tax Roll **FOLSOM**

Last Roll Year **2020**

ASSESSOR'S ROLL VALUES

as of June 25, 2021

Tax Roll Year	2021
Land Value	\$283,918
Improvement Value	\$504,565
Personal Property Value	\$0
Fixtures	\$0
Homeowner's Exemption	-\$0

Parcel 070-0061-011

1" = 74'

Why doesn't City Engineer Krahn quote First Responder Chiefs INPUT to him. Folsom has a Fire Marshal who, in normal law-abiding cities, would have to issue a formal Report, with signatures.

Why didn't he Consult FMC-adopted universal FIRE CODE for MINIMUM ACCESS? Why was he totally SILENT on SAFETY?

This Parcel has less than 19 foot wide access but a Pedestrian Walkway. The closest Street Frontage is Sutter St., and it IS NOT even a LEGAL COMMERCIAL ZONE street FRONTAGE.

070-0051-011

Parcel Details Layers Measure Search Results Select Parcels Recent Sales Legend

as of June 25, 2021

Tax Roll Year	2021
Land Value	5293.818
Improvement Value	5504.565
Personal Property Value	50
Fixtures	0
Homeowner's Exemption	-50
Other Exemption	450
Net Assessed Value	5783.333
Property tax bill information	Link to ePropTax information

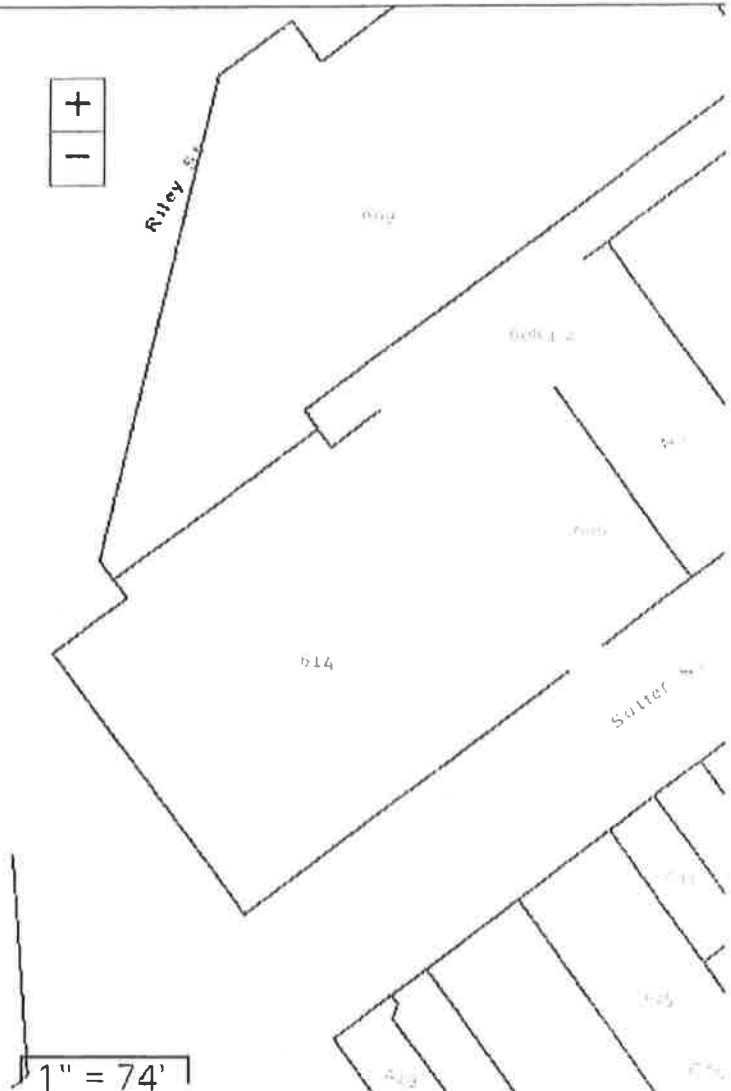
Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-6700 or assessor@sacounty.net

LAND INFORMATION

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION



In case you doubt me, Sarah, here's FMC text preserved via Pictures for my Comments to city lawyers, engineers, staff.

17.52.120 Duties of the historic district commission.

The historic district commission shall have the following duties and responsibilities

- A. Oversee the implementation of the provisions of this chapter;
- B. Develop and recommend design guidelines to the city council for the historic district;
- C. Prepare and maintain a survey of the historic structures within the historic district;
- D. Provide assistance to residents, property owners and business owners in relation to the provisions of this chapter.
- E. Provide advisory review, upon the request of another city commission, committee, any city department, or as directed by the city council, of projects or programs affecting or relating to the historic district;
- F. Recommend to the city council amendments to adopted city plans or codes in the interest of furthering the purposes of this chapter;
- G. Review the design and architecture of any new structure, or alteration to any existing structures within the historic district, as further defined in this chapter;
- H. Determine the historical significance of structures as further defined in this chapter;
- I. Review applications for sign permits, conditional use permits, variances, land divisions and mergers within the historic district;
- J. Make recommendations to the city council regarding programs and incentives to encourage and to support the preservation, maintenance, and rehabilitation of historic structures; and
- K. Carry out such other duties relating to the historic district as may be assigned by the city council. (Ord. 890 § 2 (part), 1998)

Comments in HPL attachment to Agenda:

NOTE: my Public Comments tacitly refuted, but omitted verbatim on FMC 17.52 as it pertains to all these applications?

Historic Preservation League cites city laws/regs is shown below. Why doesn't this city group state "there is not conformity to Folsom Municipal Code Parking Regulations" and treating this old old area as if it were a second, 2nd class city, is harming Residents greatly? Parking Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas. The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house. Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brevs in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

COMMENT: Folsom HPL should make Formal Demands to City Engineer and City Attorney for Certified Signed Engineering Law and CA/Folsom FMC Law Compliance is CERTIFIED by our Licensed Professionals. This was always part of Folsom City Charter "Duties" of Licensed staff, until FMC was put ONLINE ONLY. Suddenly the print version was stripped of Critical items of Charter and Duties.

QUESTIONS? Always welcome, as Folsom Residents are tired of being unheard, ignored, and having their Rights and Safety violated by elected officials and the Licensed Staff whom they could demand do their License Duties -- their License ENFORCEMENT Duties.

bcc's

----- Forwarded Message -----

From: The HFRA <thehfra@gmail.com>

To: The HFRA <thehfra@gmail.com>

Sent: Monday, August 2, 2021, 08:13:48 PM PDT

Subject: **Upcoming Historic District Commission Meeting**

Hello Members

We are encouraging all members to join and provide feedback at the upcoming HDC meeting this Wednesday, August 4th at 5 PM.

The HFRA Board will address the Commission with specific concerns on the new project; Folsom Prison Brews regarding but not limited to; proposed design, proposed building materials and parking.

Agenda Link:

<https://www.folsom.ca.us/home/showpublisheddocument/7146/637630874703773299>

Thank you and we hope to see you there.

Sincerely,

The HFRA Board



Public Comment Regarding Folsom Prison Brews Project

August 3, 2021

Greetings Commissioners

I rise to speak today in support of the Folsom Prison Brews project at 608 ½ Sutter St.

I am Gary Richard, a 30 year resident of Folsom, a Realtor that has sold a large number of commercial properties on Sutter St. And yes, the applicant is my client. I am also the driver of the Sutter Surfer.

But it is not from that experience I'm coming from. It is my experience as the Design Chair of the Folsom Historic District Association during the Sutter St. Revitalization Project and serving on the City's Streetscape Revitalization Committee in that capacity. As member of the Main Street Project Committee, an economic revitalization exercise for Sutter St. And my insight as the Founder and Chairman of the Folsom Historical Society's 6th Annual Golf Tournament.

Many will or have spoken on the merits of this application and I agree with their comments. Today, I am addressing the public comments submitted by the Heritage Preservation League of Folsom. This small group does not represent the larger views of the historical community, their comments are unfounded in fact and law. This small group has conveniently ignored the fact that this project is in the Entertainment District, has purposely misrepresented Folsom Code and is attempting to usurp the authority of this Commission and has accused the city staff of ignoring the law.

I'll address the parking issue, the Heritage Preservation League comments complain about the parking but what have they done besides image non existent land and money for parking.

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office

Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com

CA.DRE LIC.# 01502446



On the other hand, the applicant has taken a proactive approach by developing and funding a unique parking solution in the Sutter Surfer, a free shuttle designed to encourage increased use of the parking structure. Mr. Weaver has served on the City's Parking Advisory Committee, a 6 month process and has found an inventive solution for additional parking with the Fraternal Order of the Eagles. As I mentioned earlier, not only is this group trying to usurp this Commission's authority but they now want to tell my loyal brothers and sisters of the Eagles what to do with their parking lot.

This applicant and his team have worked closely with the City Staff and made several revisions upon receiving community input, including from members of this group.

He has followed the code and is acting in good faith.

Mr. Weaver has incorporated an iconic design that will further enhance the Sutter St Streetscape.

In closing, I encourage the Commission to approve this project and reject all comments and input from the Heritage Preservation League of Folsom.

Thank you for your time. I would be happy to answer any questions or provide additional insight.

Gary Richard, CPRES

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office

Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com
CA.DRE LIC.# 01502446

THE POWELL LAW OFFICE
303 DEAN WAY
FOLSOM, CA 95630
(916) 712-1465
thepowelllawoffice@gmail.com
douglas.powell@twinriversusd.org

August 3, 2021

HISTORIC DISTRICT COMMISSION
CITY OF FOLSOM
50 NATOMA STREET
FOLSOM, CA 95630

RE: **FOLSOM PRISON BREWS**

To Whom It May Concern,

By way of introduction, I am a long-time Folsom resident (previously living in the historic district, and currently a few blocks away from it). I have had a Northern California law practice for around 30 years, and am a local middle school English teacher. I am also a good friend of one of Folsom's brightest, and finest, business owners, Mr. Murray Weaver. I am writing you to voice my excitement and enthusiasm regarding his new business project, to be known as FOLSOM PRISON BREWS, and to offer a counter-narrative to some inaccurate remarks made by some in the community.

Unfortunately, I have read some unfair, disparaging comments that are critical of his new project, and I think they need to be addressed in short order. Apparently, the Heritage Preservation League of Folsom (hereinafter, the "HPLOF") has seen fit to criticize the project, requesting, inter alia, ". . . that the City of Folsom place a moratorium on and refrain from approving any parking variances for new or future projects (i.e. not currently approved) in Folsom's Historic District until the newly formed Folsom Historic District Parking Solutions Ad Hoc Committee provides their recommendations and the City takes action on them."

HPLOF continues, stating that: "*The reason for this request is that we feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now. For example, the recent variance request for the Folsom Prison Brews project requested parking associated with the Eagles Lodge. The project notice did not even adequately explain how this parking agreement would provide adequate parking on a day-to-day basis or in the future, without conflicting with the Lodge's needs.*"

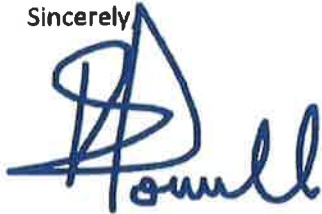
Finally, the HPLOF website also suggests that: "*In addition, at this time, there is also a concern that once Scott's Seafood occupies their building, parking in the nearby parking structure will defacto become Scott's restaurant parking, thus eliminating many parking spaces for other businesses.*"

Too many recent requests for parking variances? Says who? As quoted above, HPLOF states that, "*We feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now*"? (emphasis added). The "*feeling*" of HPLOF is unfortunately irrelevant, to my mind, and not based on any empirical evidence. Based on that "*feeling*", they abruptly jump to the conclusion that it "*clearly shows an urgent need to address inadequate parking now.*" That kind of knee-jerk, baseless conclusion is what I find troubling, and erroneous. For example, there is not even a variance being requested at this time. In short, all of HPLOF criticisms of the FOLSOM PRISON BREWS are meritless.

From my personal objective perspective, this HPLOF parking space critique appears to be much ado about nothing. For example, CLOUD'S POTTERY was in the FOLSOM PRISON BREWS building for years, managed by another close friend (Jeff Cloud) and to my knowledge, there was never a parking problem there. Further, on the other end of the street, Scott's Seafood Restaurant is now up and running, and is already one of my favorite new establishments in Folsom. There is no parking shortage whatsoever, whenever I decide to drive, instead of walk, to downtown Folsom. In short, the amount of parking from the top of Sutter Street to the bottom is more than ample, and I can attest to this from personal experience, as well from the experience of family and friends. Downtown Folsom is extremely user friendly, to say the least, and is a well-known go-to destination in Northern California. HPLOF's complaints are – in short – unfair.

Finally, on a personal note, Mr. Murray Weaver - the developer of FOLSOM PRISON BREWS - is a local treasure, and has been for over 20 years. His well-known benevolence, selfless devotion to this city (and its business community in the Folsom Historic District), generosity, professional acumen, and kindness, is legendary. He is highly respected by this entire neighborhood, and I for one am quite confident that any business he manages will be run professionally, smoothly, successfully, and with a view towards benefitting our beautiful and unique city. Parking has not been – and will not be - an issue, so please, take the above into consideration when you address the groundless, spurious complaints of HPLOF. There many very good reasons why this project has overwhelming local support, despite the protestations from HPLOF. In fact, if the above HPLOF comments were taken into serious consideration historically, NO projects would have been built the last decade - their uninformed, biased criteria are arbitrary, and unhelpful. If you have any comments, or if I can answer any of your questions, please do not hesitate to contact me at your convenience at the above coordinates.

Sincerely

A handwritten signature in blue ink, appearing to read "D. Powell". The signature is stylized with a large, looped initial "D" and a cursive "Powell".

Douglas E. Powell, Esq.
ATTORNEY AT LAW



8/2/2021

To the Historic District Commission of the City of Folsom

After reviewing the documented intent of Mr. Murry Weaver at 608 1/2 Sutter Street/APN 070/0061-011, I directly oppose this project.

Parking is currently very difficult for our patrons in the 600 block of Sutter Street and with this additional type of business and the number of possible patrons in this high occupancy location, it will be nearly impossible for our guests to find adequate parking close enough to want to visit us and other like businesses in the 600 block. Additionally, there is mention of adding a food truck in the lower parking lot that will make it even more difficult.

The hours of operation and safety are also a big concern. I have heard many comments from tenants in the 600 block regarding late night safety problems and drunks vomiting and vandalizing their property due to an abundance of inebriated customers from the already existing Powerhouse location. In my opinion this will only increase the safety issues in this corner of the 600 block and concerns for vandalism on my restaurant will leave me stressed every night.

I feel so strongly about these concerns that I would likely close my restaurant operation when this brewery opened rather than endure a slow death to it due to the above stated concerns.

Sincerely,

Michael Sanson
Owner
Plank Craft Kitchen + Bar
680 Sutter St. Folsom CA 95630
916-260-5333

Citizen Vine

Pouring for the People

8/2/2021

To whom it may concern:

I have reviewed the proposed project for 608 ½ Sutter Street (current Artfully Rooted building) in detail and have various concerns regarding the proposed business to enter into that space. Due to these concerns, I oppose this type of business for the 600 Block of Sutter St & the Historic District.

The first area of concern is around parking. As we already know the parking situation on our end of Sutter St. (600 Block) is already an issue. On the weekends, parking is already forcing customers to park in local neighborhoods. The building space at 608 ½ Sutter is well over 4,000 sqft, and this will carry a large occupancy, while offering no additional parking spaces near its location. I saw the suggestion of providing leased parking spaces at the Elks Lodge across the street, however customers are going to pull into the lot that is closest to where they are going and it will be hard for customers to determine that they can park across the street, which will then leave those Elks Lodge lease spaces marked with signs that will discourage others from parking there, compounding the parking issues.

The second area of concern to me that is even more critical, is the overall effect that this type of business will have on the 600 block. This concept of a Taphouse right next door to the current Powerhouse/Scarlet's, is basically a ½ block of daily, Night Club Party Vibe. With both locations offering spirits, the customers from one location will flow to the other outside. This is proven by the suggestion of having a Food Truck in the lot that would basically be between the 2 locations. Inebriated customers will be hanging out in the parking lot, getting food, going from the Tap House (that also wants an outdoor dining area) to Powerhouse. With 2 businesses selling alcohol, that are promoting this outdoor vibe, it will become a large, drunk block party on the weekends.

Currently businesses on the 600 Block rely on our customers being able to park in the lower lot. The walkway that allows customers to reach these businesses, will now have late night intoxicated customers in this area. Our customers are not going to feel safe walking this area at night and neither will our staff. They will be less likely to patron our businesses if the area seems less safe at night.

I do feel like retail would be a better fit for this space or a restaurant that doesn't have hours till midnight & 2am.

Concerned Business Owner,
Lisa Gomez
Citizen Vine

Item: PN 19-174, Folsom City Brews

My name is Paul Keast, a Folsom resident in the Historic District on Mormon Street. I am not opposed to another bar in the Historic District as a business.

I do oppose the development and design of Folsom Prison Brews on 2 grounds:

1. The lease for parking is very weak and has little provision for future guaranteed parking spaces.
2. The building exterior design does not meet the intent of the Historic District guidelines.
 - a. I think it trivializes the people and environment of Folsom Prison.

1. The parking solution:

Notice the Development Condition states that 15 spaces are clearly mandated.

Notice the Lease states: "partial use."

This seems to be a poorly structured lease to ensure lifetime access, as noted in the condition, to the noted spaces. The lease must guarantee the identified parking spaces at all times.

Also, the Conditions tie the parking spaces to the life of the FPB business. If the parking spaces are permanently or temporarily no longer available, (as noted below in the conditions) then FPB must stop operations.

Parking in the Historic Business District and residential district is a critical concern for residents and all businesses as you must know.

Condition 28 : The owner/applicant shall ensure that a lease agreement for the 15 parking spaces at the Eagle Lodge properly remain in effect as long as Folsom Prison Brews or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.

Item 1 of the Lease:

".....@ \$500 per month for the partial use of the Eagles lot from the operational opening of Folsom Prison Brews until the lot is permanently changed to a new use by the Eagles.. "

2. The FPB planned exterior is a likeness of Folsom Prison, complete with a replica guard tower. The design is not in line with the Historic District Guidelines of **preserving** historic city buildings. Rather, it is an obvious and insulting attempt to cash in on a theme that denigrates the people that work and are incarcerated in the prison.

Folsom Prison is a stark and dangerous place to work and be incarcerated. At least 93 inmates have been **executed** there. A significant number of guards have been **killed** on duty at the prison. As recently as November 25, 2020, guards had to shoot and **kill** an inmate due to violence in the prison.

Does the city of Folsom need to have a business design in the Historic District that does not align to the District Design Guidelines and mocks the life stories of people that work, died and are incarcerated at Folsom Prison?

I hope you believe it to be no.

Please do not allow the guard tower design of this project as it is not appropriate for the Historic District.

Regards, Paul Keast

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

August 1, 2021 (Project Review - Plans dated 03.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a 'beer house', the installation of an outdoor patio and serving area and potential provision of a food truck at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

PROJECT HISTORY: HPL provided review comments regarding the original application on May 30, 2019. The following review was originally based on the project updates that have been Posted on the City's website since February 18. HPL has also addressed some of the new information that was first introduced in the latest Staff Report.

ATTACHMENTS: 1. City regulation not Complied with by Folsom Prison Brews
2. Comments Regarding the Staff Report
3. Proposed Findings of Denial

BACKGROUND

During the late half of the 1800s, the Odd Fellows Hall and the Natomas Company's Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street at Wool Street (across from the railroad block). All these buildings later burned down or were removed. The 'pottery barn' building in the current application has been on the property since 1958, per the assessor's office. The existing walkway from Sutter Street to the Scott Street parking lot is lined by ceramic tiles produced at the barn (by Cloud's Pottery).

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, replicas of a blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad. All these buildings have a historic connection to the property they are located on.

CONCEPT

It is the applicant's intent to create a version of the existing perimeter wall, gate and guard tower at Folsom State Prison, relying on Policy 2.6 of Chapter 2 of the Design and Development Guidelines, which calls for the City "to maintain, restore, and reconstruct sites which represent the history of the Folsom area". Folsom Prison is one of eleven resources cited in the policy. Folsom Prison is undeniably an icon of Folsom's history, but it does not need to be maintained, restored, or reconstructed. It still exists, and it is under the stewardship of the state. The prison has no connection to the project site, and the prison is not located in the Historic District.

The project concept is in direct contradiction to the most basic premise of FMC 17.52 and the Council-adopted Design and Development Guidelines. The premise is first stated in FMC 17.52.010 Purpose and Intent. Out of seven stated purposes, the first purpose is: "To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950." The fifth purpose is "To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950." The principle is repeated multiple times, with details of appropriateness added, throughout the Design and Development Guidelines. The premise is further refined to delimit construction in the Sutter Street Subarea to the 1850-1900 timeframe.

Since the Prison itself was under construction at that time, groundbreaking taking place in 1878, historians would concur that building a prison replication on Sutter Street would have been considered quite inappropriate between 1850 and 1900 (even between 1850 and 1950) in the City's central business district, especially considering the project's proximity to Folsom's Nob Hill. It was an out-of-town industrial use. In fact, the tower and gate this project replicates were not completed until 1910; a decade after the Sutter Street Subarea's timeframe.

Recommendation

- Change the name of the business, and use an alternative design concept that is connected to the history of the project site and is appropriate to the Sutter Street Commercial District before year 1900.

ARCHITECTURE

The applicant is proposing to cover the walls of the former pottery barn with a gray Turkish lime stone veneer (described as 'granite' in the project narrative), replace the corrugated fiberglass roof cover with corrugated metal roof panels and add a raised tower that resembles the guard towers of the existing Folsom State Prison. As a general impression, the irregular pattern of the stone walls does not reflect historic masonry techniques, and the reproduction of a Folsom Prison guard tower is out of context with the surrounding neighborhood. In addition, the uninterrupted stone facades lack interest and variety

At the west entrance (facing the patio), the applicant is proposing to construct a fiberglass archway intended to resemble the stone archway in the perimeter wall of Folsom State Prison. Because this feature protrudes two feet from the façade and covers virtually the entire width of the building, it creates the impression of a stand-alone gateway. The arch will be built around a standard entrance door and a wide folding door. Two rounded windows will fill the space above the door. The only additional windows are located in the raised tower. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. All these design details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea.

It is HPL's conclusion that the proposed building remodel will look 'staged', will detract from the 600 block's historicity and will not do honor to the City's prison heritage. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to develop a new design, HPL recommends: 1) that the tower feature be removed or changed to no longer resembling a historic guard tower at Folsom State Prison; 2) that windows be incorporated along the facades, and; 3) that the entrance on the west frontage be in scale with the width of the building. HPL has noted that the project no longer includes roof-mounted sky lights.

The applicant has reported that food service is required for the proposed use. However, in lieu of installing a permanent kitchen in the brew pub, the applicant has proposed to provide delivery services from nearby eateries and to potentially park a food truck outside Powerhouse Pub during business hours. If the applicant in the future decides that a food-truck should be a regular part of the project, a new application will need to be submitted to the City. Before a food truck is scheduled to service the brew pub the Historic District Commission should have the opportunity to consider the site requirements and design specifications of this addition. The Commission may also want to consider the impacts of potential customers from Sutter Street.

Recommendations

- Revise the building design to resemble a pre-1900 meeting hall or winery building.
(If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.)
- Incorporate windows with the building facades where possible. The north wall of the building fronts on a public right-of-way and is therefore not constrained from including windows and doors. Walls which may be constrained because of lack of setback from the property line need other differentiation to avoid blank walls.
(Winery buildings often had stone facades and arched windows.)
- Use façade materials that reflect the pre-1900 design concept of the Sutter Subarea:
(Avoid irregular sized lime stones for the building facades and reduce the glass area of the doors in the entrance.)
- Before a portion of the parking area for Powerhouse Pub is reserved for a food truck a detailed project proposal needs to be submitted to the City. All design issues and parking impacts need to be reviewed and considered by the Historic District Commission.

SIGNS

The front entrance to the brew pub is located along the west side. This side of the building is 30 feet wide and per Zoning Code the length of signs should be limited to 75% of the building facade. Black sign letters with back lighting are proposed to be mounted along the front archway. The proposed sign area is 35 square feet (based on a letter height of 1.33 feet and a sign length of 26.5 feet).

Individual letters offset from the façade were not used pre-1900 and are not described in the sign codes for the Sutter Street Subarea. As specified in Chapter 5 of the DDG's the main building frontage is facing the alley right-of-way within the Scott Street parking lot. Based on the length of the building the sign allowance would be 50 square feet. The west side of the building does not meet the definition of a secondary building frontage (facing a street or public area) but based on the proposed location of the front entrance it could possibly qualify as eligible for half of the front sign area, or 25 square feet.

Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade.

- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding spaces between words from the estimated sign area.)
- Install the sign letters on a background and illuminate the sign with goose-neck lights.
(The background of the sign should be considered a part of the sign area.)

SITE DESIGN

As a part of the application in 2019, a large outdoor seating area was proposed on the west side of the beer house. This fenced in area extended across the west property line and also cut off pedestrian travel between Sitter Street and the Scott Street parking lot. It is HPL's understanding that the applicant is now proposing to install two separate seating areas that will allow the existing access path to remain (see Figure 4, Building Rendering). As previously, the west portion of the seating area will be located within the Powerhouse Pub property.

According to the staff report, the encroaching part of the seating area has now already been approved under a separate application (see page 63). As a result, the current submittal no longer provides a complete picture of the project impacts. Because the proposed project will include improvements on the Powerhouse Pub property, and these site changes have not yet been installed, HPL recommends that the applicant should be required to provide an expanded Site Plan that includes both properties and provides information about the overall pedestrian circulation system (including walkways, retaining walls, ramps and patio areas). The Site Plan should also demonstrate if the new site improvements will eliminate some of the existing parking spaces at Powerhouse Pub.

A new Landscape Plan has not been included with the revised set of plans. When a Landscape Plan is prepared, the green area in front of the building (within the public alley) should be included.

Recommendations

- Request the submittal of a detailed Site Plan that includes both properties that are impacted by the Brew Pub project (614 and 608 ½ Sutter St.) and clearly demonstrates how the future pedestrian circulation system will work and where the enclosed outdoor seating areas will be located.
(The site plan should show how the Powerhouse Pub property will be connected to the project site.)
- Specify if this project will use the patio area on both sides of the pedestrian walkway (between Sutter Street and the Scott Street parking lot) for outdoor serving.
- Request the submittal of a Landscape Plan that shows how the frontage area within the alley will be landscaped.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. A year later, there has been little action towards

implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. A parking review of the availability and equitable distribution of parking is therefore appropriate (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 4,377 square-foot building would be required to provide 13 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. With the exception of the Eagles Lodge, the existing spaces are already heavily used.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

As noted above, the applicant does not intend to install a kitchen in the brew pub. Instead, take-out meals will be delivered to the pub and a food truck may be parked in front of the building. This solution requires a designated parking space and an adjacent area reserved for customers. Information about all potential impact to public/private parking areas should be added to the application package.

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased.
- The applicant should provides a business plan that describes all potential impacts on parking *(Including information about where delivery trucks, food trucks and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant has requested to add a small stage for live entertainment inside the brew pub. Three nights a week the pub is proposing to stay open until 2:00 a.m and two nights a week the pub would close at midnight. The folding entrance door in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe it as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing

neighboring development.

As noted above, permanent use of a food truck may need to be considered by the Historic District Commission. Besides the aesthetic and parking questions, HPL questions whether permitting an inexpensive food truck instead of a permanent kitchen means that the City is endorsing unfair competition with similar businesses.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to the local jurisdiction. The Historic District Commission may wish to request that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in this manner, the project should be required to prepare a noise study.
(The study should anticipate the potential noise levels if live performances are held simultaneously at both the Powerhouse and at Folsom Prison Brews.)
- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should also be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

OVERALL PROJECT RECOMMENDATION

City Staff has concluded that the proposed project "meets all applicable development standards" established for the Sutter Street Subarea of the Historic District. However, even if the numerical standards regarding building height and setbacks have been satisfied, HPL has identified many deviations from the District's design standards (see Attachment 1).

HPL urges the Historic District Commission to deny this project and to make a finding in support of the foundational principle of the Historic District; authenticity.

FINAL THOUGHTS

Beyond the particulars of this project's design, HPL sees a danger in this type of project to the Historic District's long-term success. Sutter Street's experiment with focusing on entertainment a few years ago led to serious business, residential, and policing impacts that resulted in the City's Entertainment Ordinance. While the ordinance has abated the worst of the impacts, moving in the direction of amusement-park concepts such as Folsom Prison Brews will likely renew the impacts and at the same time cause decline of the Historic District's lasting overall draw.

When the memory of Johnny Cash fades like Rudolph Valentino's, the history of California embodied in Folsom's preservation of a small, working historic town will continue to be a draw, if it is still

recognizable. "Artifacts," such as Historic Folsom, from the beginning of a culture are the rarest because people don't recognize their value until most are gone. Folsom began with California and has been from its earliest beginning a player on the California stage and a microcosm of the trends and developments of the state. If anyone doubts, just visit the Folsom History Museum. As every year passes, and depending on how good a caretaker the City is, the cohesive development of Folsom's first 100 years will become rarer and rarer. The same forces that inspired this project are at work in every jurisdiction, and most will succumb to the lure of increasing profits by attracting attention. Preserving history isn't nearly as exciting a concept as building something newer and bigger. Remember, even though the hare drew more attention, the patience and persistence of the tortoise won the race. Folsom's past two decades of tortoise-reminiscent support for maintaining the authenticity of the Historic District has paid off in terms of maintaining housing stock and business vibrancy. It really paid off during the pandemic. People came to buy something, anything, just to support Sutter Street. They love Historic Folsom. They may not know why they love it, but when "it" is gone, they'll be gone too.

Attachment 1

**City Regulation
(Not Complied with by Folsom Prison Brews)**

FOLSOM PRISON BREWS

Following are sections of City regulations with which this project fails to comply, emphasis added.

Folsom Municipal Code 1752 H-D, HISTORIC DISTRICT

17.52.010 Purpose and Intent.

B.1 To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950

B.3 To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950.

B.5 To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950.

The intent that the Historic District be preserved and enhanced as a small town of the era 1850-1950 is set forth first in this section, repeated twice within it, and reiterated multiple times in the remainder of the Historic District regulations. A mock prison building is not consistent with development that would have occurred in that era.

17.52.140 Historic district boundaries

This section provides a legal description of the boundaries of the Historic District. The area described is the 98 blocks laid out by Theodore Judah in 1856.

Folsom Prison is located outside those boundaries.

17.52.330 Plan evaluation

D. Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

An amusement park concept is not consistent with any other development in the neighborhood, nor with any other development in the remainder of the Historic District.

17.52.400 Design standards

B. The design and development guidelines shall provide guidance to the historic district commission and the director of the planning, inspections and permitting as to the intent of the city council in carrying out the provisions of this chapter....

D. Exceptions to the design standards stated herein or in any subsequently adopted design and development guidelines may be permitted by the historic district commission when unique individual circumstances require the exception in order to comply with the purposes of this chapter....

17.52.510 Sutter Street subarea special use and design standards

B. Design concept. The design concept for this subarea is to preserve existing pre-1900 buildings and require new or replacement structures to be of a pre-1900 design, unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The Historic District Commission may approve new construction of post-1900 design on an exception basis if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represents a typical design and use extant in similar California towns between 1900 and 1950.

This section limits appropriate design in this subarea to a 50-year design period, 1850-1900. Exceptions may be granted for outstanding design representative of the era. This project does not meet the above criteria to be granted as an exception.

Historic District Design and Development Guidelines

Chapter 2 Goals and Policies

Goal 1 Community Identity: To preserve and enhance the historic small-town atmosphere of the 98-block Historic District area

Policy 1.1 External design features, both public and private, shall be consistent with design of the time period from 1850 to 1950.

Policy 1.2 New construction, rehabilitation, and remodeling or other modification of structures shall be designed to be consistent with the architectural styles used during the development of Historic Folsom between 1850 and 1950. Design criteria established for the various locations within historic Folsom shall reflect the growth of the town from its earliest pre-1900 architectural styles in and around Sutter and Figueroa Streets to the later post-1900 styles used in the blocks near the eastern borders of the Historic District.

Policy 1.4 Since the Historic District plays a central role in determining the character of the City of Folsom, every project within the Historic District, at every stage of approval and construction, should be marked by an attention to quality, which will serve as a benchmark to the rest of the community.

Every element of this project, from concept through materials, is "faux."

Goal 2: Preservation of Historic Sites: To maintain, restore, and reconstruct sites which represent the history of the Folsom area.

Policy 2.6: Projects that portray Folsom's historic importance are encouraged. Facets of Folsom's history which should be portrayed and interpreted within the Historic District include, but are not limited to: railroading, Maidu encampment, Chinese settlement, Negro Bar mining, dredging, mine tunnels, Pony Express, water delivery, powerhouse and related structures, Folsom Prison, Rainbow Bridge.

This project does not maintain, restore or reconstruct the Prison because the Prison still exists. There are many other ways to portray and interpret Folsom Prison's history other than creating an amusement-park version of it. For example, the Folsom History Museum has a sizable display on its history, and the Museum gift shop carries books that tell its story. Through the years various businesses have included historic photos of the Prison as part of their decor. These are respectful means of portraying and interpreting the Prison's contribution to Folsom's history.

Goal 3: Economic Development: To encourage an active business climate which promotes development of a diverse range of businesses compatible with the 1850-1950 timeframe of the Historic District

Policy 3.1 Businesses which could have been present from 1850-1950 shall be encouraged, particularly if they are designed and managed in accordance with the styles of that era. Businesses which promote tourism are also encouraged, such as antique and gift shops, galleries, restaurants, and inns. Businesses which could not have been present in that era may be permitted if they are compatible with and will not detract from the historical character of the Historic District.

This design is not in accordance with the styles that would have been present on the main business thoroughfare of Folsom or any other Mother Lode town between 1850 and 1900.

Goal 4: Circulation: To facilitate movement of vehicles, transit systems, pedestrians, and bicycles through the historic district in such a way as to provide adequate access for local and through traffic without excessive traffic impacts on the character of the Historic District area and to facilitate adequate parking.

Policy 4.6: Adequate public parking shall be provided in proximity to commercial uses.

Policy 4.7: Transportation System Management measures shall be included in all developments with the Historic District.

Because the Sutter Street Subarea parking standard was based on its similarity to a shopping center having a balance of uses, each with varying parking demand, technically this project does not require additional parking. If it were located elsewhere within the City, it would be required to provide one space per three seats, a number which can be used to gauge the additional parking impact on an area already saturated with similar uses and no longer balanced out with uses having lower parking demand and different peak times of parking use. Based on square footage, it would require 11 spaces; based on number of seats, it would require 24 spaces. The applicant recognizes the parking issue and has made an effort to mitigate his project's demand by reaching an agreement with the Eagles Lodge and providing a shuttle, although shuttle hours are not specified. At best, since the applicant does not own the Eagles property, any such agreement can only be considered a temporary stopgap measure until the City honors its commitment to provide adequate parking for the Historic District. At present a number of the employees

and patrons of Sutter Street's 600 block park in the residential area, including the applicant's two other drinking establishments.

See also Goal 5, Section 3.03, Section 4.17.02, Section 5.02.01(d)(4), Section 6.01.01(b)(3), and Section 6.03.03 below.

Goal 5: Residential Quality of Life: To retain the diverse, historic small-town atmosphere of the residential areas within the Historic District.

Policy 5.3. The residential areas should be protected from the impact of the commercial areas to the extent feasible. Special events such as craft fairs may cause unavoidable temporary noise, parking, or similar impacts.

Overall, commercial uses have greater impacts on residential uses than vice versa. While recognizing that residential areas should tolerate temporary impacts, this goal calls out the need to protect residential quality of life. As noted above, the impact of commercial parking in the residential area has become permanent, and it will not become temporary until sufficient proximate parking is provided.

Chapter 3 Development Plan Concept

3,01 Land Use

3.01.02 Land Uses in the Historic District

3.01.02(a) Historic Commercial Primary Area

3.01.02(a)(1) Sutter Street Subarea of the Historic Commercial Primary Area

....Retail shops and restaurants have predominated in recent history, and it is hoped that a more "complete" downtown can be achieved, one which is attractive to specialty shoppers and tourists but which also fills needs for services such as banking, venues for performing arts, upstairs residential units, and other businesses that one might find in a small town center....Buildings recently constructed in the district have tended away from authentic historical design; the intent of these Design and Development Guidelines is to reverse that trend in favor of greater historical accuracy....

This project threatens both the balance and historical accuracy called for in this section.

3.03 Infrastructure

3.03.03. Parking

... As part of the Railroad Block master planning process, the consultant team, citizens committee, and staff were tasked with the responsibility to assure that the preservation of the City's railroad heritage was not achieved at the expense of foreclosing the ability to provide adequate parking for the Subarea. Exhaustive study of potential sites and development scenarios resulted in identification of five sites and preliminary strategies to achieve the number of spaces needed in a cost-effective manner, including three parking structures and two surface lots, evenly distributed through the commercial area. There is the potential that one of the lots may require acquisition of additional land and/or construction of a structure, depending on actual buildout....

Pending completion of specialized study, the strategy is to construct structures on the Leidesdorff Street hotel site, the Railroad Block, and Trader's Lane, in that order, using the Redevelopment tax-increment stream to issue bonds to finance their construction. Participation of property owners may also be necessary. Timing of construction is dependent on both financing and demand, but the phasing intent is: 1) to build the hotel structure first, to address existing demand, 2) to build the Railroad Block structure in concern with development of the Block, avoiding conflict with the lid and bridge construction project, 3) to build the surface lot at Reading Street in conjunction with the light rail project on the Railroad Block, as an interim park-and-ride lot until the line is extended toward the Broadstone area or across the river and the buildout rate of the Sutter Street Subarea requires, 4) to build the Trader's Lane structure at a time when there is sufficient economic stability and the proximate parking for the merchants to withstand a large construction project in the heart of the shopping district, and 5) to re-evaluate the demand and the potential for land acquisition and construction of additional parking in the 500-600 blocks in light of actual development trends in the future.

The existing parking shortfall issues were called out above. This section describes the parking solutions envisioned when the Historic District regulations were adopted in 1998. Five sites were identified. In the intervening years multiple parking studies commissioned

by the City have reached largely the same conclusions: more parking is needed, distributed equitably throughout the Sutter Street Subarea.

Chapter 4. Property Development Policies District-Wide

4.11 Remodeling

....The goal of any remodeling is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible.. In evaluating a remodeling request, the Historic District Commission shall consider:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

4.11.01 Guidance for remodeling

4.11.01(a) Preference

Returning a building to its original, pre-1950 appearance.

4.11.01(b) Second preference

Good design of the "right" era for the Subarea, with exceptions only for continuing a building's original or existing style.

This section calls for good design and historic appropriateness, not a gimmick. To remodel the barn is appropriate since it was built in 1958, after the 1850-1900 design era of Sutter. It took less than a half hour of research at the Folsom History Museum to find that the Prison features this remodel imitates likewise did not exist between 1850 and 1900. There is no benefit to the community of a remodel that simply exchanges one out-of-era building for another out-of-era building, one that would never have been built during the actual era. The brewpub concept is not uniquely beneficial to the community as craft beers are available from at least two existing establishments on Sutter Street.

4.14 Construction

4.17 Density and Intensity of Use

4.17.02 Commercial intensity

...It should be understood that the goal is not to maximize the development potential of the historic area but to preserve the existing structures and the scale and type of development typical of Folsom's past....Besides meeting the standards and intent of the individual Subarea, a proposed project must be considered in the context of available parking, taking into account any on-site parking and the availability and equitable distribution of off-site parking and the availability and equitable distribution of off-site parking.

This section states that the City's first responsibility is to make decisions based on maintaining the success of the City as a whole, not on maximizing the profit potential of an individual property. It also requires that the project be considered in the context of availability and equitable distribution of parking.

Chapter 5 Property Development Policies by Primary Area

5.02. Historic Commercial Primary Area

5.02.01. Sutter Street Subarea of the Historic Commercial Primary Area

5.02.01(c) Design concept

The design concept for the Sutter Street Subarea is to... 2) require new or replacement structures to be of a pre-1900 design.

This section reiterates the concept that new or replacement structures are to be of a pre-1900 design.

5.02.01(d) Standards

5.02.01(d)(4) Parking

All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code and any other adopted City ordinances, policies and requirements.

The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is

property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process.

Besides parking issues discussed above, this section requires financial participation of private owners in provision of City-provided parking. This applicant acknowledges his proposal's impact on the existing parking shortage but offers only temporary, stopgap measures to address it and makes no offer to participate in a permanent solution., this in spite of the considerable existing impacts of his two similar businesses.

Chapter 6. Implementation of Folsom Municipal Code 17.52 and Design and Development Guidelines

6.03. Incentive Programs, Projects and Implementation Measures

6.03.01 Programs and Projects

6.03.01(b) Infrastructure and other construction projects

6.01.01(b)(3) Parking

Provision of public parking is critical to the Sutter Street Subarea, and the City shares with affected properties and businesses the burden of providing adequate parking....

6.03.03 Implementation Measures

.... The general goals of provision of parking in the Sutter Street Subarea and enabling the long-term maintenance of potential facilities to be installed throughout Historic Folsom were identified as essential to the long-term success of the preservation of the Historic District and achievement of the goals stated herein....

These sections "put into writing" the City's assumption of responsibility for providing and maintaining adequate parking, in concert with private properties and businesses, terming parking facilities to be essential to long-term preservation of the Historic District.

Appendix D

A.1.b. New construction

To retain and enhance the attributes that make the Historic District unique while providing a basis for change....

A.1.d. Materials

To ensure that for remodeling work, materials appropriate to the building traditions of the era in which the building was built or remodeled are used.

The faux prison concept is in direct conflict with the goal of retaining and enhancing the District's already defined uniqueness. Additionally, while inauthentic materials are often appropriate, they need to accurately reproduce the appearance of the historic materials they intend to replace. For example, the Turkish limestone reproduction does not resemble the granite prison walls, particularly in its irregular pattern and lack of mortar joints.

B.2 Building Design

B.2.c. New construction design

Design context. In any new construction, the context for design evaluation will be the buildings along the same street adjacent to the property being developed or the predominant style for the Subarea.

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

Articulation. Windows, doors, cornices and other architectural elements shall be designed with respect to the entire facade and shall relate to the adjacent buildings. The proportions of elements shall work together to relate the facade to a human scale.

Since the proposal completely redesigns every visible feature of the existing building, it is appropriate to consider it in relation to the guidance for new construction. This proposal bears no design relation to buildings along the same street nor to the predominant style of the Subarea nor to the patterns and principles of the historic architectural design.

Attachment 2

Comments Regarding the Staff Report for Folsom Prison Brews

HPL Comments Regarding the Staff Report for Folsom Prison Brews

P. 47, paragraph 1

Staff concludes that the project "meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District. The project meets the numerical standards of the Subarea but does not meet all the criteria for the Subarea. See Attachment 1.

P. 49, paragraph 1

What are the hours of operation of the proposed shuttle?

The proposed Condition 28 unfairly subjugates any future plans the Eagles Lodge may have to this location's use of their parking.

P. 49, paragraph 2

What will happen to the tiles made by Cloud's Pottery which now line the pedestrian pathway? It would be unfortunate if this project should erase all traces of a business that anchored this block of Sutter Street for decades.

P. 50, paragraph 1

This paragraph does not address the existing odor problem of the trash facilities.

P. 51-52, Table 1 and subsequent paragraphs

HPL agrees with staff that the proposed hours of operation are more indicative of a continuation of the applicant's existing adjacent businesses than of a craft beer pub. Staff's proposed hours of operation should actually be further shortened, to be more consistent with typical hours of brewpubs in the region. HPL disagrees with staff that the proposed craft beer operation fills a "unique niche." There are at least three businesses on Sutter Street that serve craft beer. HPL agrees with staff that sale of spirits will worsen noise, and other, impacts.

P. 52, third bullet point

What is the occupancy load?

P. 52, last bullet point

Given the proposed folding doors, the prohibition on outdoor entertainment will be extremely difficult to enforce. Does opening the doors constitute outdoor entertainment? The proposed folding doors should be omitted, for this reason and because folding glass doors are not consistent with historic commercial development.

p. 56, paragraph 1

The staff report quotes the intention that the Subarea is intended to become a more "complete" downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Instead of providing a use which is missing, this proposal increases a type of use which is already well represented.

P. 57, paragraph 2 and final paragraph

There are respectful ways to portray and interpret Folsom's history, and other ways which are "modern" and "discordant". There is beauty in Folsom Prison's historic architecture, but it is "discordant" to make a party atmosphere out of it.

P. 59

In regard to the three principles to be considered in a remodeling project: First, only the owner stands to benefit from this project. There is no benefit to the community from a project that is "faux" throughout, from concept to materials. Second, neither the existing 1958 building nor the proposed remodel has architectural and historical value. Third, the Folsom History Museum is replete with resources available for historic authenticity purposes, there are many more authentic materials available than are proposed in this project, and it is hard to imagine that financing a project in Folsom is a significant barrier. To reiterate, the craft beer concept is not unique, and this proposal disrespects both the Prison and the people who work there and those who are incarcerated there.

P. 60, paragraph 1

Use of the City's Cultural Resource List to determine whether a building is historic does not take into account the fact that about 90% of the City's historic resources are not yet listed on it. The Preliminary Cultural Resource List is a much better indicator.

p. 60, paragraph 2

The proposed tower cannot be compared favorably with the tower at 302 Riley Street or with the clock tower on the parking structure or with the tower at the old fire station in the 700 block. Two are actually historic and the third is designed with attention to historic authenticity of design.

p. 60, paragraph 3

HPL agrees with staff that the entry feature is too large. The architect has indicated that the size is necessary to provide light for the building. Light can be provided by windows on the facade adjacent to the public right-of-way or by fixed, flush skylights.

P. 60, final paragraph

Staff concludes that "most" of the buildings materials are appropriate. HPL concludes that "most" are not appropriate, as previously discussed.

p. 61, paragraph 2

While the color scheme may create "visual interest", it further detracts from the proposal's authenticity. The stated model for the project, the historic part of the Prison, has a neutral color scheme, and historic corrugated roofs were likewise neutral in color.

P. 61, paragraph 3

HPL disagrees with staff's determination that the project "has successfully met the architectural and design recommendations" for remodeling.

P. 62, item 3

There are no parapet walls to conceal roof-mounted mechanical equipment. Where is the mechanical equipment located?

P. 62, final paragraph

Perhaps the architect was unaware that the building fronts on a public right-of-way. Has staff consulted with the City's building and fire inspection staff? If for some reason windows are not to be permitted, the existing door would violate the same code and should be removed instead of replaced.

Pp. 62-63

While HPL appreciates that the applicant has made changes in response to our comments, our overall objection remains: the concept and many of its materials are not historically appropriate to the Sutter Street Subarea.

Pp. 64-65

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial (see Attachment 3) Of course the City Attorneys should assist with rewording as they see fit.

Attachment 3

Proposed Findings for Denial

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial.

(The City Attorneys will need to assist with rewording as they see fit.)

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

- B. THE PROJECT IS NOT CONSISTENT WITH THE GENERAL PLAN AND THE CITY CODE IN THAT IT IS NOT IN KEEPING WITH THE GOAL, STATED MULTIPLE TIMES AND IN MULTIPLE PLACES, OF MAINTAINING THE HISTORIC DISTRICT AS A SMALL-TOWN OF THE ERA 1850 TO 1950, FURTHER SPECIFYING THAT THE ERA TO BE MAINTAINED FOR THE SUTTER STREET SUBAREA IS 1850 TO 1900.

CEQA FINDINGS

- C. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS SIGNIFICANT IN THIS CASE IN THAT MULTIPLE PROJECTS OF THE SAME TYPE IN THE SAME BLOCK EXIST AND HAVE ALREADY BEEN PERMITTED AND CONSTRUCTED TO THE POINT THAT THE LACK OF AVAILABLE AND EQUITABLY DISTRIBUTED PARKING, PER SECTION 4.17.02 OF THE CITY COUNCIL-ADOPTED DESIGN AND DEVELOPMENT GUIDELINES OF THE HISTORIC DISTRICT DOES NOT PERMIT APPROVAL OF ANOTHER PROJECT OF THE SAME TYPE IN THE SAME BLOCK.

- D. THE PROPOSED PROJECT WILL CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE, SPECIFICALLY THE FOLSOM HISTORIC DISTRICT, PARTICULARLY THE SUTTER STREET SUBAREA OF THE FOLSOM HISTORIC DISTRICT, IN THAT THE PROPOSED PROJECT CONCEPT IS NOT IN COMPLIANCE WITH MULTIPLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE AND THE ADOPTED DESIGN AND DEVELOPMENT GUIDELINES, INCLUDING ITS APPENDICES, FOR THE FOLSOM HISTORIC DISTRICT.

CONDITIONAL USE PERMIT FINDING

E. THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, AND BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD AND TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS NOT COMPATIBLE WITH RESIDENTIAL USES IN THE SURROUNDING NEIGHBORHOOD WITH REGARD TO REASONABLE EXPECTATIONS OF RESIDENTIAL QUALITY OF LIFE. FURTHER, THE USE IS NOT COMPATIBLE WITH COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD IN THAT THE CONCEPT, DESIGN, AND MATERIALS UNDERMINE THE BLOCK'S HISTORIC AUTHENTICITY ON WHICH THOSE USES HAVE DEPENDED FOR THEIR SUCCESS.

DESIGN REVIEW FINDINGS

F. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE NOT COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE NOT CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

G. THE PROPOSED PROJECT IS NOT IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

Kelly Mullett

From: Kelly Mullett
Sent: Monday, August 2, 2021 11:07 AM
To: Kelly Mullett
Subject: FW: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

From: Casey Kempenaar <caseykempenaar@gmail.com>
Sent: Friday, July 30, 2021 4:01 PM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Scott Johnson <sjohnson@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>
Subject: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

Some people who received this message don't often get email from caseykempenaar@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Historic District Commission:

I have reviewed the proposed Folsom Brews project at the former Clouds Pottery Building. The proposal includes a façade modification as well as establishment of a Tap House, which will require review and approval from this HDC.

I believe the proposed use of a tap house would be a great addition to the Historic District. While I believe the use is appropriate, I am concerned with the proposed architecture and overall appearance of the building. The current proposal mimics architecture from Folsom Prison, including stone veneer and granite accents. Further, a large fiberglass turret is proposed to mimic the features of the prison (and the more recent construction of the Johnny Cash Trail Bridge).

I encourage you to reject the proposed design and direct the applicant to come back with something more suitable to the historic district. I urge this for two distinct reasons:

1. The proposal is inconsistent with the design intent and vision of the Historic District.
2. The connection to Folsom Prison has been overplayed over recent years and not directly connected to the historic district

Inconsistent with Historic District Vision and Design Guidelines

While the existing building does not appear to be historic, it is surrounded by historic buildings and very visible to visitors coming into the Historic District. While Folsom Prison is a historic feature of our broader Folsom community, the connection to the historic district is less distinct.

The proposed tower element appears tacked on and is proposed to be constructed of fiberglass. This is inconsistent with the Design Guidelines of the Historic District:

To recognize that traditional high quality commercial grade materials (such as brick and ceramic tile) are appropriate to the historic context. These materials age gracefully, are durable and lend a sense of permanence to the building.

New construction must be compatible with the existing Subarea and responsive to the period and predominant building styles.

Avoid contemporary materials not appropriate in restoration. Use of materials not in existence when a storefront was built is discouraged in its "restoration."

Fiberglass does not achieve these values required by the Guidelines or more recent construction in the District (such as Scotts and Sutter Street Steakhouse Building). Further, the design is not responsive to the predominant building styles of the district (the prison is about one mile away from the historic district the way the crow flies).

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

While the design is technically following details of a historic structure of Folsom Prison, that historic structure is not generally visible to the public nor is it a part of the historic district.

Connection to Folsom Prison has been Overplayed

Clearly Folsom Prison has its place in Folsom History; however, Folsom has so much more to offer. Huge marketing efforts and recent projects continue to overplay the importance of the Prison in the community. We have the Johnny Cash Trail (for his connection to the Prison), we have the Johnny Cash Bridge (made to look like the Prison Architecture), the Prison Museum we have the Johnny Cash Art Trail, to name a few.

While these are all great amenities and valuable efforts, shouldn't we focus more on what else is important to our community? The Historic District, Schools, and Open Spaces are the top reasons folks move to Folsom – Not the Prison.

This location is very visible as you come into the district- Is the prison really the tone we want to set for visitors coming to shop and dine?

Conclusion

This location has such great potential to be an amenity for the community. . The applicant should go back to the drawing board and come up with a design more suited to the historic district. Follow the district guidelines, incorporate design features integral to the architecture, incorporate some outdoor seating and make this a building representative of the Historic District- not the Prison.

Thank you for your consideration.

Sincerely,

Casey Kempenaar

Kelly Mullett

From: folsomcandy@sbcglobal.net
Sent: Friday, July 30, 2021 12:44 PM
To: Kelly Mullett
Subject: HDC Meeting agenda item 2 PN 19-174

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Kelly, Below are my written comments on the above item.

Others will be pointing out the many ways this project does not comply with Sect. 17.52 and the DDG's for the Historic District. In my opinion this is a structure that would not have been built in the Sutter Street area pre-1900 as the code requires. I feel the decision boils down to if you want to preserve and enhance an authentic Historic District or if you want to build a Disneyland Frontierland in Folsom.

Candy Miller

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 4:44 PM
To: Kelly Mullett
Subject: FW: FW: HDC Letter

From: Rich <rich@sutterstreetsteakhouse.com>
Sent: Wednesday, August 4, 2021 3:33 PM
To: Judy Collinsworth <judy@historicfolsom.org>
Subject: HDC Letter

½

To Whom it may concern;

½

After a detailed review of the proposed project at 608 ½ Sutter Street, I am writing this letter in opposition of said project as it currently stands.

Let me first state that I am a staunch supporter of locally owned small business and free enterprise.½

However, in no way do I see the current proposal being synergistic, or mutually beneficial to the Historic District as a whole, and for those fortunate to still be on the 600 block, it will be a scourge to their operations in an already difficult climate.

½

I fully endorse the DETAILED comments submitted from the HPL and FHDA, in regards but not limited to; concept, architecture, signage, site design, & conditional use, the area's most concerning to me are;

½

Parking: or lack thereof, 13 spaces allocated/zoned for a project of this size is far from adequate, I know because I live it and hear it everyday from our customers. As well as the ones who choose not to be our customers because they couldn't find parking. The idea of using an offsite location is the pure definition of a stopgap measure, ensuring those now displaced vehicles move into other unwelcome areas of the HD.

Safety: Adding a business concept with a primary alcohol component injects the likelihood for continued issues with vandalism, public intoxication, fighting, noise and general nuisance to both private property owners, and businesses alike. In a block already wrought with said issues again, I can speak from firsthand knowledge. The open-outdoor nature of the proposal only encourages more of these issues with less oversight. No matter how many more company policies I implement in my business to keep my employees and customers safe, that burden should not be passed downstream.

½

Food Truck: Having a food truck taking away valuable parking real estate, while simultaneously positioning possibly inebriated customers in the direct vicinity of moving vehicles, sounds like liability. Compounded by the likely influx of more litter, trash and mess left behind.½

As business we already must deal with the general public utilizing the parking garages, spaces, and dumpster areas as their personal trash can and bathroom facilities.½ On a separate but similar vein, the prospect of having an outside (non HD) food vendor seems to be a direct conflict of interest to those already with food operations on the block/street.½ As well as not being in tune with the overall spirit, vibrancy and pride that all of us have grown to nurture in the Historic District ½

½

I would like to personally encourage, and warmly welcome anyone interested, to come for a site visit with me during the proposed hours of operations. To witness, in real time and have a discussion regarding the concerns all of us have on the 600 block.

Thank you for your time and consideration.

½

Rich Veale

Executive Chef / Owner

Sutter Street Steakhouse

604 Sutter St. Suite 150 | Folsom, Ca | 95630

Ph 916.351.9100| Fax 916.351.9300

rich@sutterstreetsteakhouse.com

½

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 17

Public Comments Received Regarding Barley Barn Tap House Project



WEST OF CHICAGO RESTAURANTS, INC.

604 Sutter Street, Suite 200 • Folsom, CA 95630 • Office 916 294-7496 • Fax 916 358-9492

August 2, 2021

Historic District Commission,

My name is Eric Schnetz, I am founder and CEO of Chicago Fire (four area locations) and J wild's Livery and Feed. I have operated Chicago Fire and now J Wild's at the site, 614 Sutter Street since 2003.

Please accept this letter as evidence of my enthusiastic support of the proposed Folsom Prison Brews business concept. I believe I am in a unique position to comment on this proposal as it is in very close proximity to my existing restaurant and because I am a long-term tenant of the project's owner, Murray Weaver.

I think the historic theme of the tap house will be a great addition to the Historic District just as J Wild's has been. The more businesses that embrace and promote Folsom's history the more successful the street will be a whole. Given the number of new restaurants that have opened in the district it makes sense to add a casual drinking and entertainment space versus yet another restaurant. This will help support food sales in the restaurants within the near vicinity of Folsom Prison Brews. From my perspective as a tenant of Mr. Weaver's for over 18 years, I have the utmost confidence in his experience and ability to run a successful and professional operation.

This is a very exciting opportunity to turn a tired retail space into a strong local draw for the Folsom Historic District. With all the new construction on the West end of Sutter Street, it would be a nice balance to see some new high-quality improvements to the 600 Block.

Please do not hesitate to contact me for any further feedback or information.

Regards,

Eric Schnetz

C.E.O. West of Chicago Restaurants Inc.

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, November 5, 2021 10:30 AM
To: rholderness@holdernesslaw.com; holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: BARLEY BARN TAP HOUSE SUMMARY

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SUPPORT LETTER BARLEY BARN TAP HOUSE

-----Original Message-----

From: Amber Felts <amber@shoopsphotography.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Fri, Nov 5, 2021 9:01 am
Subject: Re: BARLEY BARN TAP HOUSE SUMMARY

Murray,

This looks great! It seems like you are working very hard at taking feedback and adjusting to public concerns. I love the changes you have made and I look forward to seeing this project come to life!

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography.com>

m: 916.804.8578 (text ok)

a: 805 Sutter Street, STE 220 & 240, Folsom, CA 95630

On Oct 28, 2021, at 11:24 AM, "powerhousepub@aol.com" <powerhousepub@aol.com> wrote:

Amber, So this is the new version of the Tap House we are working on at 608 1/2 Sutter St. Im reahing out to various folks to get their input and hopefully support.

I'll be getting a package to FHDA but wanted to get your input individully as well.

Renderings in separate email.

Thanks Murray

BARLEY BARN TAP HOUSE – OWNER’S NARRATIVE INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, November 1, 2021 10:55 AM
To: holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

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-----Original Message-----

From: moe hirani <moehirani@hotmail.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Sat, Oct 23, 2021 10:29 am
Subject: RE: Barley Barn Tap House, Rendering One, Final Exports

Hello Murray,

Thanks for sharing the revised rendering of the Folsom Taproom. I have to say this was more along the line of what I had in mind when we first discussed a design that would maintain the existing footprint and keeping the " Barn" look with all the building lines minimally altered.

I will certainly be open to more discussions to the taproom concept that you have proposed, which I believe will succeed and compliment other businesses' in the Historic District.

Regards,

Moe.

Sent from [Mail](#) for Windows

From: powerhousepub@aol.com
Sent: Tuesday, October 19, 2021 9:56 AM
To: moehirani@hotmail.com
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

Mo, pls have a look at the revised vintage barn theme for the "beer only" Tap House. Would appreciate your thoughts and support.

Thanks, Murray

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW
THE BARLEY BARN TAP HOUSE**

October 14, 2021 (Project Review - Plans issued 09.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a 'beer house', the installation of an outdoor patio and serving area and provision for food delivery at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

**PROJECT
HISTORY:**

The brew pub was originally named Folsom Prison Brews. HPL provided comments regarding this application on May 30, 2019 and on August 1, 2021.

After the applicant changed the theme of the brew pub, new plans were submitted to the City on September 15, 2021. This review is based on the revised design.

BACKGROUND

The earlier proposed building design resembled a downsized replica of the perimeter wall, gateway and guard tower at Folsom State Prison. This concept is not connected to the project site and as a result, it was not well received by the community. As an alternative, the applicant is now proposing to maintain the barn theme of the existing building.

GENERAL COMMENTS

The recently prepared set of plans is not complete, and the applicant has not yet submitted a Materials and Color Board. HPL recommends that actual samples of the proposed roof and wall materials should be provided to the Historic District Commission for review at the time of the project hearing.

DESIGN CONCEPT

The proposed barn style is not typical for the early barns that were constructed in the Gold Country or in the Greater Sacramento Area. However, similar designs were used in the United States, during the 1850-1900 time-frame. HPL therefore considers the design theme appropriate for the Sutter Street Subarea.

ENVIRONMENTAL REVIEW

During the previous entitlement process, issues have been raised regarding the projects need for environmental review. It has been the consensus that based on the size of the building, the change of land use and the cumulative impacts on the surrounding neighborhood, the project would not qualify for a categorical exemption. The City's Attorney's Office has therefore committed to subject the application to further CEQA analysis in order to determine if an Initial Study will be required.

Recommendation

- Before the project is presented to the Historic District Commission, the City should complete any environmental review that may be required under State Law.

SITE PLAN

Outside the west building façade is a 480 square foot patio area designated for outdoor seating. This area is in close proximity to a larger patio with outdoor seating on the Powerhouse Pub property. Large concrete surfaces can detract from the overall impression of historic development. Many historic districts therefore use natural stones or decomposed granite to provide a level surface.

As an alternative, HPL recommends that concrete used for the patio outside the brew pub could be tinted gray (similar to the concrete used for other infill projects along Sutter Street). In addition, HPL recommends that the iron fencing around the outdoor seating area could be installed between wood posts in order to be more compatible with the barn theme.

Because 'Cloud's Pottery Barn' is a part of the more recent history of the 600-block, HPL recommends that as much as possible of the decorative tiles (manufactured at Cloud's) along the private walkway between Sutter Street and the Scott Street parking lot should be preserved.

Site Plan Recommendations

- Create an 'aged' look by adding a gray tint to the concrete used for patio areas around the barn building.
- Coordinate the wrought iron fencing around the outdoor patio area with the barn building by installing the fence panels between wood posts.
- Preserve as much as possible of the decorative tiles that cover the retaining wall next to the private walkway from Sutter Street to the public parking area by Scott Street.

ARCHITECTURE

The proposed aged wood siding and metal roof should make the building resemble a barn, but material samples will be required before the Historic District Commission can make a final determination. In order to stay consistent with the barn theme, HPL also recommends that the folding glass door along the west façade should be replaced by a sliding barn door. The main door along the same façade should also not be dominated by glass. If more daylight is required inside the west end of the beer pub, windows can be added.

Historic barn buildings typically have open rafters. The proposed wide fascia boards therefore are in conflict with the barn theme.

Architectural Recommendations

- Replace the large folding glass door along the west elevation with a wide barn door that is hanging from an overhead rail.
- Select a more historic entrance door for the west façade, with glass limited to the upper half of the door.
- Expose the roof rafters by eliminating the fascia boards.

SIGNS AND OUTDOOR LIGHTING

As specified in Chapter 5 of the Design and Development Guidelines (DDG's), the main frontage of a building is the side that is facing a public right-of-way. The north side of the Barley Barn is facing both the alley right-of-way and a public parking lot. Based on the length of the building, this façade could have a sign area of 50 square-feet.

The west side of the proposed barn building can be considered the secondary building frontage (facing a

public area). Per the DDG's, the sign allowance for a secondary frontage is half the area of the main frontage. The brew pub could therefore install a 25 square-foot sign along the west building façade.

A single sign with an area of 33 square-feet has been proposed above the west entrance doors. This sign exceeds the sign allowance by 8 square feet. However, the proposed type of sign (block letters painted on wood) is appropriate for the barn building and the Sutter Street Subarea.

The proposed outdoor light fixtures are also consistent with the 1850-1900 time frame. However, one important aspect is the intensity of the light. Gas lights and early light fixtures had low intensity and a warm tone. As typical for commercial projects the applicant should provide a photometric study that specifies the level of light at the proposed project site after all building and site lights have been installed.

Sign and Lighting Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade (the secondary frontage).
- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding the background area of the sign letters from the estimated sign area.)
- The applicant shall submit a photometric study to demonstrate that the lamps used for site lighting and the outdoor building lights have a low intensity and a warm color range.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. More than a year later, there has been limited progress towards implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. The staff report should analyze how the project will impact the conclusions of previous parking studies (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 3,799 square-foot building would be required to provide 11 parking spaces for the indoor space (1 space per 350 square-feet) and no parking spaces for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. Regarding the private parking lots, all existing spaces have already been dedicated to the on-site businesses. The Eagles Lodge has reduced activities, but meetings are still scheduled for members and the public at the Scott Street facility. The public parking area next to Scott Street has not been able to alleviate the need for parking in the east end of the Sutter Street Subarea.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only

be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

The applicant does not intend to install a kitchen in the Barley Barn. Instead, take-out meals will be delivered to the pub. To accommodate this solution the applicant has proposed to convert two standard parking spaces in the public parking lot outside the brew pub, into one accessible van parking space. This space would be reserved for the Barley Barn, resulting in an actual loss of public parking spaces. The recently approved large patio area at the Powerhouse Pub property (including the access path between the two properties) will also eliminate existing parking spaces while at the same time increase the demand for parking. Information about all anticipated impacts to public/private parking areas, including new directional signage, should be added to the application package or analyzed in the staff report..

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased and if the change to a more intense use in the Sutter Street Subarea should require a parking variance.
- The applicant should provide a business plan that describes all potential impacts on parking *(Including information about where delivery trucks, and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant is proposing to provide limited live entertainment with solo performers or small music groups. An Entertainment Permit will be required before this part of the business model is implemented. Four nights a week the pub is proposing to stay open until 10:00 p.m and three nights a week the pub would close at 12:30 a.m. The oversized door along the west elevation, in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe the brew pub as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing neighboring development. A noise study and a photometric study could provide useful information.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to each local jurisdiction. The Historic District Commission may wish to recommend that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in the proposed manner, the project should be required to prepare a noise study.

(The study should anticipate the potential noise levels when live performances are held simultaneously at both the Powerhouse and at the Barley Barn Tap House. If the noise study demonstrates that mitigation is required, it will be the applicant's responsibility to follow all recommendations to limit future noise levels.)

- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

Steven Banks

From: Michael Reynolds <mjrhfra@gmail.com>
Sent: Friday, October 15, 2021 4:07 PM
To: Steven Banks
Subject: Fwd: Fw: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
Attachments: Request for Comments Barley Barn Tap House (PN 19-174) 9-29-21 with Attachments.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: HFRA Board Comments for Barley Barn Tap House (PN 19-174)

Steve, below are HFRA comments for Barley Barn Tap House. In summary, HFRA is against granting the new use for the following reasons:

- **Parking Variance** - The project requires a parking variance which is unacceptable to the residents. Until a permanent resident parking solution is in place, the addition of new entertainment options in the 600 block will continue to drive more visitor parking into the residential areas.
- **Parking lease with Eagles** - the terms of the lease with the Eagles lodge are too open to be considered as part of a permanent solution. The Eagles have first come first serve priority for any event they hold and so the actual amount of parking available could fluctuate between 0-15 spaces. Most Eagles events occur at night time on the weekends which is the very peak period the proposed establishment will require those parking spaces.
- **Change in Parking Density** - for >20yrs, the barn building has been a retail business with 10-6pm working hours so does not conflict with any of the neighboring 600blk establishments. The shift to an entertainment venue serving alcohol will shift the primary usage to the 5-12am time window which will now overlap with the majority of adjacent businesses in the 600blk. In addition, the capacity of the Brewery will shift the density from light retail to heaving entertainment with a proposed operating capacity of 166 patrons not including the proposed outdoor seating. Assuming an avg visitor arrives 3/vehicle, that is ~50cars on at peak period. This creates significant overflow in the public parking behind the 600 blk and cannibalizes spaces for establishments like the Steakhouse that are reservation based. An rough estimate of the 600blk parking density based on establishment capacity numbers is roughly the following when outdoor seating is included. As you can see from the rough math, the 600 block is ill-equipped to support such an entertainment/alcohol based footprint so the addition of 1 more establishment only furthers an already bad situation with impact to already established business.
 - Steakhouse - 150-200 patrons = 50-75 cars at full capacity
 - Planks - 75-100 patrons = 30-50 cars at full capacity
 - Citizen Vine - 45-60 patrons = 15-20 cars at full capacity
 - JWilds - 136 patrons = 50-75 cars at full capacity
 - Scarletts - 30-65 patrons = 10 - 30 cars at full capacity
 - Powerhouse - 150-200 patrons = 50 - 75 cars at full capacity
- **Hours of operation:** All other beer based establishments in the HD stated closures is 12am. 12:30am is unacceptable. The application should conform to the HD norms.
- **Subjectively:** The Historic District buildout is at a state where the balance of the entire district needs to be considered when granting changes in use conditions. The addition of another alcohol establishment in the 600blk that does not even serve food creates imbalance and adds no additional value to the overall HD tenant mix.

Mike Reynolds

Historic Folsom Residents Association President

----- Forwarded message -----

From: lkatfisher@aim.com <lkatfisher@aim.com>
Date: Thu, Oct 14, 2021 at 6:09 PM
Subject: Fw: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
To: Mike Reynolds <mjrhfra@gmail.com>

Below it says to send comments to Steve Banks and gives his email.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us

---- Forwarded Message ----

From: "The HFRA" <thehfra@gmail.com>
To: "Carrie Lane" <C_prue@hotmail.com>, "Jennifer Lane" <lane.jenslucy@yahoo.com>, "Laura Fisher" <lkatfisher@aim.com>, "Mike Reynolds" <mjrhfra@gmail.com>
Sent: Wed, Sep 29, 2021 at 3:00 PM
Subject: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
FYI

----- Forwarded message -----

From: **Karen Sanabria** <ksanabria@folsom.ca.us>
Date: Wed, Sep 29, 2021 at 2:45 PM
Subject: Request for Comments for Barley Barn Tap House (PN 19-174)
To:

Hello,

Please see attached Request for Comments for Barley Barn Tap House.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us.

Thank you,

Karen Sanabria
Sr. Office Assistant
Community Development Department
50 Natoma Street, Folsom, CA 95630
O: 916.461.6203

Steven Banks

From: LJ Laurent <ljlarent@att.net>
Sent: Thursday, November 4, 2021 10:48 AM
To: Pam Johns; Steve Krahn
Cc: daoffice@sacda.org; Scott Zangrando; Lydia Konopka; Rick Hillman; Ken Cusano; Lauren Ono; Supervisor Sue Frost; Pete Piccardo; Osfm Fire Marshal Ca; The HFRA; John Shaw; Cindy Pharis; Barbara Leary; kevin@duewellaw.com; Dale Kasler; Ben Van Der Meer; sactonewstips@newsreview.com; Steven Banks
Subject: Objections: PN19 174 608.5 Sutter St. Cond. Use permit

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Folsom Plan Dir., Comm. Dev. Dept.
To: City Engineer S. Krahn
To: Asst City Clerk for DISTRIBUTION to HD members and Folsom City Council
Scott Zagrando Building Dept Eng.
Pete Piccardo Code Enforcement
JJohnsohn Code Enf.
cc: Sac DA Office; FPD, FFD, FFD Fire Marshal; State Fire Marshall; Sac County Supervisor

Re: "special meeting" PN 19 174 608 1/2 Sutter APN 070 0061 011

As of November 4, 2021, Folsom is again quietly rushing to APPROVE ENTITLEMENTS and LAND USES which are NOT CONSISTENT with Folsom Municipal Code, Street Standards, Infrastructure Dedication Standards, and OFF STREET Parking Requirements.

The Eagles Lodge did NOT provide a Legal/Binding Contract to Provide Parking. If they did so, THEIR OWN parking would be Legally NON-Conforming because they are also holders of ABC Alcohol License. They too are located on 19th Century tiny lanes which ADD RESPONSE TIME and ACCESS for First Responders.

Discriminating against First Responders is just about as OFFENSIVE as any city employee or Elected person can be.
California FIRE CODE is adopted in Totality and this mis-use of a bunch of novice "DESIGN REVIEW ONLY" group -- to GRANT any Land Use Exception is very wrong. It is Black letter law on all counts. This is wrong.

This special meeting DOCUMENT Packet has NEVER had the City Engineer Signature and Seal on it, which compounds the State Law violations. It certainly gives the appearance our Folsom City Engineer is in direct Violation of State Codes, previously enumerated at length. It is HIS DUTY/Obligation to Ensure Laws of ALL levels of Govt. are Obeyed and Enforced. If he refuses to do His Job, we need an Investigation to Prove WHY Folsom City Engineer considers himself and His License Above the Laws.

Consequences of violating state, federal, county, local laws for this one single additional usage and an "exception" granted by an ADVISORY ONLY design group are --- at the least --- LIABILITY for all consequences resulting.

This should include Liability/responsibility for Reducing First Responder Access and adding to Response TIME on 19th century streets; Accidents; damages due to this city "design advice" group assuming a Power of Law-making. They have personal Responsibility for any such Exception-Granting, and this City staff and city Council NEEDS TO INFORM these Novices IN WRITING of their Exposures. They need to know Truth Prior to this "special meeting" one-item agenda.

They need to know how they would be complicit in wrong-doing. They need to know city has NOT assumed responsibility for all the Laws they expect this group to Violate, and the harm which would be done.

I know for fact, that Appointed persons DO NOT HAVE a city-link email address. There is NO way for them to get this information so they can CONSULT THEIR OWN COUNSEL. This is so Folsom!

This truly requires a Full Investigation from the backed-up raw sewage SSS Conveyance Pipes/illegal temporary storage vaults in Sutter St. all the way down to the city employees having the Support and Endorsement of elected officials to continue pursuing Wrongful Operations.

NO ONE can legally offer an "exception" of any kind to a STANDARD. Standards in this case are those of city, County, State, Fire Marshal, and state/US Constitutions.

Ignore vital laws, then expect the Consequences. That is why CA Licensed Civil Engineers are Sworn & Licensed Law Enforcers.

Why is oldest, worst-served part of city suddenly being pressed for increased NON-Standard land uses & occupancies which violate legal Standards? Why is NO PERSON with a LICENSE ever asked to Sign/Seal/Approve any of this acts -- and using "special meetings" to expedite a quiet result.

Below is Partial History of emails, but NOT of formal Complaints about Folsom "methods of Operation."

Sue,

Today another Folsom inappropriate Land Use Exception application came in newspaper, Sac Bee Legal Notice, imaged below.

Simply put, it led me to discover Folsom has a pattern of Failure to make Accurate/complete Legal reports to Sacramento County Records and RE Tax Assessor. These false and omitted reports have led to a pattern of cheating city residents, county residents, and everyone whose Land Parcels and Land Usages are

impacted, regulated, and TAXES ARE ASSESSED based upon faulty information. This pattern has been observed since past mayor fired final independent City Engineer, and erased vital portions of Folsom Muni Code which was moved ONLINE ONLY.

Below is the tortured route I traveled in finding hard Proof this city is still changing FMC constantly. Everyday I find something new, of private-gain value, and harmful to EVERYONE.

This is so egregious and obvious, that I am not going to share this all with Principal Planner Steve Banks in Comm. Development Dept. He sounded very, very discouraged today, and being involved in this must be painful to him.

After an attack Sept 5 2020 which left me with a damaging traumatic brain injury, it seemed I'd never recover sufficiently to speak with old friends, or indeed, anyone. I lost speech, Glasgow Coma rating of functionally mute. While speech & memory are not the same, I am able to speak well enough to speak with people like Steve Banks, again. Guess it's a good day for those with TBI, and serious cardiac issues.

Sacramento Bee is correct: this city is far beyond the pale.
This city is a threat. I can only thank Bee for proper, accurate, essential reporting.

Laurie

----- Forwarded Message -----

From: LJ Laurent <ljl Laurent@att.net>

To: net

Cc: LJ Laurent <ljl Laurent@att.net>

Sent: Friday, July 23, 2021, 01:11:42 PM PDT

Subject: PN19 174 Prison Theme on 608 Sutter St. Cond. Use permit

To:

From: Laurie

July 23, 2021

Re: PN 19 -174 APN 070 0061 013 608 Sutter St.,

First CONTEXT, but the final contexts are frightening.:

PN19-174; conversation with Steve Banks this date.

Steve will receive most of these legal/Engineering COMMENTS, but it is known he will NOT be able to impact what "city leaders" and "Comm. Dev. employees do."

Steve has promised to respond to my email with 2019 Applicant's documents, sent via email to me.

If he fails to notify Folsom Licensed Engineers, lawyers, and city council elected officials, of all this information, it is up to old area RESIDENTS to ensure city council is made aware of federal, state, county, CA Fire Marshal laws/regs. Again, this researcher has never yet had a critic discover even 1 single error in Research Reports. Good Luck.

PN 19-174 Cond. Use Permit for 4377 Sq Ft building "CRAFT BEER" usage indoors, outside, with modification of Front Structure appearance to "prison theme."

Note spoke with Steve Banks this a.m. about this old application, and expressed to Steve there are residents concerned about any claim the HDC can make a FINAL Cond. Permit decision. Reminded Steve: FMC city law chapter 17.52 HD is legally an OVERLAY ZONE and NOT a ZONE DISTRICT. That means, the "architectural review" laymen are not the panel to review Structure Changes, Inadequate PARKING, Failure to Prove ADA Compliance [see federal law link below].

From Public Notice, This is Meeting of HD group to consider exterior appearance, and "conditional Use Permit" which is NOT legally within the Jurisdiction of HDC Architectural Review laymen. Includes interior demolition for brewery as well as converting front facade to "prison" theme. Parking is extremely limited for 4,377 Sq Ft. Commercial Zone Usage.

Please NOTE Public Notice WORDS:

"Please refer to the PLAN COMMISSION AGENDA for ways to participate remotely." **USE PERMITS are PC Duty, by Law, to hold public hearings, accept information, answer questions and FINALLY, make only a Recommendation to City Council.** This is how this state runs Oversight on cities, lesser jurisdictions. If you require State Law Citations, just ask.

Issue

"Parking 21 spaces on site for USE of POWERHOUSE PUB, which is not listed Petitioner.

"Parking" 21 spaces on site, and **private parking lot" Eagle Lodge.**

<http://www.findglocal.com/US/Folsom/1870969316526147/Folsom-Fraternal-Order-of-Eagles-%23929>

[Folsom Fraternal Order of Eagles Officers | Folsom Fraternal Order of Eagles](#)

Note: CROSSING Scott St. to use a 'Private Parking' Lot of a charitable group "not for profit" with special TAX Exemptions, may be of concern.

The Fraternal Order of Eagles is an international non-profit organization uniting fraternally in the spirit of liberty, truth, justice, and equality, to make human life more desirable by lessening its ills and promoting peace, prosperity, gladness and hope. The F.O.E. donates more than \$10 million a year to local communities, fundraisers, charities and more. As part of its philosophy, the F.O.E

Please Note Public Notice FAILS TO MENTION ON-SITE Americans with Disabilities Law: **This is why a CITY ENGINEER MUST** be involved to Seal & Sign Formal Plans for Proposal and an elected COUNCIL MUST MAKE such Critical Decisions about Federal Law Compliance. ADA:

https://www.ada.gov/restriping_parking/restriping2015.html

CONTEXT: there are many, many Plaintiffs willing to sue owner & city for dis-obeying ADA laws/rules.



**NOTICE OF PUBLIC HEARING
CITY OF FOLSOM HISTORIC DISTRICT**

DATE OF HEARING: August 4, 2021

TIME OF HEARING: 5:00 PM.

PLACE OF HEARING: City Council Chambers,
Folsom, CA 95630

NOTICE IS HEREBY GIVEN THAT: A public hearing will be held by the Historic District Commission of the City of Folsom on the following:

PROJECT NAME: Folsom Prison Brews Tap House

Property Owner/Applicant: Mr. Murray Weaver

Project Location/APN: 608 Sutter Street/APN

Planning No.: PN-19-174

Staff Contact: Steve Banks, Principal Planner
sbanks@folsom.ca.us

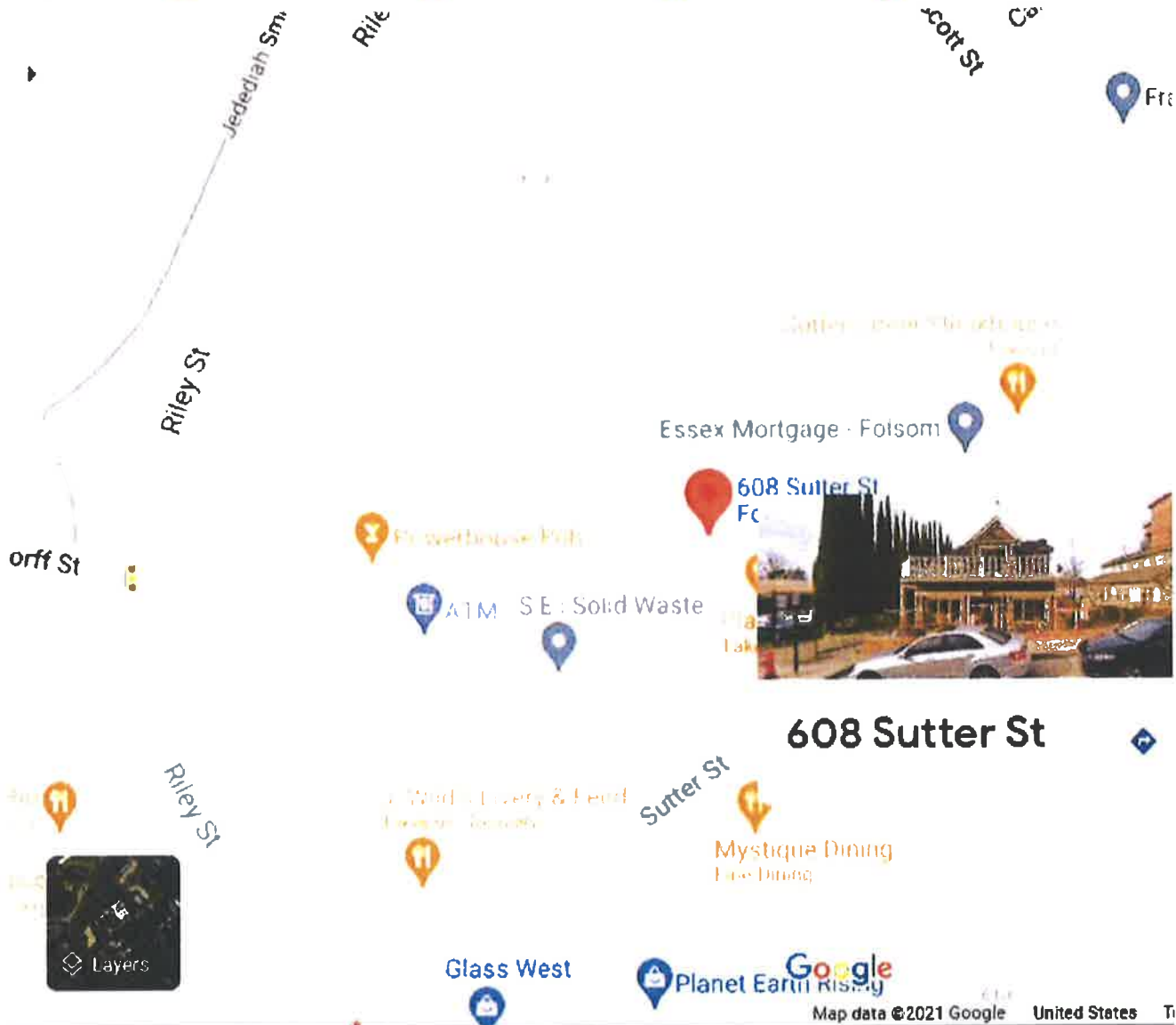
- Entitlements:** a. Conditional Use Permit
b. Design Review

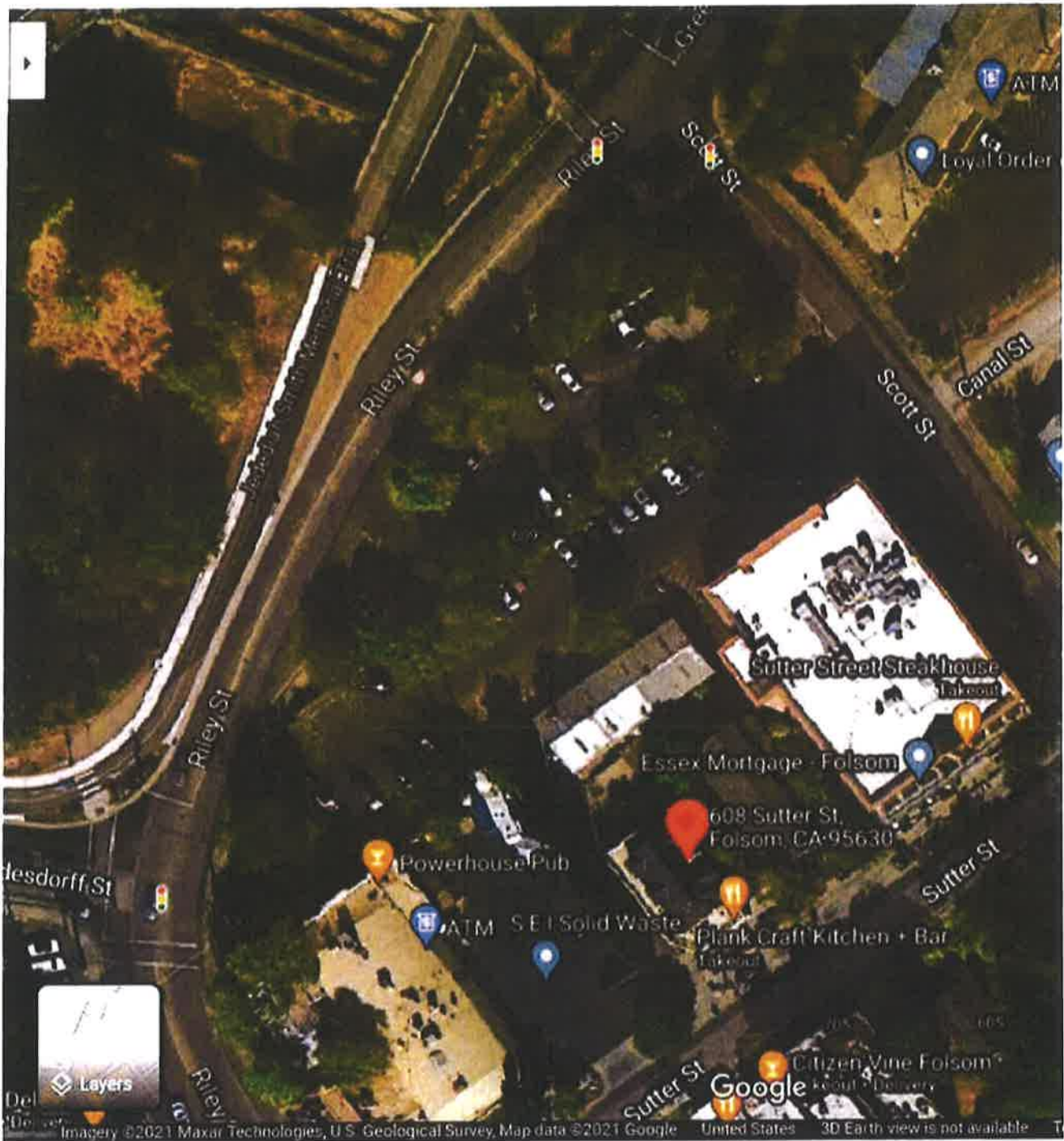
Project Description: The proposed project includes a Conditional Use Permit and Design Review for a craft beer establishment within an existing 4,377 square foot building at 608 Sutter Street. The proposed project involves the demolition of the existing 4,377-square-foot building to create space for the building. Demolition and interior tenant removal will transform the interior building area into a space for a craft beer establishment. The proposed project also includes use of an outdoor patio area enclosed by decorative tubular steel fencing. In terms of public facilities, the project intends to utilize existing public parking facilities, (Powerhouse Pub) adjacent to the project site, and (Eagles Lodge).

Environmental Review: The project is categorically exempt from the Existing Facilities of the California Environmental Quality Act. **Please refer to the Historic District Commission website for more information. Please refer to the Historic District Commission website to participate in this meeting remotely.**

All persons interested in these matters are invited to appear at the public hearings orally or in writing during the public hearings. Public comments are available for review at, and further information is available from the Community Development Department, 50 N. ...

CITY ENGINEER must rule & opine on Health & Safety laws, Fire/Emergency Access -- using his Seal/Signature to ensure an EXPERT OPINION -- that is **WHAT WE PAY HIM/THEM to DO.**





Responsibilities for a Voice of Residents:

suggested ACTIONS to locals to take immediately:

Make a formal Public Record Act Request for Context issue:

"How many Calif ABC Alcohol Sales Licenses are currently IN USE on Sutter St., or other "historic area" location as of this date?"

Ask City Engineer to REVIEW formally the fire, explosion, Riot, shooting access for Exiting 18 foot wide Sutter in a catastrophe situation requiring IMMEDIATE access by First Responders,
Immediate ESCAPE by crowds, all Persons impacted/endangered.

Ask Folsom Fire Chief, and Folsom Fire Marshal Lauren Ono for a written Report on ACCESSIBILITY.

Ask city lawyer for PROVE of ADA Compliance in all respects -- including Emergency ACCESS/accessibility.

Ask city council to PROVIDE PROOF OF NEED for this "conditional use" for yet another location serving ALCOHOL.

Ask Police Chief & his staff for a Report and Comments on all of above. They bear Responsibility for EVERYONE's SAFETY.
Let's respect them and HONOR them.

Closing: you have phone #, so ASK if you do not follow Engineering language, or details of very abstruse, messed up & complicated Laws.

MONEY: and proper REPORTING TO RE TAX MAN:

608 sutter st, folsom ca



Parcel Details

Layers

Measure

Search Results

Select Parcels

Recent Sales

Legend

Net Assessed Value \$900,666

Property tax bill information [Link to ePropTax](#)

Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@saccounty.net.

LAND INFORMATION

Thomas Brothers 251 B 4

Map

Assessor Land Use Code BAB00A

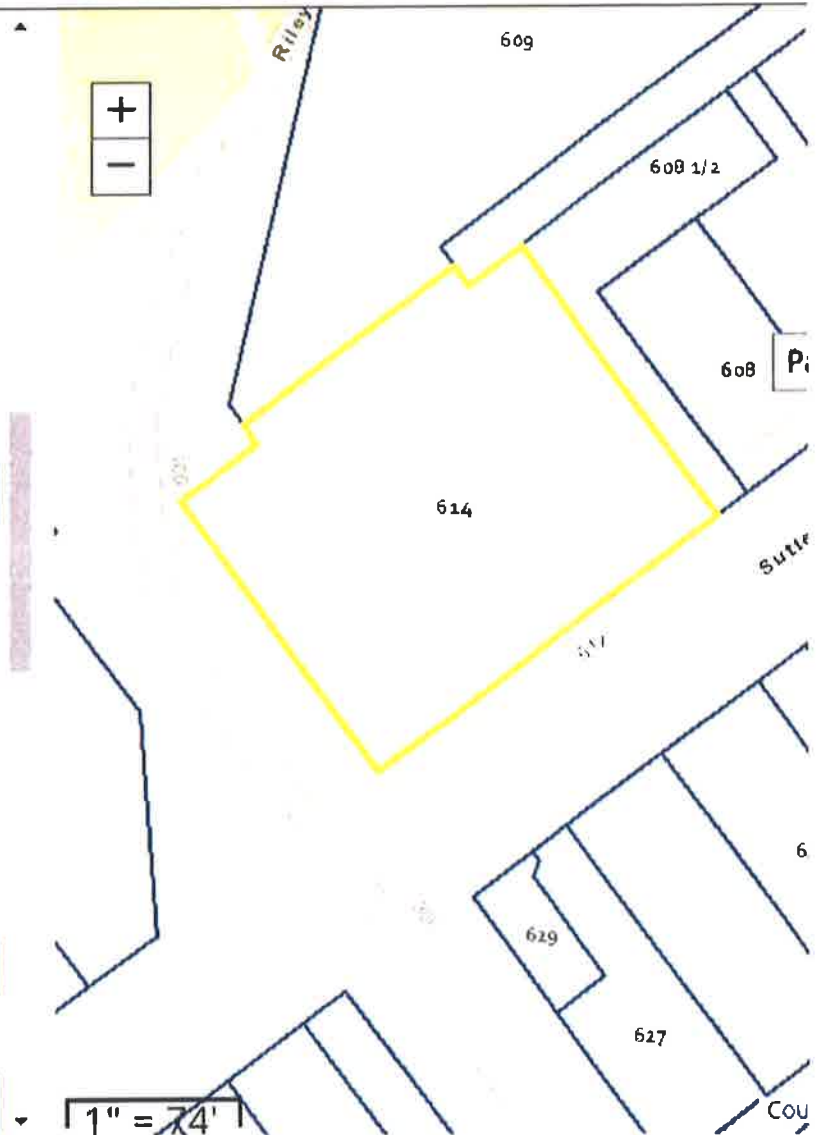
Assessor's Property Description LTS 9 10 11 & W 28 FT OF LT 12 BLK 23 FOLSOM & SEL Y 10 FT OF ALLEY A3ND PER 770201/0685

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION



CONTEXT: HD DISTRICT is NOT a defined Zone District per FMC Chapter 17

CONTEXT: Folsom Never published, nor held Public Hearings nor announced It had REMOVED ALL "Zone District" Designations and Definitions from Folsom Muni Code Chapter 17.

Since Folsom leadership has seen fit to REMOVE all Zone District Definitions, Whence does city council/staff derive a RIGHT to Exercise Land-Usage Police Control???

This is DIRECT VIOLATION OF State Law. to wit

IF Folsom is correct, and "historic district" is a **ZONE DISTRICT** which Determines the proper USES, Infrastructure, roadway size, compatibility of Uses, then the **ENTIRETY of all "historic district" would have ONE ZONE DISTRICT ONLY by law with a formal "definition" of each/every single ZONE DISTRICT.** This is NOT allowed under State Government Codes, Zoning, and **Intent of State to determine the Standards, Land Uses, Hazards, Safety, Infrastructure Sizes, Oversight Codes, and SPECIAL EXCEPTION Laws & Codes & Standards.** Licensed Civil Engineers are Essential to enforce Laws, Standards, adequate Infrastructure, adequate developer Financing of dedicated Improvements, Subdivisions, and appropriate Zone Districts for EACH PARCEL.

If Folsom correctly reported all of the oldest, most poorly-served area of city as ONE SINGLE ZONE by Definition, there WOULD BE SOLELY ONE SINGLE LAND USE applied -- - by Law -- to every single Parcel.

How long has city of Folsom violated Higher Jurisdiction Laws?

What enforcement agency will conduct a full Investigation of such long-standing city practices which are outside the State Enabling Laws as referenced as CA Government Code 65800 [Zoning]?

For verification, higher authorities need to consult Folsom Muni Code Chapter 17 Zoning, to see if they can locate a Definition Section for each Zone District, such as county's BAB00A Small retail..... which has a definition on screen as Multiple retail vendors, with small occupancy, in a building of considerably Different Size than Folsom reports it in Formal Public Notice.

Analysis & IMAGES of FMC which is ONLINE only, hence changed online at will.
<https://www.codepublishing.com/CA/Folsom/#!/Folsom17/Folsom1710.html#17.10>

Folsom Municipal Code

Chapter 17.10 DESIGNATION OF DISTRICTS

Sections:

17.10.010 Established.

17.10.020 Special districts established.

17.10.010 Established.  SHARE

The several classes of general districts established and into which they are designated as follows:

- A. R-1-L, R-1-ML, R-1-M, single-family residence districts;
- B. R-2, two-family residence district;
- C. R-3, neighborhood apartment district;

Folsom Municipal Code

- C. R-3, neighborhood apartment district;
- D. R-4, general apartment district;
- E. C-1, neighborhood business district;
- F. C-2, central business district;
- G. C-3, general commercial district;
- H. CH, highway service commercial district;
- I. CM, commercial-manufacturing district;
- J. M-1, light industrial district;
- K. M-2, general industrial district;
- L. M-L, limited industrial district;
- M. MF, industrial frontage district;

Folsom Municipal Code

- N. PD, planned development district;
- O. R-M, residential, multifamily dwelling district;
- P. BP, business and professional office district. (Ord. 378 (part § 3102.01)

17.10.020 Special districts established. SHARE

In addition to the foregoing classes of districts, certain combining districts and are designated as follows:

- A. A, special agricultural district;
- B. B, special building site district;
- C. F, special highway frontage district;
- D. P, special parking district;

Folsom Municipal Code

- B. B, special building site district;
- C. F, special highway frontage district;
- D. P, special parking district;
- E. H, special height limit district;
- F. CD, special civic district. (Ord. 378 (part), 1979: Ord. 239 § 1 § 3102.02)

[Home](#)

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>

The Folsom Municipal Code is current through Ordinance 1313, passed

Disclaimer: The City Clerk's office has the official version of the Folsom Municipal Code. For more information, you should contact the City Clerk's office for ordinances passed subsequent to this version.

CONCLUSION: This is Folsom's own designated Chapter 17, analyzed for "Definitions", and searched for Definition of Each ZONE DISTRICT, along with its STANDARDS, Permitted Land Uses, abutting Land Zone District Uses.

Folsom's Print Editions from past do include the standards, and Definitions for each "Zone District" and included a Map within Chapter 17 FMC Zoning.

All this is gone with the wind. There is no "Historic District Zone", and there is no Enforcement in Folsom of STANDARDS, Infrastructure Requirements, Streets wide enough for First Responders and Safe Ingress/Egress. Folsom has an "architectural review group" for this old area, but they are the SECOND Review group and they are NOT a Plan Commission. Folsom has a Plan Commission which only holds hearings, provides expert testimony venue for questions, and makes only Recommendations to city council for changes to existing legislation on Land Uses, Standards, Safety, Infrastructure. Folsom continues to act as if an "architectural review" group has Legal POWER to alter LAND USAGES, GRANT Exceptions to Law in FMC 17. This is very wrong and harmful.

Additionally, this system has resulted in substantial LOSS of Revenue by Sacramento County and those whom it serves. Folsom practices have caused huge Profits to a select few, and huge losses to others, especially to suffering old city Residents. All five council have been almost totally local Business owners, for decades. They have had support of various chambers, groups, and public tax beneficiaries.

Old city residents feel powerless. That is because they are. If Licensed civil City Engineer and licensed City Attorney FAIL to deliver signed/sealed Reports, this will continue as business as usual -- to the detriment of all.

Although not land use directly, consider also FMC 13.30 a quietly passed law which states Folsom lacks water for it entitled new developments, but passes the Onus onto Sacramento County to bail out Folsom when the remaining surface water is all gone. As Sac Bee pointed out, this is only city which has ZERO groundwater, as it is built upon a granite base.

PURSUANT TO GOVERNMENT CODE SECTION 65800 ET. SEQ., THE STATE OF CALIFORNIA GRANTS TO A CITY THE POWER TO APPLY ZONING TO LANDS WITHIN ITS CITY LIMITS. THE PURPOSE OF ZONING IS TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE. THE CONSTITUTIONALITY OF ZONING HAS BEEN UPHeld BY THE UNITED STATES SUPREME COURT SINCE 1926, EUCLID V. AMBER REALTY COMPANY (272 US 365).

•

Context 17.02.420 is VIOLATED repeatedly by Folsom CA.

"Street" means a public or permanent private way thirty-six feet or more in width which affords a primary means of access to property. (Prior code § 3104.67)

Context 17.02.281: Public Notice in Sac Bee indicates this fits Folsom definition, since it is called microbrewery and IT SERVES alcohol as well.

17.02.281 "Microbrewery" means an alcoholic beverage manufacturing facility that produces fifteen thousand barrels of beer per year or less on site in accordance with a valid alcohol production license from the state of California, and may include an on-site restaurant and/or bar that serves its locally crafted beer. (Ord. 1236 § 2, 2015)

Folsom Municipal Code lacks Definitions for Zone District impacting this Parcel - or indeed ANY city Parcel.

However Sacramento County RE Assessor & County Record DO HAVE Specified Land Uses which are PERMITTED upon this Parcel APN #, and which CONTROL the TAX CATEGORY the County Uses in Assessing a FAIR, Equitable TAX. BELOW IMAGE: Sacramento County clearly defines USAGES and TAXES based UPON this Official Category **BAB00A as small retail Land Usage**

obtained by contacting the Assessor's Office at 916-875-0700 or assessor@saccounty.net.

LAND INFORMATION

Thomas Brothers 261 B 4
Map

Assessor Land Use Code **BAB00A**

Assessor's Property Description LTS 9 10 OF LT 12 SOM & S ALLEY AL 7702017

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC D STR CT

OWNER INFORMATION

General Retail / Commercial
Specific Small Retail
Occupancy Multi-Tenant
Character of Use Most probable use

74'

CONTEXT: again, please note folsom has removed all Zone District Definitions -- secretly, with NO public knowledge nor participation. Yet in case of PARCEL in this

Prison theme microbrewery Change of Usage, the city has given Sacramento County a false Zone District Designation. There is no "historic district" land Use Definition. Indeed all Zone Definitions are totally missing/gone/caput.

NOTE also BUILDING SIZE is NOT what Folsom advertised. Why is this huge discrepancy in a Public Notice? PN states 4377 sq ft.

Gross Building Area 7898 sq ft

Net Rentable Area 7898 sq ft

Ground Floor Area 7898 sq ft

Built 1948 -- exactly how SAFE is this building for Changed Uses? Does it have sprinklers? Full Street size Access for First Responders? What is actual "condition" of this building with following Sacramento County Facts:

Assessor Land Use Code BAB00A

Use General: Retail Commercial

Specific: small retail

Occupancy: Multi Tenant

Character of Use: most probably use that is, SMALL RETAIL, Multi-tenant.

If city of Folsom had accurately reported this building and had submitted the CHANGE of USE and Condition Use Permit Application dated 2019 as PN 19-174 -- then Sacramento County Assessor WOULD HAVE the Intended Change of Land Use, Major Alterations to building, USAGE, OCCUPANCY, PARKING and Street Access requirements.

This is officially a matter of Concern for Sacramento County Assessor and County Recorder, as well as Residents of this old-infrastructure part of old city, and County residents deprived of Determination of Fair Real Estate Assessments as reported by city of Folsom.

question:

at bottom, below, does "quality class D", does D mean it has been dangerous for some length of time??? Sac County Codes are not easily found online, if indeed Assessor "codes" are explained formally anywhere for Public.

Information for Parcel:

070-0061-010-0000

[Read Our Data Disclaimer](#)

PROPERTY INFORMATION

Assessor Parcel #	07000610100000
Address	614 SUTTER ST
Postal City, Zip	FOLSOM 95630

Jurisdiction City of Folsom
County Supervisor District [Sue Frost - District 4](#)
Assessor Roll Status ACTIVE
Assessor's Map [Assessor's Map Book 070,](#)
[Page 006](#)

PROPERTY TAX BILL

A summary of the most recent property tax bill is available on the [e-PropTax](#) site.

Tax Rate Area Code [04-018](#)
Jurisdiction Used on Most FOLSOM
Recent Tax Roll
Last Roll Year 2020

ASSESSOR'S ROLL VALUES

as of June 25, 2021

Tax Roll Year	2021
Land Value	\$310,465
Improvement Value	\$590,201

County Recorder's Document Book 20110325, Page 911

Number

Event Date Fri Mar 25 2011

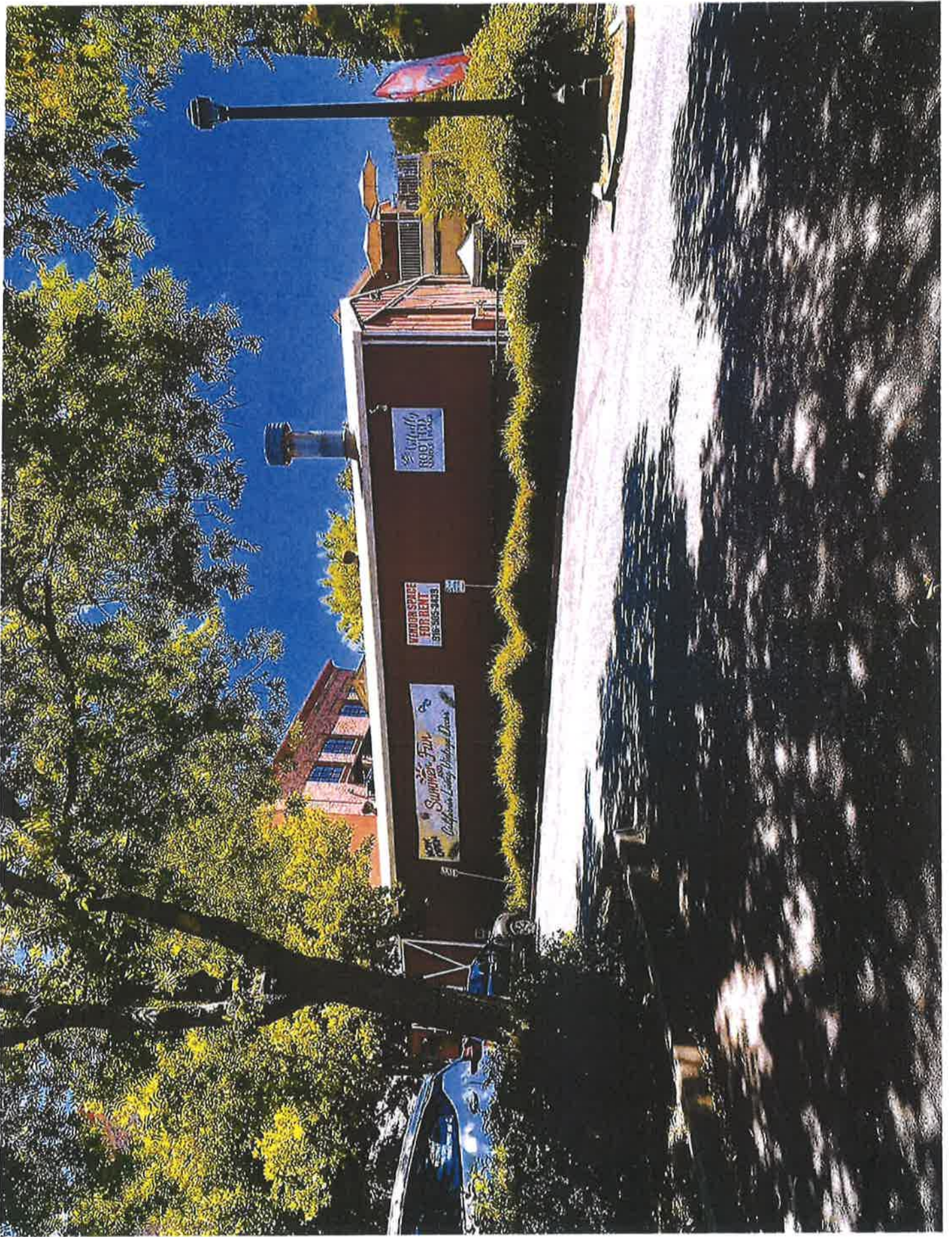
PROPERTY BUILDING INFORMATION

Gross Building Area	7898 sq ft
Net Rentable Area	7898 sq ft
Ground Floor Area	7898 sq ft
Year Built	1948
Effective Year	1948
Stories	1
Quality Class	AverageD

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 18

Site Photographs





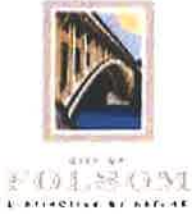






Attachment 5

**Historic District Commission Additional Information
Dated November 18, 2021**



This document has been distributed to the Commissioners and staff by email and hard copy.

Historic District Commission

Staff Report Additional Information Transmittal Sheet

Date: November 18, 2021
To: Historic District Commission
From: Community Development
Subject: **Item No. 3 – Barley Barn Tap House Project - Comments Received**

Attached please find additional public comment letters staff received regarding the Barley Barn Tap House project.

Respectfully Submitted,

Kelly Mullett
Commission Clerk



4.0 Dental
1747 Creekside Drive
Folsom CA 95630
11/07/2021

To Whom it may Concern:

As a Folsom resident and business owner, I fully support the proposed Barley Barn Tap House project. I have enjoyed treating my staff to the hospitality venues in historic Folsom and as a beer aficionado; therefore I look forward to visiting a first class Tap House. My staff and friends are always well taken care of when we visit the PowerHouse. I am especially appreciative of the fun and safe environment the guys at PowerHouse provides. Cheers to their new venture!

Sincerely,
Dr. Elizabeth Luong

Murray,

This looks great! It seems like you are working very hard at taking feedback and adjusting to public concerns. I love the changes you have made and I look forward to seeing this project come to life!

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography>

Hello Murray,

Thanks for sharing the revised rendering of the Folsom Taproom. I have to say this was more along the line of what I had in mind when we first discussed a design that would maintain the existing footprint and keeping the " Barn" look with all the building lines minimally altered.

I will certainly be open to more discussions to the taproom concept that you have proposed, which I believe will succeed and compliment other businesses' in the Historic District.

Regards,

Moe.



December 22, 2020

State of California

Alcohol and Beverage Control

3927 Lennane Drive #100

Sacramento, CA 95834

Re: Powerhouse Entertainment in Folsom California

To Whom It May Concern;

In Folsom, I have had the opportunity to work with Powerhouse Entertainment for many years. They have always been great community supporters and partners. The year 2020 has been a challenge for all of our businesses especially with all of the changing rules and regulations of how to operate their business – it has been very difficult to say the least.

Regardless, they have worked hard to comply with all of the changing protocols while working closely with the community, nearby businesses and the City of Folsom Police Department.

We want to make that our licensed businesses are aware of any new rules or protocols that need to be followed during these times so they can return to the success they were experiencing prior to the pandemic.

If we can assist with providing information or educating our ABC licensed businesses in Folsom, please let me know.

Thanks,

Joe Gagliardi

President/CEO

200 Wool Street, Folsom, CA 95630

916-985.2698 Ext 13 Office | 916.952.8198 Mobile



200 Wool Street • Folsom, CA 95630
916.985.2698 • folsomchamber.com

#1
11-15-11

Re: Barley Barn Tap House - 608 ½ Sutter St.

To Whom It May Concern,

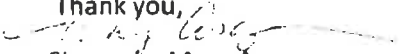
I am writing this letter on behalf of the Barley Barn Tap House project.

As a resident of Sutter Street, and have owned several businesses and property on Sutter Street Along with serving on the HDC & ARC for many years, I felt I wanted to let you know that I support this project.

I am aware of the Biggest obstacle in opening or building a business in the Historic District is Parking. The thing about the Barley Barn is that they will be adding Additional parking spaces, by contracting with the Eagles Lodge. And Murry Weaver is the only business to offer a shuttle from the existing Parking Garage to different street locations.

I think this project will be a nice addition to the Street, and will offer a different feel and type of business. The fact it will serve beer only, and will be Family friendly will be a plus.

The Idea of using The existing Restaurants on Sutter Street for food is a Win Win for all.

Thank you,

Sincerely, Mary Asay

Dear Friends Neighbors and Historic District Commission,

I am writing to Xpress support on behalf of Murray Weaver and owner of the Barley Barn Tap House project.

The new Western barn theme will have a wonderful authentic look as you drive into old town off the rainbow bridge and complement the overall look in the district.

Mr. Weaver has been a long time businessman (21 years) here in Folsom and has served on numerous boards and committees to help revitalize and improve the historic district. His background and expertise gives him insight to what this project will bring to our business community. I believe his goals and commitment to the Barley barn tap House are in keeping with the high standards we all want for Folsom.

Looking forward to spending afternoons on the outdoor patio.

Thank you for your consideration

Claudia Cummings

**Folsom Historic District Commission
Letter of Support for the Barley Barn Tap House**

Dear Commissioners

I would like to voice my support for the proposed Barley Barn Tap House.

For those of you who may not know, I am a 20+ year resident of Folsom, served for 10 years on the Folsom Arts and Cultural Commission, was Chairman of the city's Ad Hoc Committee on Parking Solutions in the Historic District, and have volunteered for countless events in the district.

As a Realtor who specializes in relocations, I proudly promote the Historic District as the heart and soul of our City. I refer clients there, and when giving housing tours, often drive through and choose one of the district restaurants as a lunch stop.

Preserving and protecting the character of the district is very important to me, as is seeing businesses thrive there.

I think the Barley Barn Tap House is a perfect fit and the right business to go in the proposed location.

It will bring visitors, who bring revenue to the city, and because they will not serve food, it will help support local restaurants, who can surely use it.

I can see locals coming down for a new reason to visit the district, again supporting local restaurants and other businesses.

Existing parking, along with the lease of the Eagle's lot, and the new permit system for the Historic District residents ensures that it will have minimal impact on the neighborhood.

In short, the Barley Barn project is the right business at the right time for the commercial area of the Historic District, and I fully support it.

Thank you for your consideration

**Stephen Heard
[REDACTED]
Folsom CA 95630**

To Whom it May Concern:

I have owned the Planet Earth Rising Store at 625 Sutter St Folsom directly across the street from PowerHouse Pub for many years. I've also served on the board of FHDA. I am excited for the new proposed Barley Barn Tap house in the old Clouds Barn building. Mr Weaver has been a great neighbor and I believe the Tap House will bring a fun and increased customer base to our district.

Darrell Trimble- Owner

Good Morning! I wanted to express my appreciation of this change in design. You have my full cooperation and support with the current design. Let me know if you need anything else.

Regards,

Doug

Doug Scalzi

Regional Director, KW Commercial
President, Sacramento Commercial Properties
License #01237807

📞 916-220-6200

✉️ doug@sacprop.com

📍 2295 Iron Point Rd. #160, Folsom 95630

Leasing | Sales | Investments





WEST OF CHICAGO RESTAURANTS, INC.

604 Sutter Street, Suite 200 • Folsom, CA 95630 • Office 916 294-7496 • Fax 916 358-9492

August 2, 2021

Historic District Commission,

My name is Eric Schnetz, I am founder and CEO of Chicago Fire (four area locations) and J wild's Livery and Feed. I have operated Chicago Fire and now J Wild's at the site, 614 Sutter Street since 2003.

Please accept this letter as evidence of my enthusiastic support of the proposed Folsom Prison Brews business concept. I believe I am in a unique position to comment on this proposal as It is in very close proximity to my existing restaurant and because I am a long-term tenant of the project's owner, Murray Weaver.

I think the historic theme of the tap house will be a great addition to the Historic District just as J Wild's has been. The more businesses that embrace and promote Folsom's history the more successful the street will be a whole. Given the number of new restaurants that have opened in the district it makes sense to add a casual drinking and entertainment space versus yet another restaurant. This will help support food sales in the restaurants within the near vicinity of Folsom Prison Brews. From my perspective as a tenant of Mr. Weaver's for over 18 years, I have the utmost confidence in his experience and ability to run a successful and professional operation.

This is a very exciting opportunity to turn a tired retail space into a strong local draw for the Folsom Historic District. With all the new construction on the West end of Sutter Street, it would be a nice balance to see some new high-quality improvements to the 600 Block.

Please do not hesitate to contact me for any further feedback or information.

Regards,

Eric Schnetz

C.E.O. West of Chicago Restaurants Inc.

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, November 12, 2021 2:23 PM
To: Steven Banks; rholderness@holdernesslaw.com
Subject: Fwd: Planet Earth Rising BBTR SUPPORT LETTER

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Fri, Nov 12, 2021 2:20 pm
Subject: Fwd: Planet Earth Rising BBTR SUPPORT LETTER

-----Original Message-----

From: Darrell Trimble <dltrocks@yahoo.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Fri, Nov 12, 2021 1:01 pm
Subject: Re: Planet Earth Ris

To Whom it May Concern:

I have owned the Planet Earth Rising Store at 625 Sutter St Folsom directly across the street from PowerHouse Pub for many years. I've also served on the board of FHDA. I am excited for the new proposed Barley Barn Tap house in the old Clouds Barn building. Mr Weaver has been a great neighbor and I believe the Tap House will bring a fun and increased customer base to our district.

Darrell Trimble- Owner

ROBERT G. HOLDERNESS

HOLDERNESS LAW FIRM

ATTORNEY AT LAW
122 Oak Rock Circle
FOLSOM, CA 95630
Telephone (916) 984-1410
Facsimile (916) 984-1413
rholderness@holdernesslaw.com

Mailing Address:
P. O. Box 975
Folsom, CA 95763-0975

November 12, 2021

Ms. Sari Dierking
Assistant City Attorney
City of Folsom
50 Natoma Street
Folsom, CA 95630

Dear Sari:

This letter is written on behalf of Murray Weaver, Applicant for the Barley Barn Tap House Project. This tap house is proposed for the sale of beer for on-site consumption by the patrons thereof. This letter is intended to address the most prominent legal, quasi-legal, and public policy issues arising in connection with this application and what opposition there is.

A. Categorical Exemption from CEQA (14 "CCR" Section 15301):

To begin with, California Public Resources Code Section 21084 requires the Secretary for Resources to promulgate within the State CEQA Guidelines certain categorical exemptions from CEQA based upon the Secretary's determination that specific classes of projects "do not have a significant effect on the environment" such that they are "declared to be categorically exempt from the requirement for the preparation of environmental documents." 14 California Code of Regulations ("CCR"), Section 15300. Based upon that grant of authority, 14 CCR Section 15301 of the State CEQA Guidelines was promulgated. It provides for the "Class 1" categorical exemption as follows:

"Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features involving

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negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use."

This categorical exemption has recently been tested in the courts. That is, San Diegans for Open Gov't v. City of San Diego (2018) 31 CA5th 349, 242 CR3d 541. In the San Diegans case, above, the Court of Appeal ruled, among other things, that the project's water park improvements constituted refurbishment of a pre-existing facility not new structures and therefore that part of the project was categorically exempt per Section 15301, above.

Measured by a fair reading and application of Section 15301, above, and the holding in the San Diegans case, above, Folsom city staff has correctly concluded that this project is categorically exempt. It is in sum a refurbishing of a former retail business which formerly included in addition to retail, the manufacture on site of pottery, regular raku firing events for the general public to attend and observe, quarterly day or weekend long sidewalk fairs for the general public, and an occasional dinner and live entertainment venue, including locating these latter activities in the existing the patio area. All these uses were undertaken by the owners, who occupied and used the barn for over 20 years. As aforesaid the Applicant is intending to use the barn only for on-site beer sales and consumption and activities ancillary thereto. As such, the Applicant is not expanding uses from what was formerly done on that site but changing and narrowing them into a different commercial use from before. It is submitted that under the facts and circumstances of this case, this use is categorically exempt from CEQA under the continued operation of existing **facilities and structures** categorical exemption [14 CCR Section 15301]. In addition, it should be noted that this project does not include an expansion of the footprint of the existing structure on the site.

B. The Burden of Proof is on the Project Opponents, Not the Applicant:

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As can now be seen, the determination by Folsom city staff that the categorical exemption of 14 CCR Section 15301 applies to this project is demonstrated by substantial evidence and that determination includes an implied finding by staff that none of the exceptions to the categorical exemption apply to this case. San Francisco Beautiful v. City & County of San Francisco (2014) 226 CA4th 1012, 172 CR3d 134.

Based thereon, the burden has now shifted to the project opponents to establish that the project is not exempt from CEQA. Citizens for Environmental Responsibility v. State ex rel 14th Dist. Agricultura Ass'n. (2015) 242 CA4th 555, 195 CR3d 168 [unusual circumstances exception did not apply to rodeo operations]. In this case, the Opponents point to a "usual" circumstance, namely some patrons of Sutter Street businesses park on public streets in residential areas near Sutter Street, as the basis for their call for "unusual circumstances" and thereby ignoring the essentially usual nature of their complaint. They have not and cannot meet their burden.

C. The Applicant's Long Standing Good Neighbor Policy:

The Applicant has a long history of unselfish public-spirited contributions of time and money to FHDA and as a board member, Folsom Chamber of Commerce and as a board member, Folsom Live, and Folsom Tourism. In the same spirit, he has participated in Folsom's *ad hoc* committee on parking in the historic district, and for nearly three years he has provided his own customers and patrons, free of charge, the Sutter Surer shuttle service. This service makes it possible for his patrons, and even those of other businesses on Sutter Street, to have more mobility options besides shank's mare. That is, the customers and patrons have a wider selection of on and off-street public parking options on or near Sutter Street, than would otherwise be available to them. A copy of the Applicant's poster on the shuttle service is attached hereto as Exhibit "1" and incorporated herein. This same mobility policy also underpins the lease of the Eagles parking lot. In a similar vein, he supports the demonstration program for

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permit parking in the neighborhoods, as well as the addition of sidewalks from Figueroa and Mormon Streets to Sutter Street via Scott, Riley, and Wool Streets. Those sidewalks will make it easier for residents to walk to Sutter Street businesses and reduce the need for parking in the historic district generally. Right now, if you live on Mormon Street near Scott Street and you want to have dinner at Wild's or Sutter Street Steakhouse, you are as likely to drive those two blocks from home to restaurant because there are no complete sidewalks serving that area and Scott Street as it approaches Sutter Street is very steep [about 19% grade] and is difficult for many people to navigate, especially at night. The Applicant is also working to configure his business model to take maximum advantage for his patrons of the services provided by the likes of Uber, Lyft, Uber Eats, Grub Hub, DoorDash, and other passenger and food delivery services by, among other things, proposing to permit food deliveries on the premises of the Barley Barn Tap House for its customers whilst they drink the beverages provided by the tap house.

D. The Parking Variance Issue:

What parking obligation the Applicant's tap house project requires is governed by the FMC. While an officer for HFRA raises the "parking variance" issue as a basis for complaint in his written comments, he does not point to any provision of the Folsom Municipal Code ["FMC"] nor any condition of approval previously adopted by the City of Folsom which requires the Applicant to provide parking for what is essentially a remodel of an existing building without expansion of the footprint. The HFRA official overlooks these facts. Moreover, HFRA's assertion that more residential areas will be impacted by parking on public streets because of this project does not square with the city's recent adoption of a demonstration project to employ a permit system to limit parking in nearby residential areas. A program, by the way, that was advocated for by HFRA and fully supported at city council meeting by this counsel on behalf of the Applicant.

E. Parking Lot Lease on the Eagles Lot:

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The Lease on the Eagles Lot was acquired by the Applicant to give the patrons of his new tap house a close in alternative to the public parking adjacent to the barn and the shuttle service he has been providing for nearly three years. The Lease is a legally binding document for which the Applicant has been paying rent to the Eagles since September 2021. This lease was not acquired to meet some mythical city requirement but to expand parking availability and options for future patrons of the tap house. This lease will make a modest expansion to the historic district's inventory of parking spaces for commercial activity in and around Sutter Street. Any incremental increase in parking options by the private sector in the historic district is worthy of laudations.

F. HFRA's "Parking Density" Issue:

In his letter, HFRA's official claims that the Applicant is taking a lightly used business site and loading it up with a density of parking and thereby negatively impacting the parking resources of the historic District. First off, his description of prior uses of the barn is incorrect. As stated in section "A" above, for over 20 years the owner of the barn [immediately prior to the Applicant] used the barn for many things beyond a garden variety retail store as HFRA would have it. Namely, it was a site for the manufacture of pottery, including regular raku firing events for the general public to attend, quarterly day or weekend long sidewalk fairs for the general public, and an occasional dinner and live entertainment venue. Those realities don't square with HFRA's fictional version of past uses. Moreover, the Sutter Street area is vastly different today from 1990 when those broad expansive uses were regularly undertaken by the previous owners. Specifically, there was no Lake Natoma Crossing Bridge, there was no light rail service to Sutter Street, there was no multi-story public parking garage at the foot of Sutter Street, there was no public parking on the Lid behind the light rail station, because there was no Lid, there was no public parking across Leidesdorff Street from the Lid, there was no public parking on the southerly side of Leidesdorff Street between Wool Street and Riley Street,

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and lastly, there was no Uber and Lyft to deliver patrons and customers to the businesses on Sutter Street. In sum, there are many, many different mobility paths to the Applicant's property besides parking in front of someone's house upon a public street where parking is not restricted and then navigating a near 19% grade while walking to the venue. Indeed, it seems any or all of those are likely preferred to parking in front of a house in HFRA's residential neighborhood.

The point of this digression into recent history is this: HFRA's straight line projection on the assumption that the Applicants patrons and customers will travel by their own privately owned vehicle to his establishment at the rate of three person per car and that the same standard holds true for the restaurants located near the proposed Barley Barn Tap House. As suggested above, this assumption is not likely to be verified by empirical data, and it has not been. Likewise, the HFRA official has taken no account of the above-described mobility options as well as the parking options available to patrons and customers of all businesses along Sutter Street.

Bottom line, HFRA's analysis is not supported by the FMC, nor by persuasive evidence. For the HDC to follow HFRA's line would be arbitrary, capricious, and clearly illegal.

G. Hours of Operation:

HFRA contends that so called "HD norms" require that the Applicant's hours of operation be limited to 12am on Friday and Saturday nights. However, the FMC does not so provide. To the contrary, for example, the City of Folsom has specifically authorized many other establishments to stay open to 2am. That is, to stay open past 12:30am on Friday and Saturday night [that is, early Saturday and Sunday mornings].

H. Response to HRA's "Subjectivity" Claim:

HFRA admits that its claim that this project creates "imbalances" to Sutter Street is subjective. It is also

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incorrect. Frankly, only the marketplace will tell us of the imbalances alluded to by HFRA's official. For example, the Applicant has operated successfully on this same block of Sutter Street for over 20 years. Based thereon, he is confident that this project will be responded to favorably in the marketplace. There are no tap houses in the 600 block of Sutter Street. Applicant's counsel believes the marketplace not HFRA will decide the balance.

I. Comments on Issues Raised by HPL's Memo:

- a. Patio: HPL states that the Applicant is installing an outdoor patio. Actually, the previous owner used an old, concrete loading dock on the southerly side of the barn as a patio area for a period of about 20 years. That is the patio area that the Applicant intends to refurbish.
- b. Materials, etc: HPL requests a materials and design board for the commissions' review. They have been submitted to the City for HDC's consideration.
- c. CEQA Review: For the reasons stated above, the categorical exemption applies. 14CCR15301.
- d. Fascia Boards: The Applicant submits that it is inappropriate for HPL to ask HDC to decide on interior features of the barn in this case the interior fascia boards.
- e. Glass: Inexplicably, HPL opposes letting light into the barn via glass doors and treatments. Applicant submits this claim by HPL is purely a subjective matter of taste, not a question of HDC standards, and should be rejected in favor of letting more natural light into the interior of the building.
- f. Signs & Outdoor Lighting: The west side of the building is the main entrance and frontage to the building. That is how it has been for 20+ years. HPL does not have the authority to arbitrarily change the Applicant's designation of the main entrance and main frontage to his building. Likewise, the Guidelines cited by HPL do not bestow that arbitrary power on HDC. Moreover, in point of fact, the north side of the barn does

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not "face a public right of way." It faces a parking lot. Those Guidelines do not equate parking lots with public streets, nor do they require Applicant's to orient the front of their buildings to existing parking lots. The front of Applicant's barn is oriented to serving pedestrians. It faces on a combined walk way/drive way. How HPL can choose to ignore the benefits implicit in such an orientation is not apparent.

- g. Parking: This issue is addressed in section "D" above.
- h. Conditional Use Permit: There will be no noise issues under the FMC from this use. Applicant is aware of the city's noise ordinance and will comply with it at all times. Nothing more needs be said.

J. Reply to Bob Delp's Comments:

- a. Delp's CEQA issues are addressed, above.
- b. Delp's recital of the horrors of living in Folsom are not evidentiary, but rhetorical and speculative, and not germane to this application.
- c. Delp's recital of the hours of operation on Sutter Street is incomplete and not consistent with past uses, as set out in Section "F" above.
- d. Delp's contentions re: transportation, parking and the CUP are addressed above.
- e. Delp's claim for "financial assurances" is a harassing sham and should be withdrawn by the protesting party on his own request.

K. Applicant is an Established Business Owner With a 20+ Year Track Record of Accomplishment for the Community of Folsom:

Every year Applicant pays over \$100,000 to the city's coffers by means of sales and real property taxes. As such these expenditures do, among other things, contribute to the maintenance of the high level of municipal services that HFRA members and all other residents of Folsom have

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come to expect. With HDC's approval of this project, the Applicant will of necessity expand that contribution.

L. Conclusion:

Mr. Delp admits there is a "business opportunity for a tap room focused on craft beers sales at the Project location." In sum, the Applicant believes this is the right project meeting even Mr. Delp's objectives.

Very truly yours,

RS/

Robert G. Holderness

RGH:ls

cc: Ms. Pam Johns, Community Development Director
Mr. Steve Banks, Senior Planner
HDC Commissioners

City of Folsom
Historic District Parking Map



LEGEND

- 3 hour time limit parking lot (Mon-Fri 5 a.m. to 5 p.m.)
- 24 hour unlimited parking lot for employees/visitors
- 8 hour time limit parking lot (Mon-Fri 5 a.m. to 5 p.m.)
- Park & Ride lots for light rail riders (public use after 5 p.m.)
- No on-street parking
- 3 hour time limit street parking (Mon-Fri 5 a.m. to 5 p.m.)
- 24 hour unlimited street parking
- 2-hour time limit parking lot (Mon-Fri 7 a.m. to 6 p.m.)
- Residential street parking (may be subject to special event parking restrictions)

Park in the GREEN - Always free
 Better yet use **UBER, LIFT, or DESIGNATED DRIVER**

614 Sutter St Folsom Ca 95630



email- powerhouseentco@aol.com
 website- powerhousepub.com

WELCOME SUTTER SURFER



**Have you jumped aboard the Sutter Surfer?
 What the front door is the Sutter Surfer?**

You will know it when you spot it scooting around the historic district helping visitor's, shoppers and employees get to and from our local business's, designated parking garages and parking lots. A small but fun assistance for folks wanting to reduce their walking distance can jump on, and the 6-seat shuttle will drop you off for **NO CHARGE** to wherever they're going in the district. The vehicle will be around on weekends and event days adding fun and flair to our district making a positive impact on our parking issues... So, catch a wave on the Sutter Surfer and get to where you're going a bit quicker and easier!

While visiting Powerhouse
 Please respect our residential neighborhood and use the public lots
 for parking

EXHIBIT 7

From: [Julie Rinaldi](#)
To: [Kelly Mullett](#)
Subject: Historic District Commission Meeting November 18, 2021: 309 Figueroa Street and Barley Barn Tap House
Date: Wednesday, November 17, 2021 2:06:49 PM

You don't often get email from giuliafr0411@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Mullett,

Please share my concerns with Historic District Commissioners regarding agenda items scheduled for the meeting on Thursday, November 18, 2021, as follows:

PN 21-239, 309 Figueroa Street Remodel and Determination that the Project is Exempt from CEQA

I was only recently made aware of the unpermitted and non-compliant remodeling activity at 309 Figueroa. I have lived just down the street in the 400 block of Figueroa for 22 years, but had no idea this was happening. I recently completed a lengthy, complicated, and expensive series of necessary repairs and upgrades to my historic 1865 residence, and was very careful to obtain all the permits required by the City, and to maintain and respect the history of my house and the Historic District neighborhood to the best of my ability. It really concerns me that the blatant disregard by the homeowner at 309, and lack of consequences that may be imposed by the City, will encourage others in the Historic District to be lax about conforming to preservation standards and respecting the heritage and character which make our community special. Please do not approve an exception to the FMC, which was put in place for good reason.

PN 19-174, Barley Barn Tap House Conditional Use Permit, Design Review, and Determination that the Project is Exempt from CEQA

I have owned my home at the corner of Figueroa and Bridge Streets for 22 years. In this time, I have become increasingly concerned about parking issues throughout the Historic District. Events and business activities in the 600 block of Sutter Street are especially impactful as our residential neighborhood frequently fills up with people from outside the area. Visitors often block my driveway on the Bridge Street side, and leave no street parking available for residents within a multiple block radius. I can testify, without the need for studies or statistics, that this is already a serious issue, and that the approval of the Barley Barn Tap House project without adequate parking and relying on the Eagles Lodge lot for overflow will greatly exacerbate the problems. Please consider the consequences of allowing this proposal to go forward.

Thank you,

Julie Rinaldi

Folsom, CA 95630

From: [david higgins](mailto:david.higgins)
To: johnfelts@e55tech.com; kcolepolicy@gmail.com; daronbr@pacbell.net; danwestmit@yahoo.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; ankhelvi@comcast.net; Kelly Mullett
Subject: Barley Barn Tap House.
Date: Monday, November 15, 2021 1:08:13 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My Name Is Dave Higgins. I live in the Historic District. I am opposed to the proposed Barley Barn Tap House for several reasons. First, is the inadequate parking situation. Second, that corner of Sutter St. is already "Bar heavy". Third, it's only going to add to the late night nonsense, ie, fighting/assaults, vandalism/crime, littering, and altered driving within the District.
Thank You for your Time.

Dave Higgins

Steven Banks

From: powerhousepub@aol.com
Sent: Wednesday, November 17, 2021 12:52 PM
To: Steven Banks
Subject: Fwd: Eagles lot

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: Sarah Woods <sarah@friendsoffolsom.com>
To: powerhousepub <powerhousepub@aol.com>
Sent: Tue, Nov 16, 2021 6:09 pm
Subject: Re: Eagles lot Folsom Eagles

Hey Murray!

Just wanted to shoot ya a quick email. Sorry that the lot was kinda full this past weekend. That was a one time deal where we actually triple booked a hall rental, our social room was open AND we had the car show on Sutter Street and all the volunteers parked in our lot for that... AND it was Turkey drive hell week/weekend (but we fed 10,000 families!!! Woo Hoo!!!) So it will hopefully NEVER be that busy again! (Until next November of course LOL 😊)

Let me know if you need anything else :) and sorry again for any inconvenience.

Sarah Y. Woods
Vice President
Friends Of Folsom
Cell: (916) 461-3160
www.FriendsOfFolsom.com
Like Us On Facebook:
<https://www.facebook.com/FriendsOfFolsom>
Follow Us On Instagram:
<https://www.instagram.com/friendsoff>

Steven Banks

From: Robert Holderness <RHolderness@holdernesslaw.com>
Sent: Thursday, November 18, 2021 12:30 PM
To: Steven Banks
Cc: Murray Weaver (powerhousepub@aol.com); Reggie; Pam Johns; Scott Johnson; Kelly Mullett; Sari Dierking; Daron Bracht; Kevin Duewel; Michael Reynolds; Bob Delp; Karen Holmes (karen@karensbakery.com)
Subject: Barley Barn Tap House (PN 19-174)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Steve: I have reviewed the staff report re: the above item on tonight's HDC agenda and submit the following comments:

1. In the interests of time, in addition to my client, his architect, and city staff, I have copied Commissioners Bracht and Duewel with this email because I've located their email addresses. I do not have email addresses for the remaining five commissioners, but hereby request that your support staff forward this email on to them as soon as practicable. Also, I have copied Mr. Reynolds, Mr. Delp, and Ms. Holmes because I understand them to be the chief opponents to this project and I want them to be informed.
2. I address the principle issues raised by your staff report as follows:
 - a. Environmental Review: As staff reports, Applicant is reducing his second story floor area [which was added to the barn around 1993] by 578 square feet. He is also changing its use from the former ceramic production area to storage. The main floor area will be less than 2,500 square feet and the second floor used only for storage. In addition he is fencing in a former loading dock area of about 480 square feet which is located on the south side of the barn in order to locate a patio there. Based on the nature and extent of the project, staff has determined that this project is categorically exempt from CEQA pursuant to 14 CCR Section 15303 [New Construction or Conversion of Small Structures]. While counsel for the Applicant opined that the categorical exemption for refurbishment [14 CCR Section 15301] applies, the writer sees no conflict between the two categorical exemption designations in this case. To be clear, the Applicant supports and adopts the city's analysis on the categorical exemption provided by Section 15303, above.
 - b. Architectural Review (Condition 29): It should be recalled that the barn was built at a time [1958] when Sutter Street was Highway 50. Our history museum has pictures of the street with its diagonal parking on display [including a picture of a 1958 Ford Fairlane 500] as it was in those days. It is apparent, when the Andersons built the barn in 1958 it was built as a store house or a warehouse, not an agricultural barn. It was not located on a farm or a ranch but in the middle of what was then a semi-rural small town. That would not be where you would keep farm animals, hay, etc. Mrs. Anderson owned a retail ceramics store in Orangevale; she stored about 5,000 ceramic molds, and the like, on the ground floor of the barn. There was no second floor until the Clouds purchased the barn and remodeled it in the 1990s to construct a second floor for their ceramic production. They were not required to add parking on site nor to obtain a parking variance in conjunction with their remodel. Recall, there was no historic district commission, and no "historic district" in 1958. Those came along 40 years later. There was no CEQA either. In fact Folsom's first general plan predated CEQA. It wasn't published until 1965. Efforts to implement Folsom's architectural guidelines has to be tempered with the reality of what the barn has always been and in what era it was built. Wide doors, suitable for a critter barn don't fit the history of this barn. That is someone else's history, someone else's barn, and at some other location.

- c. The Eagle's Lot Lease (Condition 28): While opponents continue to attack this lease, they ignore it for what it is, a voluntary, albeit modest, provision of additional parking for the Applicant's customers on an as available basis just like all of the public parking in Folsom's Historic District. By virtue of condition 28, the city will make it obligatory. The applicant accepts this condition as written by city staff.
- d. The Shuttle Service : There is a good reason why the opponents ignore the Applicant's shuttle service: it works. Between 20 and 50 people ride that shuttle every day that it operates [usually Friday night and Saturday]. That's 20 to 50 people who don't park in the neighborhood, don't park next to the barn, don't park in the Powerhouse Pub parking lot, won't be parking in the Eagle's Lot, etc.
- e. Parking: The opponents have yet to identify a provision of the FMC which imposes a new parking requirement in the case of a change in use of an existing building within the commercial district.
- f. The Delp Diatribe of 11/16/21: It is unfortunate that one opponent of the project resorts mainly to *argumentum ad hominem* [personal attacks on city staff] as his main point. Rather than respond in kind, it is better to ask, why? This writer thinks Delp's hyper emotional investment in attacking city staff and this project appears based upon the weakness of his underlying complaint. Bottom line is, he complains that outsiders drive public streets in his neighborhood in ways that violate the Vehicle Code and that they use public parking spaces on those public streets to park in front of his house and those of his neighbors. He forgets to mention that this has been going in one way or another since time immemorial. The problem with these issues is not that they are illegitimate but that he seeks the wrong remedy. The City's adoption of parking control programs in Delp's neighborhood is the solution. Not an attack on this project or the city staff who is assigned to it. This is a solution, by the way, that has had a 50+ year gestation period. Delp needs to look there, not here.
- g. Delp's CEQA & Parking Variance Arguments: Apparently Delp believes that any remodel of an existing building not only requires a full blown environmental impact report but a parking variance. So in the case of this building, Delp would have HDC and staff believe that when the Clouds purchased the barn in the 1990s and remodeled the interior of the barn, they would have had a new obligation to provide parking and when Mr. Weaver purchased it a few years ago and changed the use to retail only he would have had a new obligation to provide parking, and again now. While Delp points to the "parking variance" proviso of the FMC he does not point to a provision of the FMC that says in substance that this kind of small construction project on an existing site requires more parking. Moreover, his claim of "expanded use" is incorrect. The Clouds used the site for many different uses, the Applicant contemplates but one. That is not expanded uses. That is a changed use.

Very Truly Yours,
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November 18, 2021

City of Folsom Historic District Commission
50 Natoma Street
Folsom, CA 95630
via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am requesting that at your November 18, 2021, public hearing for the Barley Barn Tap House project (PN 19-174) (“Project”), the Historic District Commission (“HDC”) decline to approve the Project either by denying the Project or by declining to take an approval or denial action and instead direct staff to:

1. identify all relevant and necessarily entitlements, necessary for the Project and require a complete application(s) for all such entitlements,
2. prepare a clear and complete description of all aspects of the Project,
3. perform pedestrian safety analysis for the Project and seek input from the Traffic Safety Committee,
4. conduct environmental review of the Project in compliance with the California Environmental Quality Act (“CEQA”),
5. conduct a public workshop to receive input on the proposed Project and draft CEQA document,
6. prepare a revised staff report incorporating the above and provide a draft of the staff report and staff-recommended conditions of approval for public review and input,
7. finalize the staff report in consideration of public review and input on the draft,
8. provide proper hearing noticing, including posting of all parcels affected by the Project with public notices in compliance with the Folsom Municipal Code (“FMC”), and only then
9. return to the HDC for a public hearing on the Project.

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

I. REQUIRED NOTICING FOR THE NOVEMBER 18, 2021, HDC HEARING DID NOT COMPLY WITH THE FMC

On August 10, 2021, City staff made certain public noticing commitments on behalf of the Community Development Department. The FMC also has noticing requirements. The commitments and the FMC requirements were not fully complied with for the November 18, 2021, HDC hearing. As of November 17, 2021, no signs were posted at the Project site notifying of the November 18, 2021, HDC Public Hearing. The HDC should request City staff input regarding public hearing noticing and address any deficiencies prior to holding a public hearing.

II. THE PROJECT DESCRIPTION IS UNCLEAR AND INCOMPLETE

The staff report provides incomplete and inconsistent information about the Project making it impossible to understand the entirety of the Project. If the HDC were to approve "the Project" at its November 18, 2021, hearing, it would not be possible for the HDC to accurately understand the full extent of what you are approving.

The Applicant's project narrative (HDC packet pg. 126) states that the Project will include "an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged."

Yet, the staff report does not discuss the lift, where it would be located, what it would look like, how it would be operated and maintained, how it would be powered, how much noise it would generate, how much lighting it would require, or what its hours of use would be. Furthermore, there is no Powerhouse Pub Patio area, and a previous staff-level approval of a patio is no longer valid as no building permit for that patio was issued and the approval period has expired. (See Attachment A of this letter.) Identification of even the basic location, design, and operational elements of such a lift cannot be deferred and must be described and evaluated as a component of the Project prior to an HDC decision.

The staff report discusses that the Project would include the use of an existing offsite parking lot at the Eagles Lodge. However, no information is provided with regard to any entitlements, zoning restrictions/permissions, and engineered design that would be necessary for the expansions of use of that lot. Although the existing use may be grandfathered in, the substantial increase in the intensity of that use is not. The Eagles Lodge property owner should be required to obtain a Conditional Use Permit and the CUP process should require improvements such as paving, striping, lighting, pedestrian walkways, etc. Furthermore, the Eagles Lodge parking lot is accessed by City right-of-way, and would therefore require an encroachment permit and consideration of improvements to the City right-of-way. No information has been provided as to what those improvements might need to consist of. Additionally, the capacity of the Eagles lot is overstated by staff, both in potential number of spaces and in the days/times it is currently used by the Eagles and therefore not available to Barley Barn.

The Eagles Lodge parking capacity is noted in the staff report as 15 spaces, but is noted on the Applicant's drawings as at most 14 and even that is noted as "hypothetical" needing to be field verified. Furthermore, the proposed lease attached to the staff report allows the Eagles to not just continue using the lot but also to exclude Barley Barn use at the Eagles discretion. Staff is on record as having previously advised the HDC (at its August 4, 2021 meeting) that "The Eagles Lodge parking lot is infrequently used – there are events once a month or maybe once every two months when this parking lot is utilized to its full capacity." That is incorrect. The Eagles Lodge holds events or open hours multiple times each week during which their lot is often filled, likely beyond capacity (double parked vehicles in the City right-of-way, etc.).



Eagles Lodge Parking Availability – August 2, 2021

The Eagles lot parking scheme is dubious and, for reasons discussed below in this letter, potentially dangerous. At a minimum, this element of the Project should be eliminated unless and until it undergoes a meaningful evaluation and is subject to property approvals and conditions.

III. THE PROJECT DOES NOT QUALIFY FOR A CEQA CATEGORICAL EXEMPTION

Contrary to staff's recommendation in the staff report for the HDC's November 18, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act ("CEQA").

FMC 17.52.390, "Environmental review", states, "Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents."

The staff report for your November 18, 2021, meeting, claims one (as opposed to the two claimed in the August 4, 2021, staff report for the formerly proposed Folsom Prison Brews) CEQA categorical exemption class as the basis for staff's recommendation that the Project is exempt from CEQA– CEQA Guidelines section 15303, "New Construction or Conversion of Small Structures." The cited class is not applicable to the Project.

III.A The Project Does Not Qualify for a Class 3 CEQA Exemption

November 18, 2021

The staff report for the November 18, 2021, HDC selectively cites CEQA Guidelines Section 15303, but a more complete read of 15303 leads to a conclusion that the Project does not qualify for a Class 3 CEQA exemption. The staff report states as follows in attempting to apply the Class 3 exemption (staff report pg. 23; packet pg. 71) (note that this is a quotation from the staff report, not CEQA):

The New Construction or Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption.

In fact, what CEQA Guidelines Section 15303 states is (emphasis added):

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and **the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.** ... Examples of this exemption include, but are not limited to:

... (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, **and not exceeding 2500 square feet in floor area.** In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances **where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.**

There are several factors that exclude the Project from the Class 3 exemption; let's explore some of them.

1. "...the conversion of a **small structure...**". As cited above, the exemption considers a "small" structure as "not exceeding 2500 square feet in floor area." The staff report omits mention of the 2500 square feet criteria and instead attempts to apply the 10,000 square feet that is applicable only when there are multiple buildings under consideration. The Project does not consist of multiple buildings. It is one building that is 4,377 square feet (as cited in staff report), and clearly exceeds the criteria of a small structure as defined by CEQA. For this reason, the Project does not qualify for the Class 3 CEQA exemption.
2. "...where only **minor modifications** are made to the **existing structure...**". The Project proposes substantial modification to the existing structure. Additionally, the Project includes development of an outdoor courtyard, installation of fencing, installation of an accessible lift (details unknown as discussed in this letter), use of an off-site parking area that, although required improvements have not yet been identified, will undoubtedly require modification to be suitable for the proposed Project's use; and several public

facility infrastructure modifications (see item 3, below). For this reason, the Project does not qualify for the Class 3 CEQA exemption.

3. "...where all necessary **public services and facilities are available...**". The staff report provides no discussion of the public services and facilities requirements for the Project. First, the staff report does discuss that the Project site is unable to provide parking required for the Project – that is one facility that is not available. Second, the Project includes an accessible lift to accommodate public access, that is another public facility that is not currently available. Third, the Project requires a new sewer line and sewer and water connection, as those facilities are not available (Attachment B), Fourth, the Project requires, or could require (this is not fully disclosed), an electrical transformer tie in and a 10 ft by 10 ft concrete pad with additional area to accommodate a new transformer (Attachment B). Fifth, the Project requires the replacement of a rotting and tilted electrical pole to provide for safety of Project patrons (Attachment B). Sixth, the Project may also include or result in the undergrounding of a segment of electrical utility line (Attachment B). Each of these public facility infrastructure modifications associated with the Project individually exclude the Project from being exempt CEQA. For this reason, the Project does not qualify for the Class 3 CEQA categorical exemption.

III.B The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from *any* CEQA Categorical Exemption

As discussed above, the Project does not meet the criteria required for a CEQA categorical exemption. Furthermore, even if a categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects and cumulative impacts makes the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The staff report (pg. 24, HDC packet pg. 72) states:

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use.

First, the City has not evaluated potential environmental impacts of the Project. Thus, staff report's assertion that "the project will not result in any adverse impacts" is not supported in the record, nor is it factual. In fact, as discussed below, in several instances the staff report

acknowledged that impact will occur and simply downplays them and asserts that conditions of approval will minimize them but with no meaningful evaluation. As discussed herein, the Project would have the potential to result in significant impacts, therefore, it would also have the potential to result in cumulative impacts meaning that even if the Project were eligible for a categorical exemption (which, as discussed above, it is not), the cumulative impact exception to any such exemption would preclude the exemption's applicability to the Project.

The staff report (pg. 24, HDC packet pg. 72) states:

When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

The referenced "hours of operations" chart lists seven businesses within the 600 block of Sutter Street that each have bars that serve alcohol. The Project would be eighth. Although there are other businesses and other areas (not just alcohol serving and not just on the 600 block, but we can concede to the City's approach and focus on those for the purposes of discussion here).

On August 4, 2021, Assistant City Attorney Sari Dierking explained to the Historic District Commission during a hearing regarding the formerly proposed Folsom Prison Brews project (with the exception of building design, essentially the same as the currently proposed Project). Ms. Dierking advised the HDC in layman's terms that considering cumulative impacts for a CEQA exemption the issue is to determine whether there are, "*so many projects just like this one happening so that this one's sort of the straw that broke the camel's back; we can't keep doing this over and over again without making a huge impact on the environment.*" The Project would be at least the eighth alcohol serving business on the 600 block of Sutter Street. Just how strong is the camel's back?

The Project would exacerbate existing parking deficiencies associated with the existing businesses in this area of the Historic District. The Project would increase vehicle travel to and through the area in the commercial district as well as adjacent neighborhoods that lack sidewalks and experience substantial aggressive drivers cutting through the neighborhoods, and the Project would therefore exacerbate existing pedestrian safety issues. The Project would increase vehicle noise and increase outdoor noise, in an unquantified manner, that would contribute to and exacerbate existing noise that frequently already reaches adjacent neighborhoods into late hours of the night and early morning. The Project would substantially increase the use of the existing Eagles Lodge parking lot, increasing the noise, light, dust, vehicles crossing the pedestrian walkway as compared to the existing use, exacerbating these cumulative effects. For these reasons, the Project would result in cumulative impacts that must be evaluated under CEQA.

Furthermore, the staff report's approach of considering only existing bars and only those on the 600 block fails to consider other existing businesses within the 600 block, bars and other businesses within other areas of the Historic District Sutter Street Subarea, and other reasonably foreseeable projects such as the proposed 603 Sutter Street project which is a current active application with the City and would increase traffic, noise, light, etc., and would further exacerbate existing parking deficiencies and related impacts in the neighboring residential area including pedestrian safety risk.

The staff report (pg. 24, HDC packet pg. 72) states:

The proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area.

This description fails to acknowledge that the building would be substantially modified, the “re-use of the courtyard” would involve installation of fencing, tables, and other modifications, and fails to mention and consider other components of the Project such as the accessible lift, new sewer lines, electrical transformer, and substantial increase in use of an offsite currently gravel surfaced parking lot that will undoubtedly require improvements for safety and security (the staff report provides no discussion of offsite parking lot *improvements*, however, the existing lot does not meet City parking standards and will require improvements if it is to be used by the Project). Thus, the Project would not be limited to the mere remodeling of a building and use of outdoor patio and impacts associated with the entire Project have not been fully considered by the City for their potential contribution to cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

In terms of parking, the proposed project is not required to provide any onsite parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns.

Established City practice of not requiring onsite parking is inconsistent with the Folsom Municipal Code. More relevant here, however, is that it is that very practice that has created and, if perpetuated, will continue to exacerbate the existing parking deficiencies and public safety issues associated with neighborhood parking in the Project area. Furthermore, evidence in the staff report suggests that there are, at most, 14 hypothetical parking spaces at the proposed offsite location. Furthermore, the proposed offsite parking lot would only be available for Project use when it is not in use by its owner and that owner would retain the right to exclude Project use of the lot any time for any reason. Thus, the offsite parking lot component of the Project has limited value in providing parking.

Additionally, the offsite parking lot, when it is available for use, would create a situation that attracts vehicles to an already often congested segment of Scott Street and would create the potential for substantially increasing pedestrian risk conditions along Scott Street. Additional vehicles on Scott Street and additional pedestrians attempting to cross Scott Street between the lot and the Project would exacerbate pedestrian risk resulting in a significant Project impact and a substantial contribution to the existing cumulative risk. Thus, the Project would result in significant cumulative effects associated with public safety.

The staff report (pg. 24, HDC packet pg. 72) states:

In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

The City has performed no meaningful impact analysis associated with potential noise and light impacts. Yet, the staff report acknowledges the need to apply conditions of approval to address such impacts, implicitly acknowledging that the Project would have the potential to result in noise and light impacts and, thus, proposes mitigation-like conditions attempting to address those impacts. Although the staff report discusses that these mitigations/conditions would minimize any potential effects, there is no analysis of what the pre-mitigated impacts would be, no analysis of the actual efficacy of the proposed mitigation, and no analysis of what the residual impacts would be. Even if the staff report is correct that conditions of approval would “minimize” the cumulative impacts associated with these minimized impacts is still not evaluated. In fact, the Project will have the potential to result in significant noise and light impacts and would have the potential to result in cumulative noise and light impacts. Furthermore, the City has made no

attempt to evaluate noise and lighting impacts associated with the proposed use of the offsite parking lot, which would also contribute to the Project's project-specific and cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

This barren attempt at blanket coverage of "any other potential impacts cause by the proposed use" is insufficient evidence of anything, except perhaps the City's acknowledgement that there are "other potential impacts [that will be] caused by the proposed use." I agree.

The City's decisions to attempt a CEQA exemption for the Project has resulted in the City's failure to perform environmental impact evaluation of the Project. Therefore, the City has thus far failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project.

Potential impacts and substantial evidence of a fair argument that the Project may have one or more significant effects discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project's modification of the existing structure. Other Project components having the potential to significantly alter the visual character of the Project area – including the development of an accessible lift, an outdoor patio that apparently would be somehow joined with a speculative outdoor patio at an adjacent property, modifications and signage that would be needed to facilitate use of the Eagles Parking lot, have not been fully described. These components must be clearly described and evaluated in compliance with CEQA.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties. Air quality impacts of the Project must be evaluated in compliance with CEQA.

Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Project. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation requirements to avoid significant impacts to special-status species must be evaluated and documented in a CEQA document.

Land Use/Planning. The proposed leasing of the Eagles Lodge parking lot for use by another party must be assessed in terms of applicable General Plan policies and zoning requirements.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. Staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

On August 4, 2021, during a presentation to the HDC regarding the then-proposed Folsom Prison Brews project, staff planner Steve Banks stated to the HDC, "noise and noise-related issues were evaluated at great length by City staff." Subsequent to that HDC meeting, the Community Development Direct advised that the Department does not have in-house capabilities to perform noise evaluations. The staff report for the November 18, 2021, HDC hearing states that "staff evaluated potential noise impacts associated with the proposed project," yet staff does not have the capability to perform noise evaluations. The staff report discusses hours of operation for the proposed tap house and discusses existing hours of operation for other businesses in the area, but the staff report neither cites a noise study nor presents any information resembling a noise impact evaluation.

Basic and fundamental information essential for a noise impact evaluation, such as existing and predicted with-project noise levels, is not provided in the staff report nor any supporting documentation. There is no discussion in the staff report "Noise Impacts"

section (packet pgs. 57-59) of the predicted noise levels associated with the proposed tap house, nor is there any discussion of noise impacts associated with the Project's use of the Eagle Lodge parking lot. There is no discussion of anticipated vehicle trips and associated traffic noise levels that would result from the project. The distances to nearest residences cited in the staff report fail to acknowledge residential uses at 605 and 607 Sutter Street (both of which are within less than 100 feet of the project site and within 200 feet of the proposed outdoor patio) or residential uses in proximity to the Eagles Lodge parking lot component of the project. The staff report fails to discuss other noise-sensitive land uses, such as the existing outdoor dining areas at nearby restaurants.

Also, even though the staff report seemingly attempts to base the "evaluation" on hours of operation, there is no discussion of the City General Plan daytime and nighttime exterior standards or time periods for which those standards are based, which then fails to disclose the fact that the project's proposed hours of operations on Thursday, Friday, and Saturday extend into the nighttime period during which the General Plan standards recognize increased noise sensitivity. Instead, the staff report incorrectly suggests that the Project would not result in noise impacts because other bars and restaurants are also open late into the evening.

The Project would have the potential to result in significant noise impacts associated with construction activities, the proposed tap house use, the proposed use of the Eagles Lodge parking area, the proposed lift operation, and the increased vehicle trips and resulting traffic noise. A noise impact evaluation must be prepared and potential impacts and mitigation identified in compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit, the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

Furthermore, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The discussion of pedestrian access in the staff report fails to even acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed.

For any one of the reasons discussed above, the Project does not qualify for a CEQA categorical exemption. Furthermore, even if it did, three exceptions to that exemption would preclude the use of a categorical exemption. Therefore, the City must prepare and circulate a CEQA environmental document for public review prior to proceeding with a Project decision.

IV. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, "The findings of the planning commission [in this case, the HDC] shall be that the establishment, maintenance or operation of the use or building applied for will or 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 city."

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business (the discussion does not consider pedestrian movement between the Eagles lot and Barley Barn site) and provides no indication that staff considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Furthermore, and as discussed above, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The direct path between the Barley Barn site and the Eagles lot is mid-block on Scott Street (between Sutter and Riley streets) and pedestrians would likely seek to cross there where no crosswalk is available. The discussion of pedestrian access in the staff report fails to even

acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed. The City's Traffic Safety Committee has not been given an opportunity to meet and discuss the Project and made recommendations to City decision-makers.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

V. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

The staff report does not provide information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they are not provided. For a meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit.

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking that would be available during all days and times of Project operation. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing ensured parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by the Project.

The Project's parking requirements must be determined and the Project should not be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process at which a City decision making body is able to consider whether the Project meets the findings required for such variance.

VI. CONCLUSION

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and

November 18, 2021

staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

Please require that a more complete description of the Project be developed which comprehensively identify all required entitlements, conduct the necessary safety and environmental analysis, and invite the community to engage in discussion of the Project's potential benefits and challenges before making an approval decision.

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
bdelp@live.com

Attachments:

- A. Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219) Approval is Null and Void
- B. Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

November 18, 2021

Attachment A

**Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219)
Approval is Null and Void**

Re: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void

Bob Delp <bdelp@live.com>

Thu 9/30/2021 7:16 AM

To: Pam Johns <pjohns@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>

Pam:

Per my message below, can you please confirm that the City's records have been adjusted to reflect the expiration of the 2018 staff-level approval for hardscape/landscape work at 614 Sutter Street and that any future similar proposal would be presented for review and approval by the HDC through a public hearing process?

Thank you,

-Bob Delp

Bob Delp

916-812-8122

bdelp@live.com

From: Bob Delp

Sent: Sunday, September 12, 2021 9:20 AM

To: Pam Johns <pjohns@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>

Subject: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void

Ms. Johns:

At the August 4, 2021, Historic District Commission (HDC) meeting during a presentation regarding the proposed Folsom Prison Brews project, Steve Banks advised the HDC that the Folsom Prison Brews applicant had received separate staff-level approval of hardscape and landscape improvements on the adjacent Powerhouse Pub property (614 Sutter Street). As discussed below, records indicate that this approval is null and void and I am requesting that the record be adjusted accordingly.

In materials I received as a result of a public records request for entitlements associated with properties including 614 Sutter Street, I have reviewed a September 11, 2018, staff letter approving PN 18-219 Site Design Review of a proposed excavated landscaped patio at 614 Sutter Street. FMC 17.52.350 states that, "an approval by the historic district commission shall be null and void unless the applicant submits a complete application for a building permit within one year from the date of approval" and allows that the HDC may grant a 1-year extension of an approval if specific actions are taken by the applicant, including a written request for such extension at least 60 days prior to the initial expiration. Staff-level approvals (which are to be limited to *design* decisions only) are allowed by delegation of HDC's authority and are therefore subject to the same requirements and expiration terms of an approval granted by the HDC.

I see no evidence in the records provided that a building permit application has been submitted for the patio improvements. Without such an application having been submitted prior to September 11, 2019, the 2018 approval is null and void. The record for PN 18-219 should be adjusted to reflect that expiration.

In addition to acknowledging that the approval is null and void, I am requesting that any future proposal for a development in the Historic District that would consume 1 or more existing parking spaces and/or in any manner expand any commercial use (the patio would have done both) be publicly noticed and brought to the HDC for consideration and not be permitted by staff-level review. In fact, since the matter of the patio was not merely a "design" issue and also involved grading, expansion of use, and elimination of existing parking, a staff-level approval was in conflict with FMC Section 17.52.395(B) which limits HDC delegation of its authority to staff to matters of design only (delegation is allowed only if "approval of the design of the project is the only matter within the jurisdiction of the historic district commission").

Nor in the record for PN 18-219 did I see any evidence that staff presented the approval to the HDC as required by the FMC. Perhaps this occurred and was not included in the records I received, however, please be reminded that FMC Section 17.52.395(E) requires that "the planning, inspections and permitting department shall review the design of all approved projects with the historic district commission at its regular monthly meeting. Such review will allow the commission to provide input to the department concerning the appropriateness of the approvals and help the commission and the department develop a consistent approach to design review."

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

November 18, 2021

Attachment B

Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

From: [Steven Banks](#)
To: [Reggie Konet](#)
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08
Date: Wednesday, October 14, 2020 2:00:00 PM
Attachments: [North of 50 Development Impact and Permit Fees for \(2020.07.01\).pdf](#)
[Impact Fee Estimate Data Sheet.pdf](#)

FYI

From: Daniel Wolfe <dwolfe@folsom.ca.us>
Sent: Wednesday, October 14, 2020 2:00 PM
To: Steven Banks <sbanks@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: RE: Folsom Prison Brews Update and Questions_2020-10-08

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Wednesday, October 14, 2020 1:33 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi guys,

Would you be able to help answer some of the utility questions below associated with the Folsom Prison Brews project?

Thanks,

Steve

From: Steven Banks
Sent: Thursday, October 8, 2020 12:46 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi Dan,

The applicant for the Folsom Prison Brews project was forwarded me with a list of questions, some of which I may need your assistance with (see below No. 1, No. 2, and No. 3).

Thanks,

Steve

From: Reggie Konet <konetarchitecture@gmail.com>
Sent: Thursday, October 8, 2020 10:44 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Murray Weaver <powerhousepub@aol.com>

Subject: Folsom Prison Brews Update and Questions_2020-10-08

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Folsom Prison Brews
PN18-174

Good morning Steve,

I hope this email finds you well.

Murray and I met with my MEP engineers yesterday at the site. The SMUD agent did not show up and never responded to my invites.

But we did have a productive meeting and I'd like to ask you the following questions.

1. For our new waste line, we may tie into the existing connection at the WEST side of the building, or we may tie into the waste line downhill from the building to the NORTH. If so, what is the sewer connection fee for a new connection?

Each Parcel shall have it's own water and sewer connection. If the parcel has an existing connection it may use it. It may not tie into a service on a different parcel. Same goes for water. A fee schedule is attached. I can give you an estimate if you fill out the data sheet and send it back to me.

2. For our new electric, we will need to tie into a transformer. There is an existing one at the EAST edge of parking lot. Do you feel that SMUD will allow us to do so? If we have to provide our own new transformer, it needs to be located on a 10' x 10' conc pad with the additional clear floor area. This would drastically reduce Murray's outdoor patio area.

That is between you and SMUD. The city does not get involved unless we are inspecting new service improvements for code compliance.

3. CITY UTILITIES PLAN. Do you have access to the underground utility location map? Location, size of pipes, easements, etc.

We get you the utility maps that we have on file. Please be aware that they are not always 100% accurate.

4. Remind me again on the time schedule for the HDC review? How far are they backed up?

5. Last but not least, the elec pole that is on the northwest edge between this property and the Powerhouse Pub is rotting and tilted. I realize that SMUD comment 1 states that if it needs to be moved for the project, the cost is on Murray. BUT, we do not need to move it for this project. ALTHOUGH, we are very concerned about

the safety of Murray's properties due to the condition of this pole. Also, it is the last above grade pole. The continuation of the lines are buried at that point moving east. So we thought it may behoove the Historic District to request SMUD to bury the lines at this point going west to the next pole. It would eliminate our concern of safety and it would benefit the aesthetic of the Historic District entry point. Many folks park in that lot and walk up the stairs toward Sutter Street. This particular pole is visually detrimental. Is there something we could do to request action on SMUD's part to perform this work?
PLEASE SEE MURRAY'S LETTER attached.

Thank you so much, Steve. I realize how busy you are and I greatly appreciate your assistance.

REGGIE KONET, AIA

CA LIC #33835
NY LIC #031827

KONET ARCHITECTURE

c 916.835.4222

www.houzz.com/pro/reggiekonet/

**255 American River Canyon Drive
Folsom, CA 95630**

Attachment 6

**Off-Site Parking Lease Agreement
Dated October 15, 2021**

EAGLES #929 PARKING LOT LEASE

Landlord: Eagles Lodge #929, Fraternal Order of Eagles

Tenant: Murray Weaver

Property: Parking Lot located at 215 Scott Street, Folsom, California

- A. Eagles Lodge #929 is the owner of that certain real property, which is located at 215 Scott Street, Folsom, California. This real property consists of a lodge or clubhouse, landscaping, and approximately 15 parking spaces. The parking lot is mainly graveled, not paved.
- B. Murray Weaver is the owner of a building which is located at 608 ½ Sutter Street, Folsom, California. Mr. Weaver desires to locate a business to be known as the Barley Barn Tap House in that building.
- C. The real property at 608 ½ Sutter Street abuts a public parking lot which is currently accessible by the customers and patrons of businesses located in the building on that property. Mr. Weaver wants to provide additional parking for patrons of his 608 ½ Sutter Street establishment at the Eagles' parking lot, and the Eagles are willing to lease their parking lot to Mr. Weaver for that purpose upon the terms and conditions herein stated.

In consideration of these facts and circumstances, Eagles Lodge #929 and Murray Weaver agree to the following:

1. Tenant will pay the sum of \$500, on the first of each month, beginning September 1, 2021, to Landlord, as rent for the use of the Parking Lot owned by Landlord. This lease shall continue for a term of 20 years, unless sooner terminated by the parties in accordance with the terms of this lease. As additional rent, Tenant will provide Landlord with a minimum of four (4) free admittances per month to any event held by Powerhouse Entertainment.
2. During the term of this lease, Landlord retains use of this parking lot for the convenience of its members and guests, in a manner consistent with the Tenant's rights under this Lease.
3. In the event of a request from Landlord, Tenant shall provide a parking lot attendant on Friday and Saturday evenings from 5pm until 10pm. This obligation to provide an attendant shall commence upon the opening of the Barley Barn Tap House at 608 ½ Sutter Street. Tenant will post, at Tenant's sole risk and expense a sign that states: "Parking Exclusively for Members of Eagles #929 and customers of Barley Barn Tap House. All others will be towed at Owner's expense. CVC, Section 22658(A)."
4. Tenant or his designee will maintain general liability insurance coverage for not less than one million dollars with Eagles #929 named as an additional

insured. Tenant hereby agrees to hold Landlord and its property harmless from and against all claims, suits, or the like which may be brought against it by reason of Tenant's leasehold or its actions upon Landlord's subject property.

5. Landlord and Tenant agree that the parking lot is being rented on an "as is" basis and that Landlord disclaims any and all warranties, express or implied.
6. This lease may be terminated by either party upon the giving of one year's written notice of termination to the other party. Landlord may terminate this lease, in the event of non-payment of rent for a continuous period of 45 days from and after the due date, upon 30 days written notice of said non-payment of rent and election to terminate by Landlord to Tenant.
7. This agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous agreements or understandings between the Landlord and the Tenant.
8. Any and all notices and communications required under this agreement shall be given to each of the parties as follows:

Landlord:

Sarah Woods
c/o Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

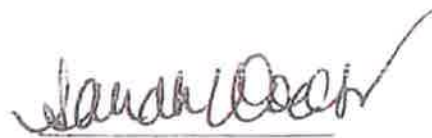
Tenant:

Murray Weaver
608 ½ Sutter Street
Folsom, CA. 95630

Dated: October 15, 2021



Murray Weaver, Tenant
Barley Barn Tap House
608 ½ Sutter Street
Folsom, CA. 95630



Sarah Woods, Landlord
Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Attachment 7

**Minutes from November 18, 2021
Historic District Commission Meeting**



CITY OF
FOLSOM
CALIFORNIA

SPECIAL MEETING
HISTORIC DISTRICT COMMISSION MINUTES
November 18, 2021
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Kathleen Cole, Mickey Ankhelyi, Kevin Duewel, Mark Dascallos, John Felts, Daniel West, Daron Bracht

ABSENT: None

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: 1. Bob Delp addressed the Historic District Commission concerned about public hearing noticing requirements.

MINUTES: The minutes of the November 3, 2021 meeting were approved as submitted.

NEW BUSINESS

1. PN 21-273, 811 Sutter Street Sign Permit and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from United Sign Systems for approval of a Sign Permit application for a wall sign and under-canopy sign for Maribou Salon located at 811 Sutter Street. The zoning classification for the site is SUT/HD, while the General Plan land-use designation is HF. The project is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: United Sign Systems)

1. Bob Delp addressed the Historic District Commission with comments regarding the size and position of the proposed sign.
2. Cindy Pharis addressed the Historic District Commission with comments regarding the proposed sign brackets and building color change.

COMMISSIONER COLE MOVED TO CONTINUE ITEM NO. 1 TO THE NEXT HISTORIC DISTRICT COMMISSION MEETING ON DECEMBER 1ST.

COMMISSIONER BRACHT SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: COLE, ANKHELYI, DUEWEL, WEST BRACHT
NOES: FELTS
RECUSED: DASCALLOS
ABSENT: NONE

2. PN 21-239, 309 Figueroa Street Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Belwood Investments for approval of a Residential Design Review application for a remodel of an existing single-family residence located at 309 Figueroa Street. The zoning classification for the site is R-1-M/FIG, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Belwood Investments)

1. Bob Delp addressed the Historic District Commission with comments regarding historical evaluation of the property and the garage conversion.
2. Laura Fisher addressed the Historic District Commission with comments regarding wood windows, easements, and why work had been started without a permit.
3. Loretta Hettinger addressed the Historic District Commission with comments regarding updating the cultural resource inventory list.
4. Margaret Weaver addressed the Historic District Commission with comments regarding the driveway and making a cooperative agreement with neighbors in the alley.

COMMISSIONER BRACHT MOVED TO CONTINUE ITEM NO. 2 OFF CALENDAR TO ADDRESS COMMISSION CONCERNS.

COMMISSIONER FELTS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ANKHELYI, DASCALLOS, FELTS, WEST, BRACHT
NOES: NONE
RECUSED: COLE, DUEWEL
ABSENT: NONE

PUBLIC HEARING

3. PN 19-174, Barley Barn Tap House Conditional Use Permit, Design Review, and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Regina Konet for approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The General Plan land use designation for the project site is HF and the zoning designation for the project site is HD. The project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Regina Konet)

1. Cindy Pharis addressed the Historic District Commission with comments regarding a parking variance and use of the property.
2. Joe Gagliardi addressed the Historic District Commission with comments regarding economic impacts.
3. Carrie Lane addressed the Historic District Commission with comments regarding the business district's balance and parking.
4. John Lane addressed the Historic District Commission with comments regarding parking.
5. Bonnie Darran addressed the Historic District Commission with comments regarding a parking variance.
6. Glenn Fait addressed the Historic District Commission with comments regarding public noticing and support of the project.
7. Beth Kelly addressed the Historic District Commission with comments regarding CEQA exemptions and possible impacts.
8. Loretta Hettinger addressed the Historic District Commission with comments regarding conditional use permit issues and parking.
9. Ben Fuentes addressed the Historic District Commission with comments regarding traffic and parking.
10. John Shaw addressed the Historic District Commission with comments regarding the parking lease with the Eagles and noise.

11. Jerry Bernau addressed the Historic District Commission with comments regarding parking studies.
12. Karen Holmes addressed the Historic District Commission with comments regarding parking and changes that are needed to the district.
13. Gary Richard addressed the Historic District Commission with comments regarding parking.
14. Mike Reynolds addressed the Historic District Commission with comments regarding parking.

COMMISSIONER DUEWEL MOVED TO APPROVE A CONDITIONAL USE PERMIT AND DESIGN REVIEW (PN 19-174) FOR BARLEY BARN TAP HOUSE, WHICH INCLUDES DEVELOPMENT AND OPERATION OF A CRAFT BEER ESTABLISHMENT WITHIN AN EXISTING 4,377-SQUARE-FOOT BUILDING LOCATED AT 608 ½ SUTTER STREET SUBJECT TO THE FINDINGS (FINDINGS A-I) AND CONDITIONS OF APPROVAL ATTACHED TO THIS REPORT (CONDITIONS 1-30).

COMMISSIONER BRACHT MADE A FRIENDLY AMENDMENT TO STRIKE DESIGN REVIEW FROM THE ORIGINAL MOTION.

COMMISSIONER DUEWEL ACCEPTED THE FRIENDLY AMENDMENT.

COMMISSIONER ANKHELYI SECONDED THE MOTION.

COMMISSIONER BRACHT MADE A FRIENDLY AMENDMENT TO ADD LANGUAGE THAT "the applicant shall make a good faith effort to improve the Eagles Lodge parking lot including paving and striping to the satisfaction of the Community Development Department with the voluntary agreement of the Eagles Lodge".

COMMISSIONER DUEWEL ACCEPTED THE FRIENDLY AMENDMENT.

COMMISSIONER ANKHELYI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ANKHELYI, DUEWEL, WEST, BRACHT
NOES: COLE
RECUSED: DASCALLOS, FELTS
ABSENT: NONE

THE CONDITIONAL USE PERMIT FOR THE PROJECT WAS APPROVED.

COMMISSIONER COLE MOVED TO APPROVE THE DESIGN REVIEW (PN 19-174) FOR BARLEY BARN TAP HOUSE, WHICH INCLUDES DEVELOPMENT AND OPERATION OF A CRAFT BEER ESTABLISHMENT WITHIN AN EXISTING 4,377-SQUARE-FOOT BUILDING LOCATED AT 608 ½ SUTTER STREET SUBJECT TO THE FINDINGS (FINDINGS A-I) AND CONDITIONS OF APPROVAL ATTACHED TO THIS REPORT (CONDITIONS 1-30).

COMMISSIONER ANKHELYI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

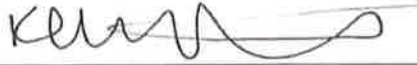
AYES: COLE, ANKHELYI, DUEWEL, WEST, BRACHT
NOES: NONE
RECUSED: DASCALLOS, FELTS
ABSENT: NONE

THE DESIGN REVIEW FOR THE PROJECT WAS APPROVED.

PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is tentatively scheduled for December 1st.

RESPECTFULLY SUBMITTED,



Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:



Daron Bracht, CHAIR

Attachment 8

**Historic District Parking Implementation Plan Updates
Dated December 9, 2008, January 17, 2014, and
October 18, 2018**

***Historic District
Parking Implementation Plan Update***

January 16, 2009

Prepared for:

City of Folsom, California

Prepared by:

 **Kimley-Horn
and Associates, Inc.**
1430 Blue Oaks Boulevard, Suite 120
Roseville, California 95747

Phone: (916) 797-3811
Fax: (916) 797-3804

EXECUTIVE SUMMARY

The City of Folsom desires to develop a thorough understanding of the dynamics of development and parking in its Historic District, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. In addition, the City recently prepared the *Parking Management 5-Year Plan* which updates parking conditions and near-term parking management strategies.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, and assesses special events and parking interaction with other concurrent District studies.

Existing Parking Supply and Demand

Based on the data collection and analysis of existing supply and peak demand, there is sufficient parking within the study area to accommodate current typical weekday and weekend peak demands, particularly since the Rail Block parking structure was completed. While some zones experience relatively high demands, overall, there is ample available parking within the entire District. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street.

Future Parking Supply and Demand

A single future development scenario was developed which is constrained by the amount of future parking supply that can be achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporates ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity¹, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects, as well as the proposed retail on the ground floor of Trader Lane parking structure. The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time. This information is provided in Figure ES-1.

As demonstrated in Figure ES-1, the City should begin construction of a Trader Lane parking structure in July 2011, at which point the District-wide parking occupancy is anticipated to be approximately 80 percent. An assumed 12-month construction timeline will allow the parking structure to be completed, and operational ahead of the completion of the final phase of the Historic Folsom Station project in July 2012.

¹ The practical capacity for parking is defined at 85-90 percent utilization of parking spaces.

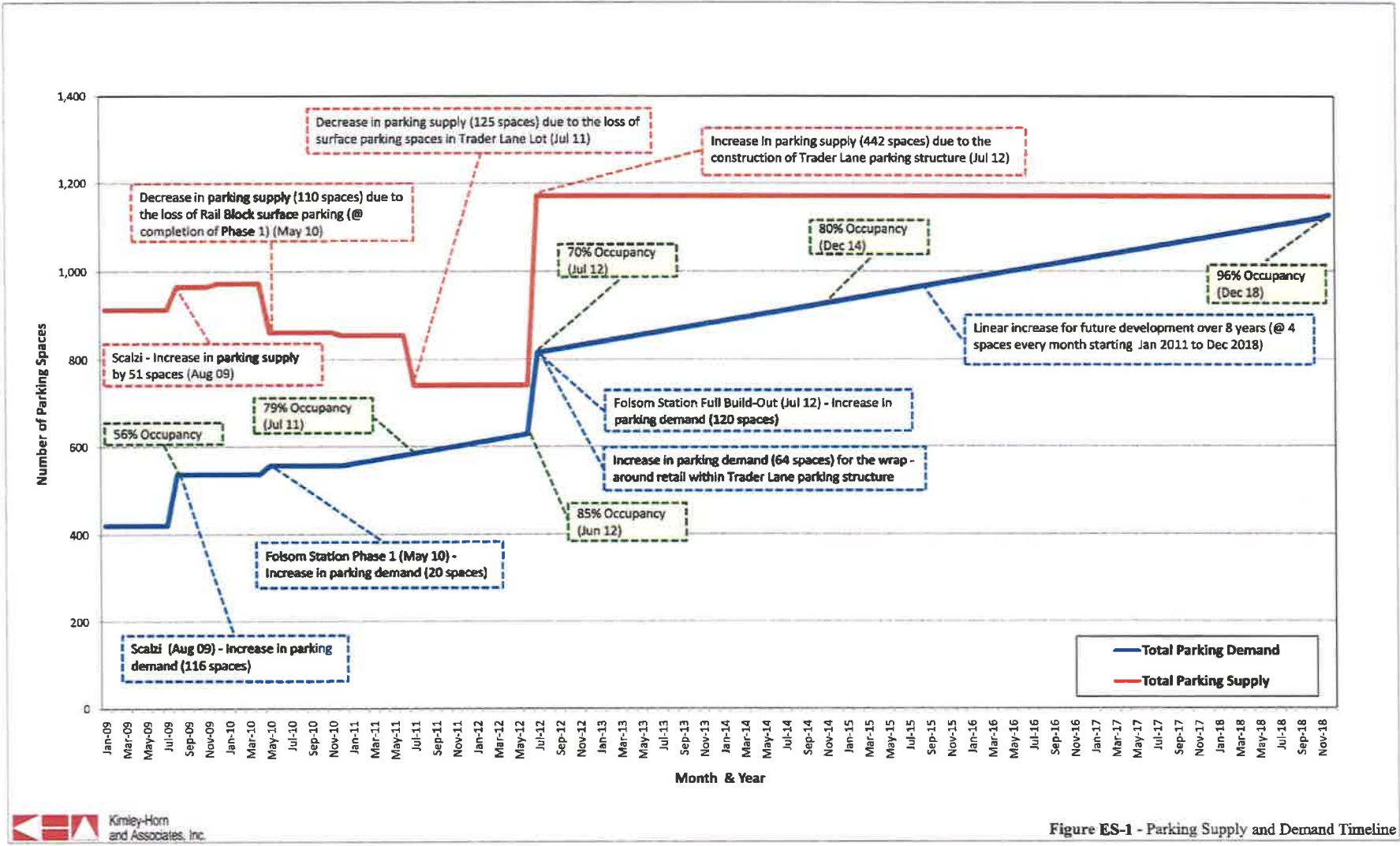


Figure ES-1 - Parking Supply and Demand Timeline

Adequacy of City's Current Historic District Parking Supply Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The detailed parking analysis in this study indicates that this requirement is not sufficient to address the future parking needs of the District. The District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) would require approximately 350 parking spaces, yet the parking demand analysis identifies a need for 425 spaces. In order to meet the existing and future parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. Revising the City's parking ratio is applicable for private development that would provide some, or all, of its required parking on-site. It would also be applicable should the City select to permit new development to meet its parking requirements in municipal parking structures by paying an in-lieu fee (see funding strategies).

Assessment of Potential Parking Structure Sites

Six potential sites were initially identified by the City for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. Two sites were determined to best meet site evaluation criterion. Subsequent discussions with the City determined that one of these sites, the Trader Lane lot, should be the single location considered for the development of a new parking structure.

Parking Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. Thirteen parking management strategies, including both near- and long-term components, are identified which could be implemented within the Historic District to address the existing and the projected future parking conditions. These strategies are summarized as follows:

Near-Term Strategies

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.

- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.
- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

Funding Strategies

The City of Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City's needs. It is understood that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the existing parking structure, perhaps on "Thursday Night Market" nights, as a way to raise at least some revenue to be used for operations and maintenance.

Other Considerations

Special Events Assessment

The Historic District has several routine "special" events which result in parking and circulation restrictions different from normal conditions. These "special events" all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Based on assessment of existing conditions and consultation with the Merchant's Association representatives, two primary special event management strategies were developed: overall improved utilization of Historic District parking facilities, and concentrated vendor access, parking, and circulation.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The *Plan* concludes with seven recommendations for addressing the established objects. This report provides a discussion and evaluation of the *Plan's* conclusions.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. The conceptual improvements to Sutter Street also include the addition of on-street parking between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking. This block of Sutter Street between Riley Street and Wool Street experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, this block serves as the core, attracting dense development and associated vehicle and pedestrian activity.

The additional parking supply proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment, and should be designed, implemented, and enforced as such.

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INTRODUCTION

Project Overview

The City of Folsom's Historic District (the "District") is a vibrant cultural and economic center. The eight block District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. As a result of the varying uses within the District, there are varying degrees of parking demand. The western portion of the District currently serves primarily park-and-ride commuters using light rail during weekdays, with those same parking facilities experiencing under-utilization during the evening peak periods. Conversely, the area generally bounded by Riley Street, Leidesdorff Street, Wool Street, and Sutter Street (the "700 Block") experiences consistent demand throughout both day and night peaks. It is this high demand for parking within this core area of the District that is believed to contribute to over-flow parking into the residential areas located immediately south of Sutter Street. Further complicating the future parking supply and demand discussion is the fact that some areas that are currently used for public parking are anticipated to be redeveloped, which will lead to a decrease in parking supply accompanied by an increase in parking demand. Furthermore, special events add an additional layer of complexity to the District's parking environment, but also provide an opportunity to maximize the efficiency of the City's parking system. Routine events, primarily during the Spring-Fall months, result in changes in traffic patterns, the need for parking and access restrictions, and parking overflow into the adjacent residential areas.

The City of Folsom recognizes that parking is the foundation for the Historic District's economic vitality and the quality of life enjoyed by the City's citizens. The total amount of parking available, its location, and how it is managed play important roles in promoting Historic District businesses, attracting visitors, and accommodating commuters and residents. With these important factors in mind, the City of Folsom desires to develop a thorough understanding of its Historic District parking dynamics, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. Furthermore, the City's recent *Parking Management 5-Year Plan* updates parking conditions, although its scope is limited to relatively near-term (5-year) recommendations.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future full build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, as well as assesses special events and parking interaction with other concurrent District studies. The following sections address each of these study components.

PARKING SUPPLY AND DEMAND

The primary objective of this effort is to project future parking demand and supply, and to determine whether there will be a surplus or shortfall of parking. A second objective is to assess the current City requirement for new development to provide 1 space per 350 square feet for all land use types within the Historic District. This assessment is to determine if the current requirement adequately meets future needs, or whether the requirement should be modified. Modification to the requirement considers changing the single parking ratio globally for all uses or deriving separate parking requirements for each land use type.

Definitions

Study Area

The City of Folsom's eight block Historic District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. For the purposes of this evaluation, the Historic District is divided into three zones (Zone I, Zone II, and Zone III) which are illustrated in Figure 1. The study area does not include the Light Rail Transit station parking lots.

Zone I

The area bounded by Riley Street to the North and West, Figueroa Street to the South, and Scott Street and private land uses to the East.

Zone II

The area bounded by Leidesdorff Street to the North, Wool Street to the West, Figueroa Street to the South, and Riley Street to the East. This zone also includes the dirt embankment located north of Leidesdorff Street generally between Wool Street and Riley Street.

Zone III

The area bounded by Leidesdorff Street to the North, Reading Street and Folsom Boulevard to the West, Figueroa Street to the South, and Wool Street to the East. Zone I also includes Gold Lake Drive, from Leidesdorff Street to the street bend on the north end. This zone also includes the off-street public parking lot (Baker Lot) located on the northwest corner of the intersection of Gold Lake Drive and Leidesdorff Street.

Parking Demand

The number of parked vehicles expected of a specific type and amount of land use during the peak period of a typical weekday or weekend. Parking demand is estimated using "rates" indicating the number of parked vehicles per independent variable of land use such as thousands of square feet (similar to trip generation). Parking demand is independent of parking supply.

Parking Supply

The number of parking spaces provided on a development block, on-street, or in common facilities. Parking supply in new development is governed by the parking standards in the City's Municipal Code.

Parking Occupancy

The number of actual vehicles parked during the peak period of a typical weekday or weekend. Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday or weekend that contains the highest number of accumulated parked vehicles.

Parking Turnover

The average number of vehicles using a given parking space over a specified period of time. The rate equals the total number of parked vehicles divided by the number of parking spaces. Turnover is a measure of parking duration and indicates whether a parking spaces is predominantly used by long-term parking (more than 4 hours) or short-term parkers (less than 4 hours).

Parking Ratios/Standards

Parking ratios (or standards) are the regulations that determine parking supply for each individual building and type of land use. It is described as the number of required parking spaces per unit of development (e.g., per dwelling unit or per 1,000 square feet of commercial building space). The City's Municipal Code is the guiding document for these standards. The current parking standard in the Folsom Historic District is 1 space per 350 square feet of building regardless of the type of land use.

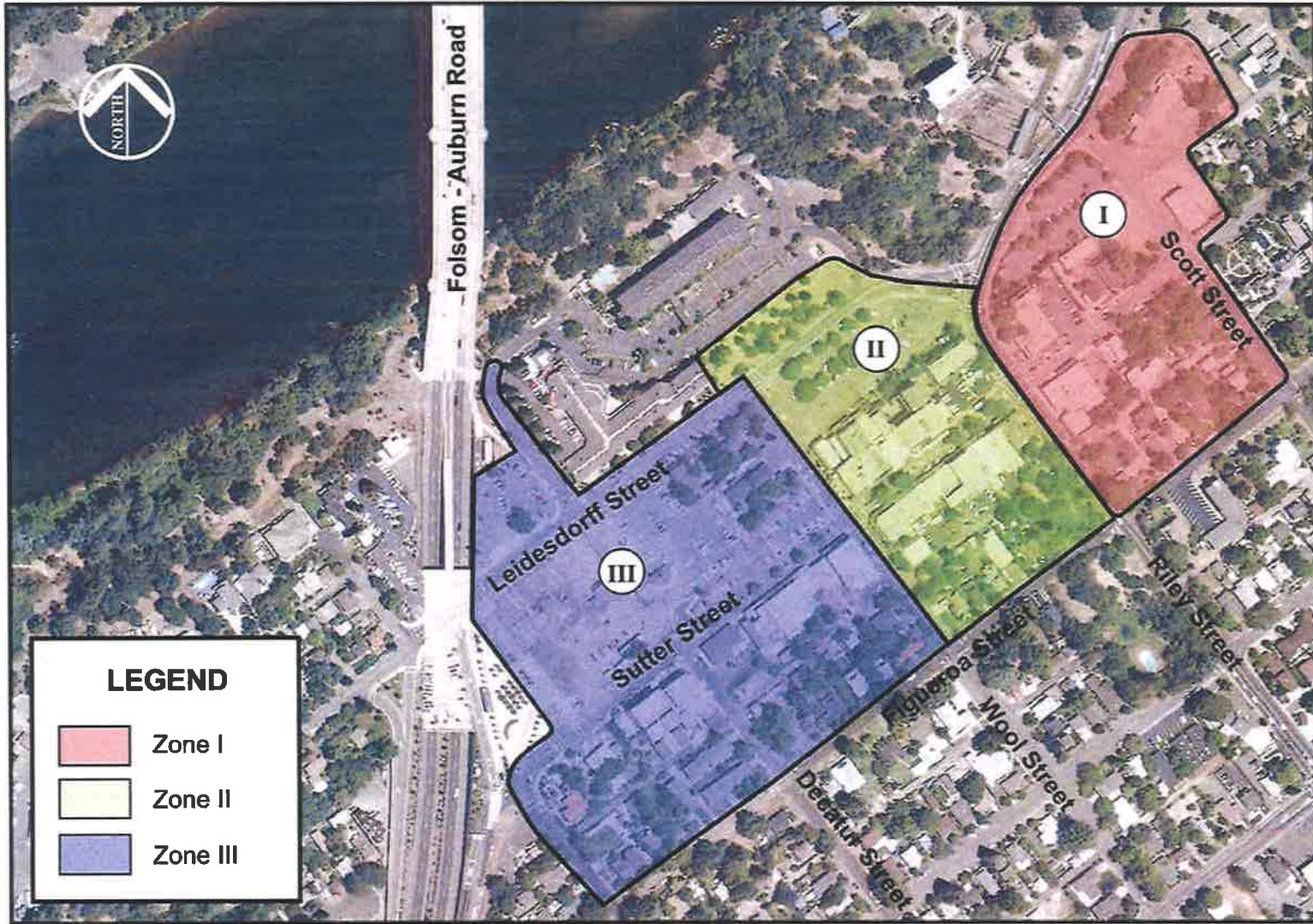


Figure 1
Folsom Historic District Parking
Parking Zones

Shared Parking

The concept of using a parking space to serve two or more land uses without conflict. Conventional regulations require that each development, or land use type, provide enough parking to serve its own peak demand, leaving unused parking spaces during the off-peak periods. Shared parking allows multiple complementary land uses, whose peak parking demands do not coincide, to share the same pool of parking spaces, resulting in a more efficient use of those spaces.

Practical Capacity

The practical capacity for parking is defined at 85 percent to 90 percent utilization of parking spaces. Keeping about 10 percent to 15 percent of the spaces vacant provides a cushion in excess of necessary parking spaces to allow for the dynamics of parking (i.e., people circulating in search of a space, and moving in and out of parking space). When occupancy exceeds the practical capacity, drivers will experience delays and frustration while searching for a parking space, as well as contribute to area traffic congestion while circling the block looking for parking.

Data Collection

Parking data for most of the study area was provided by the City of Folsom for weekday and weekend periods. Kimley-Horn and Associates, Inc. augmented the City-collected data with surveys at selected locations in June 2008. Parking data used in this study included the following:

- An inventory of on-street and off-street parking spaces by street and by individual parking lot (collected by the City in January 2008);
- Weekday parking occupancy survey data conducted every hour from 6:00 AM to 8:00 PM (collected during October and November 2007);
- Weekend parking occupancy survey data conducted every hour from 6:00 PM to 9:00 PM (collected during October and November 2007); and
- Parking turnover surveys (collected in January 2008).

It is important to note that weekday parking occupancy data for 7:00 AM was missing most of the off-street and on-street parking locations. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Existing Parking Supply

On-Street Parking Supply

Most streets within the study area have on-street parking spaces. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation.

Table 1 summarizes the number of parking spaces along each street and the total parking spaces for each zone. The study area contains a total of 232 on-street parking spaces.

Off-Street Parking Supply

Within the study area there are a total of six (6) off-street public parking lots. Off-street private parking lots which allow parking only for the patrons of private businesses and not for general public, were not included in the analysis. All of the public lots with the study area are paved and have marked spaces.

Table 1 summarizes the number of off-street parking spaces in each zone. There are a total of 675 off-street public parking spaces in the study area. Note the off-street parking supply includes the recently completed 330-space parking structure located within the Rail Block.

Table 1 – Summary of Existing On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	20	
			Scott St. – Leidesdorff St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotals	82		42	124
II	Trader Lane Lot	125	Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
	Sutter St. – Wool St. to Riley St.	0			
Subtotals	125		38	163	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	8	
	Rail Block	110	Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	25	
			Sutter St. – Decatur St. to Wool St.	23	
Subtotals	468		152	620	
Total Off-Street Spaces		675	Total On-Street Spaces		232
Total Off-Street Spaces (Prior to Completion of New Structure)		323	Total On-Street Spaces (Prior to Completion of New Structure)		232
<p>Notes: The 330 space structure in Zone III was not open to the public at the time occupancy data was collected. Existing off-street parking facilities equaled 323 spaces at the time of data collection.</p>					

Total Parking Supply

Table 1 summarizes the total number of parking spaces (on-street and off-street) by zone and in total. There are a total of 907 on- and off-street parking spaces within the study area.

The number of off-street and on-street parking locations, as well as the number of spaces available are shown in Figure 2 and Figure 3.

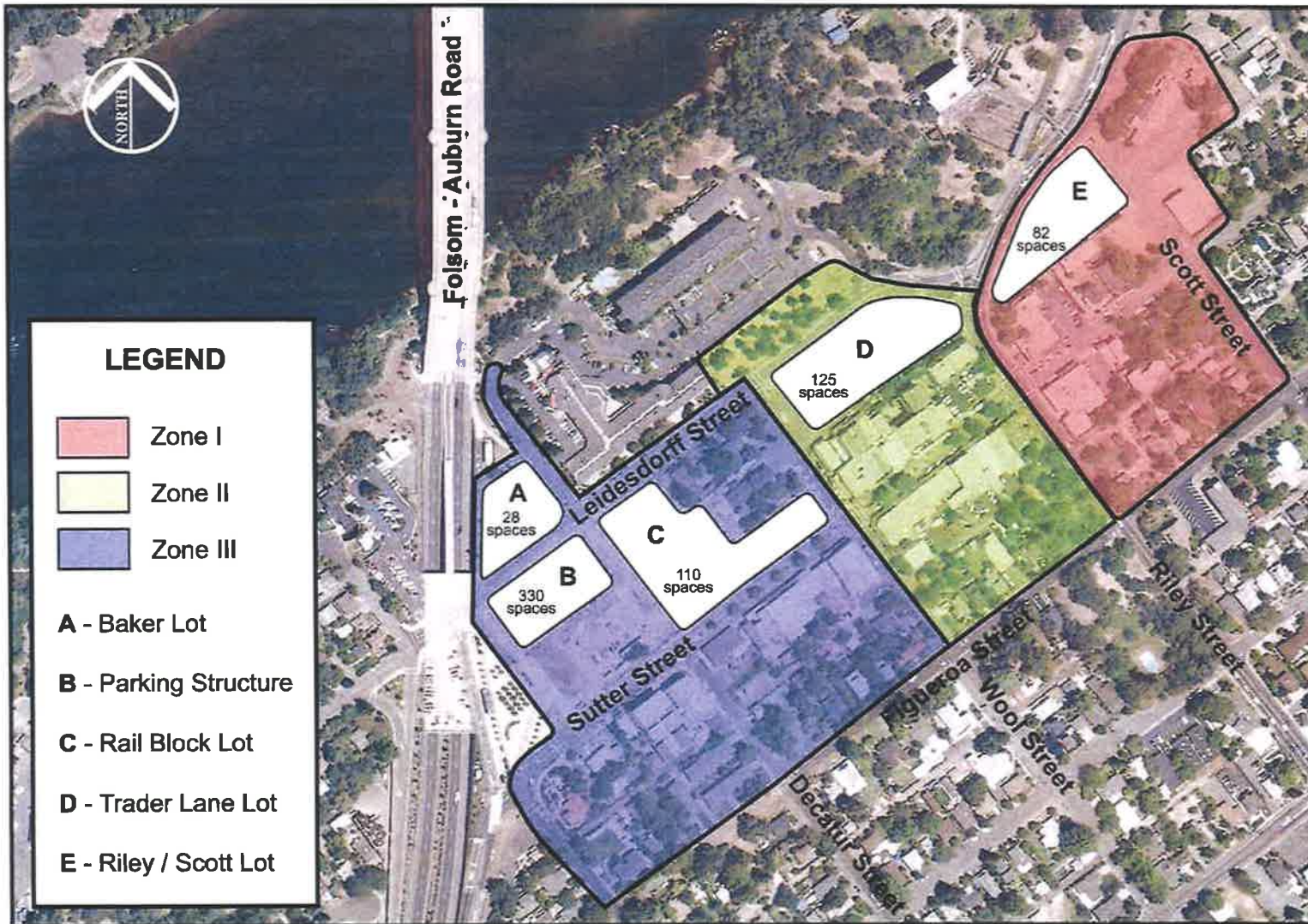


Figure 2
Folsom Historic District Parking
Off-Street Parking Lots

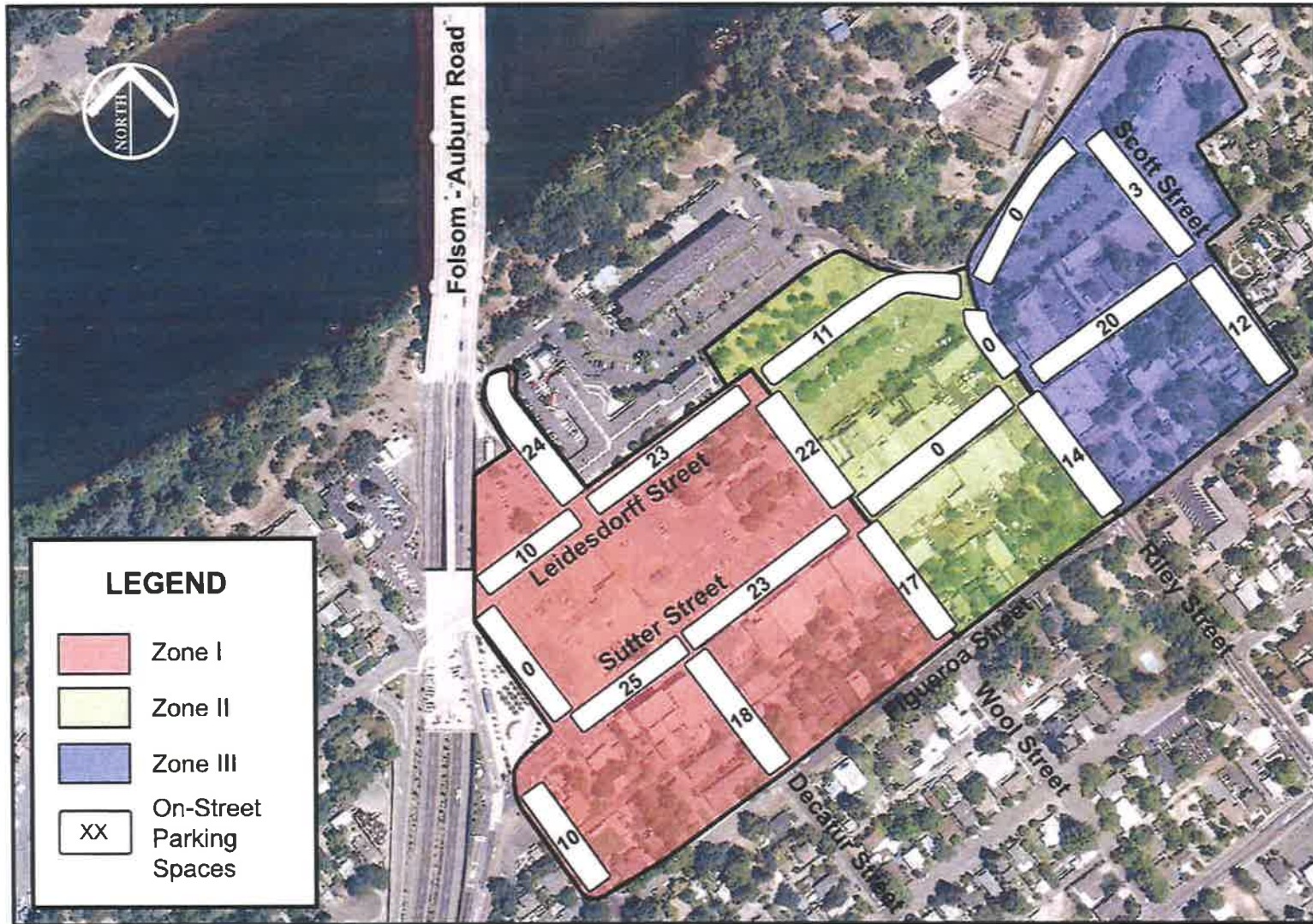


Figure 3
Folsom Historic District Parking
On-Street Parking Spaces

Existing Parking Demand

Existing parking demand was estimated using the parking occupancy data collected by the City of Folsom in October and November, 2007, and supplemented by occupancy surveys conducted by KHA in June 2008. The demand analysis presented in the sections below represents data collection prior to the opening of the new 330-space parking structure in the Rail Block. Therefore, conclusions related to existing parking supply and demand are drawn based on pre-structure conditions.

Weekday (Monday through Thursday)

On-Street Parking Occupancy

Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday that contains the highest number of accumulated parked vehicles. Table 2 summarizes the on-street parking occupancy between 6:00 a.m. and 8:00 p.m. on a typical weekday for the entire study area² and Figure 4 shows the on-street parking occupancy by time-of-day. As shown in Figure 4, between 75 percent and 83 percent of on-street parking spaces are occupied between 10:00 a.m. and 1:00 p.m., after which occupancy drops to approximately 60 percent between 2:00 p.m. and 4:00 p.m. Between 5:00 p.m. and 7:00 p.m. the occupancy is between 40 percent and 60 percent and drops dramatically to 27 percent at 8:00 p.m. The peak on-street parking demand (83 percent) occurs at about 11:00 a.m. and again at 1:00 p.m.

Table 2 – Summary of On-Street Parking Occupancies (Weekday)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 AM	162	9	6%
8:00 AM	162	94	58%
9:00 AM	162	96	59%
10:00 AM	162	121	75%
11:00 AM	162	134	83%
12:00 PM	162	124	77%
1:00 PM	162	134	83%
2:00 PM	162	101	62%
3:00 PM	162	98	60%
4:00 PM	162	99	61%
5:00 PM	162	67	41%
6:00 PM	162	79	49%
7:00 PM	162	95	59%
8:00 PM	162	43	27%

Off-Street Parking Occupancy

Off-street public parking lots within the study area have slightly lower occupancies than on-street parking when averaged over the entire study area. Table 3 summarizes the off-street parking occupancies between 6:00 a.m. and 8:00 p.m. Figure 5 shows that off-street parking lots sustain an occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then drops to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m. the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

² Weekday parking occupancy data for 7:00 a.m. was missing much of the off-street and on-street parking locations within the study area. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Figure 4 – Study Area On-Street Parking Occupancy (Weekday)

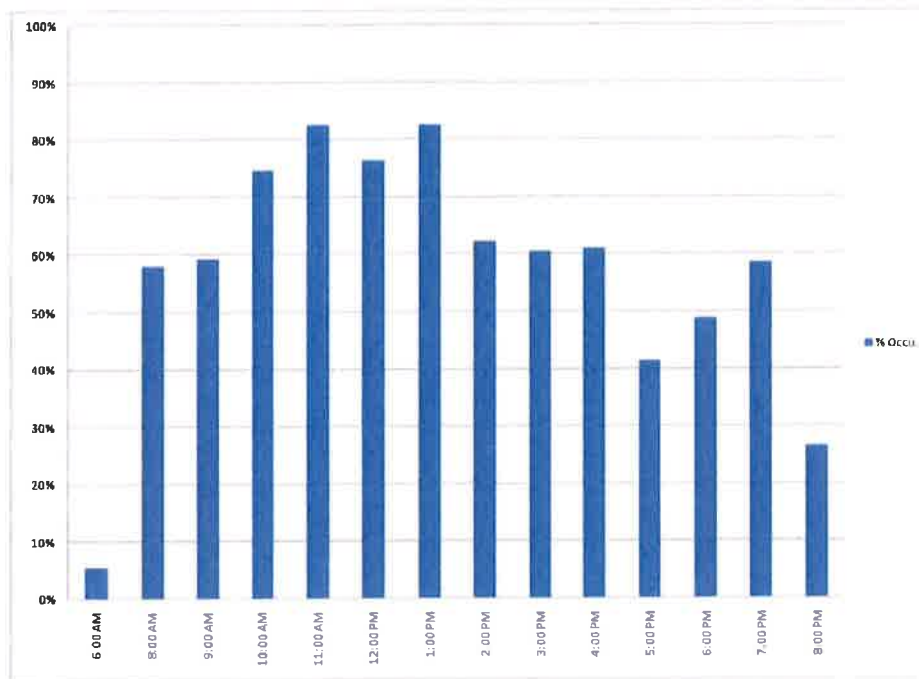


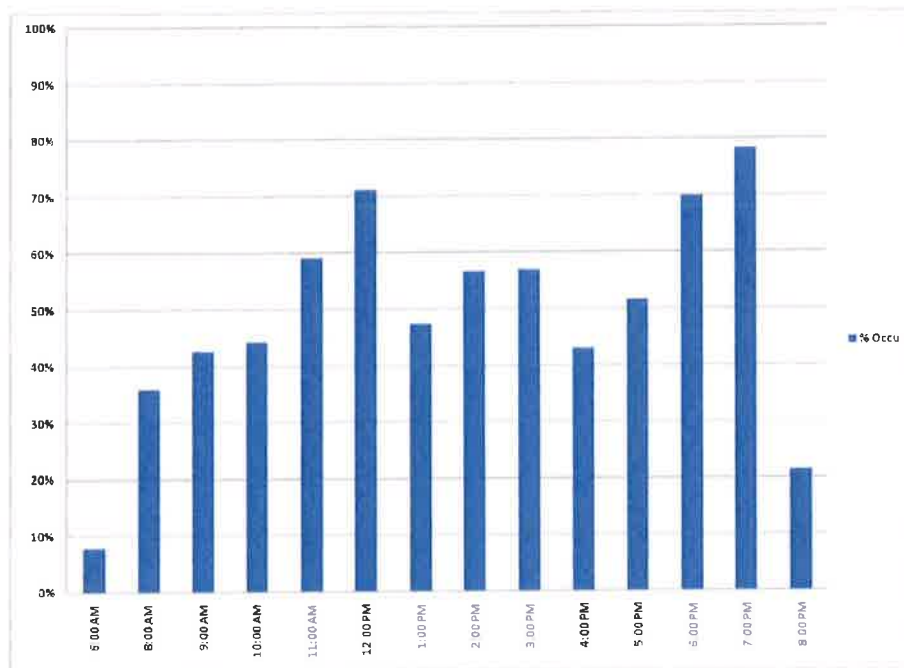
Table 3 – Summary of Off-Street Parking Occupancies (Weekday)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 AM	323	25	8%
8:00 AM	323	116	36%
9:00 AM	323	138	43%
10:00 AM	323	143	44%
11:00 AM	323	191	59%
12:00 PM	323	230	71%
1:00 PM	323	153	47%
2:00 PM	323	183	57%
3:00 PM	323	184	57%
4:00 PM	323	139	43%
5:00 PM	323	167	52%
6:00 PM	323	226	70%
7:00 PM	323	253	78%
8:00 PM	323	69	21%

At the district level, parking lots in individual zones have a wide range of occupancies between 6:00 a.m. and 8:00 p.m. Average occupancy ranges from a low of about 27 percent (Zone 1) to a high of about 58 percent (Zone II). Appendix A contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot throughout the day³.

³ Since the on-street parking occupancy survey data does not distinguish occupancies by specific street segments, on-street parking occupancy data was not documented by zone.

Figure 5 – Study Area Off-Street Parking Occupancy (Weekday)



Total Parking Occupancy and Accumulation

Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 4 summarizes the on-street and off-street peak parking demand within the study area. Figure 6 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces in the morning hours are occupied around 53 percent, climbing to a peak of about 73 percent at noon, gradually decreasing to 56 percent between 1:00 and 6:00 p.m., then climbing to 72 percent at 7:00 p.m., before dropping to 23 percent at 8:00 p.m. This daily profile is indicative of both short-term retail and office uses which peak during the midday and restaurant land uses peak in the early evening.

Peak Occupancy in Study Area:

On weekdays, the study area reaches its peak parking demand at noon as shown in Table 4 and in Figure 6. The study area also peaks at 7:00 p.m., but the occupancy percentage drops significantly at 8:00 p.m. Overall, the parking supply⁴ in Folsom Historic District is almost 73 percent utilized during the weekday peak period. Parking demand in many downtown’s peak around noon to 1:00 p.m. because this is the time that retail/restaurant uses peak during weekday and the time when many short-term visitors come to the downtown for lunch. Folsom Historic District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix.

Conclusions

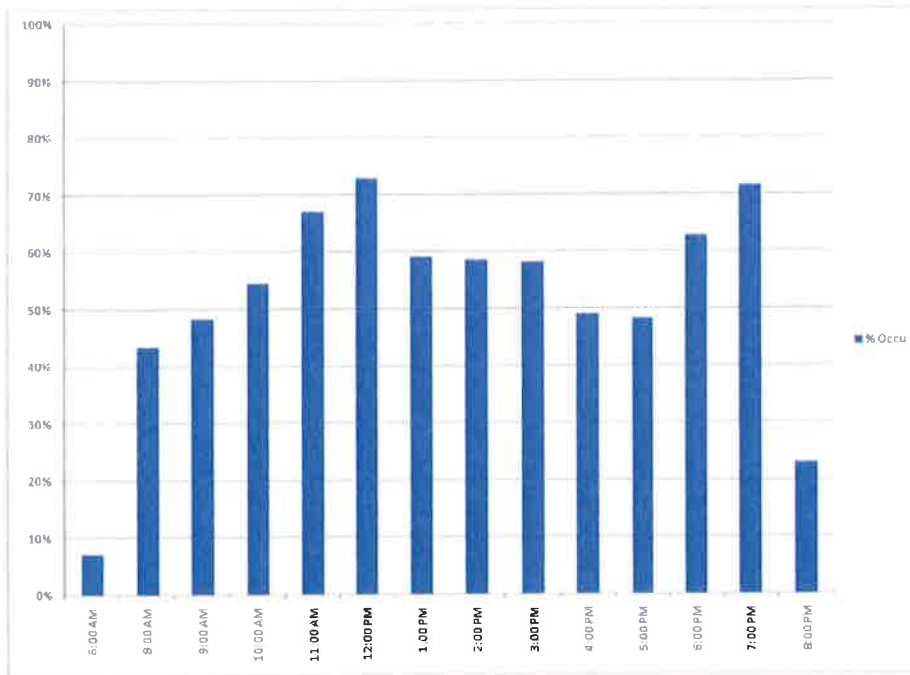
Based on the data collection and analysis of existing supply and weekday peak demand, there is sufficient parking within the study area to accommodate current typical weekday demands. While some zones experience relatively high demands, overall, there is ample available parking within the entire study area.

⁴ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Table 4 – Summary of On-Street and Off-Street Parking Occupancies (Weekday)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 AM	485	34	7%
8:00 AM	485	210	43%
9:00 AM	485	234	48%
10:00 AM	485	264	54%
11:00 AM	485	325	67%
12:00 PM	485	354	73%
1:00 PM	485	287	59%
2:00 PM	485	284	59%
3:00 PM	485	282	58%
4:00 PM	485	238	49%
5:00 PM	485	234	48%
6:00 PM	485	305	63%
7:00 PM	485	348	72%
8:00 PM	485	112	23%

Figure 6 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekday)



Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Weekend (Friday Evening)

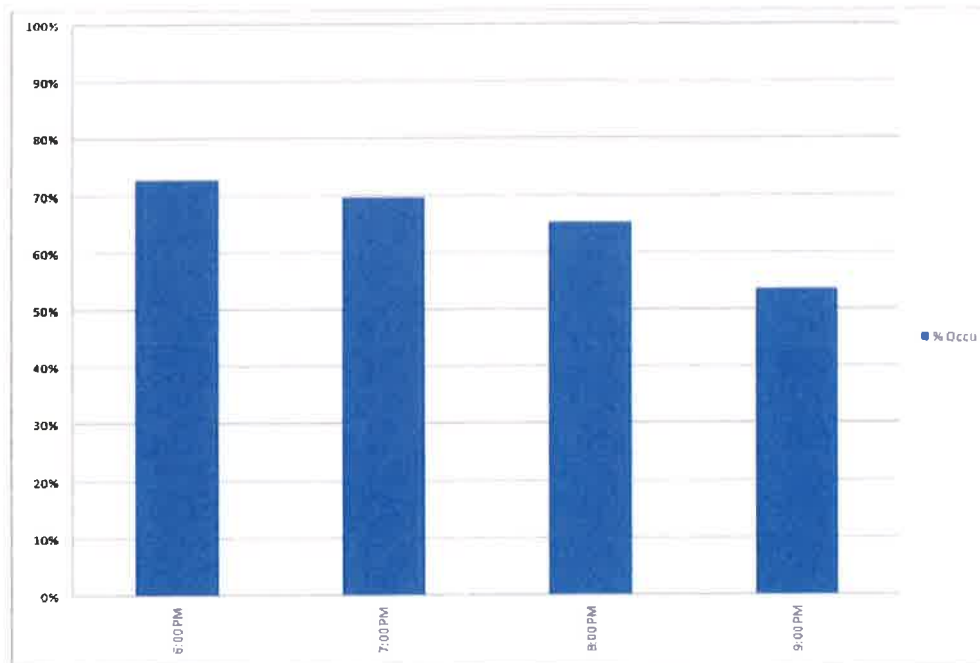
On-Street Parking Occupancy

Table 5 summarizes the average on-street parking occupancy between 6:00 p.m. and 9:00 p.m. on a typical weekend (Friday) for the entire study area, and Figure 7 shows the on-street parking occupancies⁵. As shown in Figure 7, between 65 percent and 73 percent of on-street parking spaces are occupied between 6:00 p.m. and 8:00 p.m. This percentage drops to 54 percent at 9:00 p.m. The peak on-street parking demand (73 percent) occurs at about 6:00 p.m., although the on-street parking demand is at 7:00 p.m. (70 percent) is close to the peak.

Table 5 – Summary of On-Street Parking Occupancies (Weekend)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 PM	162	118	73%
7:00 PM	162	113	70%
8:00 PM	162	106	65%
9:00 PM	162	87	54%

Figure 7 – Study Area On-Street Parking Occupancy (Weekend)



Off-Street Parking Occupancy

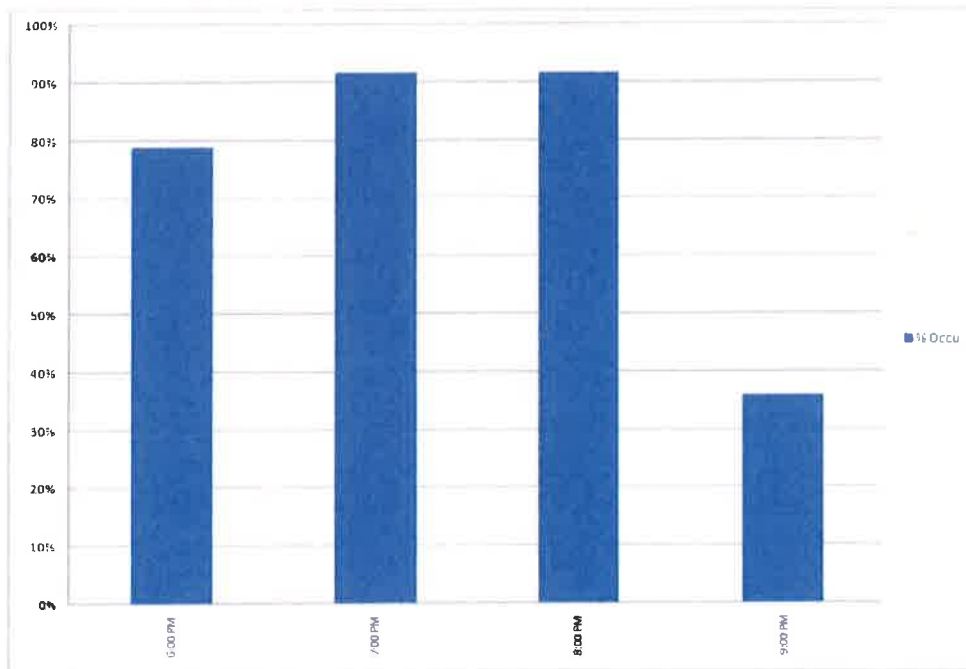
Off-street parking lots within the study area have slightly higher occupancies than on-street parking when averaged over the entire study area for the weekend peak period. Table 6 summarizes the off-street parking occupancies between 6:00 p.m. and 9:00 p.m. Figure 8 shows that off-street parking lots sustain an occupancy averaging 92 percent between 7:00 p.m. and 8:00 p.m., then drop dramatically to about 36 percent around 9:00 p.m. The peak off-street parking demand occurred at 7:00 p.m. and at 8:00 p.m. with 92 percent occupancy.

⁵ Historical parking data indicate that Friday evenings represent the highest period of demand for weekends when compared to Saturday afternoons and evenings, and Sundays. This determination excludes special events such as Farmers Market.

Table 6 – Summary of Off-Street Parking Occupancies (Weekend)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 PM	323	255	79%
7:00 PM	323	296	92%
8:00 PM	323	296	92%
9:00 PM	323	116	36%

Figure 8 – Study Area Off-Street Parking Occupancy (Weekend)



The observations might indicate that most of the off-street parking spaces are being used by restaurant users which peak around dinner time within the study area.

At the district level, occupancy in the parking lots in all individual zones stay relatively high with an average occupancy of approximately 72 percent for Zone 1, 78 percent for Zone 2, and 73 percent for Zone 3. Appendix B contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot between 6:00 p.m. and 9:00 p.m.

Total Parking Occupancy and Accumulation

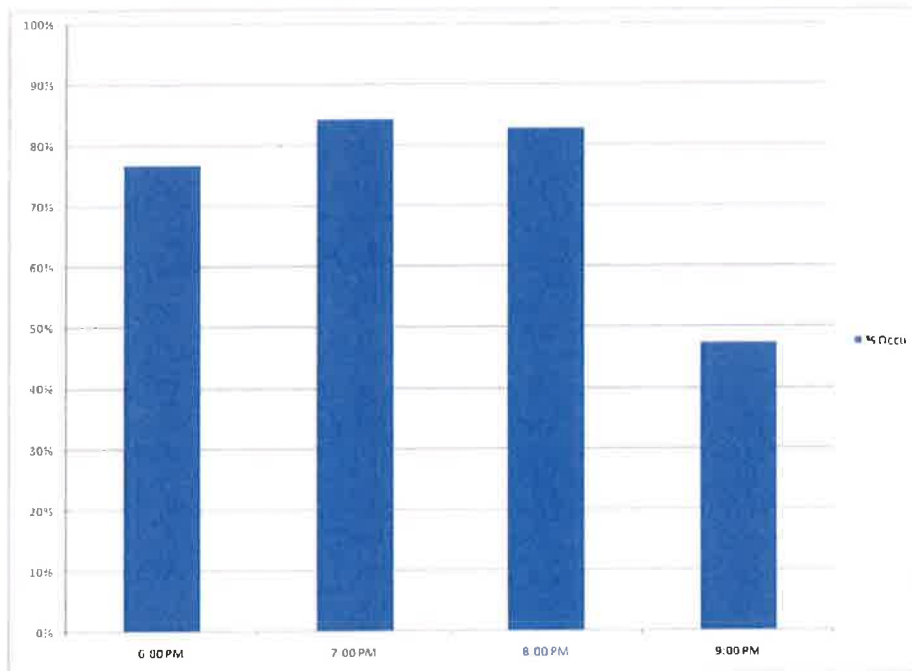
Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 7 summarizes the weekend on-street and off-street peak parking demand for the study area. Figure 9 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces at 6:00 p.m. are occupied at 77 percent, climbing to a peak of 84 percent at 7:00 p.m. and 83 percent at 8:00 p.m., and significantly decreasing to 47 percent at 9:00 p.m. This weekend evening profile is indicative of short-term restaurant parking demand where the profile shows high occupancy during the evening dining period.

Table 7 – Summary of On-Street and Off-Street Parking Occupancies (Weekend)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 PM	485	373	77%
7:00 PM	485	409	84%
8:00 PM	485	402	83%
9:00 PM	485	230	47%

Figure 9 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekend)



Peak Occupancy in Study Area:

The study area reaches its peak parking demand at 7:00 p.m. (84 percent), although the parking demand at 8:00 p.m. (83 percent) is very close to the peak parking demand indicating a long peak. The peak on-street and off-street occupancy in the study area is shown in Table 7 and in Figure 9. Overall, the parking supply⁶ in Folsom Historic District is more than half utilized during the weekend peak period. Typical downtown areas peak around 7:00 p.m. and 8:00 p.m. because this is the time that restaurant uses peak with many short-term visitors coming to the downtown for dinner on weekends. Folsom Historic District weekend peak is indicative of a predominantly restaurant-based commercial mix.

Conclusions

Based on the data collection and analysis of existing supply and weekend peak demand, there is sufficient parking within the study area to accommodate current weekend demands. While some zones experience relatively high demands, overall, there is available parking within the entire study area. However, based on data collected prior to the completion of the new 330-space parking structure, the District’s overall weekend occupancy is nearing “practical capacity” of 85 percent occupancy. This finding, although moot with the completion of the new structure, indicates the need for providing additional public parking.

⁶ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing weekend peak parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods during weekend evening, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Parking Model Development

The first step towards determining the future parking demand is to develop and validate a parking model that accurately predicts/mimics existing conditions. The steps involved in developing and validating the existing parking model include:

1. Identify existing land uses which rely on publicly available parking within the study area. The model excludes existing land uses which provide private parking exclusively for their patrons.
2. Use Institute of Transportation Engineers' (ITE) Parking Generation, 3rd Edition, 2004 and Urban Land Institute (ULI) Shared Parking, 2nd Edition, parking generation rates to establish un-calibrated parking generation rates.
3. Adjust base parking generation rates to reflect specific conditions in Downtown Folsom (detailed text about adjustments is discussed later in this document).
4. Adjust time-of-day profiles to reflect local conditions.
5. Adjust rates to reflect amount of transit, bicycle, walk, and captive trips within the study area. Captive trips reflect people who park once within the study area and visit multiple land uses.
6. Use the model to predict existing peak parking demand using the adjusted rates and the existing land uses.
7. Compare the model-predicted peak parking demand and time-of-day hourly parking profile with the peak parking demand and time-of-day hourly profile observed in the occupancy surveys. Adjust (calibrate) parking generation rates, time-of-day profiles, and/or other factors as necessary, and repeat in an iterative manner.

The parking model is validated if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for existing conditions, the parking model is used to project future parking demand.

Existing Land Uses

The existing land use information for the study area was provided by the City of Folsom. Land use types were grouped by general category because of similarities (e.g., retail). Table 8 below shows the land use categories used to aggregate existing land uses along with the square footages by zone.

As mentioned earlier, existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

Table 8 – Existing Land use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	13,843	48,241	8,880	70,964
Restaurant	0	8,000	5,500	13,500
Office	6,922	7,525	24,117	38,564
Club/Bar/Tasting Rooms	4,690	3,750	0	8,440
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	25,455	67,516 115 Theater Seats	54,200	147,171 115 Theater Seats

Parking Generation Demand Rates

Parking demand is estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because the ITE and ULI rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as downtown Folsom. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of Folsom, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near downtown walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture).

The adjusted parking demand generation rates for a typical weekday and weekend are summarized in Table 9. The rates summarized in Table 9 include additional adjustment factors including:

- Two (2) percent reduction for transit trips
- Two (2) percent reduction for bicycle trips
- Three (3) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Table 9 – Adjusted Parking Demand Generation Rates for Weekday and Weekend

Land Use	Weekday (12:00 to 1:00 p.m.)	Weekend (7:00 to 8:00 p.m.)	Units
Retail	4.00	3.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Restaurant			
Fine Dining	8.50	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Casual Dining	6.50	12.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Office	3.15	0.04	Spaces per 1,000 sq.ft. (Gross Floor Area)
Club/Bar/Tasting Rooms	0.43	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Theater	0.07	0.32	Spaces per seat

Parking Model Validation – Weekday

Following the calibration process described above, the parking model was used to predict existing weekday conditions. The results were compared to the observed weekday parking occupancy for existing land uses (Observed parking occupancy is summarized in Section II). The results of the comparison are summarized in Table 10 below:

Table 10 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	420 spaces	354 spaces	19%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	N/A

As per the parking model, the weekday peak parking demand is 420 spaces and the peak parking demand observed using occupancy survey is 354 spaces, a difference of 66 spaces, or a 19 percent difference. However, the occupancy surveys performed by the City did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered a total of 485 spaces, a difference of 70 spaces.

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 354 spaces, resulting in a combined total of 389 spaces. With the inclusion of the un-surveyed parking spaces, the difference in the weekday peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (420 vs. 389). Hence the parking model is considered validated for existing weekday conditions. Detailed calculation sheets and graphs related to the calibration and validation of the parking model for weekday are shown in Appendix C.

Parking Model Validation - Weekend

Utilizing the calibration process described above, the parking model was used to predict existing weekend conditions. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in Table 11 below. It is important to note that parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a weekend (Friday Night).

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 409 spaces, a difference of 12 spaces, or 3 percent. Based on this finding, the parking model could be concluded as validated. However, as the occupancy surveys did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered on a total of 485 spaces, a difference of 70 spaces.

⁷ The parking garage was not open to public and was still under construction at the time of occupancy surveys.

Table 11 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	422 spaces	409 spaces	3%
2	Existing Peak Hour	8:00 p.m.	7:00 p.m.	N/A
3	Existing Peak Demand Periods	1:00 p.m. to 3:00 p.m. 7:00 p.m. to 9:00 p.m.	7:00 p.m. and 8:00 p.m.	N/A

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 409 spaces giving us a combined total of 444 spaces. Even with the inclusion of the un-surveyed parking spaces, the difference in the weekend peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (422 vs. 444). Hence the parking model is considered validated for existing weekend conditions. Detailed calculation sheets and graphs related to the calibration of the parking model for weekend are shown in Appendix D.

Future Parking Supply and Demand Analysis

This section of the report discusses future planned development, and provides a future parking supply and demand analysis within the study area. As directed by the City, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot. Initial analysis efforts considered multiple structures and locations throughout the District. The full, District-wide future parking supply assessment is provided in Appendix E. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in Appendix F.

The purpose of this analysis is to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines⁸, this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

The methodology utilized to estimate the amount of allowable future development for the Historic District is as follows:

1. Determine the total number of parking spaces that could be accommodated in a Trader Lane structure, consistent with the 50-foot height limitation. Ground floor retail is assumed to be accommodated in this structure.
2. Using the parking demand rates calibrated for existing conditions, estimate the parking demand for planned/approved projects. Parking demand for the parking structure’s ground floor retail is included in this estimate.

⁸ *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

3. Estimate total future parking demand by adding the parking demand for planned/approved projects, including the structure's ground floor retail, to existing parking demand.
4. Subtract the total future parking demand from the total future parking supply within the District to obtain the total excess or (deficit) of parking spaces. The future parking supply does not include the existing 125 surface parking spaces on the Trader Lane lot that would be lost with construction of the new parking structure.
5. Add the total excess or (deficit) parking spaces to the parking spaces estimated for the proposed Trader Lane structure (from Step 1) to obtain total available parking spaces for future development.
6. The total available parking spaces are reduced by 10 percent to account for practical capacity, resulting in net total available parking spaces for future development.
7. Estimate the amount of future development that can be accommodated by the net total available parking spaces (from Step 6).

It is important to note that the "planned/approved projects" include only the Scalzi development located in the northwest corner of Sutter/Scott intersection, as well as the Historic Folsom Station (Rail Block). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurants, or offices uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future On-Street Parking Supply

The future on-street parking supply incorporates Sutter Street, Wool Street, and Scott Street modifications associated with the Historic District Streetscape Project, as well as seven (7) additional on-street parking spaces are added on Leidesdorff Street between Gold Lake Drive and Reading Street. The number of future on-street parking locations, as well as the number of spaces provided are shown in Figure 10. Table 12 summarizes the future number of parking spaces along each street and total parking spaces for each zone. The study area contains a total of 237 future on-street parking spaces.

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities, the new 330-space parking structure in the Rail Block, and planned public spaces as part of known new development. Loss of parking spaces from new development includes 110 spaces with development of the Rail Block, and 125 spaces with the development of a parking structure on the Trader Lane lot. An additional 51 public spaces are added in Zone 1 with the development of the Scalzi site.

The number of future off-street parking locations, as well as the number of spaces provided are shown in Figure 11. Table 12 summarizes the future number of off-street parking spaces in each zone. There are a total of 491 future off-street public parking spaces in the study area.

Total Future On- and Off-Street Parking Supply

Table 12 summarizes the total future number of parking spaces by zone and in total. There are 728 total future on-street and off-street parking spaces within the study area.

The future on- and off-street parking supply of 728 spaces is 173 spaces more than the existing parking supply prior to the completion of the new parking structure, and 179 spaces less than the existing parking supply after completion of the structure.

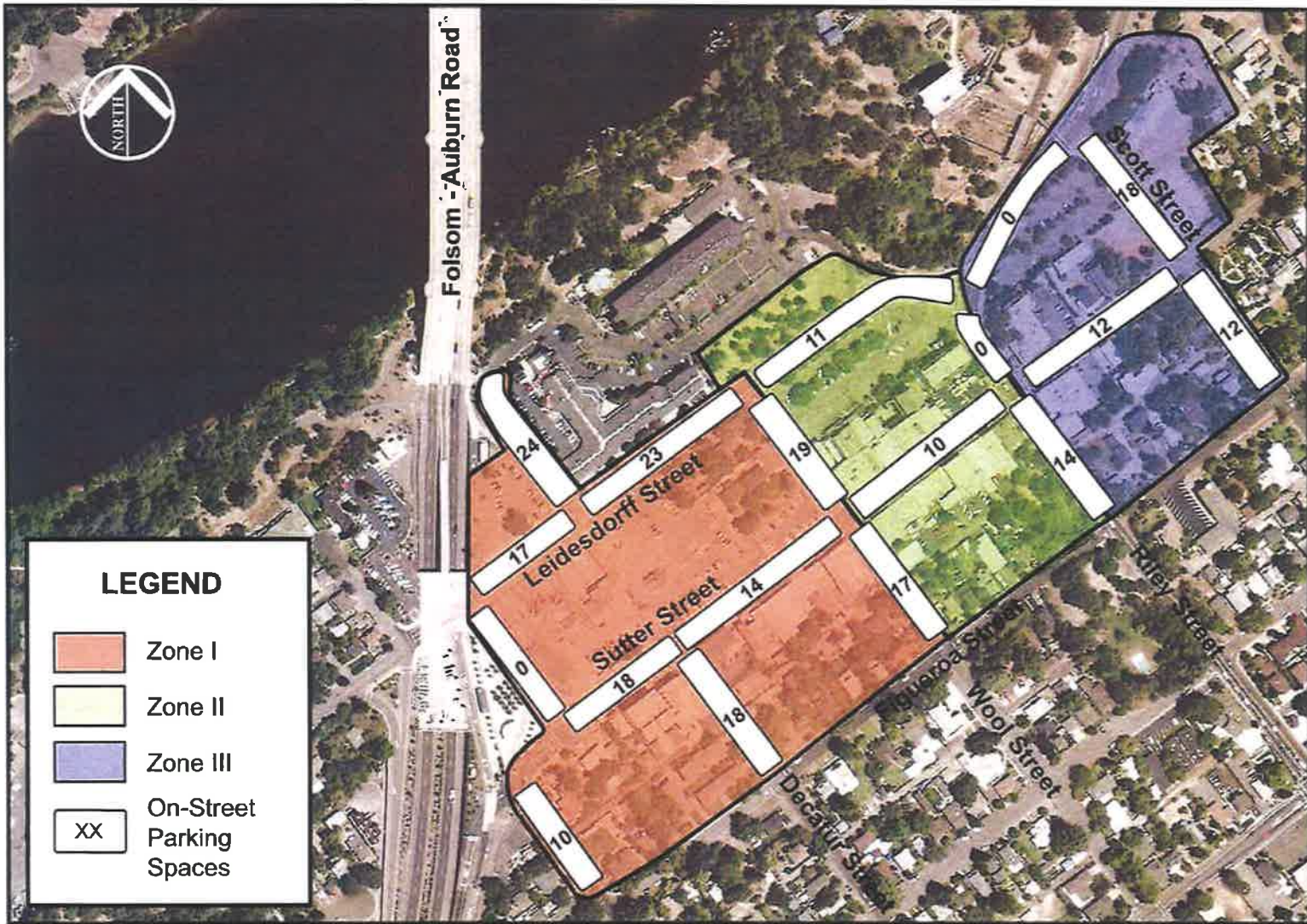


Figure 10
Folsom Historic District Parking
Future On-Street Parking Supply

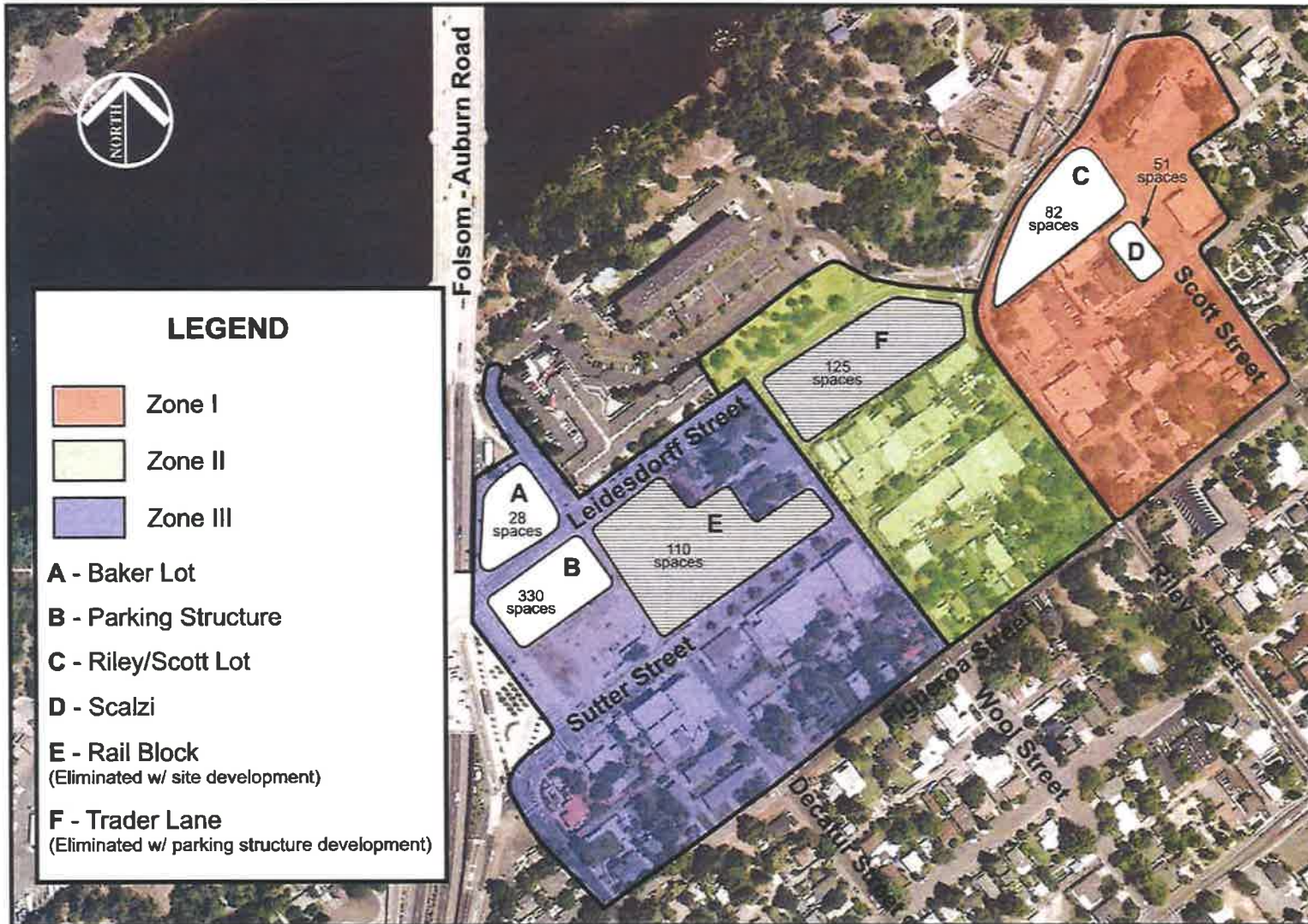


Figure 11
Folsom Historic District Parking
Future Off-Street Parking Supply

Table 12 – Summary of Future On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	12	
	Scalzi	51	Scott St. – Leidesdorff St. to Sutter St.	18	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotal	133	Subtotal	49	
II			Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	10	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
			Subtotal	47	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	9	
			Wool St. – Sutter St. to Figueroa St.	8	
			Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	14	
			Leidesdorff St. – Gold Lake Circle to Reading St.	7	
Subtotal	358	Subtotal	141	499	
Total Off-Street Spaces		491	Total On-Street Spaces		237
					728
Note: Excludes off-street parking supply gained in proposed Trader lane parking structure.					

Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. Because the data collection and analysis of existing supply and demand indicated a supply surplus, it can be assumed that, although frequently observed, the study area does not experience spillover parking into surrounding neighborhoods resulting from a parking supply deficit during typical weekdays and weekends. Therefore, the future parking demand analysis focuses on the study area, and does not include the surrounding neighborhoods. The purpose of this analysis is to:

1. Estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient; and
2. If existing plus future demand exceeds supply, determine if there is the potential for spillover parking into adjacent residential neighborhoods.

For this study, the demand generated by future District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation (Figure 12), 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Table 13 shows the land use categories and square footages representing future land uses.

Table 13 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	32,908	19,850	55,000	107,758
Restaurant	11,700	-	27,000	38,700
Office	31,301	-	20,000	51,301
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	75,909 60 D.U.	19,850	102,000	197,759 60 D.U.

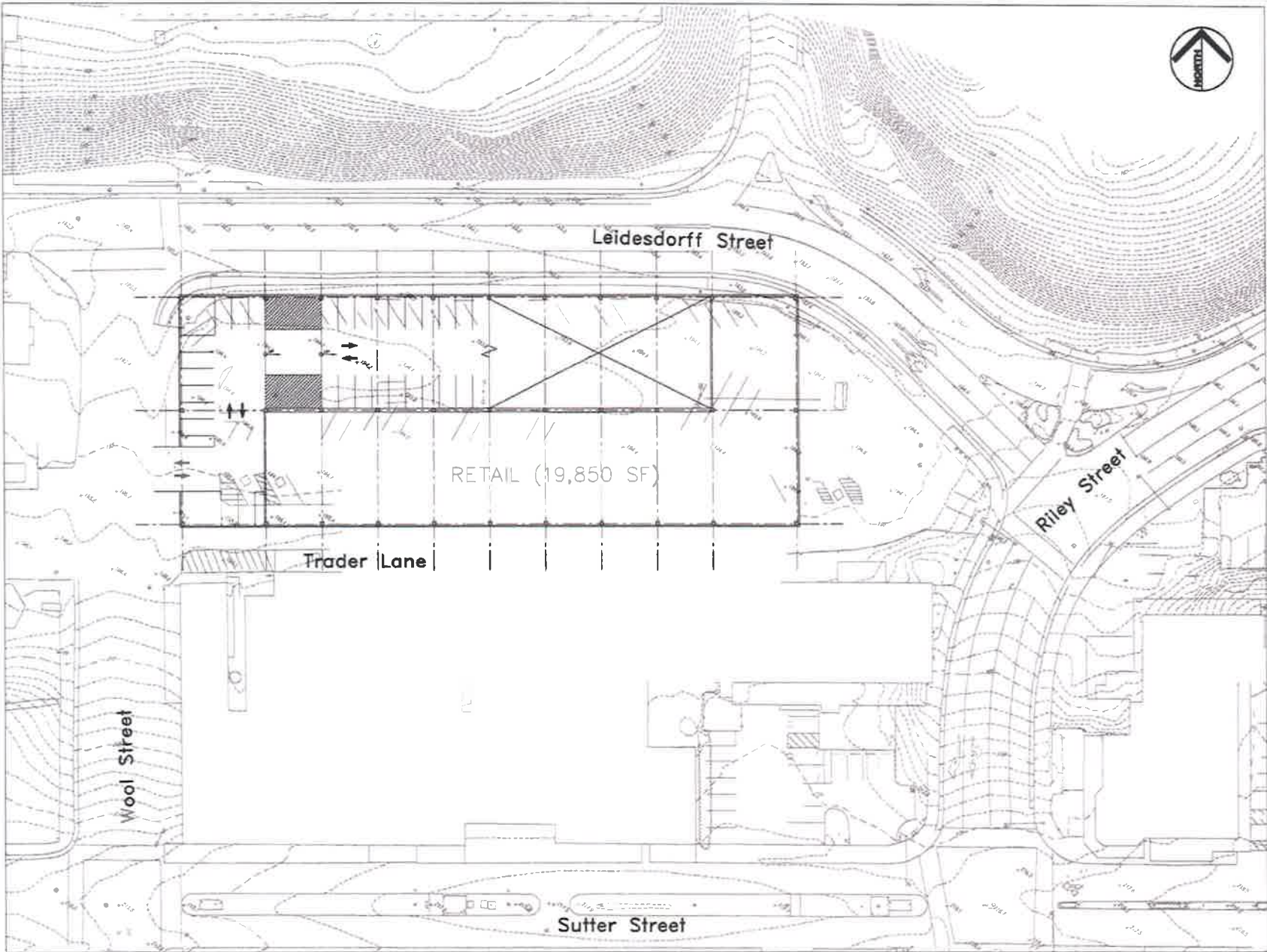


Figure 12
 Trader Lane Parking Structure Details

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. Table 14 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 14 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	256 spaces	215 spaces	
	Existing Parking Demand	420 spaces	422 spaces	
3	Total Parking Demand	676 spaces	637 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	728 spaces	728 spaces	
	Excess (Deficit) Parking Spaces	52 spaces	91 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	494 spaces	533 spaces	
	Parking Demand for Wrap-Around Retail	64 spaces	64 spaces	
	Total Available Parking Supply for Future Development	430 spaces	469 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	390 spaces	425 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	55,000 SF	176 spaces	132 spaces
	Restaurant	27,000 SF	162 spaces	292 spaces
	Office	20,000 SF	50 spaces	1 space
	Total	102,000 SF	388 spaces	425 spaces
¹ The future parking supply includes 239 on-street spaces and 491 off-street spaces for a total of 730 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Powerhouse Lot = 82 spaces - Baker Lot = 28 spaces - Rail Block Parking Structure = 330 spaces - Scalzi = 51 spaces 				

As shown in Table 14, based on the future parking supply limitations (390 weekday and 425 weekend), an assumed future development scenario of 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time. This information is provided in Figure 13.

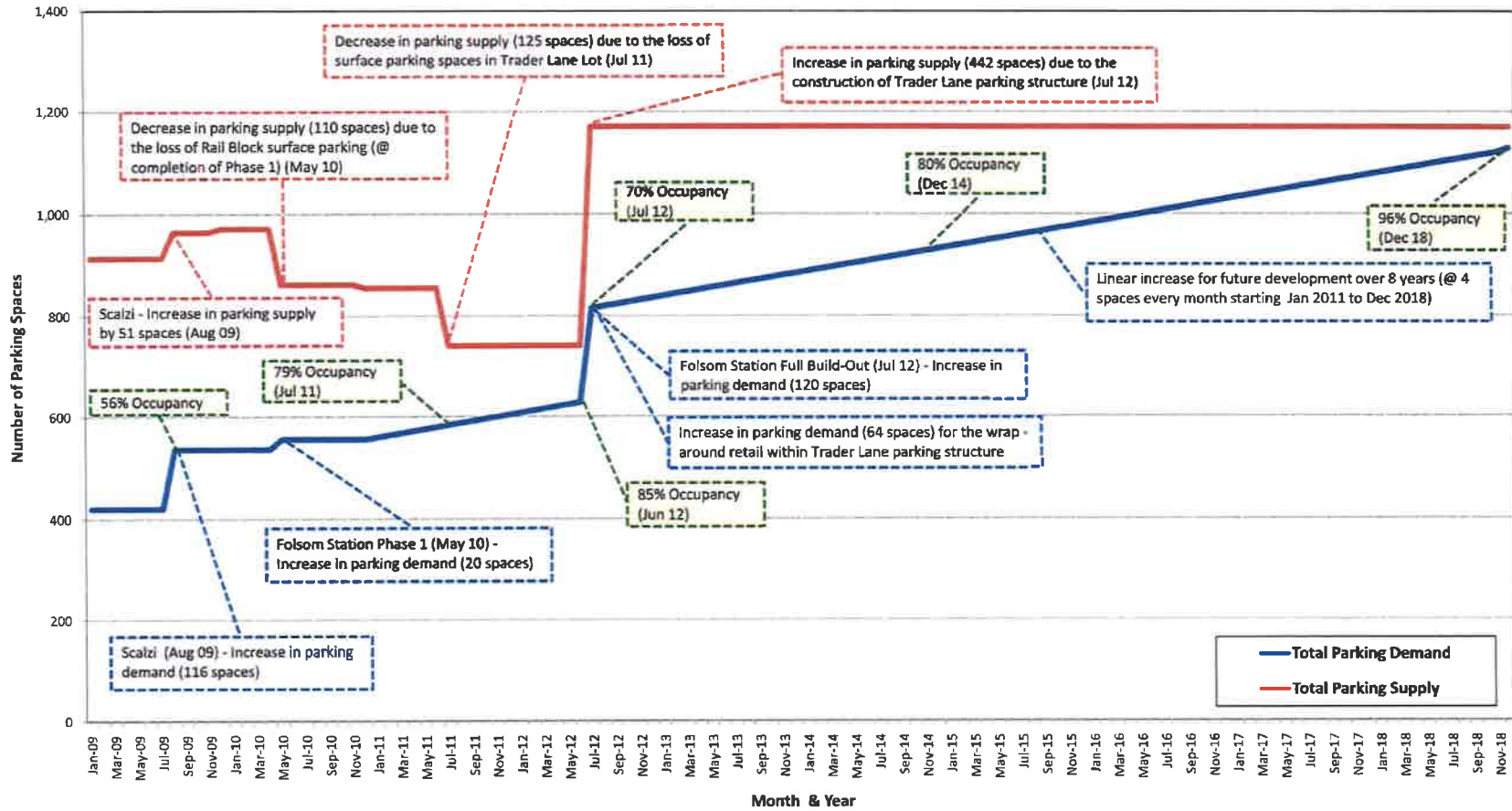


Figure 13 - Parking Supply and Demand Timeline

Adequacy of City’s Current Parking Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types within the Historic District. Assuming that all new development will provide parking in one form or another (i.e., either build parking on-site or contribute to the cost of public parking equivalent to their on-site requirement), Table 15 estimates the total future parking supply needed by new development using the City’s existing parking ratio. As shown in Table 15, new development would result in 348 spaces.

Table 15 – Estimate of Future Parking Supply Based on Current Parking Ratio

	Future Land Use (Square Footage)	City’s Existing Parking Ratio	Total Estimated Future Supply (spaces) Needed
Entire District	121,850	1 space per 350 sq. ft.	348
<p>Note: The estimates above do not include requirements for residential visitor parking that might be located off-site.</p>			

This analysis indicates that using the City’s current parking ratio (1 space per 350 square feet) would result in a number of spaces that would be less than the maximum deficit of 400 spaces (see below) calculated using the calibrated parking demand rates developed in this report. The City’s current ratio would under-provide parking by approximately 50 spaces.

Revised Average Flat Parking Rate to Accommodate Parking Deficit

The peak parking demand, with a factor to reflect practical capacity, is 1,128 spaces. The amount of future parking supply is 728 spaces, which is 400 spaces less than required.

For these 400 spaces to be provided through development requirements, the City could revise the existing parking ratio of 1 space per 350 square feet to 1 space per 305 square feet (see calculations below).

- Peak weekday parking demand for existing plus future conditions = 1,128 spaces
 (676 + 64 + 388 = 1,128 per Table 14)
- Future parking supply (existing plus proposed) = 728 spaces
- The peak weekday parking demand for existing plus future conditions exceeds the future parking supply by a total of 398 spaces (1,128 - 728 = 400)
- City’s revised parking ratio = 121,850 sq. ft. of new development at 1 space per 305 square feet will be equal to approximately 400 spaces.

Individual Parking Ratio by Land Use Types

If the City chose to apply individual parking ratios by land use types, then individual parking ratios for each future land use type is estimated using the future land use square footages, adjusted peak weekday parking demand, and the number of parking spaces required. The future land uses were divided into retail, restaurant (fine dining and casual dining), and office uses. Table 16 shows the calculations of individual parking rate by land use types, assuming 400 spaces (one parking structure) are required to meet the deficit.

Table 16 – Individual Parking Ratio by Land Use Types (Based on Need for 398 Spaces)

Land Use	Future Land Use Square Footages (A)	Adjusted Weekday Peak Demand Rates ¹ (B)	Estimated Demand ² (C)=(A)x(B) x80%	% Percent (D)	No. of Pkg. Spaces Needed (E)	Spaces Required by Land Use Type (F)=(D)x(E)	Approximate Individual Parking Ratio (G) = (A) / (F)
Retail	74,850	4.00	240	53%	398	211	1 Space per 350 sq. ft.
Restaurant							
Fine Dining	13,500	8.50	92	20%	398	80	1 Space per 170 sq. ft.
Casual Dining	13,500	6.50	70	16%	398	64	1 Space per 210 sq. ft.
Office	20,000	3.15	50	11%	398	43	1 Space per 460 sq. ft.
Total	121,850	-	452	100%	398	398	1 Space per 305 sq. ft.

¹ Adjusted weekday peak demand rates from Table 9.
² Estimated demand includes adjustment for transit, walk, bike, and captive trips (a total of 20%).

Conclusions

The overall conclusions of this analysis result in the following:

- The City should begin construction of a Trader Lane parking structure in July 2011, at which point the District-wide parking occupancy is anticipated to be approximately 80 percent. An assumed 12-month construction timeline will allow the parking structure to be completed, and operational ahead of the completion of the final phase of the Historic Folsom Station project in July 2012.
- The current ratio of 1 space per 350 square feet would result in about 348 spaces and would fail to accommodate the projected maximum deficit of 400.
- A revised ratio of 1 space per 305 square feet would result in about 400 spaces and would adequately accommodate the maximum deficit of 400 spaces.
- Individual ratios by land use type ranging from 1 space per 170 square feet to 1 space per 460 square feet would result in about 400 spaces, which would accommodate the maximum deficit.

ASSESSMENT OF PARKING STRUCTURE SITES

Identification of Potential Sites

As part of the Request for Proposals for this project, as well as a carry-over from the 2002 *Plan*, the City identified six (6) potential sites for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five (5) with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. As such, the assessment of parking structure sites focused on the following five locations:

1. Folsom Hotel
 This site is generally described as the vacant ravine behind the Folsom Hotel, adjacent to Riley Street. Access would likely be provided from Figueroa Street and/or the alley between Sutter Street and Figueroa Street.
2. Gold Lake Center
 This site is generally described as the vacant, earthen embankment adjacent to the Gold Lake Center commercial development, along the north side Leidesdorff Street in the vicinity of Wool

Street. Access to this site would likely be provided from Leidesdorff Street and from the existing surface parking lot within the Gold Lake Center property.

3. Moose/Eagles Lodges
 This site is generally described as the parcels currently occupied by the Moose and Eagles Lodges located east of Scott Street, between Riley Street and Sutter Street. Access would likely be provided from Sutter Street and/or Scott Street.
4. Riley/Scott
 This site would replace the existing surface parking lot located south of Riley Street between Leidesdorff Street and Scott Street. Access would be provided from Scott Street.
5. Trader Lane
 This site would replace the existing Trader Lane surface parking lot. Ground level access would be provided from Wool Street and/or Leidesdorff Street.

These five potential parking structure sites are depicted in Figure 14.

Evaluation Criteria and Matrix

In order to evaluate and provide a meaningful relative comparison of the five potential parking structure sites, five evaluation criterion were identified:

- a. Capacity: Does the site contribute toward lessening future parking deficit?
- b. Implementation: Does the site minimize implementation effects on existing parking supply, businesses, and circulation?
- c. Site Accessibility: Is the site located near District generators and localized parking deficits, and is visible?
- d. Community Considerations: Does the site provide for mixed-use opportunities and incorporate urban design characteristics?
- e. Cost Considerations: Does the site incur reasonable construction costs?

The evaluation matrix provided in Table 17 provides a summary of the evaluation of the five potential parking structure sites. More detailed concepts for each of the sites are provided in Appendix G.

Table 17 – Parking Structure Site Evaluation Matrix

Site Alternative Assessment Evaluation Criterion		Parking Structure Alternative Location				
		Folsom Hotel	Gold Lake Center	Moose / Eagles	Riley / Scott	Trader Lane
a	<i>Contributes toward lessening future parking deficit?</i>					
b	<i>Minimizes implementation effects on existing supply, businesses, and circulation?</i>					
c	<i>Is located near District generators and localized parking deficits, and is visible?</i>					
d	<i>Provides for mixed-use opportunities and incorporates urban design characteristics?</i>					
e	<i>Incurs reasonable construction cost?</i>					
Identified as viable site for potential parking structure development?						
Poorly Addresses Criterion Moderately Addresses Criterion Addresses Criterion Effectively Addresses Criterion						



Figure 14
Parking Structure Evaluation Sites

As demonstrated in Table 17, the Trader Lane and Moose/Eagles sites were determined to most effectively address the site evaluation criterion. Conversely, the Folsom Hotel and Gold Lake Center sites were determined to most poorly address the criterion. As previously discussed, subsequent discussions with the City determined that the Trader Lane lot should be the preferred location considered for the development of a new parking structure. The evaluation conducted as part of this effort supports the direction offered by the City.

Conclusions

Based on the aforementioned evaluation of the five potential parking structure sites, the Trader Lane and Moose/Eagles sites were determined to best satisfy the established criterion for the addition of Historic District parking supply. Therefore, these two sites are recommended for design implementation according to the outcomes of this study. The City's subsequent direction to consider only a single structure on the Trader Lane lot is consistent with the outcome of this effort.

PARKING IMPLEMENTATION STRATEGIES

Because the City of Folsom's Historic District is anticipated to realize a parking deficit of approximately 400 spaces at build-out, it is necessary for the City to consider various strategies on how best to address this anticipated shortfall. This section provides a menu of potential general parking strategies, and presents a series of specific recommended near-term and long-term strategies for the Historic District.

Objectives

According to the *Historic District Design and Development Guidelines*⁹, "Because historic downtown lot sizes and development patterns were established prior to the advent of the automobile, however, the opportunities for individual sites in the Sutter Street Subarea to provide on-site parking are severely constrained. In order to preserve the historic structures and ambiance of this area, the City has assumed a share of the responsibility for providing adequate parking for the entire Subarea."

Furthermore, the *Guidelines* specify that "All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code, and any other adopted City ordinances, policies and requirements. The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process."

As such, the overall objective of parking strategies for the City of Folsom's Historic District revolve around the *Guideline's* principles in which the City is a stakeholder in the development of adequate parking supply for the District. This adequate parking is acknowledged to be comprised of both structured and other off-street surface parking facilities.

Historic District Users and Needs

Parking strategies, in general, need to accommodate the multiple users of the Historic District. The mixed-use nature of the District dictates that the users include residents, residential visitors, light-rail transit (LRT) users and commuters, customers (non-residential visitors, shoppers, diners), employees, delivery and public services (police, fire, refuse, etc.), special event visitors, and residents of the surrounding neighborhoods.

⁹ *The City of Folsom, Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

Each of these user groups have their own specific needs, most significantly distinguished by the duration of their parking demand.

The parking strategies described herein specify the particular users that are anticipated to benefit from the various parking strategies. The ultimately selected parking strategies, in cumulative, should address each of the multiple District users' needs.

Historic District Parking Principles

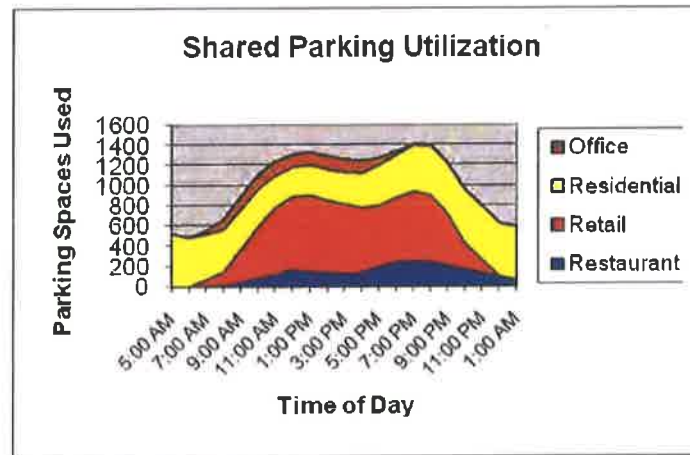
A vibrant, economically viable and successful Historic District (i.e., “downtown”) combines both public and private parking opportunities to create an environment in which visitors park once, and walk to multiple destinations. As specified in the District’s *Guidelines*, private development is essentially expected to rely on the public parking supply to accommodate nonresidential parking demand. As a result, where public parking supply is shared by uses with varying and complementary peak periods of demand, the concept of “shared parking” is introduced. For example, office uses in the District generate their peak parking demand in the mid-morning and early afternoon timeframes, whereas restaurants generate their peak demand midday and in the evenings. These two land uses can effectively share a lower number of parking spaces than if each use was required to accommodate its own peak demand. This “sharing” of parking supply is in contrast to typical suburban parking requirements where each building is required to provide parking on-site for its own users, but rarely fully utilizes its own supply. According to the Urban Land Institute’s *Shared Parking (Second Edition)* “...shared parking has been a fundamental principle of downtown planning from the earliest days of the automobile.”

The following figures (Figure 15 and Figure 16) illustrate the concept of shared parking. Figure 15 is an example of the amount of parking provided based on minimum parking requirements or standards. This approach is based on providing each land use a minimum number of parking spaces as if it were an isolated use. Figure 16 illustrates the actual utilization of the parking spaces for each land use by time of day. Since different land uses have peak parking demands at different times, the land use can effectively “share” a common pool of parking spaces, as long as the highest demand of the day can be accommodated. The result of shared parking is a lower total number of parking spaces than if each individual use is required to provide for its own peak period.

Figure 15 – Minimum Required Parking Example



Figure 16 – Minimum Shared Parking Example



In addition to increasing the efficiency of a limited parking supply, the concept of shared parking reduces the overall cost of providing parking. In downtown areas where development intensity and floor area ratios are high, blocks and individual parcels are small, and land uses are predominantly small businesses, it can be prohibitively expensive to provide parking which satisfies typical zoning code requirements, particularly if structured or underground parking is required. Typical downtown areas have the advantage of being able to combine resources to fund and maintain a common pool of parking for all users. In addition to the principle of shared parking, there are several general principles that should guide decisions regarding parking in a downtown core. These principles include:

1. Provide adequate, but not excessive public parking supply.
2. Provide a simple, easily understood parking environment with adequate way-finding.
3. Maximize the provision of on-street parking as a primary source of short-term customer parking, and enforce time restrictions.
4. Strategically locate municipal lots to provide short-term and long-term parking. Identify at least one location for the eventual construction of a parking structure within the core when needed.
5. Gradually implement pricing as a parking management strategy to reduce long term parking in the downtown core, to balance the level of utilization between on- and off-street parking, and to recover the costs of operating and maintaining parking facilities.
6. Provide options for long-term parking including long-term parking within the core controlled by pricing and free or low-cost long-term in the periphery of the core.
7. Improve the walkability of the downtown to encourage employees to park farther from the downtown core.
8. Ensure high-quality pedestrian connections.
9. Protect neighborhoods from spillover parking.

The strategies identified below are consistent with the principles described above.

Parking Management and Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. A number of parking management strategies could be implemented within the Historic District to address the existing and the projected, future parking conditions. Potential parking management strategies include:

1. Update Private Parking Requirements
2. Establish and Implement In-Lieu Parking Fees
3. Improve Management of Rail Block Parking Structure
4. Implement Residential Permit Parking or Alternative Neighborhood Protection
5. Establish Public Parking Phasing Threshold
6. Establish Loading and Delivery Strategies
7. Implement On-Street Parking Management Strategies
8. Implement Off-Street Public Parking Management Strategies
9. Establish and Implement Valet Parking
10. Implement Additional On-Street Parking
11. Establish Pricing Strategies
12. Establish Parking Demand Reduction Strategies
13. Address LRT Commuter Parking in the District

The following is a discussion of each of these strategies and associated near- and long-term implementation recommendations:

1. Update Private Parking Requirements

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The previously documented detailed parking analysis indicated that this requirement is not sufficient to address the future parking needs of the District. As per the parking analysis, the District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and known planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) will require approximately 350 parking spaces. The parking analysis also indicated that using the City's current parking ratio (1 space per 350 SF) for future parking demand would under-provide parking by approximately 50 spaces.

Recommendation #1: Update the private parking requirements in the Municipal Code to accommodate existing and future parking demand.

The parking analysis evaluated the adequacy of the existing flat parking ratio to meet future parking demand. As per the parking analysis, in order to meet the future weekday parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. By adjusting the parking ratio, the District would be able to accommodate the future parking demand.

In the near-term, the City should consider increasing the flat parking rate from 1 space per 350 SF to 1 space per 305 SF to meet the future parking needs. In the long-term, the City should consider adopting separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses. Adopting separate ratios for different uses will allow the City to more accurately identify future parking needs.

2. Establish and Implement In-Lieu Parking Fees

Under this strategy, developers are allowed to pay a fee in-lieu of providing on-site parking spaces traditionally required by the Municipal Code. The revenue collected by this fee is used to finance public parking spaces. This strategy gives developers an option to either provide the parking required or pay a fee if it is infeasible to construct parking on-site. Alternatively, a development may provide some parking on-site and provide the balance required through payment of the in-lieu fee. This

approach is highly applicable in downtown areas where development opportunity sites are small, and providing on-site parking is difficult and often expensive. Since the City uses Redevelopment Funds to finance public parking spaces in the District, the revenue collected could alternatively be used to pay for a Parking Enforcement Office position.

Recommendation #2: Establish and implement in-lieu parking fees to provide options for developers within the District.

A number of development opportunities exist within the District. However, the size of the development for most of these opportunity sites is small because of existing uses, and it would be difficult for developers to provide the on-site parking spaces required by the Municipal Code. An in-lieu parking fee provides the developer an option of paying a one-time fee for each parking space not provided on-site, thus encouraging development within the District. Cities are often faced with a dilemma where they would like developers to invest in their City, but do not provide developers with an option where they can rely on public parking facilities to meet their parking demand by paying an in-lieu parking fee. Parking for development sites where providing on-site parking is difficult or expensive typically relies upon on-street parking. Increased on-street parking demand has the tendency to discourage customers from visiting.

As a long-term parking strategy, the City could establish and implement in-lieu parking fees. The timing of the in-lieu parking fee could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.

3. *Improve Management of Rail Block Parking Structure*

The recently constructed Rail Block public parking structure is currently used by Historic District employees, customers, and Light Rail Transit (LRT) commuters. Improved management of the different users will result in more effective utilization of public parking resources.

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

This topic is discussed in detail, and implementation recommendations are provided later in this document within the "Assessment of City's 5-Year Parking Management Plan" portion of the "Other Considerations" section on Page 53.

4. *Implement Residential Permit Parking or Alternative Neighborhood Protection*

This strategy has multiple objectives, primarily to protect residential neighborhoods surrounding the District from spillover parking. This strategy would allow residents of the District to obtain permits to park on streets in the surrounding neighborhoods, provided that there is sufficient on-street parking capacity to accommodate the needs of the neighborhood. The revenue generated by this strategy may be used to administer, and enforce, the residential permit parking program, or may be used to fund improvements specific to the neighborhood in which the permit was sold (e.g., traffic calming, landscaping, streetscapes, etc.).

Recommendation #4: As development intensifies in the District, it is recommended to periodically monitor parking conditions to determine if residents are parking on-street, or within surrounding neighborhoods. If so determined, develop and implement a program to administer and enforce a Residential Permit Parking Program (RPPP).

Criteria for triggering the need to implement permit parking also need to be established. There are two purposes for these criteria: a) for Historic District residents to park in public spaces within the District area, and b) to minimize impacts of spillover parking in surrounding neighborhoods (District visitors parking in the adjacent neighborhoods).

Criteria for a) includes: More than 10 percent of the public parking spaces are being utilized by Historic District residents (e.g., overnight parking) on a regular basis. Criteria for b) includes: A neighborhood association registered with the City's Planning Department circulates a petition, and obtains signatures for 60 percent or more of the households in the area. It is also critical that the City has conducted a parking study to demonstrate that spillover parking is occurring.

The City of Folsom has an ongoing neighborhood Permit Parking ordinance which will enable neighborhoods to establish permit parking zones. Also, recent field observations indicate spillover parking into adjacent neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District, and would like to park closer to their destinations.

In the near-term, the City does not need to implement an RPPP for neighborhoods adjacent to the intersection of Wool Street and Figueroa Street. However, the City should continue to monitor this, and other neighborhoods for spillover parking as growth intensifies within the District. A RPPP is an inconvenience for residents, and should be avoided as long as practical.

The long-term strategy is to establish an RPPP, if found to be needed. A RPPP should be implemented gradually, and applied only to neighborhoods that are experiencing spillover impacts. If implementation of RPPP in one neighborhood is determined to push the impact to an adjacent neighborhood, the RPPP should be expanded to that adjacent neighborhood.

5. Establish Public Parking Phasing Threshold

As per the parking analysis, the future parking supply (on-street and off-street) within the District is 730 spaces. The estimated existing parking demand for a weekday is 420 spaces which is approximately 50 percent of the future parking supply. The parking demand for planned/approved projects within the District is estimated to be 256 spaces. With the construction of all planned/approved projects, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 79 percent of the future parking supply within the District.

The parking analysis indicated an additional 121,850 SF of commercial development is feasible within the District without exceeding the parking capacity of a future parking structure. A 422 space parking structure is proposed at the existing Trader Lane Lot, which will in turn eliminate 125 off-street parking spaces. With the elimination of the Trader Lane Lot, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 93 percent of the future parking supply within the District. Typically, the construction of any new parking facility begins when the parking demand reaches 85 percent of the parking supply. This approach ensures that enough parking spaces are available during the period of construction. Accordingly, the construction of the proposed parking structure at the Trader Lane Lot should begin when the parking demand of planned/approved projects reaches 80 percent (205 spaces).

Recommendation #5: The City should start construction of the parking structure at the Trader Lane lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.

In the near-term, the implementation of planned/approved projects should be closely monitored to determine when 80 percent of the development's parking demand is reached. Any additional loss of parking spaces within the District should also be closely monitored.

In the long-term, the construction of a 422 space parking structure should begin when the parking demand within the District reaches 85 percent of the available parking supply.

6. Establish Loading and Delivery Strategies

Loading areas for the delivery of goods, merchandise, and supplies is essential for the economic health of the District. Deliveries should be accommodated through a combination of on-site loading docks, on-street loading zones restricted to certain hours, and permanent on-street loading areas. Larger development projects should provide on-site loading.

Smaller, or otherwise constrained sites may be served by on-street loading zones that are restricted to loading in the early morning hours and afterward revert to public parking. These loading areas are project-specific, but should be selected to serve several properties. These restricted loading areas should be as convenient as possible to the service entrances of the buildings they serve, but if not feasible, loading zones should be on side streets or in the rear of the buildings.

The District should provide several permanent on-street loading zones distributed in all three zones to permit deliveries throughout the day. The City's Municipal Code requires commercial uses where large amounts of goods are received and shipped to provide adequate loading and unloading space to handle the volume and frequency of the truck traffic (Section 17.57.060). The City requires the loading zones be a minimum of 10-feet wide, 35-feet long, and 14-feet high.

Recommendation #6a: For large developments, the City should recommend on-site loading and unloading zones.

Currently, the City's Municipal Code does not require large developments to provide on-site loading and unloading zones, which puts the burden upon on-street parking spaces to serve as loading and unloading zones. For these large developments, additional on-street parking spaces are required (as per Municipal Code Section 17.57.060) which are likely to reduce the general availability of on-street parking spaces for customers/visitors within the District. Therefore, it is recommended that in the near-term the City add a provision within their Code which requires large developments to provide on-site loading and unloading zones.

Recommendation #6b: Based on the location of existing and anticipated commercial businesses, identify and implement restricted and permanent loading zones on curbs with parallel parking.

With the amount of development proposed within the District, sufficient on-street loading and unloading spaces should be provided to accommodate the needs of the future developments. The following locations are recommended for on-street loading and unloading zones (Note: the exact location of existing loading and unloading zones are not known and the recommendations are made based on anticipated future demand from proposed developments):

- Trader Lane between Wool Street and Riley Street
- Sutter Street between Reading Street and Decatur Street
- Sutter Street between Decatur Street and Wool Street
- Sutter Street between Wool Street and Riley Street
- Sutter Street between Riley Street and Scott Street
- Leidesdorff Street between Gold Lake Drive and Wool Street
- Scott Street between Riley Street and Sutter Street

The City should maintain flexibility to change the location of loading zones in response to changes in development. In the near-term, some on-street parking spaces along the recommended sections should be designated as loading and unloading zones during the off-peak hours.

In the long-term, some of these off-peak loading and unloading zones, which are heavily utilized, should be designated as permanent loading and unloading zones without time restrictions. This approach should only be done if the loss of on-street parking spaces does not significantly affect the parking supply, and additional on-street parking spaces exist within the surroundings. The timing for permanent loading and unloading zones could also be coordinated with the construction of the Trader Lane parking structure, as the parking supply within the District will be increased and the loss of on-street parking spaces is compensated.

7. Implement On-Street Parking Management Strategies

Most streets within the District have on-street parking. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation. Under future conditions there are a total of 239 on-street parking spaces. Table 12 of this report details the on-street parking locations within the District.

On-street parking is used by employees, customers, and visitors of the District. To some extent, existing on-street parking is used by LRT commuters as parking enforcement is not strictly provided. Proper on-street parking management will increase its efficiency by making sure that adequate parking is available within the District to accommodate short-term peak parking demand. Shoppers, diners, and commercial visitors will comprise the majority of peak period parking demands in future Folsom. This group of users has short-term parking needs (3 hours or less). Therefore, the time restriction and potential pricing strategies discussed below are intended to serve this group of users.

Time Restrictions

Time Restrictions are intended to maximize parking turnover of the most convenient and therefore, the most valuable, spaces in the District. The objective of this strategy is to reserve on-street parking spaces in proximity of retail land uses within the District for customers, while providing unrestricted parking in the periphery for employees or residents.

Existing on-street parking occupancy results indicate peak weekday demand of approximately 80 percent to 85 percent and the peak to be between 11:00 a.m. and 2:00 p.m. During the weekend (Friday evening), the peak on-street parking demand is approximately 75 percent with the peak time between 6:00 p.m. and 8:00 p.m. Parking demand in many downtowns peaks around noon to 1:00 p.m. as this is the time that retail/restaurant uses peak during weekdays. The District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix. For the weekend, the observations suggest on-street parking spaces are being used by restaurant users, which peak around dinner time within the study area.

Approximately 75 percent of the District's on-street parking should be restricted to short-term parking. While time restrictions can vary depending on the needs of the adjacent land uses, the basic time limit should encourage the desired turnover (typically 1 ½ to 2 hours). Longer term parking should be provided within the immediate periphery, or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street). These streets should be restricted to 10-hours, or left unrestricted in the near-term. The City may provide shorter time restrictions for street segments at the request of property owners.

The following streets within the District currently have time restrictions:

- Wool Street: Between Sutter Street and Figueroa Street (2-hour limit)
- Wool Street: Between Sutter Street and Leidesdorff Street (3-hour limit)
- Sutter Street: Between Wool Street and Reading Street (3-hour limit)
- Gold Lake Drive (3-hour limit)
- Decatur Street: Between Sutter Street and Figueroa Street (3-hour limit)
- Leidesdorff Street: Between Wool Street and Gold Lake Drive (3-hour limit)

However, these time restrictions are not enforced, and do not cover all streets within the District. Recent parking turnover surveys conducted in January 2008 show vehicles parked throughout the day at some of these on-street parking spaces.

Criteria/Guidelines for Time Restrictions

- Maintain consistent time restrictions within the District. Avoid piecemeal time restrictions unless there are compelling reasons to change.
- Time restriction serving the commercial core should be 2 hours (the average time parking in downtown's nationally is 90 minutes).
- Property owners may petition for time restrictions less than 2 hours on the streets which their property is located, but the change should be applied to the entire street. The majority of property owners fronting the street (at least 51 percent) must agree to the change in restriction. The City may require a parking turnover survey to support changes to the time restriction.
- 30-minute time restrictions may be used for streets serving very high intensity retail activity where rapid turnover is required (e.g., post office, banks, ATMs, dry cleaners, etc.).
- Long-term parking (no time restriction except standard 72 hour limit) should not be signed. Designation of unrestricted parking should be based on whether or not:
 - The parking area is conducive to employee and resident parking outside of the District;
 - There is adequate on-street parking capacity (85 percent or less occupied); and
 - The current adjacent uses on either side of the street do not require high turnover parking.
- Unrestricted long term parking should be provided adjacent to residential development (not mixed use) and in the periphery of the Historic District based on the above criteria.

Recommendation #7a: Change the existing 3-hour parking restrictions to a 2-hour parking restriction within the District. Install revised parking restriction signs on these streets. Consistent enforcement of the time restriction is necessary to maintain adherence.

Recommendation #7b: Adopt the time-restriction recommendations described above. Identify 30-minute parking zones on streets serving high intensity retail or service activity. Also identify long-term parking within the immediate periphery or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street).

In the near term, no change to 3-hour parking restriction is needed. However, enforcement of time restriction is recommended to maintain adherence and to acclimate downtown parkers that enforcement is being consistently applied. Parking tickets, which only give a warning to vehicles parked longer than the time allowed, may be issued during the acclimation period.

In the long-term, as the development intensifies within the District, it is recommended that all on-street parking within the commercial core be limited to 2 hours and parking tickets (appropriate amount should be decided by the City) be issued to vehicles violating the time limits. Parking enforcement could also be coordinated with the construction of Trader Lane parking structure as more parking will be available for long-term parkers.

8. *Implement Off-Street Public Parking Management Strategies*

Within the District, off-street parking lots were observed to have occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then a drop to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m., the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

Nearly all existing off-street parking lots within the District have a 3-hour time limit on parking. However, these time limit parking restrictions are not enforced, and the recent parking turnover survey conducted in January 2008 showed vehicles parked in off-street public parking lots throughout the day.

Recommendation #8a: Restripe existing off-street parking lots to enhance the delineation of the parking spaces.

Recommendation #8b: Remove existing 3-hour time limit from all off-street parking lots and charge a parking fee based on number of hours parked.

Removing the existing 3-hour time limit and charging a parking fee based on the number of hours parked will provide options for employees, commuters, and visitors who need to park for a longer duration. The parking fee charged will provide revenue which can be used for the operation and maintenance of the off-street parking facilities.

In the near-term, the City does not need to make any changes and should continue with the 3-hour time limit for all off-street parking lots within the District. As the development within the District intensifies, the City should start parking enforcement by issuing warning tickets.

In the long-term, the City should remove the 3-hour parking limit from all off-street parking lots and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as over-flow in case the parking spaces within the District are fully utilized. The City should encourage employees to utilize off-street parking during the construction of Trader Lane structure.

Recommendation #8c: Identify off-street parking lots within the vicinity of the District, and encourage employees to use these parking lots during the construction of the Traders Lane parking structure.

9. *Establish and Implement Valet Parking*

A total of approximately 39,000 SF of future restaurant use is either planned or estimated within the District. Identifying on-street and off-street valet parking locations within the District will provide much needed convenience for the restaurant patrons. Restaurants peak during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.

Recommendation #9: Almost exclusively used for restaurants, this strategy increases parking capacity as well as convenience for restaurant patrons. The City should permit restaurants, or other commercial businesses, to institute valet parking through a conditional use permit, including permission to reserve one to two parking spaces in front of the businesses to conduct valet operations. Valet parking can utilize private parking facilities through agreements with the facilities' owners.

In the near and long term, the City may consider valet parking operations to be used by restaurants during the evening (6:00 p.m. to 8:00 p.m.). This requires establishing conditional use permits, reserving portions of off-street public facilities for valet parking, and allowing reservation of curb space for valet operations.

10. Implement Additional On-Street Parking

One approach to increasing the public parking supply is to implement angled parking spaces on appropriate existing streets. The minimum street width to accommodate angled parking on one side of the street and parallel parking on the other side is 53-feet for 60-degree angled parking, and 50-feet for 45-degree angled parking. These street widths allow for a wider lane adjacent to the angled parking so that vehicles backing out of the parking spaces do not encroach into the opposing travel lane. A minimum curb to curb width of 50-feet is needed for streets to have angled parking. Currently, angled parking exists on Leidesdorff Street, west of Wool Street, and on Wool Street, north of Sutter Street. Streets with sufficient widths to accommodate angled parking should be identified within the District to increase on-street parking supply.

Recommendation #10a: Identify streets within the District with sufficient widths to accommodate angled parking.

In the near-term, additional on-street parking spaces as suggested by the City's *5-Year Parking Management Plan* (January 2008) should be implemented. Additional on-street parking spaces which involve the Trader Lane Lot should be coordinated with the construction of the Trader Lane Lot parking structure.

In the long-term, the City should conduct a detailed study to identify streets within the District where angled parking could be implemented.

11. Establish Pricing Strategies

Currently within the District, parking is provided free of charge. There is minimal parking enforcement and, therefore, no source of revenue for the City. As per the City's *5-Year Parking Management Plan* (January 2008), the installation of parking meters within the District is not recommended, citing the installation and maintenance costs, as well as the potential of diverting funds away from other more beneficial improvements. It is also speculated that the implementation of parking meters could drive customers away to nearby shopping districts without parking fees.

While the perception of deterring patrons away from the District may be true for the near-term, it may play less of a role for future conditions. The District can accommodate future commercial development of approximately 121,850 SF in addition to the already planned/approved projects. The future development of the District is likely to attract more customers, and lack of available on-street parking due to time limit violations, and no parking enforcement would also discourage them from visiting. Parking meters are typically found in most downtowns within California.

In the long-term, the City should install parking meters for on-street parking spaces on streets where the recommended two-hour parking restriction is implemented. As suggested in the City's *5-Year Plan*, the City should continue to explore the feasibility of creating either a full-time parking enforcement position, or using help from volunteer agencies to perform parking enforcement. The revenue generated from the parking meters could be used to fund the parking enforcement officer.

Recommendation #11a: In the long-term, the City should install parking meters for on-street parking on streets where the recommended two-hour parking restriction is implemented.

Recommendation #11b: Create a full-time parking enforcement officer position. Installation of parking meters should be gradual and should start with streets serving retail/restaurant uses which require short-term parking. Also, strict parking enforcement should be performed for effective utilization of on-street parking spaces. As development intensifies within the District, parking meters could be installed on additional streets.

Instead of parking meters, the City should consider installing newer parking machines which can accommodate various payment methods (coins, bills, credit and debit cards, and by cellular telephone or Internet), charge only for time parked, incorporate multiple rates, and have the flexibility to vary rates by time of the day. One parking machine could be installed on each street for all on-street parking spaces on that street. The customer using the on-street parking space on that street buys a parking permit from the machine for the time parked and displays this parking permit on the dashboard of the vehicle for verification by the parking enforcement officer. These newer parking machines also produce receipts and record data for auditing, thus preventing fraud, and also record parking utilization data for planning purposes.

Unbundled Cost of Parking

The cost of parking is typically included in the sales price, or rent of housing. While not a common practice today, the City should provide developers flexibility to separate the cost of parking from the cost or rent of the units, as long as the maximum parking requirements for the development, as a whole, are met. This approach provides a financial incentive for, and attracts, those households with low or zero auto ownership. The developer may be able to separate the cost of parking from all the units, a portion of the units, or offer additional spaces for monthly lease. It would be important that buyers and renters are made aware that they are not paying more for parking, but that the cost of parking is simply being separated out from the other costs of purchasing or renting a unit.

Recommendation #11c: Explore allowing developers to unbundle the cost of parking from dwelling unit sales price or rent. Let developers decide whether there is a market for implementing this innovative parking technique.

12. Establish Parking Demand Reduction Strategies

This strategy is aimed at reducing the parking demand within the District. This approach could be accomplished by encouraging alternate modes of travel (transit, bicycle, and walk), by providing shuttle services which connects remote parking, and by guaranteeing rides home. The City's *5-Year Parking Management Plan* (January 2008) identified a number of parking demand reduction methods that could be accomplished within the District to reduce the dependence on parking. The methods discussed in the *Plan* included:

Transit Incentives: "Encourage use of Light Rail and bus transit by subsidizing transit fares and allowing flexible work schedules."

Remote Parking with Shuttle: "Introducing an off-site location for employee parking and providing a safe and convenient shuttle system can displace long-term parked vehicles out of the District and open up more space for visitors. This can be done on a regular basis or during special events, but may require employee incentives to encourage its use."

Pool Vehicles / Guaranteed Rides Home: "Employers can create incentives by guaranteeing the employee that they will have a ride to their car or home at any time necessary. Some districts will also purchase a small number of fuel efficient, low-cost vehicles that will be available to any employee that needs to use one to run an errand or for overnight use."

Valet/Pedicab Services: “The Chamber of Commerce created valet parking and volunteer pedicab programs last year, which were successful methods of improving the use of less desirable parking spaces”. The City should continue the successful implementation of the Valet/Pedicab program last year and expand if possible.

Improving Walk and Bicycle Access: “A consistent network of safe bicycle and pedestrian trails, coupled with storage and shower facilities can promote non-motorized transportation use, freeing up additional parking for customers”. The Plan identified the current Streetscape effort and bike storage facility in the Rail Block public parking structure as near-term parking strategies.

Recommendation #12: Implement the parking demand reduction strategies suggested by the City’s *5-Year Parking Management Plan* (January 2008).

In the near-term, the City should encourage employers to subsidize transit fares, continue the Valet/Pedicab program, and provide bike storage facilities within the District. In the long-term, the City should identify remote parking areas outside the District and encourage employee parking within these parking areas with convenient shuttle service (financed through a Business Improvement District or service provided by RT).

13. Address LRT Commuter Parking in District

The presence of Light Rail Transit (LRT) introduces a layer of complexity in the evaluation and assessment of parking management strategies in the Historic District. A recent strategy to address the inevitable presence of LRT users within the new Rail Block parking structure was developed in which 100 LRT parking permits would be provided, for a fee, with an established expiration date. Furthermore, District-wide, various time limit parking restrictions have been implemented to further combat the effect of these daily, long-term parking users.

Recommendation #13: It is recommended that the City institute simple, straight forward parking management strategies that are easily understood by all users of the District’s parking supply, including the new Rail Block parking structure. The most effective parking management strategy will simplify enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the Rail Block parking structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

As discussed later in this document, the near-term conditions of the Rail Block parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The City’s contemplated 6-hour maximum time limit within the structure may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

Light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and a floors 3 and 4 with light rail permits and employee permits (also must be enforced).

Also as discussed later in this document, in the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Summary of Recommended Strategies

Near-Term Strategies

The near-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

The long-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.

- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

FUNDING STRATEGIES

This section provides information about the different types of parking costs and different financing options and strategies. The information focuses on structured, free parking, as the City of Folsom plans to construct a new structured parking garage without implementing development funding mechanisms. Based upon the City's stated objectives and findings from other sections of this report, general information that applies to most cities is provided in this report, as well as specific ideas and recommendations for the City of Folsom.

The City of Folsom is not unique in its objectives to provide efficient parking without yet knowing how all of the costs will be paid. And like many cities, parking structures are seen as a catalyst to development and redevelopment activities. Most structured parking facilities are not self-supporting and, even when there are operating revenues, they are often insufficient to cover operating expenses and debt service. Because of this reality, it is often not possible for an owner to obtain 100 percent financing on their parking project without subsidies of some kind. Furthermore, many municipalities are in the process of eliminating parking from their budgets and intend to remain to be involved in managing the parking without being the sole provider of funding and financing for parking.

While there are many cities similar to Folsom that intend to become or remain responsible for the costs of parking, they should be aware that there are a number of strategies that have been successfully used to finance parking facility capital projects. Common financing methods include federal grants, tax-increment financing, taxes from business improvement districts or parking tax districts, and net revenues from other facilities. These and other options are described in this report. To determine the most appropriate means of financing for Folsom, a market and financial analysis study may need to be completed. These financing decisions typically are approved by city councils. Market and financial studies are often completed by an economist with a parking professional providing existing and forecast demand data. When user fees (paid parking revenues) are a part of the financing equation, the projected demand and revenues of a proposed parking facility project are quantified, and so is the extent to which the user fees will cover the operating expenses and debt service. If during the course of such a study it is determined that operating revenues are projected to

adequately cover operating costs and debt service, then there is no need to identify additional funding sources. However, for those projects that do not “pencil out”, a subsidy is required. This subsidy may be defined and quantified through this study process. Since parking is intended to remain free in the Historic District, the City would be seeking subsidy or total financing.

Parking Costs

Parking costs are divided into two categories – capital costs for construction of parking infrastructure, and operations and maintenance costs which are typically combined. Both kinds of cost need to be considered for funding, and each may require separate funding sources because of the timing for when the financing is needed. Capital costs are infrequent, but may be large sums. Operations and maintenance costs are regular (typically budgeted for annually), smaller costs. Capital (or development) costs and operating/maintenance costs vary widely. Land acquisition costs, construction costs, soft costs, and operating expenses are types of costs that should be considered during the planning phase of a parking project.

Estimating the cost of constructing a new parking structure is dependent upon several variables, including the number of spaces needed, the number of parking structure levels, the size/dimensions of the site, the architectural features for the structure, and whether the garage will have ground floor uses. Other variables that affect parking structure costs include the type of flow system (one-way or two-way drive aisles), the number of access points, the amount of underground levels, and the size and shape of the site. Certain site dimensions and topography can make one site more efficient and less costly than other sites. In the event that the City chooses to build parking structures on multiple sites, the cost per space may vary depending on site characteristics and structure sizes. These factors need to be considered in the site selection process.

Land Acquisition Costs

Although not a factor in the District’s proposed use of the Trader Lane site, land costs are often not included during the preparation of a parking project’s economic analysis. In many cases, the institution that is planning a parking facility, an airport, hospital, municipality, university, etc., already owns the land that serves as the site for the proposed parking facility. However, in those cases where land costs do need to be recouped, land acquisition costs become a significant part of the equation. There is not rule of thumb for typical land acquisition costs. These costs vary significantly from one location to another and depend upon a multitude of issues including access, density of development, surrounding land uses, income potential, etc. Land acquisition costs can often add from \$15 to \$100 or more per square foot of land area to the overall project cost.

Construction Costs

The most significant variable impacting construction or “hard” costs is the type of parking improvement. Surface parking lots can be constructed for as little as \$1,000 per space or less for a basic paving and striping project, and as much as \$3,000 or more per space for a grander project featuring an elaborate drainage systems, premium light fixtures, signage and graphics, and landscaping.

Structured parking costs represent comparatively higher costs per space than surface parking, and typically range anywhere from \$8,000 to \$30,000 or more per space, depending on the project particulars. The low end of this range will likely buy a simple concrete parking structure with limited aesthetical appeal. More unique architectural features can drive the cost upward significantly.

Soft Costs

To derive a total project cost, other costs must be added to the construction and land costs. These additional costs are referred to as “soft” costs, and may include items such as a construction contingency, architectural/engineering fees, soils and materials testing, debt service reserve funds, legal fees, and financing costs. Soft costs can vary significantly but typically fall within 15 to 35 percent of construction costs.

Operating Expenses

Operating expenses of parking facilities also vary dramatically. Variations are due to geographical location, size of facility staffing patterns, method of operation, and local legal requirements. These expenses include enforcement, the cost of utilities, supplies, daily maintenance, lighting, cashiering, management and accounting services, on-site security, structural maintenance, landscaping and insurance. Multi-story structures may require additional costs for fire control equipment and elevators, and underground parking may require mechanical ventilation. Public parking facilities typically do not pay taxes.

Annual O&M costs for a parking structure are dependent upon several variables, including whether or not the garage is free or for pay (which would require personnel), whether or not there are restrooms, and how large the structure is or how many levels of parking it provides. Annual costs per space range from about \$200 for basic maintenance, up to \$800 for a facility with attendants.

Types of insurance coverage include comprehensive liability, the garage operator's legal liability, fire and extended coverage, workers' compensation, equipment coverage, money and security coverage (theft occurring on the premises), blanket honest coverage (employee theft), and rent and business interruption coverage, (structural damage resulting from natural phenomena). Annual operating expenses for structured parking facilities typically range from \$200 to more than \$800 per space. These figures exclude parking, property, and sales taxes.

Financing Strategies

The financing mechanisms discussed in this section are typical strategies used by cities similar in size to Folsom. A menu of options is provided for the City to use to finance future parking costs. The decision-making process for the parking facility financing should begin with a general agreement regarding basic principles and end with a more detailed approach for resolving funding, management, and cost allocation issues. Kimley-Horn has identified a number of guiding principles that can guide future actions and decisions regarding the sources and use of funds for parking facilities. A consensus among key stakeholders on general principles will help guide and resolve financing-related issues as they arise throughout the implementation process.

Guiding Principles

The City's financing strategy should be guided by the following principles:

- The improvement program that is ultimately adopted must be financially feasible, i.e., funding sources must be identified, and quantified that match programmed expenditures. In addition, maintenance, operations and depreciation must be considered prior to project development. Given the significant cost associated with construction of parking facilities, it will be important to develop a strategic approach to project financing and prioritization of investments. As a general principal, the investment in new parking facilities should occur only after adequate funding sources have been identified and committed for both one-time and ongoing costs. Consequently, the actual project schedule and phasing will need to be adapted to funding realities. In addition, since the construction of parking facilities generally leads to Operations and Maintenance (O&M) costs, capital investment must be matched with increased operation revenues.
- Innovative ways of covering project costs should be pursued based on a concerted public-private partnership and leveraging the diverse spectrum of potential sources available. The large cost of meeting the parking needs suggests that existing sources and standard techniques will need to be leveraged and expanded in a number of ways. Private funding through fees and assessments will also be required, and the support of local stakeholders and the Folsom community will be critical for success. Under some proposed financing scenarios, voter approved funding mechanisms may be necessary. In addition, funding mechanisms and programs should be established early on so as to build up reserve accounts that grow over time. In general, it is anticipated that the financing program will be based on a concerted public-private partnership.

- The costs associated with parking facilities should be allocated in a proportional and equitable manner and, to the extent possible, across a range of potential beneficiaries and user groups associated with the facilities. No single financing mechanism is expected to cover the full cost of construction and operating a parking structure. Rather, a combination of sources will be required in order to provide adequate funding and allocate costs among different groups. The section below outlines several financing scenarios developed to illustrate the range of financial responsibilities that could be assigned to various entities, and provides further detail on the nature and potential applicability of various funding mechanisms.

Alternative Financing Strategies

The following is an overview of the most commonly used strategies for financing parking facilities, most of which fall short of generating operating revenues that are sufficient to cover operating expenses and debt service:

Federal Grants

At least two potential funding sources are available at the federal level. Location, intended use of the facility, and availability of grant money are the variables that typically govern whether a project receives federal grant money. The U.S. Department of Transportation offers two types of grants that may be applicable to a parking project: Federal Transit Capital Investment Grants and Federal Transit Formula Grants. The capital grant can be applied to virtually any infrastructure improvement pertaining to the establishment or improvement of mass transit systems. Qualified applicants include: public agencies, states, municipalities, public corporations, boards and commissions, and private agencies through contractual agreements with a public agency grantee. Qualifying parties must submit an application with detailed requirements and approval of the project by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

Tax Increment Financing

Implementation of a tax increment finance (“TIF”) district is a common financing mechanism employed by municipalities. Tax increment financing is a way to use tax revenue growth produced by an increase in the tax base of a specified area to fund improvements. A TIF is an increasingly viable solution to funding the development of needed infrastructure, including structured parking. Projects are taxed through an anticipated increase in the area’s property tax revenues. TIF districts do not generate tax revenues by increasing tax rates. Rather, the TIF district generates revenues by permitting the municipality to temporarily capture the tax revenues generated by the enhanced valuation of properties resulting from various redevelopment projects.

Parking Tax Districts

A parking tax district typically addresses a narrow selection of issues directly related to parking. In cases where the municipality is the sole provider of parking, the collection of parking taxes tends to be applied in a uniform manner on an assessed value basis or as a fee per space based on zoning parking standards or requirements, and typically with a partial exemption for parking spaces provided above a threshold percentage. Typically, no commercial property is 100 percent exempt unless its owner provides 100 percent of the parking requirements mandated through the zoning ordinance within the district. Single-family residential property is usually exempt, but multi-family apartments usually are not exempt. Examples of some California cities with this strategy are provide below.

Covina, California has a vehicle Parking District Tax. This tax is assessed only on the difference between the number of spaces provided and the number required by the zoning ordinance. There are no exceptions to this tax for owners who provide parking.

Alhambra, California includes parking within a Business Assessment District Tax. This tax is assessed uniformly on all commercial property based on the gross receipts of the business. Because this tax supports functions other than parking, such as beautification, cleaning signage, etc., there are no exceptions for parking provided.

Fullerton, California owns almost all of the off-street parking within the city, and all businesses within the parking district were assessed a parking district tax to retire bonds for the construction of parking. No exemptions were offered as almost no properties supplied their own parking needs. Because the bond debt was retired several years ago, the parking tax district was also retired.

General Obligation Bonds

General obligation bonds obtain the lowest possible interest rate of cost of borrowing for any given municipality. Because the full faith and credit of the municipality is pledged to such bonds, the rate of interest will reflect the best that the community has to offer. The primary way for a municipality to improve on its own full faith and credit pledge to a bond issue is to purchase municipal bond insurance.

The general obligation bonds of local governments are most commonly paid from ad valorem property taxes and other general revenues. These bonds are considered the most secure of all municipal debt and are limited in California by Proposition 13 to debt authorized by a vote of two thirds of voters in the case of local governments.

Revenue Bonds

When revenue bonds are issued to finance a parking project, the bond issuer pledges to the bond holders the revenue generated by the parking project. Revenue bonds are payable only from specifically identified sources of revenue, including pledged revenues derived from the operation of the financed parking facility, grants, and excise or other taxes. Parking revenue bonds secured solely by the revenues from a single, stand-alone, municipality-owned parking facility are acceptable at a reasonable tax-exempt rate only when irrefutable evidence is presented.

In-Lieu Fees

In-lieu fees are charged to development "in-lieu" of parking that developers would otherwise be required to construct on site. Such fees are generally optional, apply only to new development, and are typically collected when building permits are issued. Because different land uses generate different levels of parking demand, cities typically establish a schedule of specific in-lieu fees for retail, office/light industrial, and lodging uses that reflect variations in demand. This approach assumes that residential development typically constructs its own on-site parking.

Parking District / Special Assessments

Special assessments are charges to real property based upon a benefit conferred by a public improvement, in this instance, parking. In order to collect special assessments from Historic District property owners, the City would need to establish a Parking District. A special assessment would require the support of the owners of a majority of the proposed district. Alternatively, the City could generate similar revenues through an increase in the business license tax without voter approval. It is assumed that in either case residential development would be excluded from this fee.

Business license taxes can be assessed based on the land use of the business. For example, an annual assessment of \$0.62 per square foot of retail restaurants, \$0.42 per square foot of office/light industrial, and \$0.31 per square foot of lodging could be charged to the businesses. These fees would be based on future land use projections and would be charged as the land develops. If parking facilities are built before all projected development occurs, the City may experience a funding gap period during which General Fund loans or alternative short-term funding mechanisms would be required to pay for capital costs and operations.

Certificates of Participation

A Certificate of Participation (COP) allows the public to purchase a share of the lease revenues paid by a municipal entity for the acquisition or construction of specific equipment, land, or facilities. COP proceeds are then used to fund the project or acquisition. The technique provides long-term financing that does not constitute indebtedness under the state constitutional debt limit and does not require voter approval.

Repayment of COPs can come from a variety of sources, including general fund revenues or earmarked funds in the general fund such as special tax proceeds or fees. Potential revenues from tax increases and parking meter fees are discussed below. These sources could also be used to cover operations and maintenance costs.

Conventional Debt Financing

Conventional loans are loans that are not insured or guaranteed by a government agency. This method of obtaining funds for a capital improvement project involves a lending process that is often rigorous, and may result in higher financing costs incurred by the borrower. Banks want to lend to parties that have a clear record of profitable operations, that generate a cash flow sufficient to repay the load, and that have enough collateral or assets to secure the load. Conventional financing requirements include a clean credit record and no bankruptcies or foreclosures.

Sales Tax Increase

A voter-approved, City-wide sales tax increase could provide a revenue stream to make lease payments on parking structure capital construction. If intended to provide dedicated funding for parking-related projects, this type of sales tax measure would require a two-thirds majority vote of residents and would depend on significant public support. A general tax increase, in contrast, would require only a simple majority but would not be earmarked specifically for parking-related projects and might be subject to changing budget priorities.

Transient Occupancy Tax Increase

A transient occupancy tax (TOT) is similar to a sales tax increase as it requires two-thirds voter approval if it is to be dedicated to a specific purpose, or simple majority approval if it is to be a general tax. A TOT increase could provide a revenue stream to secure COP financing or other form of debt financing.

Meters, Fees, and Enforcement Fines

Many jurisdictions have been able to partially finance construction of parking structures using bonds funded through parking meter revenues and fines. And some jurisdictions utilize meters as a parking management tool to encourage turnover and control employee parking. Ultimately, the ability to generate net revenues from meters (after accounting for enforcement and capital costs) depends upon local parking demand and supply dynamics as well as public policy objectives. For example, larger cities with high parking demand are generally capable of charging higher meter rates and spreading enforcement cost over a larger area. Meter revenues could also provide funding for a portion of ongoing O&M costs.

Redevelopment Agency

The Historic District falls within the City's redevelopment area. As new redevelopment occurs in the District, tax increments will accrue to the Redevelopment Agency. While a substantial portion of Redevelopment funds are already committed to existing projects, some share of tax increment funding may be available for parking structure financing. In addition, RDA-owned land could be sold to generate revenues for parking structure construction and operations.

Private Funding

In rare cases, private developers may build parking facilities. This generally occurs in dense urban areas, where parking is at a premium and operators are able to charge extremely high parking fees. Given Folsom's size and relative low level of parking demand, it is unlikely that private developers would pursue construction of a parking structure in the City entirely on their own.

Potentially, City-owned land could be provided to a developer with the requirement that development of the property include a parking facility. However, this option could limit the City's control and flexibility. Selling City-owned land and using the revenues to cover a portion of parking structure costs would produce similar results while allowing the City greater involvement in project implementation.

Conclusions

There is no such thing as “free parking.” Even if parking is provided free of charge to users, someone pays for the land, construction, and maintenance of parking facilities and spaces. Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City’s needs. Based on our discussions with the City, we understand that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the City garage, perhaps on “Thursday Night Market” nights, as a way to raise additional funds during peak periods.

OTHER CONSIDERATIONS

Special Events Assessment

The Historic District of the City of Folsom has several routine “special” events which result in parking and circulation restrictions different from normal conditions. These “special events” all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Existing Conditions

The Thursday Night Market is a special event that takes place every Thursday night from early June through late August. These approximately 12 weekly events require routine parking and access restrictions, as well as deviations from normal traffic patterns. To obtain firsthand knowledge of the current “special event” parking and traffic management strategies, Kimley-Horn visited the August 7, 2008, Folsom Historic District’s Thursday Night Market. At this event, representatives from the Folsom Merchant’s Association were consulted to further complete the assessment of existing conditions.

Based on our site visit and discussions with the Merchant’s Association representatives, the conditions resulting from the Thursday Night Market include the following, and are generally depicted in Figure 17:

- Restriction of all vehicular access to Sutter Street from Reading Street to Scott Street. To accomplish this level of access control, barricades are utilized along the Decatur Street, Wool Street (both north and south of Sutter Street), and Scott Street approaches. Sutter Street cross traffic is further restricted at Riley Street.
- Three of the seven barricaded street closures are staffed during the entire duration of each event. These staff members were observed to provide direction to patrons, allow vehicle admittance for vendors and residence, and to provide general guidance at these three key locations.
- Pedestrian access is retained and permitted throughout the District.
- Patrons were observed to utilize adjacent residential streets for parking to access the event. Two general areas were observed to receive a majority of this “overflow” parking: Figueroa Street in the vicinity of Wool Street, and Sutter Street between Scott Street and Coloma Street.

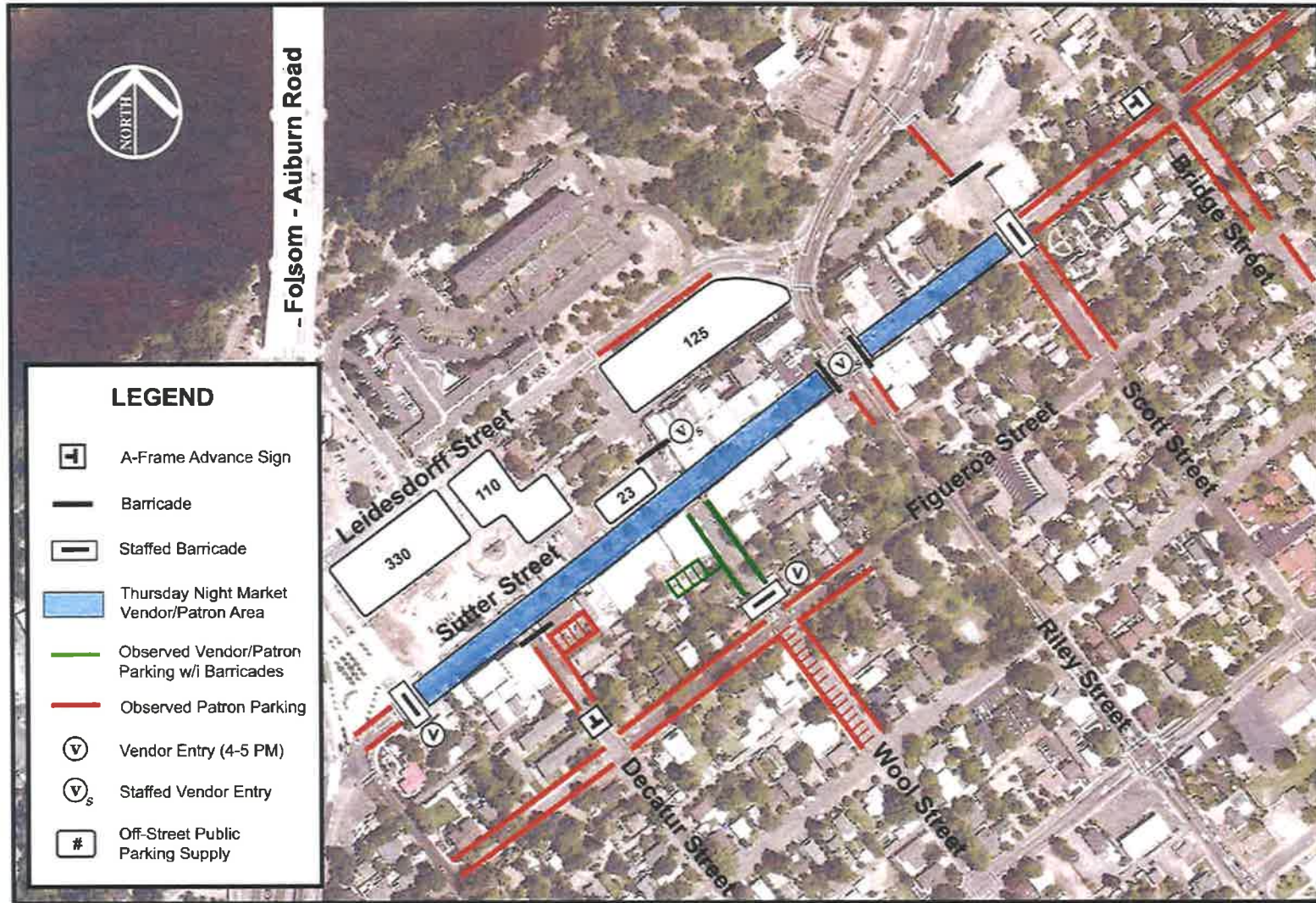


Figure 17
Folsom Historic District Parking
Existing Thursday Night Market Traffic & Circulation Restrictions

- The recently completed parking structure was observed to be underutilized with ample parking available.
- The majority of the vendor booths, patrons, and activity were observed to be located in the 700 block of Sutter Street, between Wool Street and Riley Street.
- The starting time of the event (approximately 6:00 p.m.) coincides with the typical commute peak period experienced along Riley Street and Folsom Boulevard. Vendors arrive between 4:00 and 5:00 p.m. which further contributes to congested peak-hour traffic conditions.

Furthermore, the following issues were identified by the Merchant's Association representatives as being critical to the consideration of revised management strategies:

- *Parking Structure Management*
Because entering vehicles receive no indication of the structure's occupancy status, during peak conditions, vehicles entering are required to circulate to the roof to make the reverse trip back down to exit. The representatives suggested that the addition of electronic technology or other means by which to convey occupancy conditions would improve this condition.
- *Improved Supply and Demand Management*
Because there is limited parking supply within the District, special events routinely result in overflow patron parking into the adjacent residential neighborhoods, as well as the Lake Natoma Inn. The representatives suggested that improved public information directing patrons to the new parking structure, as well as other supply maximizing techniques could minimize the special event effect on adjacent areas.
- *Vendor Access and Parking*
Market vendors currently arrive between 4:00 and 5:00 p.m. to unload at their respective booths in order to be in position for the opening of the event around 6:00 p.m. Due to the advance notification and enforcement of on-street parking restrictions associated with the event, vendors are typically required to enter the restricted area to unload and then must leave to find convenient, available adjacent parking. The process is reversed at the conclusion of the event when similar convenience is preferred during the loading process. The representatives suggested that designated vendor parking could improve the attractiveness of the event. Furthermore, they indicated that improved access for loading/un-loading could also contribute to a better event.
- *Streetscape Project and Short-Term On-Street Parking*
The representatives indicated that, as part of the on-going Historic District Streetscape Project, consideration should be given to providing short term (10-15 minute) parking to promote patronage of the numerous District businesses.

Recommended Management Strategies

Based on our assessment of existing conditions (Figure 17) and consultation with the Merchant's Association representatives, the following special event management strategies are recommended:

Improved District Parking Utilization and Minimized Overflow

Overall improved utilization of Historic District parking facilities will contribute significantly toward minimizing the effect of District special events on the adjacent residential areas, as well as the Lake Natoma Inn.

Because special event conditions confirmed the general existing parking trends of underutilization of existing supply in the western portions of the District, this management strategy is aimed at improving the occupancy and utilization of the new parking structure and other available off-street public parking in this area. As such, the following specific strategy components are recommended:

- Improved Advertisement and Communication of Existing Parking Structure
 - Flyers could be distributed at the beginning of the year by placing on patron vehicles, handing to patrons, and through the media. The flyers would provide a simple District map with clear indication of the magnitude of the supply in the parking structure and the close proximity to Sutter Street.
 - Incentives (coupons) could be provided from Market vendors to encourage patrons to park in the structure.
 - Additional vendors could be aligned to provide a cohesive connection to the structure from the other Sutter Street vendors.
 - The use of Market staff to control/monitor the structure occupancy and maximize operations could further improve the utilization of the structure. An additional consideration is to modify structure access to entrance only from Reading Street and exit only to Leidesdorff Street.
- Improved Way-Finding to New Parking Structure
 - Way-finding signage could be added to Riley Street and Natoma Street to direct Historic District traffic west toward the new parking structure. This strategy would apply to both northbound and southbound approaching traffic.
 - In particular, enhanced signage could be provided to traffic entering the District from Folsom Boulevard due to their close proximity to the parking structure.
- Standardized Appearance and Application of Devices
 - A more consistent application of uniform restriction barriers could assist in better defining the District and restricted areas. The uniformity and consistency with other District signing could further enhance the overall District way-finding effectiveness.
- Residential Parking Permits
 - The development of Parking Districts would allow for the application of residential parking permits. Residential parking permits would likely be the most effective means by which to eliminate the District's overflow parking and dramatically improve the utilization of currently underutilized supply.
- Remote Parking
 - Promotion of off-site, remote parking could contribute to minimizing the District's overflow parking into adjacent residential areas. Effective remote parking should include ample public communication and frequent, reliable transportation between locations.

Vendor Access and Circulation

Because Thursday Night Market vendors arrive early, it is presumed that they, in-turn occupy the most convenient parking supply. This strategy includes concentrating vendor access, parking, and circulation in an effort to preserve the prime parking supply for Market patrons and create a predictable, uniform management environment.

- Weekly Vendor Passes/Display Cards
 - Considering that vendors are required to reserve their Market booth on a weekly basis, the opportunity exists to provide a vendor "pass" at that time to denote each week's participants. Once the vendors are identified, numerous additional strategies become available including the use of dedicated parking areas, exclusion from parking restrictions, etc.
- Dedicated Parking Designation
 - Vendor parking could be designated in a portion of the parking structure, the Baker lot, a portion of the Trader Lane lot, or within the public lot in the corner of Riley Street/Scott Street. Designation of these areas should not conflict with existing time of day restrictions. This strategy would provide predictable, appropriate parking supply for the vendors.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The primary objectives of the *Plan* are to:

- Determine existing parking supply and utilization in the commercial portion of the Historic District under normal conditions
- Recommend strategies to maximize use of existing and planned parking while minimizing impacts to the surrounding residential areas, until such time as additional parking facilities can be constructed
- Identify opportunities for providing additional, cost-effective parking

The *Plan* concludes with seven recommendations for addressing the established objects. The following is a discussion and evaluation of the *Plan's* conclusions.

Rail Block Parking Structure

This recommendation proposes to post the bottom three levels with 2-hour time limit parking, retaining the roof level as untimed parking. It was indicated that if excessive light rail parking use develops, the roof could be posted for no parking between midnight and 7:00 a.m.

It should be noted that the current management of the parking structure deviated slightly from the original recommendation above. At the time of this study, floors 1 through 3 were signed for 3-hour time limit parking, Monday through Friday from 5:00 a.m. to 5:00 p.m. The roof level was untimed Monday through Friday from 7:00 a.m. to 3:00 a.m., with no parking from 3:00 a.m. to 7:00 a.m.

Assessment

Subsequent to the release of the *Plan*, a revised parking management strategy was proposed by the Historic District Merchant's for consideration by the City. The revised strategy consisted of the following components:

- a. All Floors = 6-hour time limit (visitors/customers allowed on all 4 floors)
- b. Floors 2, 3, and 4 = light rail and employee permits permitted
- c. Provide up to 100 light rail permits for a fee with an established expiration date
- d. Provide an unspecified number of employee permits without a fee

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

The addition of permit parking, almost regardless of its complexity, will require City staff effort to develop, advertise, implement, and maintain the program. Such costs should be considered when evaluating the effectiveness of a new parking management strategy.

The near-term conditions of the new parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The proposed 6-hour maximum time limit may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

The proposed light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and floors 3 and 4 with light rail permits and employee permits (also must be enforced).

In the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Rail Block Surface Parking

This recommendation proposes to maintain the existing time-limited surface parking while fencing off the current construction staging area. It is also proposed to open the staging area parking only for special events only until construction of the Rail Block development begins.

Assessment

It is recommended that all viable surface parking be made available until a time at which Rail Block development construction necessitates the closure of these areas. Considering the current overflow parking into adjacent residential areas, as well as the Lake Natoma Inn site, the near term benefit of additional off-street public parking will likely be significant. Applicable time-limits should be uniformly applied to these spaces as well.

Time Limit Parking

This recommendation proposes to convert additional Trader Lane lot parking to time-limit with subsequent turnover studies to evaluate the time-limit durations. A residential permit program is also considered as part of the strategy.

Assessment

Previously documented parking occupancy and turn-over studies confirmed the desirable nature of the Trader Lane parking lot. This lot is located within the previously defined Zone II of the District which is documented to currently, and in the future, experience the greatest parking deficit in the District. The application of additional time-limit restrictions to preserve this premium parking supply is strongly supported.

Additional On-Street Parking

This recommendation proposes to maximize the efficiency of existing on-street pavement to provide additional on-street parking supply.

Assessment

A more efficient use of existing on-street pavement is supported as a means by which to increase the parking supply within the District.

Alternative Modes

This recommendation proposes to continue the use of valet and pedicab services, as well as establishing consistent shuttle bus services for all special events to and from the adjacent Glenn Light Rail Transit station. The feasibility of extending light rail transit hours to encourage employees to utilize light rail parking lots as remote evening/special event parking is also recommended.

Assessment

The use of remote parking lots with viable, predictable shuttle/transportation services is an effective approach to preserving the limited Historic District public parking supply for patrons and special event attendees. Considering the close proximity of light rail and the adjacent Glenn station, use of this connection to the District should be considered as a primary strategy in remote parking management.

Parking Enforcement

This recommendation proposes to create a parking enforcement officer position and conduct consistent, regular parking enforcement City-wide.

Assessment

The effectiveness of timed parking restrictions is most significantly influenced by the public's perception of the enforcement of said restrictions. It is anticipated that the intended turnover of the various parking supply can be achieved by consistent, regular parking enforcement.

Parking Management/Outreach

This recommendation proposes to form an ad-hoc Parking Advisory Committee to meet quarterly to review parking issues and consider other strategies. In addition, a parking website and printable parking maps for new visitors is recommended. Furthermore, way finding signs at major public parking lots, consistent with guide sign design standards, and noting the associated time limits is also recommended.

Assessment

The formation of a committee and improved public outreach are considered to be two highly effective means by which to maximize the operation of the District's limited parking supply. Additional consideration should be given to extending the signing concept to special events to further emphasize the uniformity of the District.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. According to material presented at a May 1, 2008, Streetscape Design Committee Meeting, the conceptual improvements to Sutter Street also include the addition of on-street parking along Sutter Street, between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking.

As previously documented, this block of Sutter Street between Riley Street and Wool Street, experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, the block serves as the core, attracting dense development and the associated vehicle and pedestrian activity.

The additional parking supply is proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment. Considering the location and limited new supply of these spaces, the streetscape plan should, at a minimum, incorporate the following strategies:

- Diagonal on-street parking is preferred due to the relative ease of use when compared to the parallel parking currently proposed. Nonetheless, parallel parking stalls should be designed appropriately to promote high-turnover, ease of access and departure.
- A short-term time-restriction (10-20 minutes) for the proposed Sutter Street on-street parking spaces is recommended to encourage high turnover of this premium parking supply.
- Strict enforcement of on-street time restrictions.
- On-going promotion (e.g. way finding and advertisement) of the District-wide parking supply to further maximize utilization of documented parking surplus elsewhere in the District.

Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
Re: **Technical Memorandum #2 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: January 17, 2014

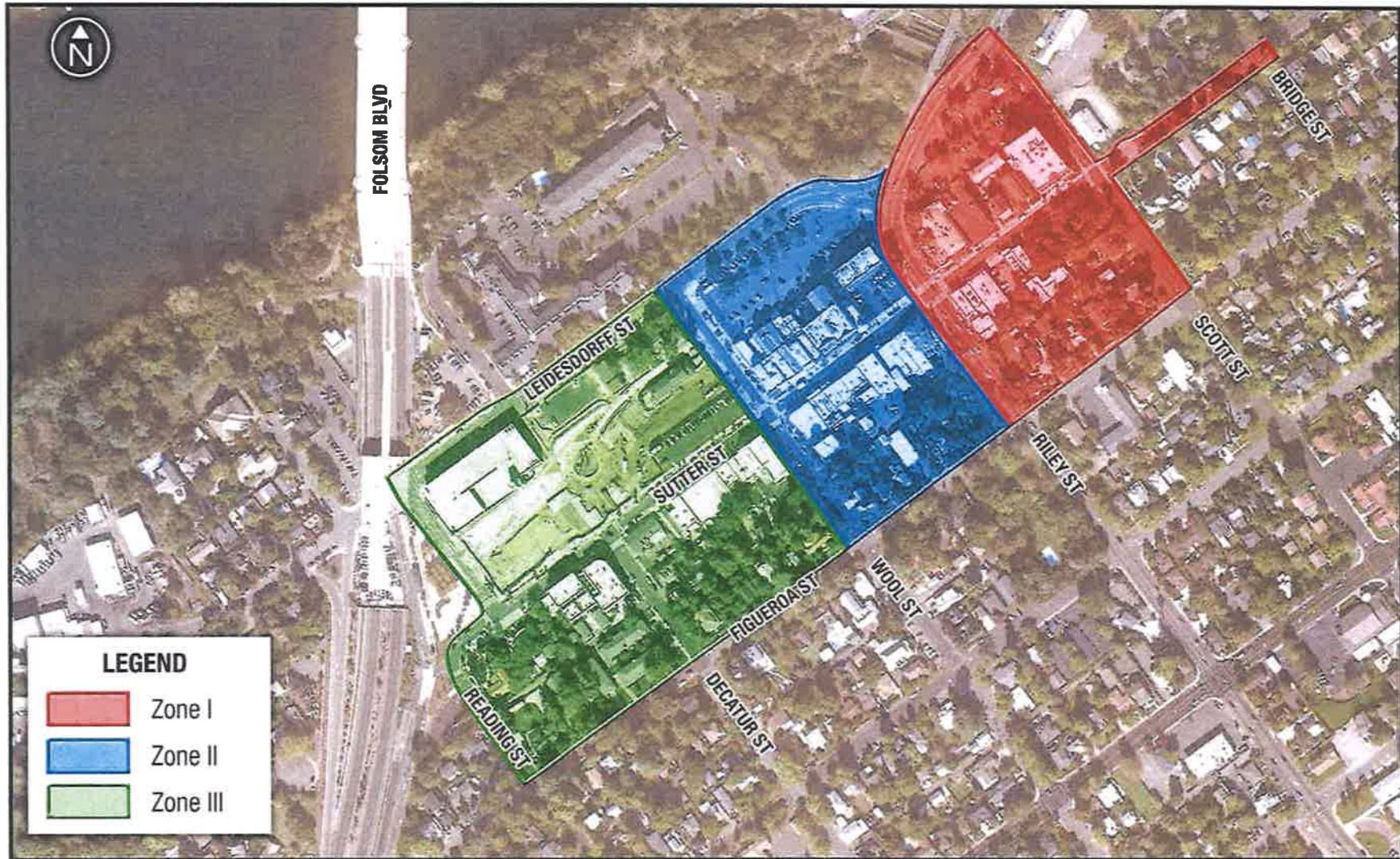
This memorandum builds upon the previously completed Existing Conditions evaluation (October 3, 2013) and is intended to provide the City with an updated projection of Historic District parking supply and demand over the next decade. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		50	176	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	380		83	
Total Off-Street Spaces:		622	Total On-Street Spaces:	184	806
<i>Kimley-Horn and Associates, Inc., September 2013</i>					

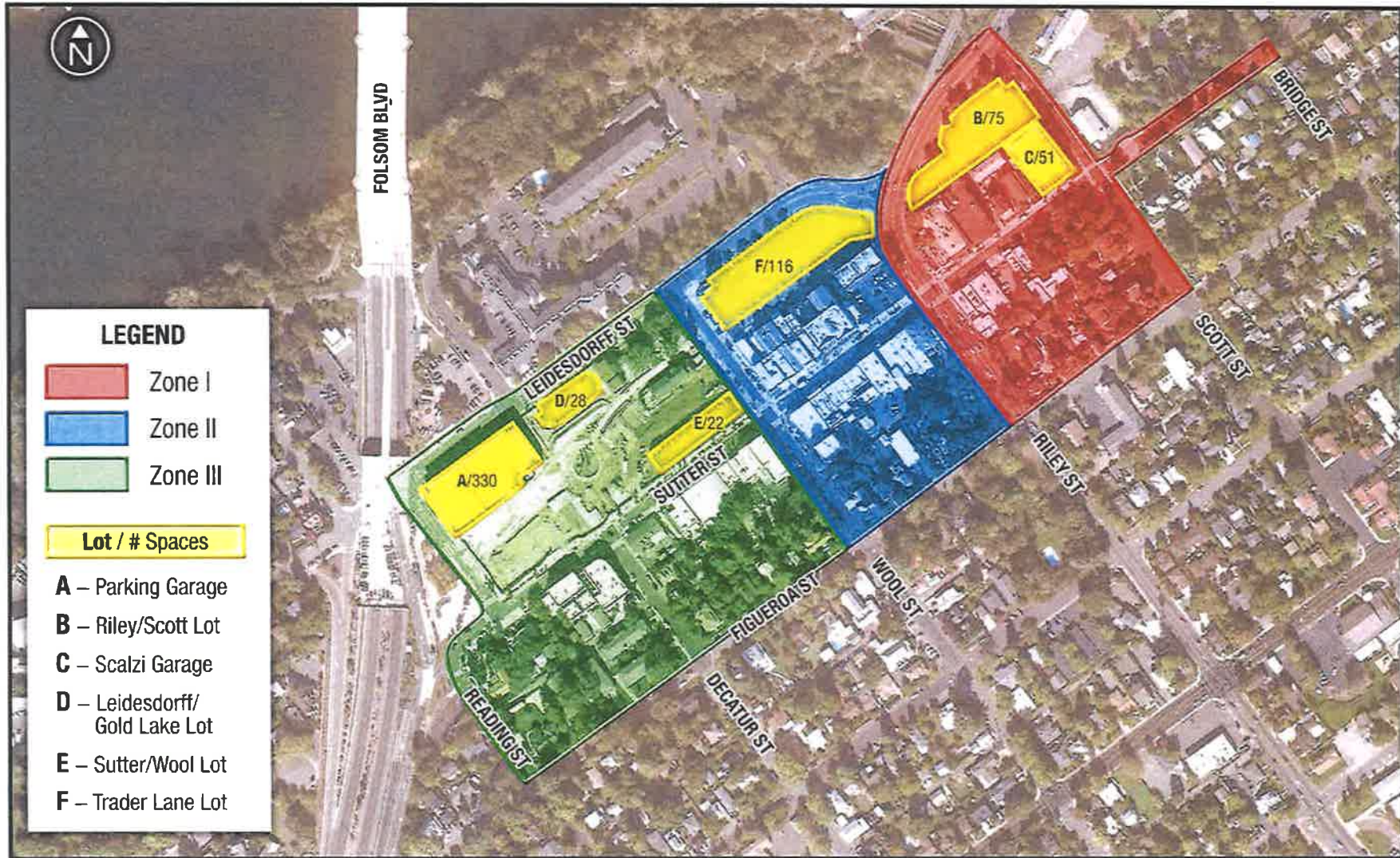
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



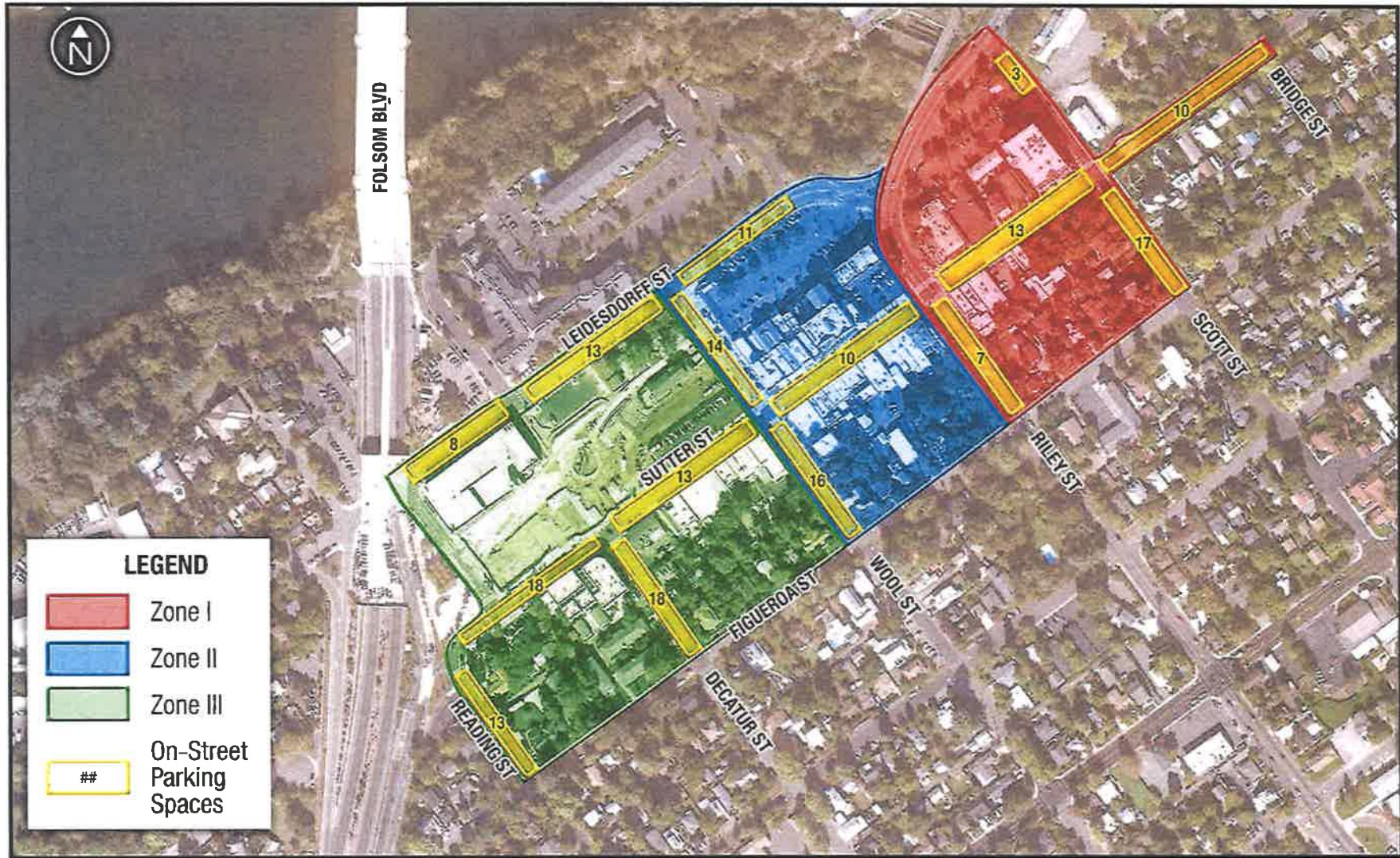
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces



When compared to the data contained in our original study¹, the off-street and on-street parking supply included in the study has decreased by 53 (622 vs. 675) and 48 (184 vs. 232) spaces respectively. In total, the current parking supply included in the study is 101 spaces (806 vs. 907) less than was documented in 2008.

Parking occupancy data was collected on Wednesday, September 25 and Friday September 27, 2013. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our original study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2008 data which reflected peak weekday occupancies (off- and on-street) of over 70 percent, the current data peaks at less than 40 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at nearly 85 percent occupancy with the current data reflecting less than 50 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the original study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the Folsom Historic District Association. Where appropriate, assumptions were made using the original study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Historic District Parking Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 16, 2009.

Table 2 – Existing Land Use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	9,786	30,975	9,460	50,221
Restaurant	15,298	2,700	3,600	21,598
Office	24,422	7,500	28,961	60,883
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	53,696	47,425 + 115 Theater Seats	59,224	144,642 + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3** below:

Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	378 spaces	339 spaces	10%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	12:00 a.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	11:00 a.m. to 1:00 p.m., 5:00 p.m. and 7:00 p.m.	

As per the parking model, the weekday peak parking demand is 378 spaces and the peak parking demand observed using occupancy survey is 339 spaces, a difference of 39 spaces, or a 10 percent difference. Based on this finding, the parking model is considered to be validated.

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	442 spaces	446 spaces	-1%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. and 7:00 p.m.	

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 446 spaces, a difference of 4 spaces, or 1 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City’s direction as part of the original study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

It is important to note that, per the City’s direction the “planned/approved projects” include Fire Rain (Zone I), Westwood (Zone III), and Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 184 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 640 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 640 spaces is 166 spaces less than the existing parking supply.

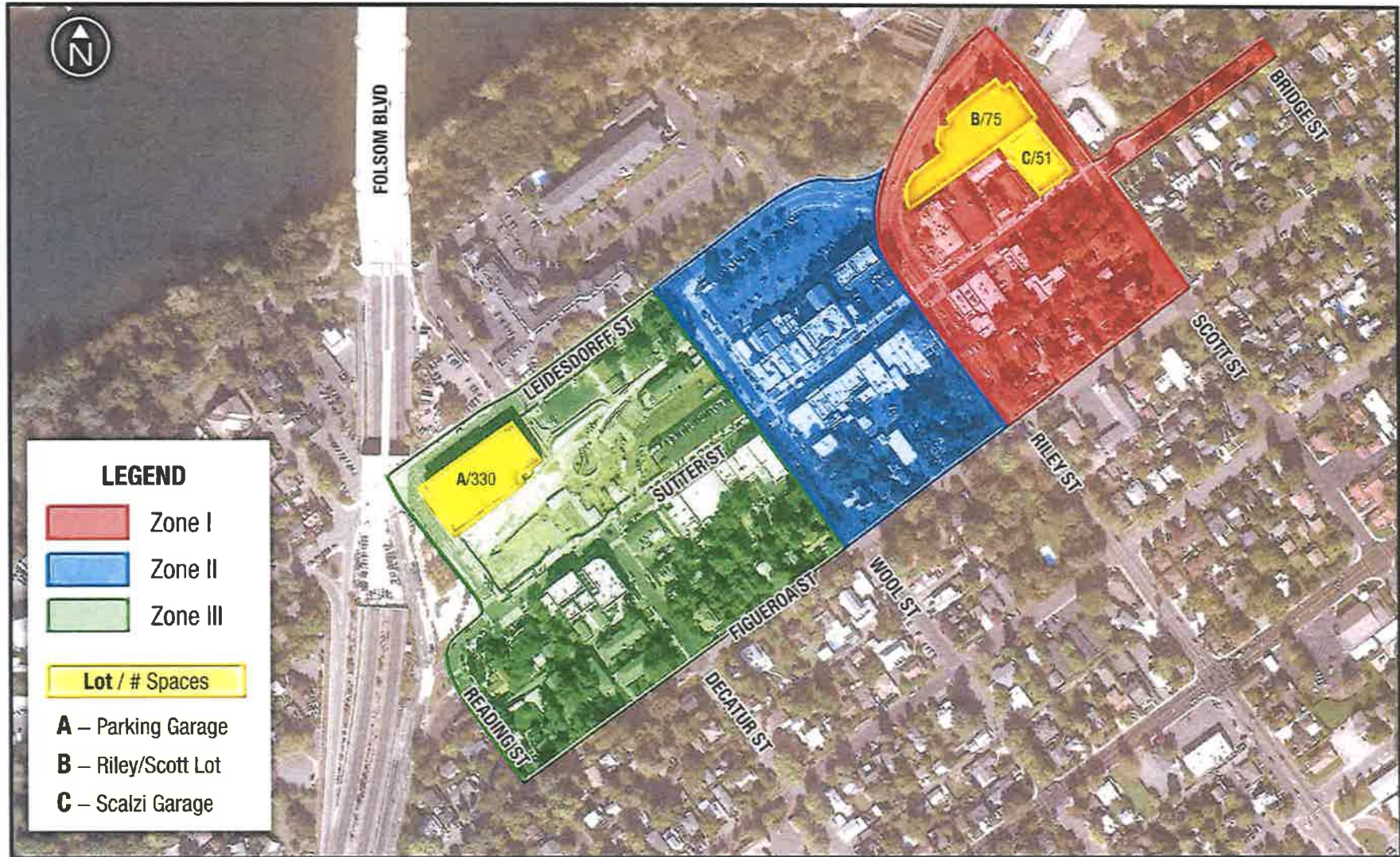
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Subtotals:	126		50	176	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		83	
Total Off-Street Spaces:	456	Total On-Street Spaces:	184	640	

Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots





Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 445 spaces. This level of parking supply (445 spaces) was determined to accommodate 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 135,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand.

Table 7 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 6 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	28,350	19,850	40,600	88,800
Restaurant	8,500	-	29,000	37,500
Office	16,334	-	46,400	62,734
Club/Bar/Tasting Rooms	1,717	-	-	1,717
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	62	-	-	62
Total	54,901 62 D.U.	19,850	116,000	190,751 62 D.U.

¹ Includes Fire Rain, Historic Folsom Station, and Westwood projects

As shown in **Table 7**, based on the future parking supply limitations (445 weekday and 398 weekend), an assumed future development scenario of 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. As demonstrated, the City should begin construction of a Trader Lane parking structure in July 2016, at which point the District-wide parking occupancy is anticipated to be approximately 85 percent. An assumed 12-month construction timeline will allow the parking structure to be completed and operational in mid-2017 to achieve a District-wide occupancy of 65 percent.

Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	150 spaces	155 spaces	
	Existing Parking Demand	378 spaces	442 spaces	
3	Total Parking Demand	528 spaces	597 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	640 spaces	640 spaces	
	Excess (Deficit) Parking Spaces	112 spaces	43 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	554 spaces	485 spaces	
	Parking Demand for Wrap-Around Retail	60 spaces	43 spaces	
	Total Available Parking Supply for Future Development	494 spaces	442 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	445 spaces	398 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	40,600 SF	124 spaces	106 spaces
	Restaurant	29,000 SF	85 spaces	287 spaces
	Office	46,400 SF	112 spaces	3 spaces
	Total	116,000 SF	321 spaces	396 spaces
¹ The future parking supply includes 184 on-street spaces and 456 off-street spaces for a total of 640 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces 				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions

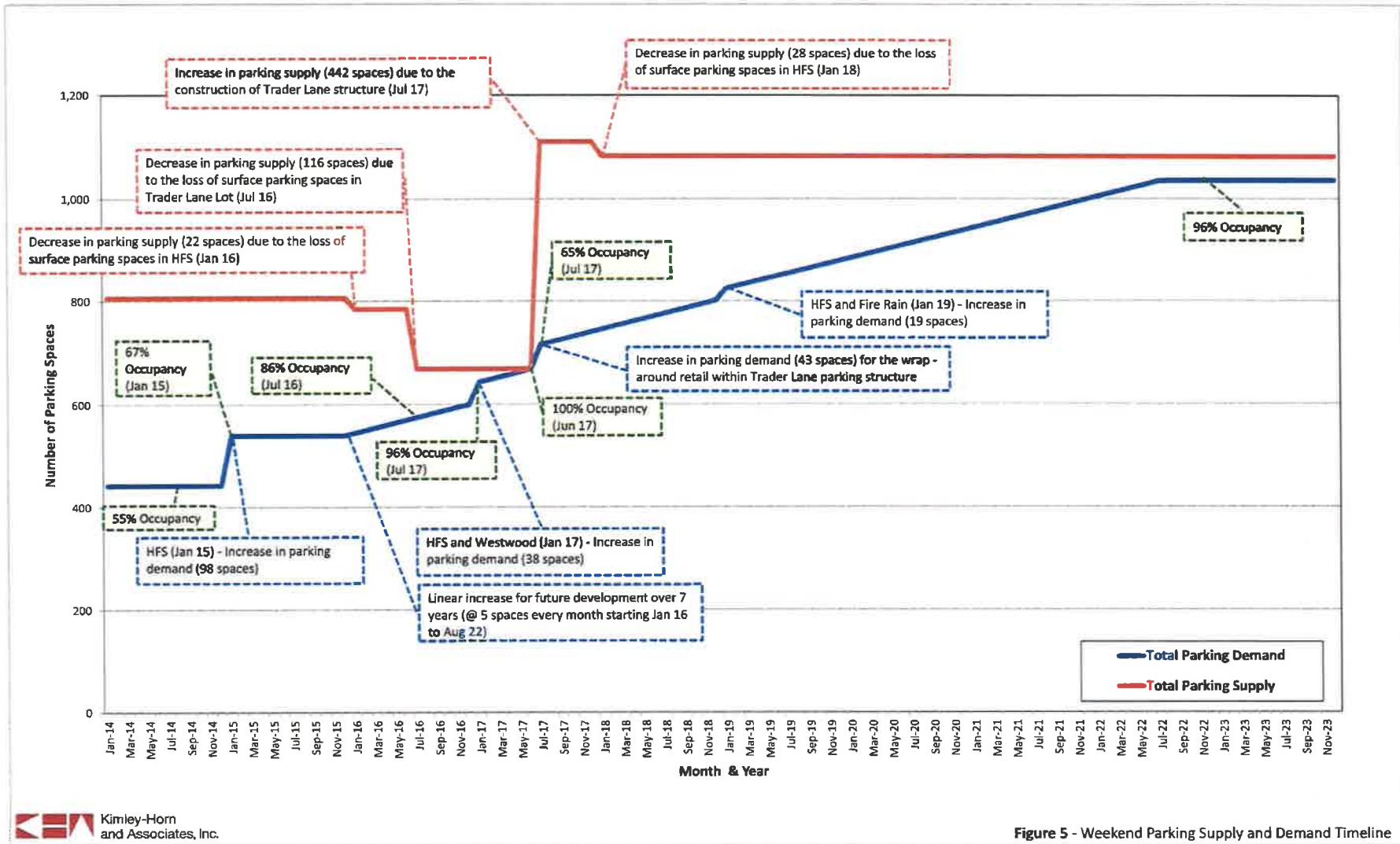


Figure 5 - Weekend Parking Supply and Demand Timeline

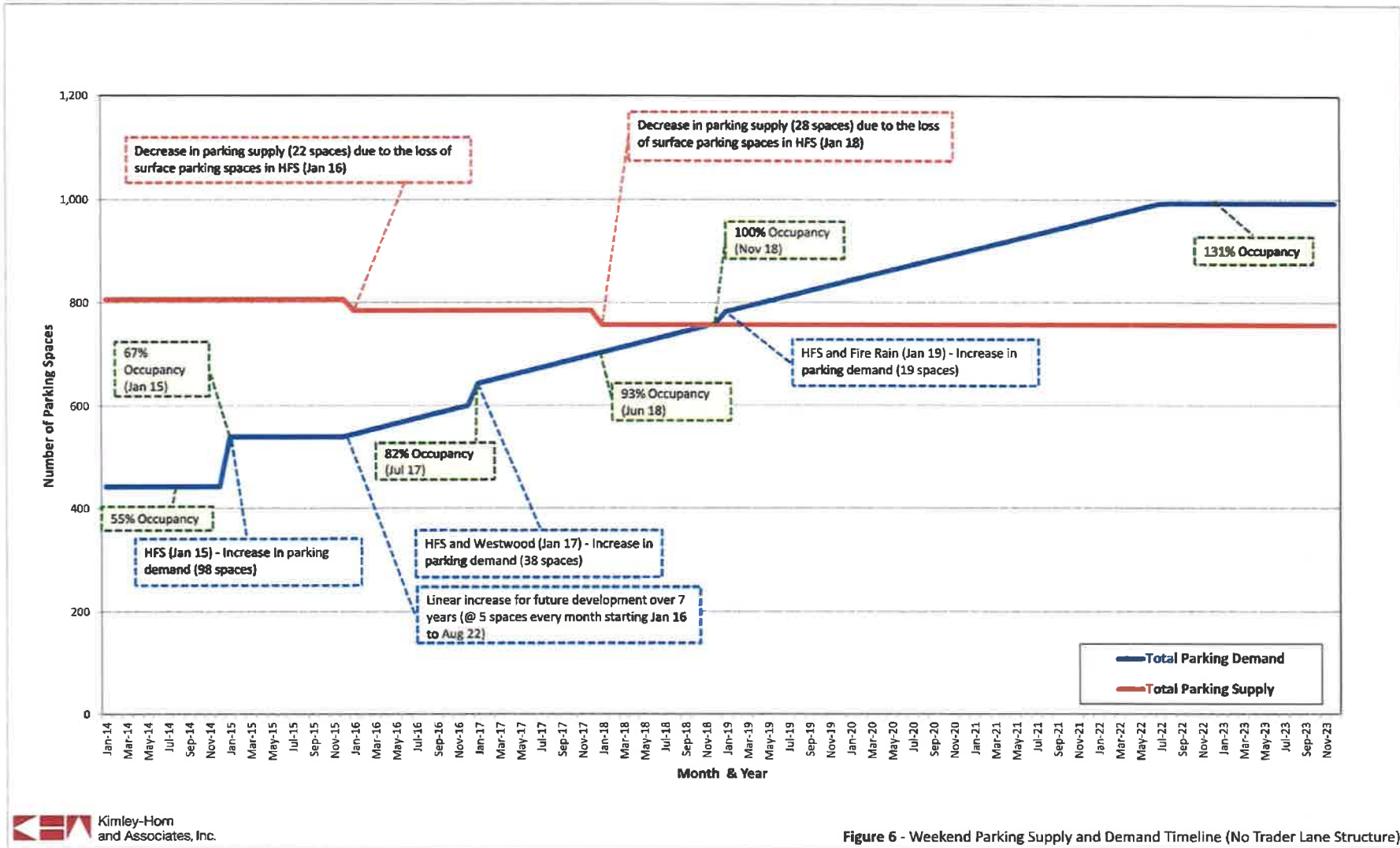


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

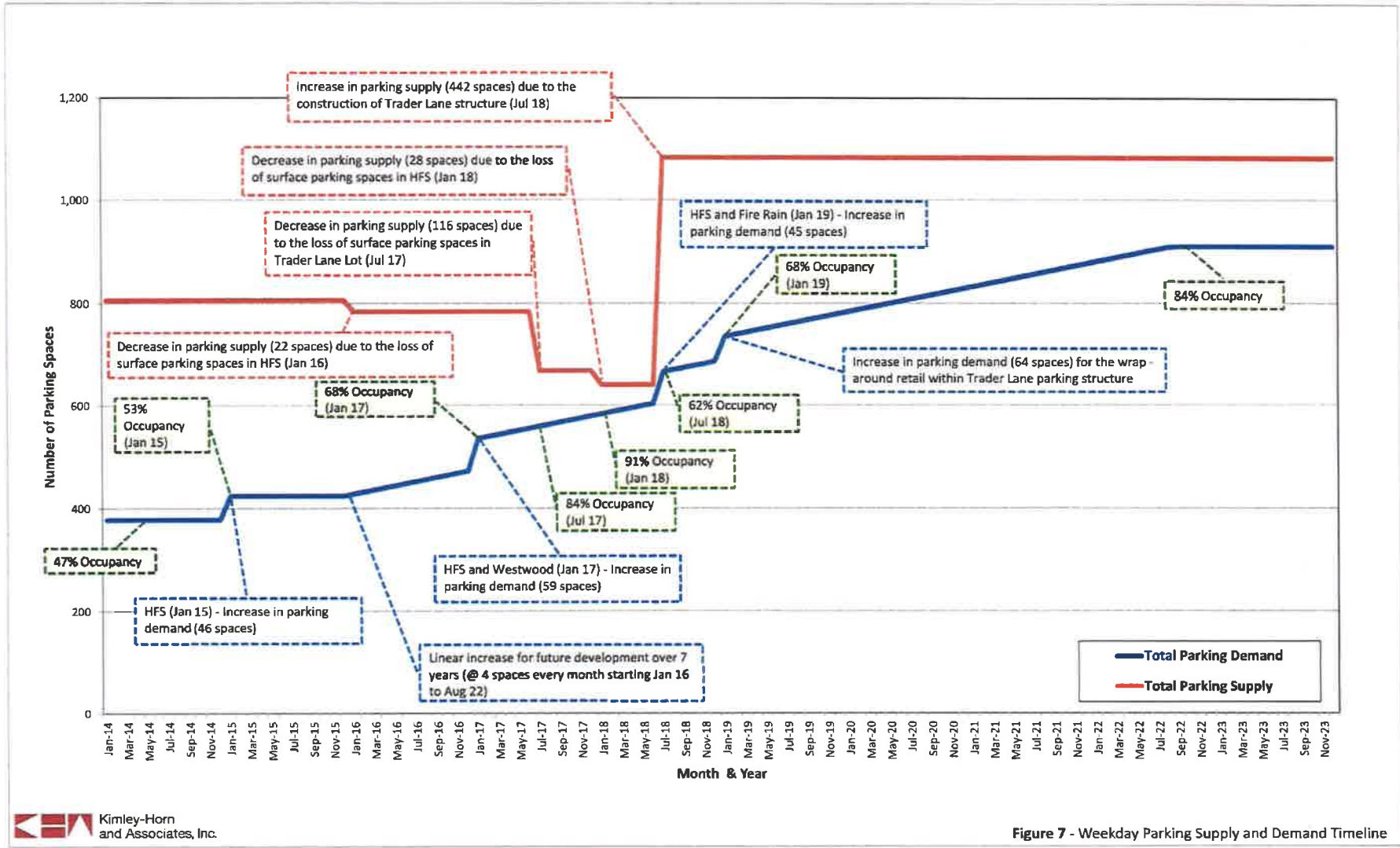


Figure 7 - Weekday Parking Supply and Demand Timeline

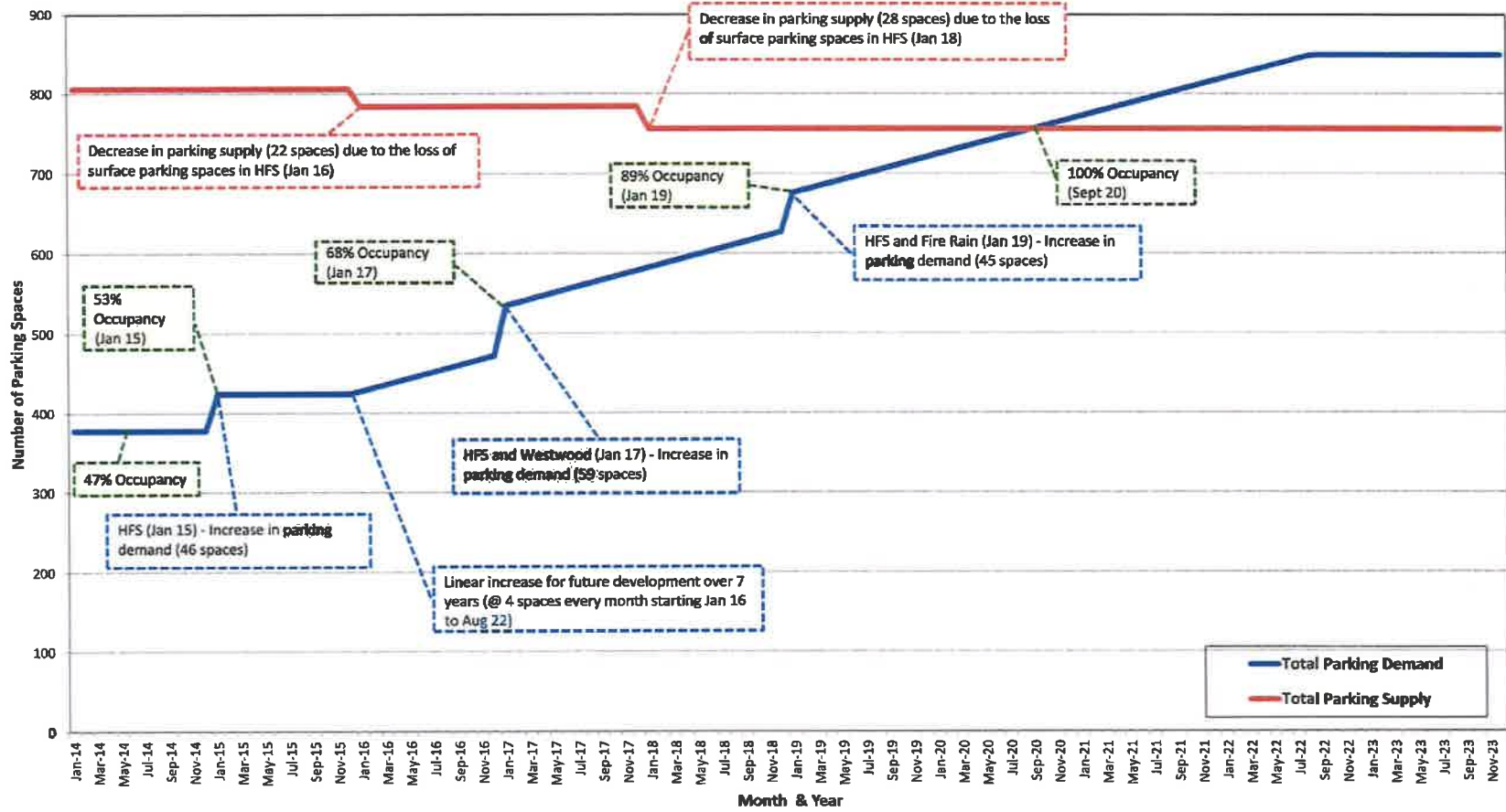
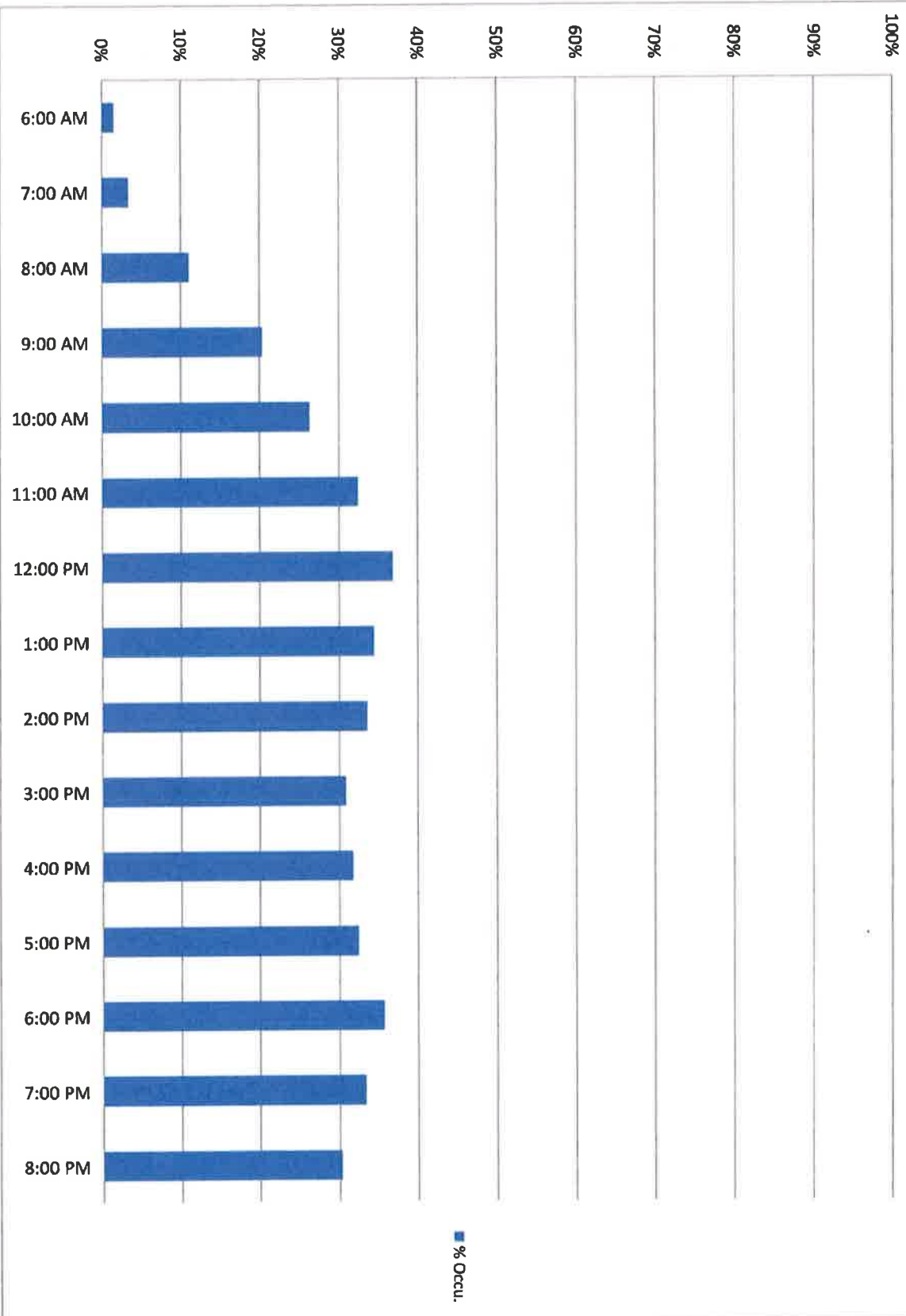


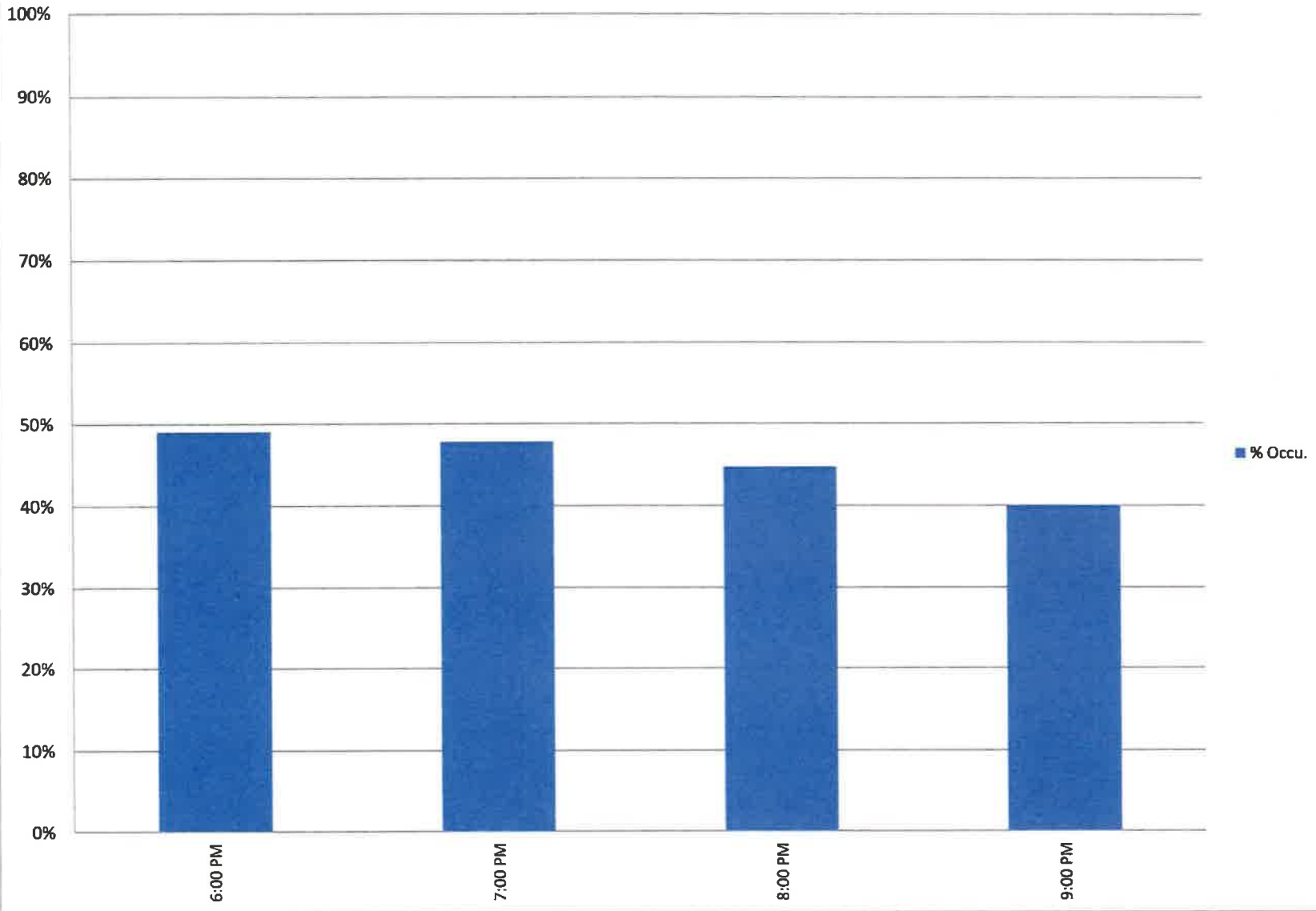
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

Attachment A – Parking Occupancy Data

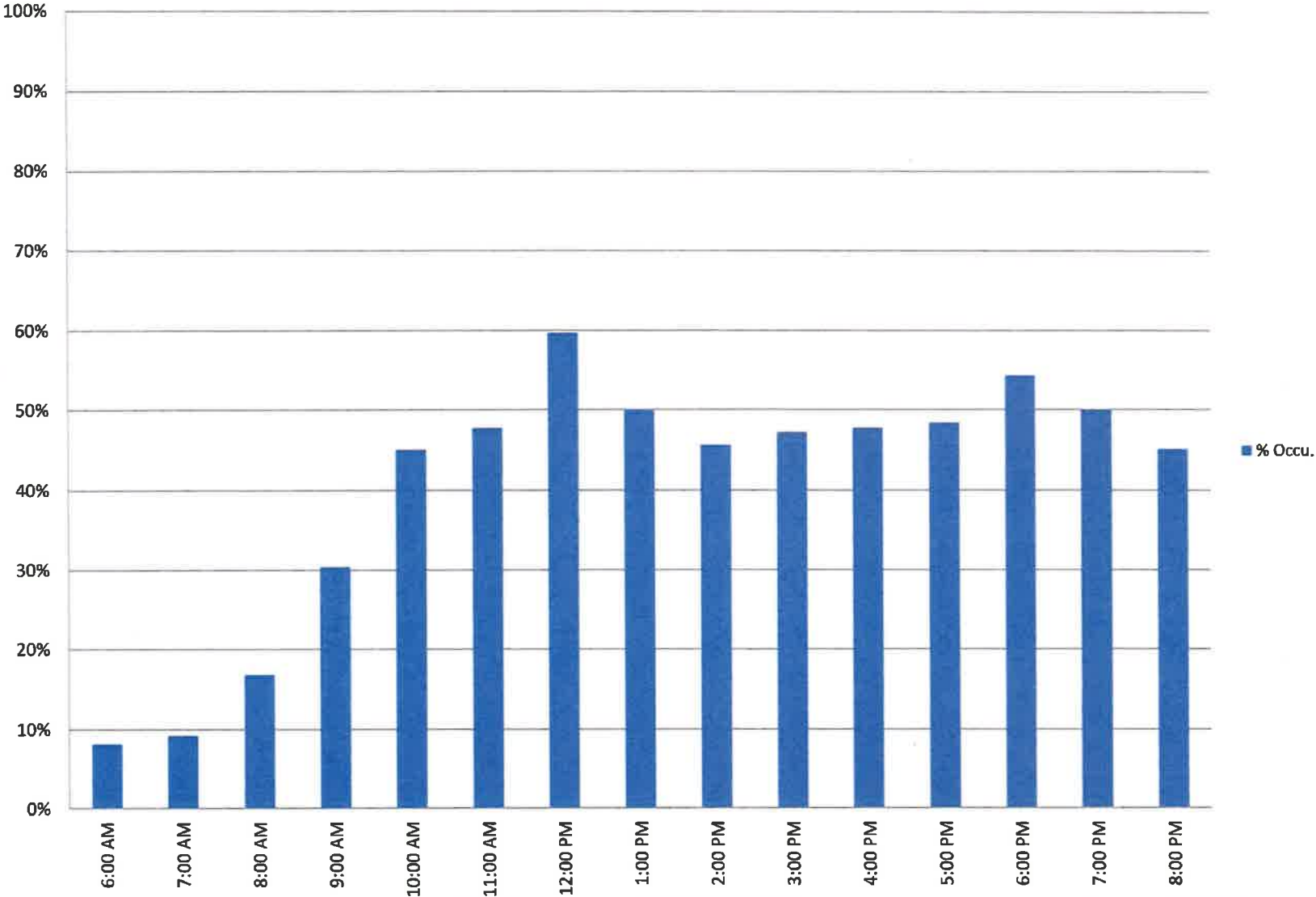
Existing Parking Occupancy (Off-Street) - Weekday



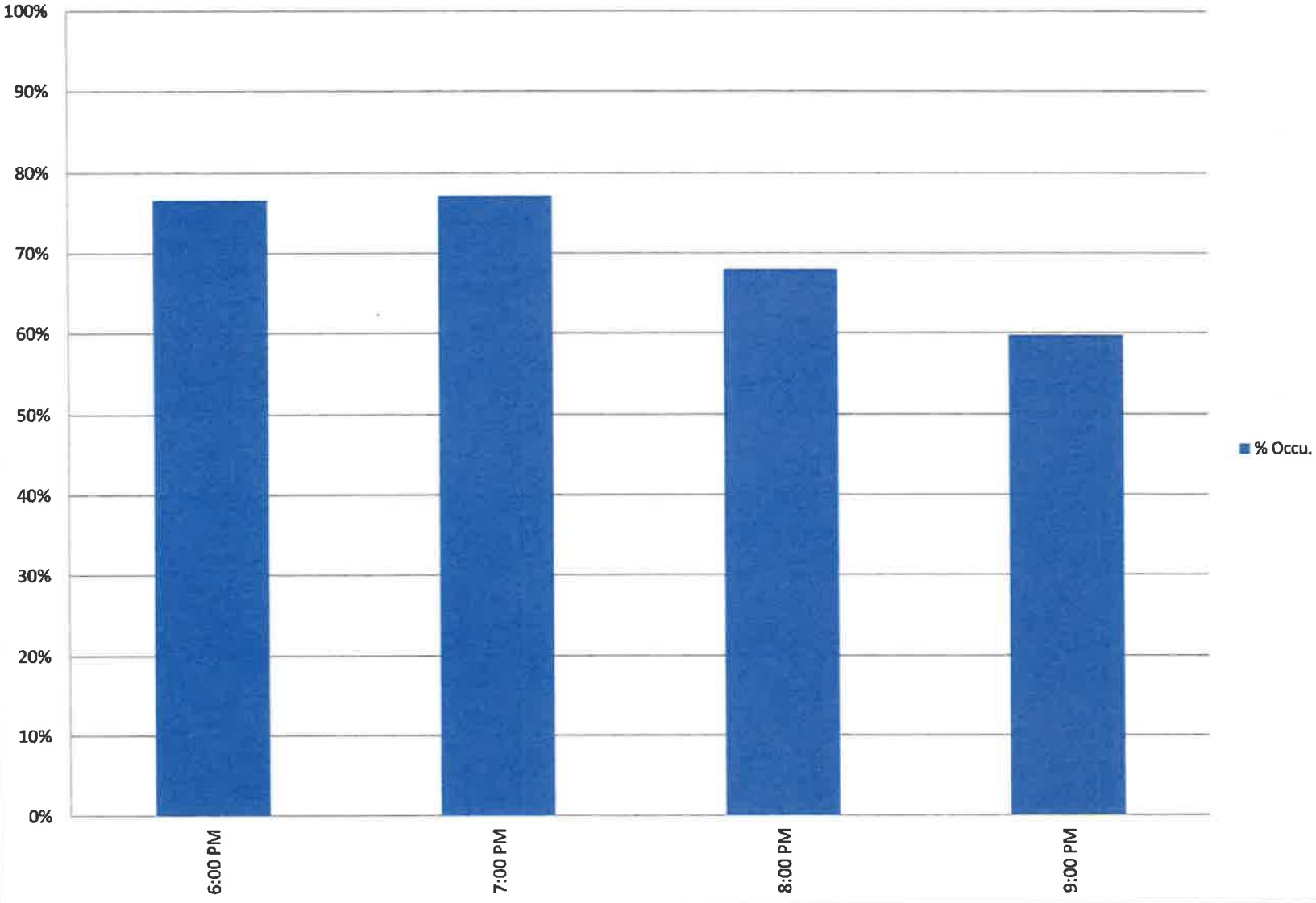
Existing Parking Occupancy (Off-Street) - Weekend



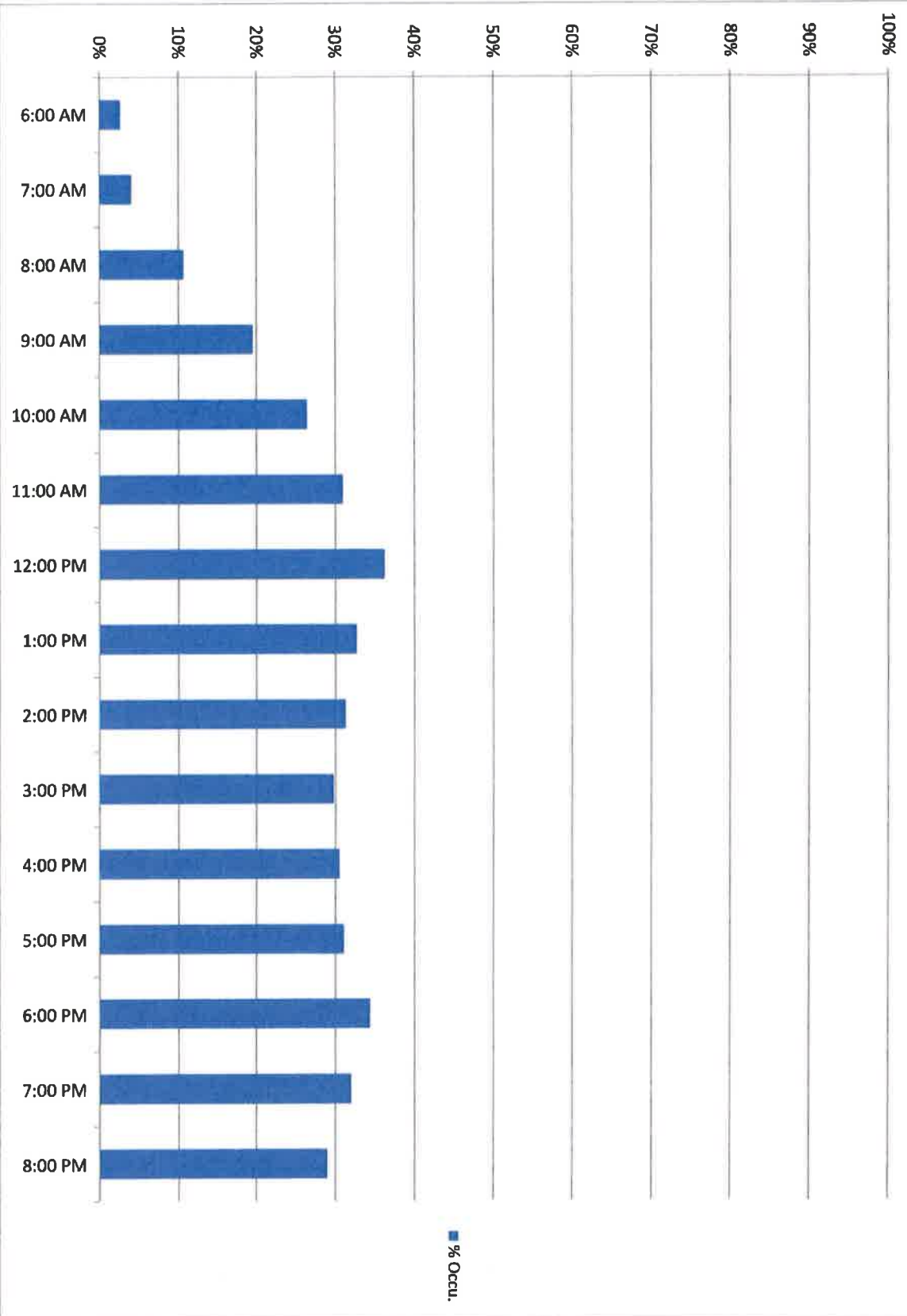
Existing Parking Occupancy (On-Street) - Weekday



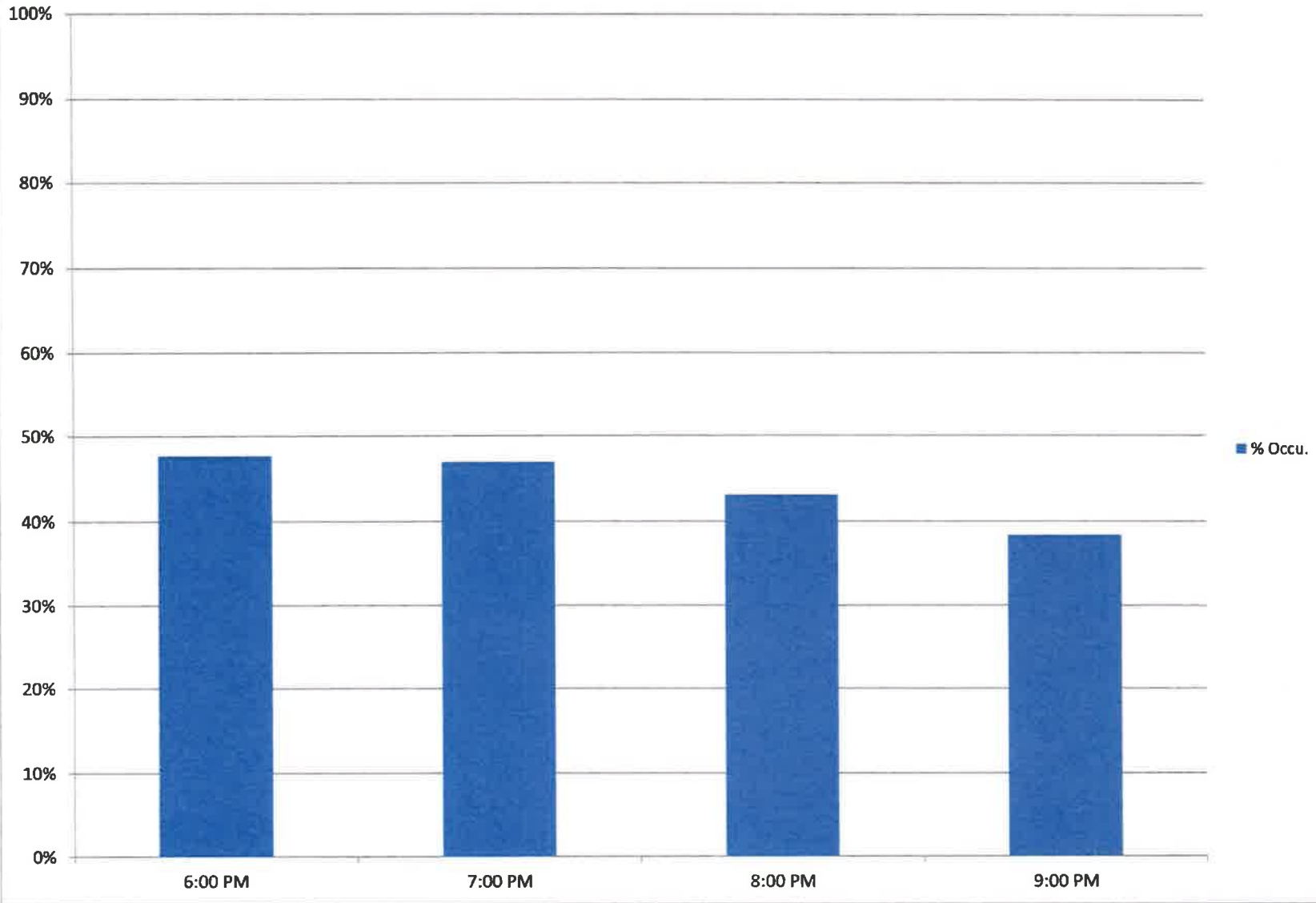
Existing Parking Occupancy (On-Street) - Weekend



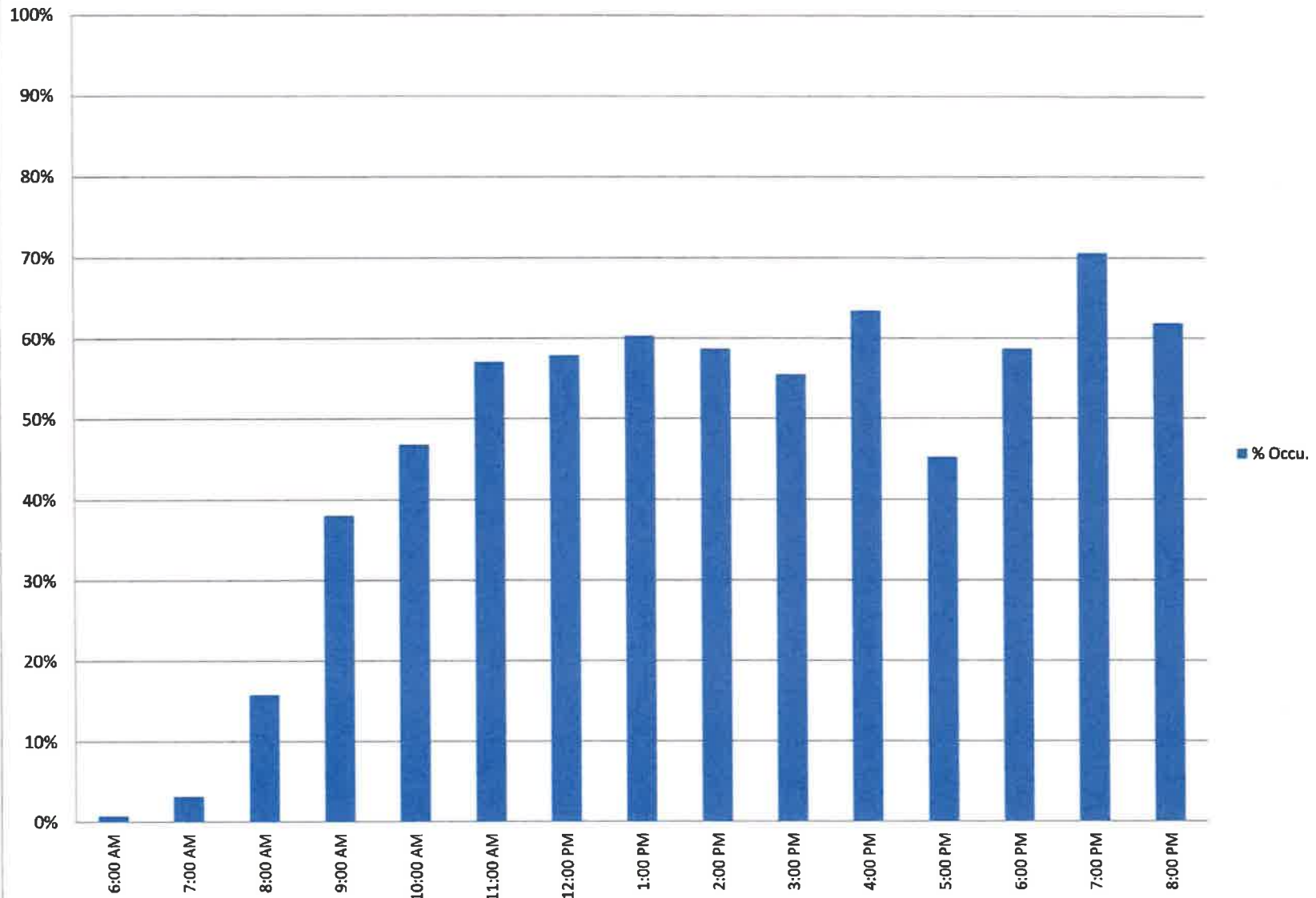
Existing On-Street and Off-Site Parking Occupancy - Weekday



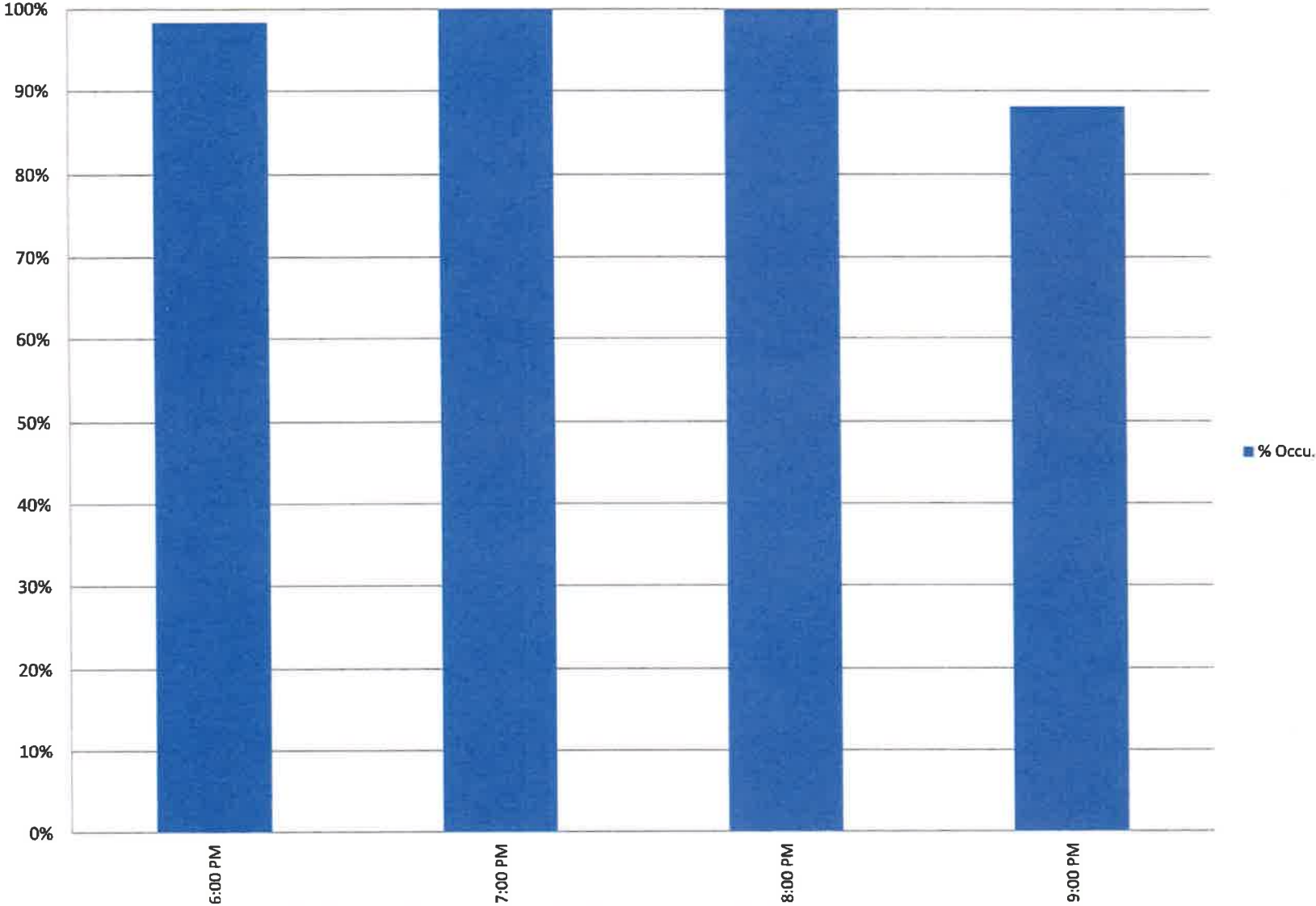
Existing On-Street and Off-Site Parking Occupancy - Weekend



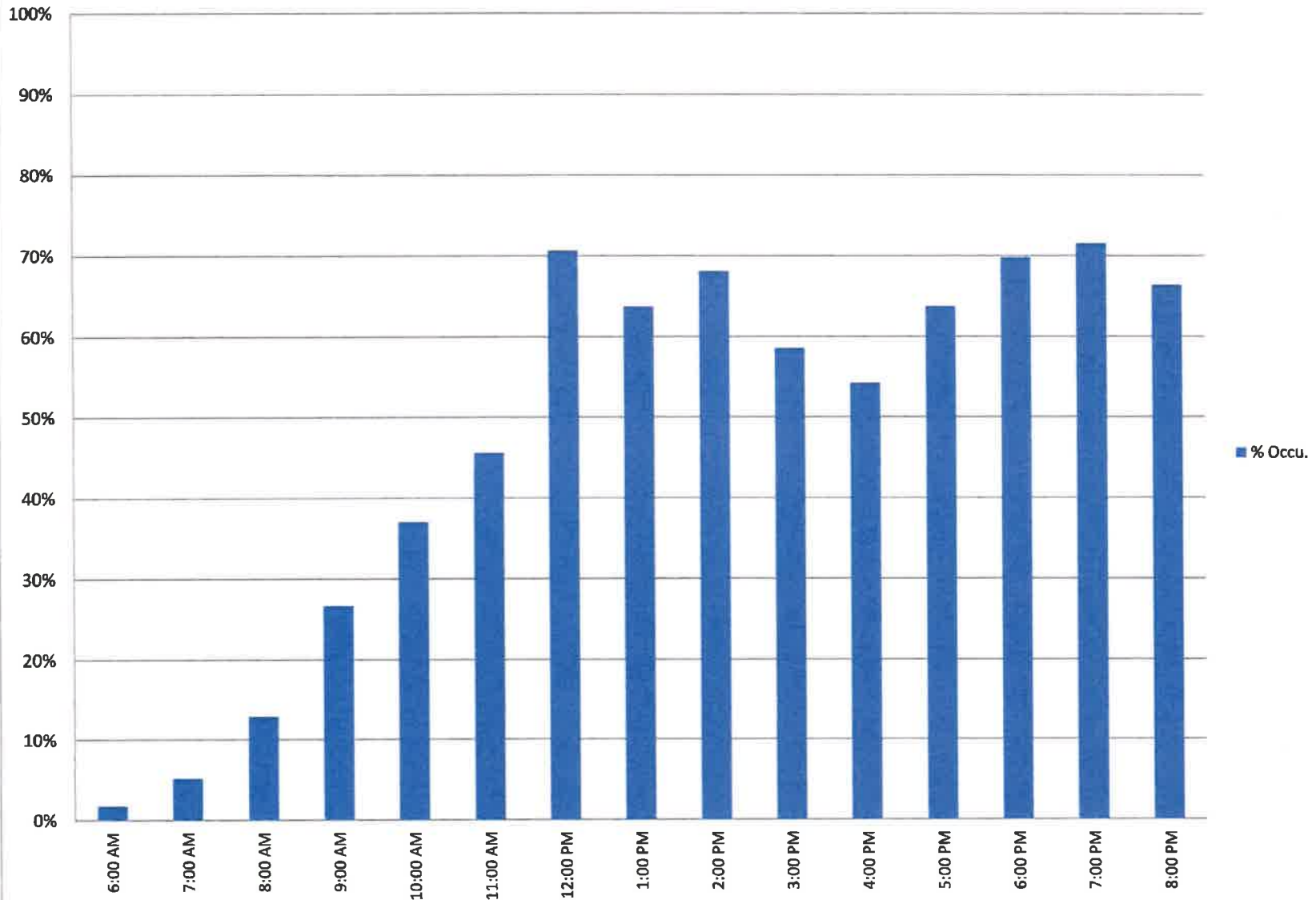
Existing Parking Occupancy (Off-Street) - Weekday- Zone 1



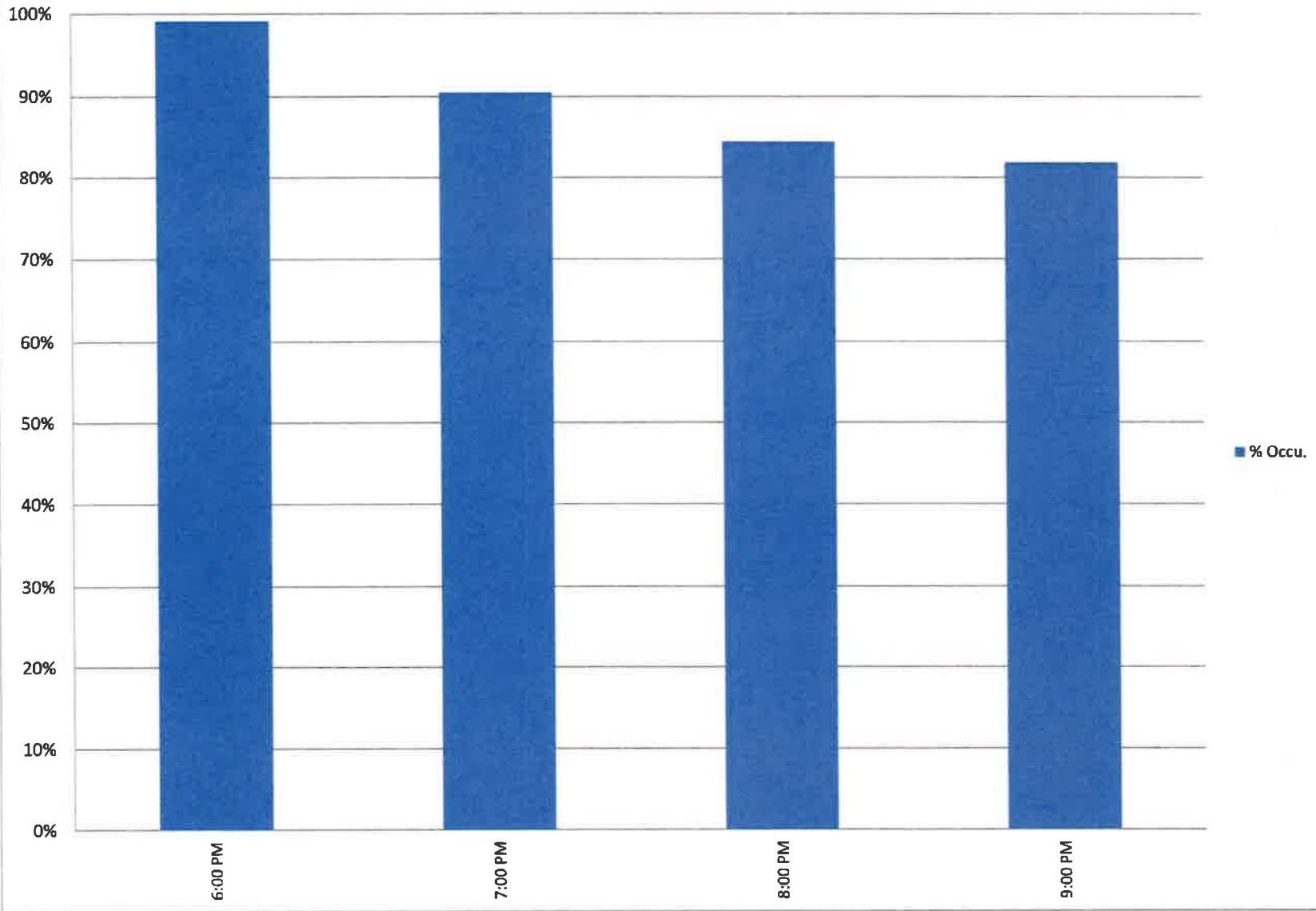
Existing Parking Occupancy (Off-Street) - Weekend - Zone 1



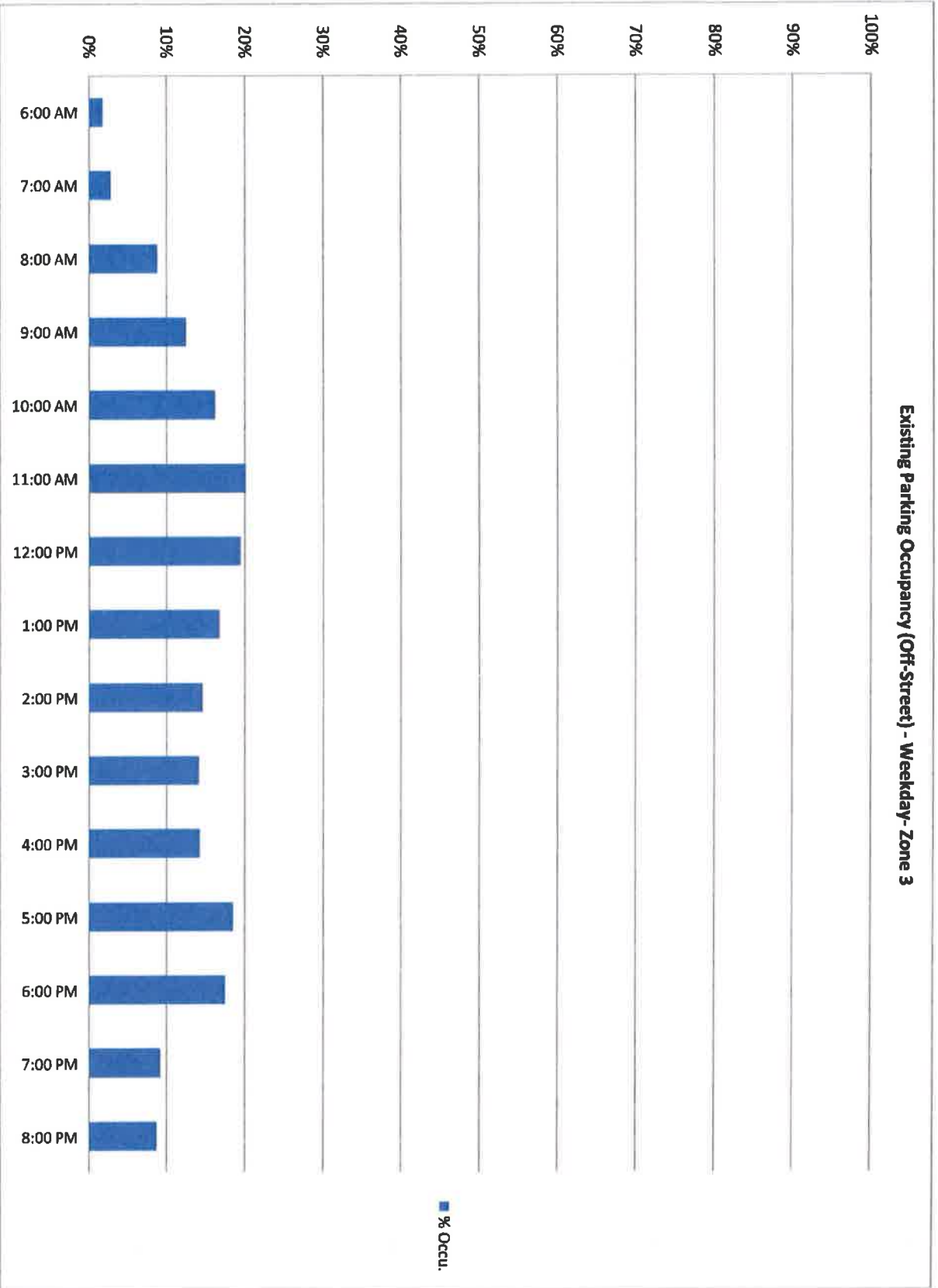
Existing Parking Occupancy (Off-Street) - Weekday - Zone 2



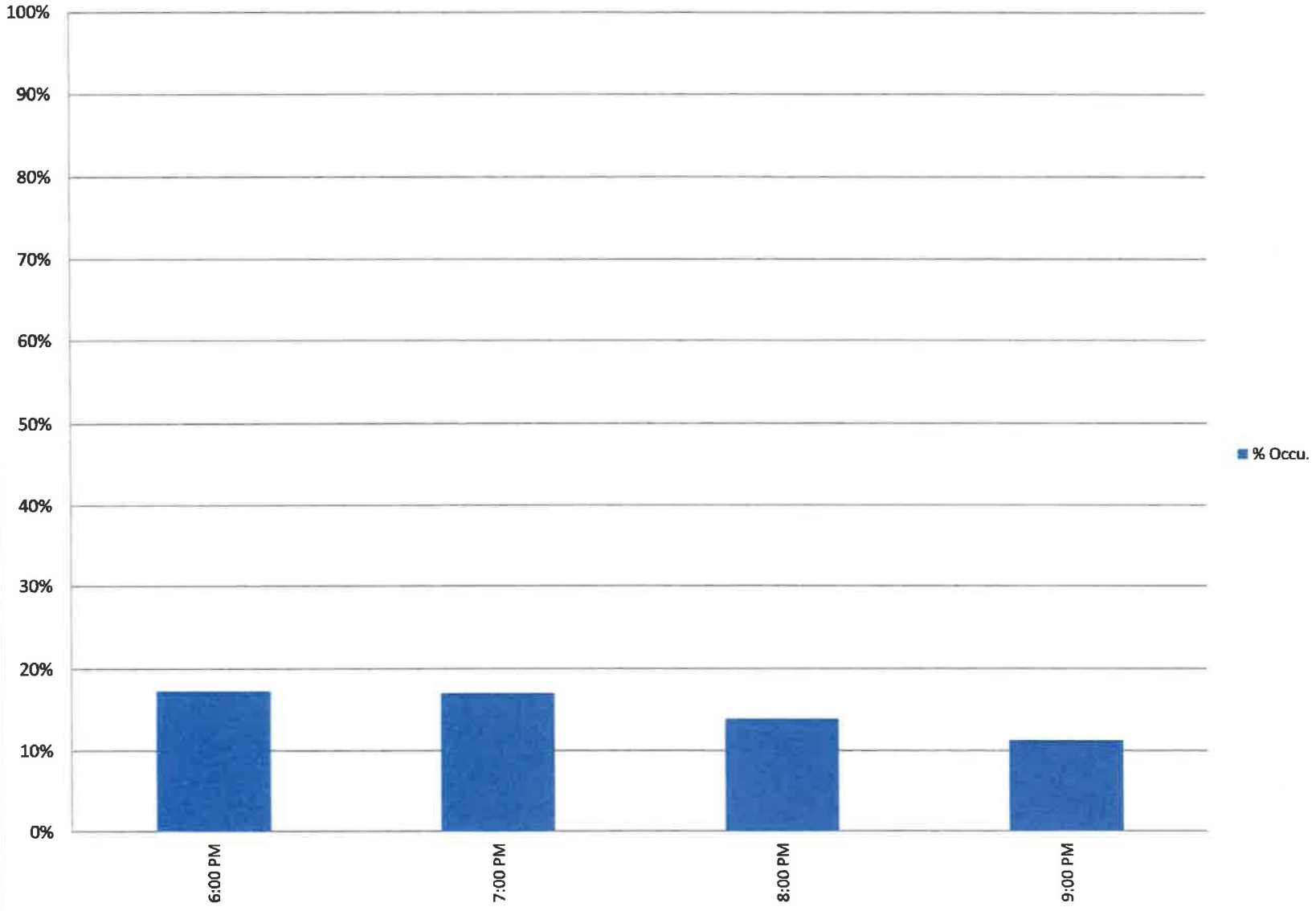
Existing Parking Occupancy (Off-Street) - Weekend - Zone 2



Existing Parking Occupancy (Off-Street) - Weekday - Zone 3



Existing Parking Occupancy (Off-Street) - Weekend - Zone 3





Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
305	Scott St		7192						7192	Club/bar/tasting room	Cohn Club	1	A, B
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	B
607	Sutter St				2623				2623	Office	Fire Rain	1	B
607	Sutter St				Residential Units				2		Fire Rain 2 two-bed apts	1	B
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Burlap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Ayece	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Hornes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasiliv Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	
813	Sutter St								1000	Health/Beauty	American Barber Shop	3	
813	Sutter St		650						650	Novelties/Gifts	Charming Jules	3	
813	Sutter St		650						650	Jewelry	Gem N I Jewelry Gallery	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Sulte #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
813	Sutter St		660						660	General Retail	Shanei	3	
813	Sutter St								650	Novelties/Gifts	Timeless Passion	3	
813	Sutter St								650	Novelties/Gifts	It's Just Your Style and Friends	3	
815	Sutter St								650	Novelties/Gifts	Betty's House of Turquoise	3	
815	Sutter St								650	Novelties/Gifts	Sutter St Pastels	3	
823	Sutter St		3357		2346				5703	Museum	Folsom History Museum	3	
825	Sutter St		3200						3200	Restaurant	Fat Rabbit	3	
800	Future (HFS)								25350	General Retail	Historic Folsom Station	3	B
800	Future (HFS)								8500	Restaurant	Historic Folsom Station	3	B
800	Future (HFS)								11780	Office	Historic Folsom Station	3	B
800	Future (HFS)								60	Residential Units	Historic Folsom Station	3	B
900	Sutter St		1717						1717	Club/bar/tasting room	Westwood	3	B
900	Sutter St				1931				1931	Office	Westwood	3	B
905	Sutter St	100	5000						5000	Office	Folsom Lake Bank	3	
905	Sutter St	200			5661				5661	Office	REY Engineering	3	
905	Sutter St								1250	Office	Sutter Court. LLC	3	
915	Sutter St								750	General Retail	UnWined	3	
915	Sutter St								750	Office	ID Solutions	3	
915	Sutter St								750	Office	Bemau Development Corp	3	
915	Sutter St								750	Office	Essex Mortgage	3	
915	Sutter St								750	Office	Folsom Historic District Association	3	
915	Sutter St								750	Office	Historic Folsom Station	3	
915	Sutter St								750	Office	Kensington Homes, Inc.	3	
915	Sutter St								750	Office	Today'sSpecialsApp.com	3	
921	Sutter St								1250	Office	Capital Equit Group Corporate Office	3	
921	Sutter St								1250	Office	Folsom Telegraph	3	
929	Sutter St								1250	Office	Hampton Photography	3	
929	Sutter St								750	Office	Jiva Wellness	3	
TOTALS													
Existing									160,345	+ 115 Theater Seats			
Future									54,901	+ 62 D.U.			
Existing + Future									215,246	+ 115 Theater Seats, 62 D.U.			

Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project

Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
 Chris Gregerson, P.E., T.E., PTP
Re: **Technical Memorandum #1 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: October 18, 2018

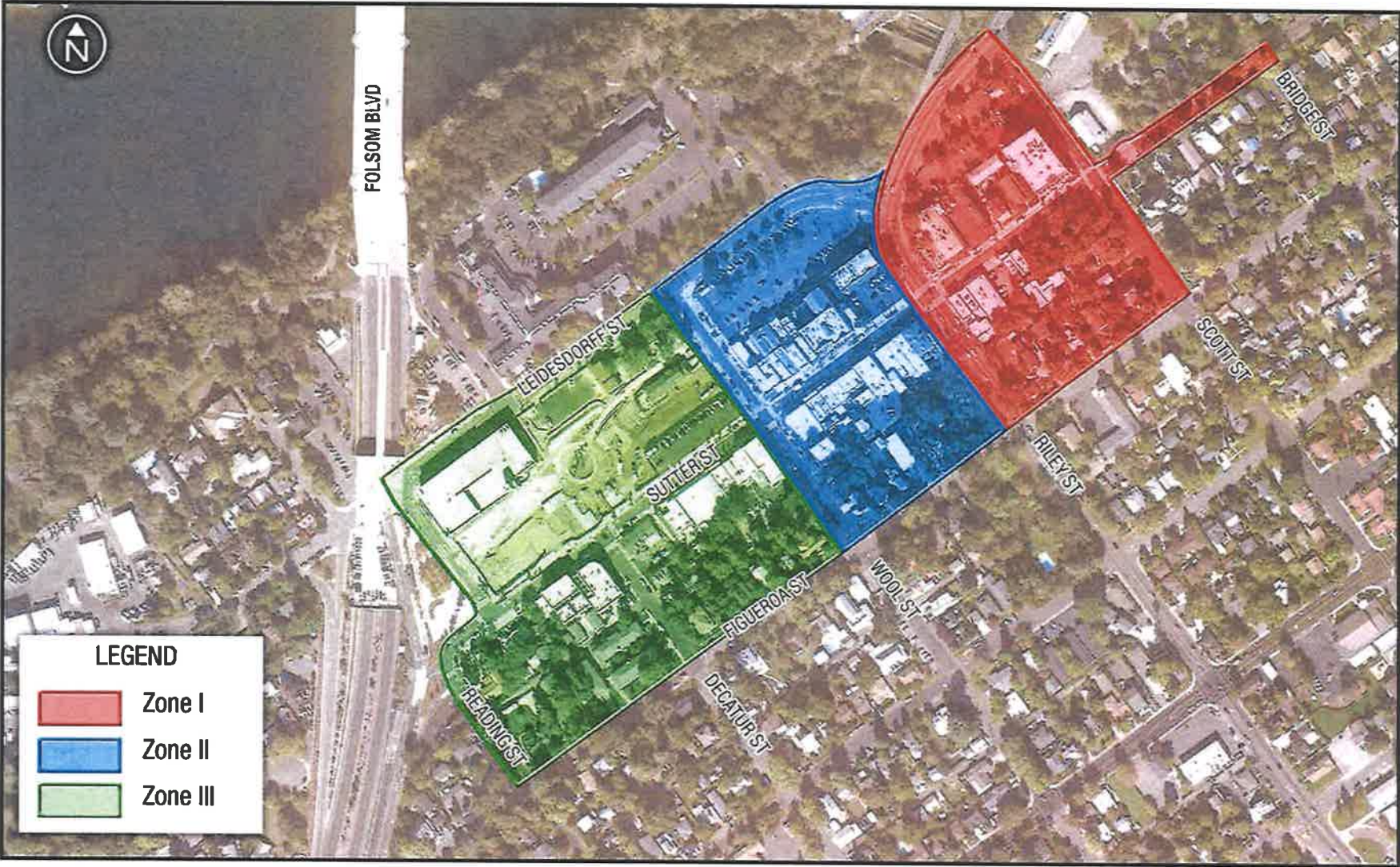
This memorandum refreshes the previously completed Implementation Plan Update (January 17, 2014) and is intended to provide the City with a summary of changes to existing conditions (parking supply, occupancy, and development) that have occurred over the past 4 years. In addition, the memo includes projected parking “shortages” for future supply and demand and an approximate time frame for the need for additional parking supply. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply, which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Gold Lake Dr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	380		75	
Total Off-Street Spaces:		622	Total On-Street Spaces:	179	801
<i>Kimley-Horn and Associates, Inc., October 2018</i>					

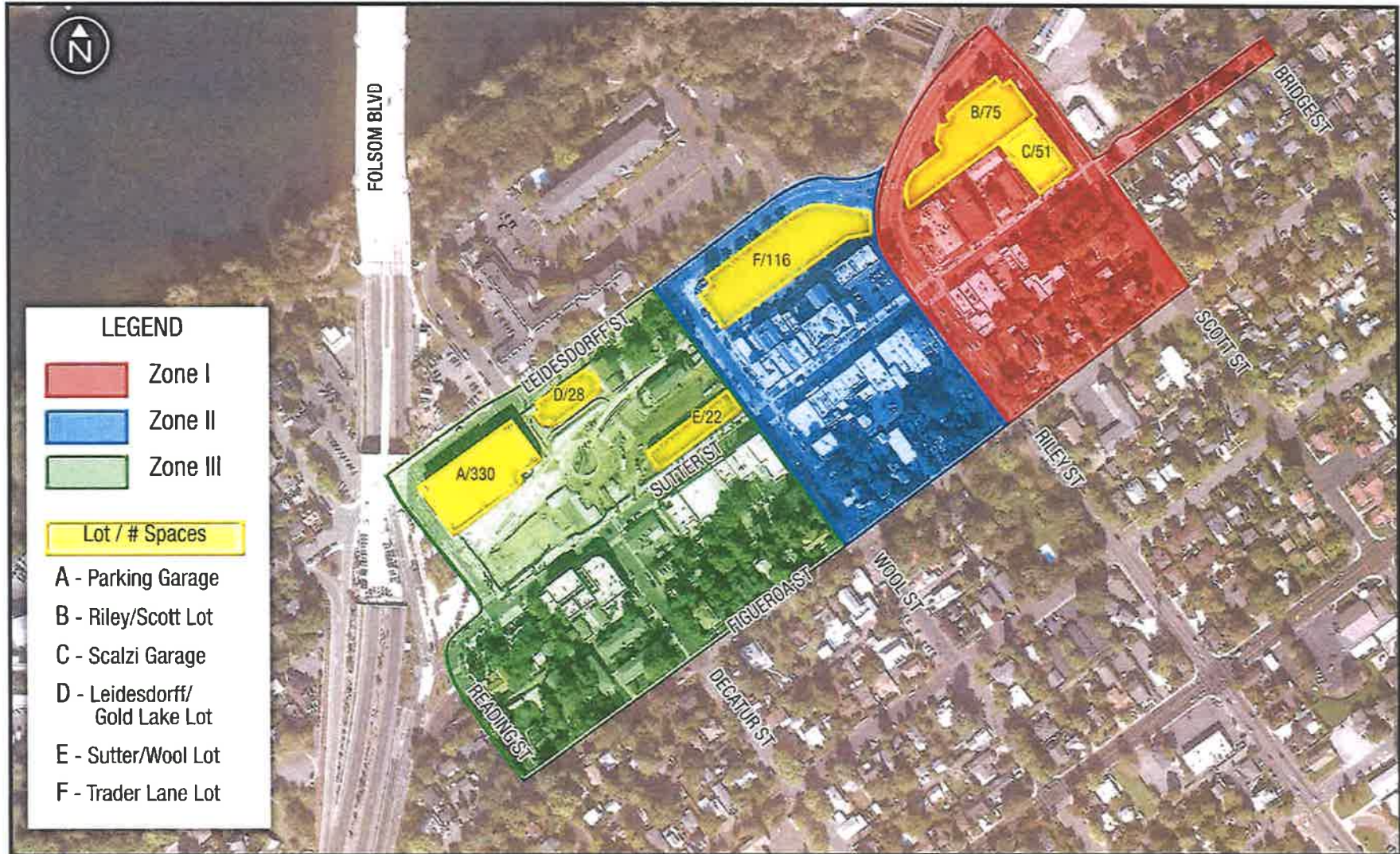
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



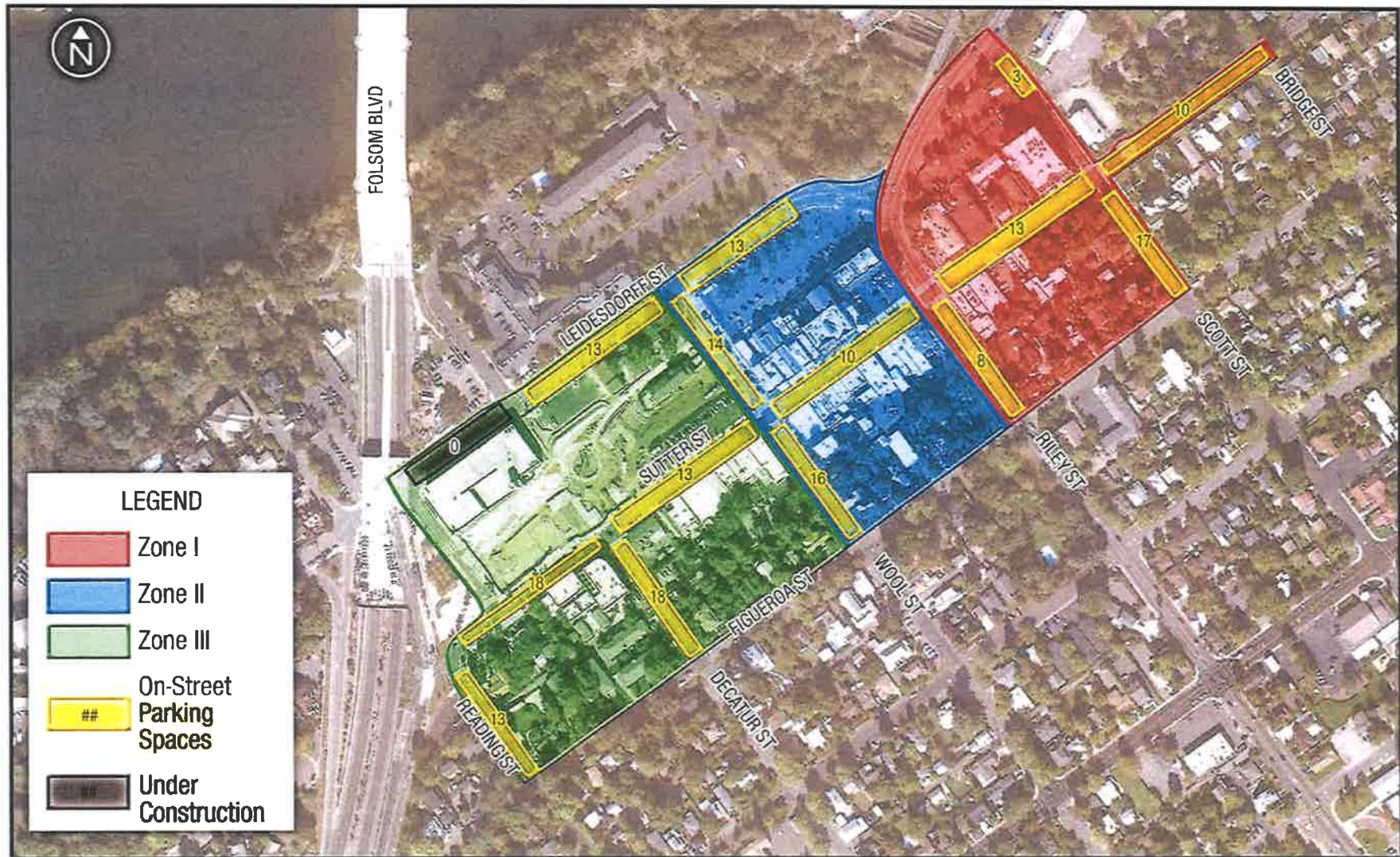
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces



Kimley»Horn

When compared to the data contained in our previous study¹, the off-street parking supply included in the study has stayed constant and on-street parking supply has decreased by five (179 vs. 184). In total, the current parking supply included in the study is five (5) spaces less than was documented in 2014 (801 vs. 806).

Parking occupancy data was collected on Thursday, October 4 and Friday, October 5, 2018. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our previous study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2014 data which reflected peak weekday occupancies (off- and on-street) of less than 40 percent combined occupancy, the current data peaks at 60 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at less than 50 percent occupancy with the current data reflecting 59 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the previous study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the City of Folsom. Where appropriate, assumptions were made using the previous study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Technical Memorandum #2 - Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 17, 2014.

Table 2 – Existing Land Use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	12,786	30,975	9,460	53,221
Restaurant	15,298	2,700	3,600	21,598
Office	27,045	7,500	28,961	63,506
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Residential (Dwelling Units – D.U.)	2	-	-	2
Total	59,319 + 2 D.U.	47,425 + 115 Theater Seats	59,224	165,968 + 2 D.U. + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. As ITE published *Parking Generation, 4th Edition* since the previous study, a comparison of rates was completed and for those that were significantly different, the more recent rate was used. However, because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips where people park once in a public parking space and then walk to multiple locations, 3) internal non-auto trips where people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3**.

As shown in **Table 3**, the parking model predicts the weekday peak parking demand is 479 spaces while the observed peak parking demand using the occupancy survey is 522 spaces, a difference of 43 spaces, or a 9 percent difference. Based on this finding, the parking model is considered to be validated.

Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	479 spaces	522 spaces	9%
2	Existing Peak Hour	12:00 p.m.	2:00 p.m.	N/A
3	Existing Peak Demand Periods	12:00 p.m. to 2:00 p.m.	12:00 p.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekend conditions were predicted. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	472 spaces	514 spaces	9%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. to 7:00 p.m.	

The model predicted weekend peak parking demand is 472 spaces while the observed peak parking demand is 514 spaces, a difference of 42 spaces, or 9 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City’s direction as part of the previous study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

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It is important to note that, per the City's direction the "planned/approved projects" includes the Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 179 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

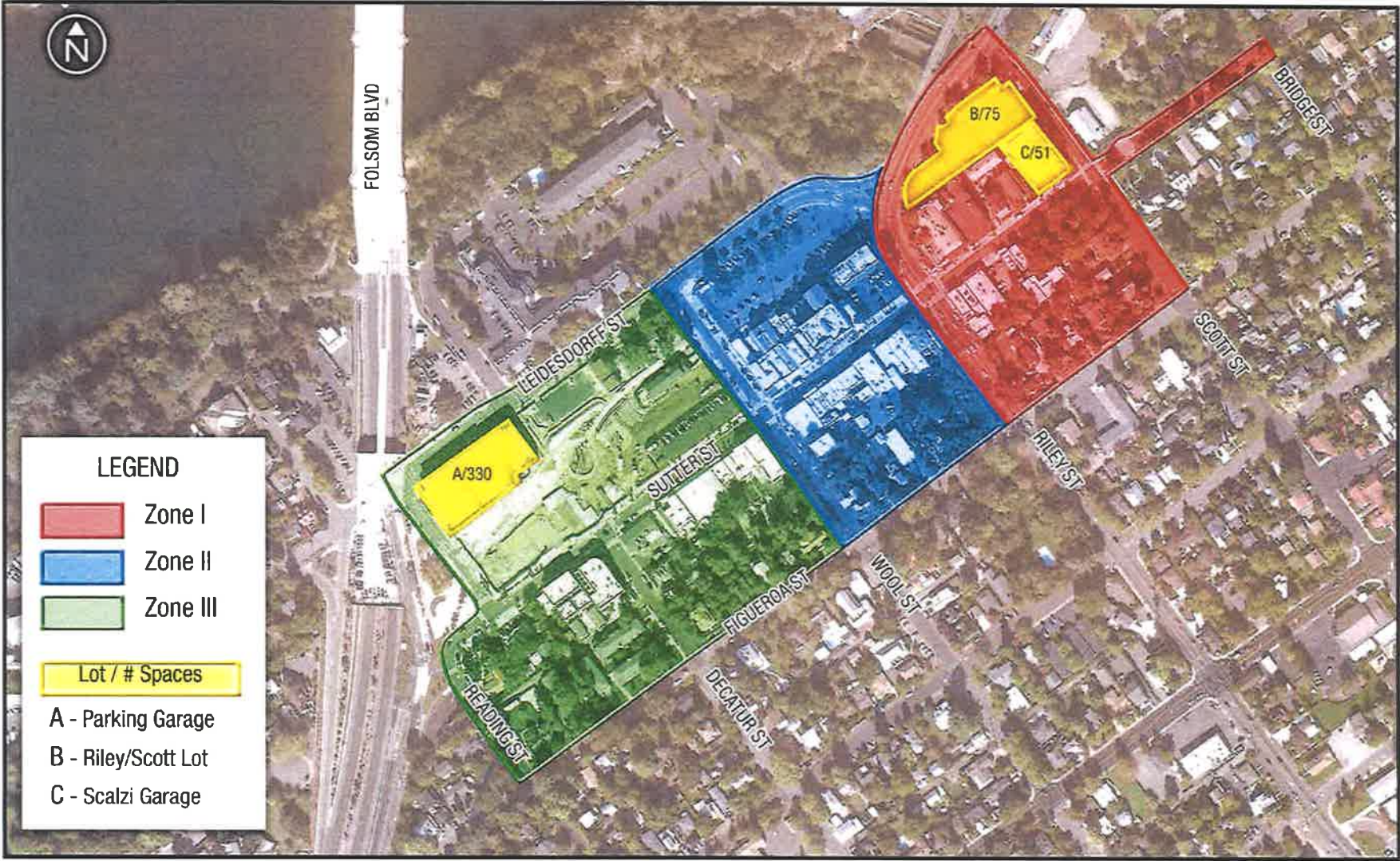
Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 635 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 635 spaces is 166 spaces less than the existing parking supply.

Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		75	
Total Off-Street Spaces:		456	Total On-Street Spaces:		179
					635
<i>Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.</i>					

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots



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Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is 343 spaces for the weekdays and 347 spaces for the weekends. This level of parking supply (343/347 spaces) was determined to accommodate 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure. This determination is discussed in more detail in the section below

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 126,480 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. **Table 7** presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

As shown in **Table 7**, based on the future parking supply limitations (343 weekday and 347 weekend), a future development scenario of 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. For this analysis it was assumed that the Trader Lane lot would not be completed for eight years from the beginning of the analysis period due to financial and other constraints. An assumed 12-month construction timeline was also used and thus, parking was reduced for that construction timeline. As shown in **Figure 5** and **Figure 7**, the delay in construction of the Trader Lane lot constrains available development for 24 months until

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construction is completed. This constraint and two-year delay for further development results in future development not being achieved for either the weekday or weekend. This constraint only allows between 82 and 84 percent of the total future achievable development.

Table 6 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	25,350	19,850	21,350	66,550
Restaurant	8,500	-	15,250	23,750
Office	11,780	-	24,400	36,180
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	45,630 + 60 D.U.	19,850	61,000	126,480 60 D.U.

¹ Includes Historic Folsom Station Project

Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2a	Parking Demand for Planned/Approved Projects	151 spaces	168 spaces	
2b	Existing Parking Demand	479 spaces	479 spaces	
3	Total Parking Demand	630 spaces	647 spaces	
4a	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	635 spaces	635 spaces	
4b	Excess Parking Spaces	5 spaces	-12 spaces	
5a	Available Parking Supply for Future Development (step 1 + step 4b)	447 spaces	430 spaces	
5b	Parking Demand for Wrap-Around Retail	66 spaces	45 spaces	
5c	Total Available Parking Supply for Future Development	381 spaces	385 spaces	
6a	Practical Capacity Reduction	10%	10%	
6b	Net Total Available Parking Supply for Future (90% of step 5c)	343 spaces	347 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	21,350 SF	96 spaces	96 spaces
	Restaurant	15,250 SF	136 spaces	227 spaces
	Office	24,400 SF	110 spaces	9 spaces
	Total	61,000 SF	342 spaces	333 spaces
¹ The future parking supply includes 179 on-street spaces and 456 off-street spaces for a total of 635 spaces. The off-street parking spaces Includes the following: - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions

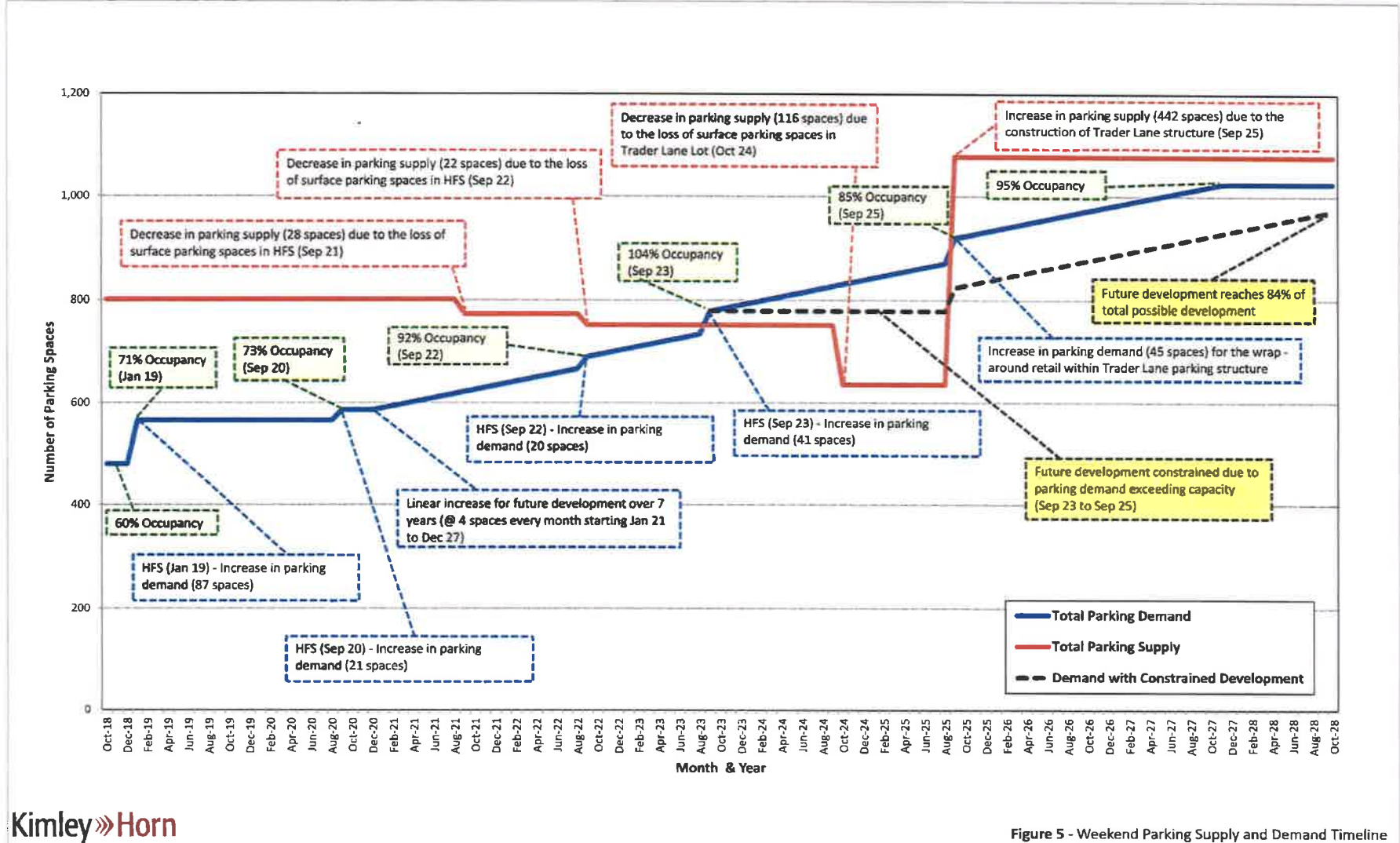


Figure 5 - Weekend Parking Supply and Demand Timeline

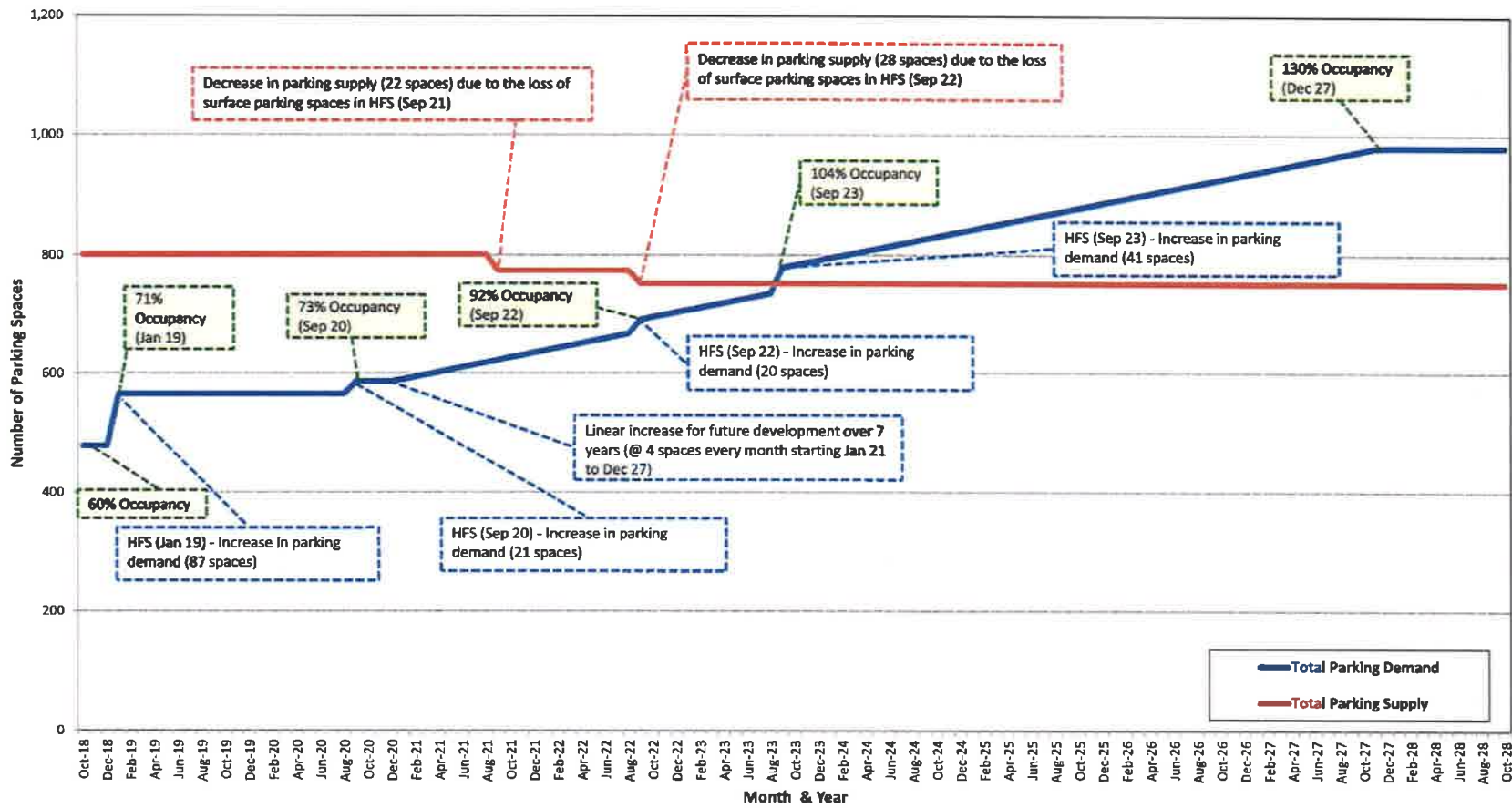


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

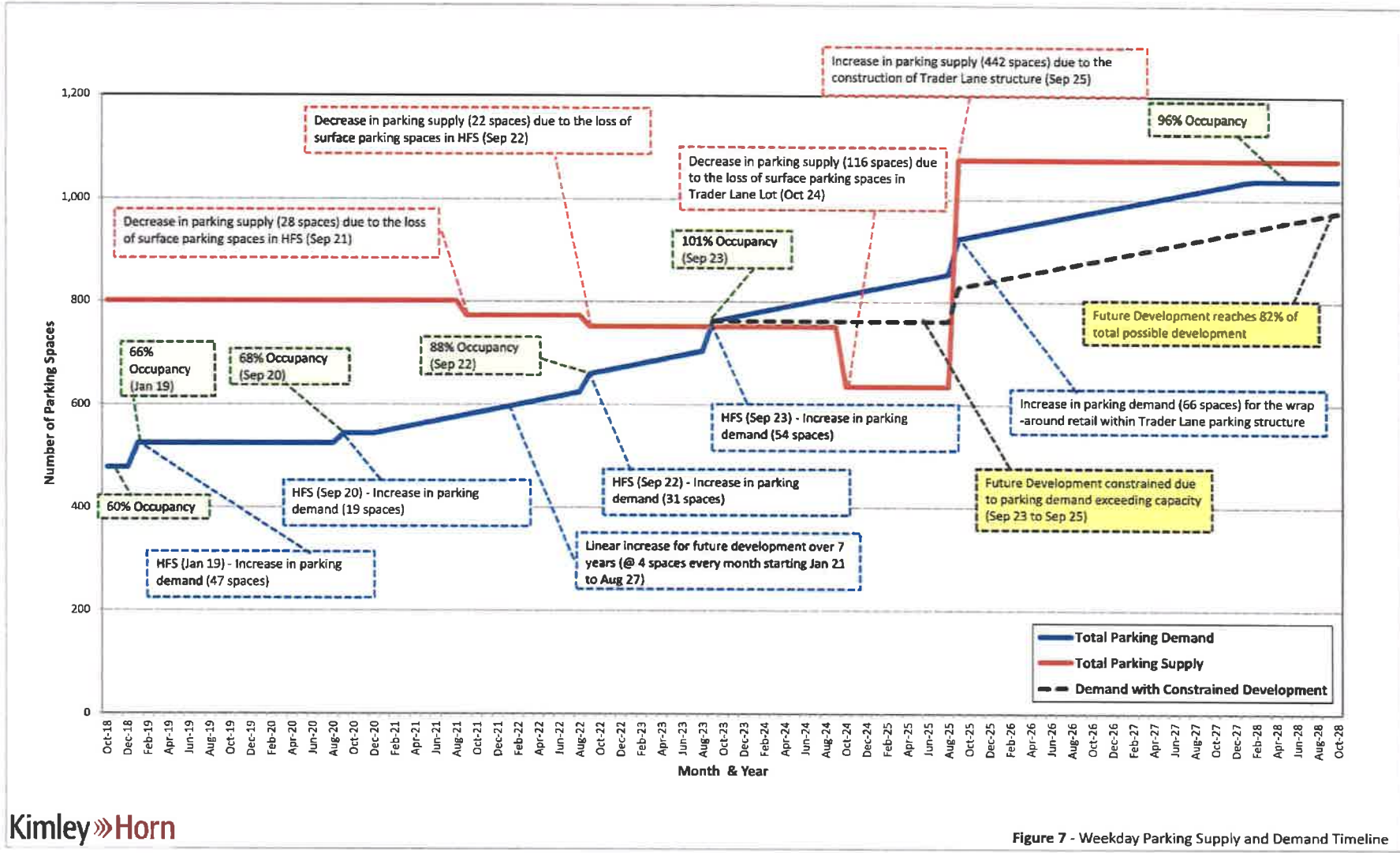


Figure 7 - Weekday Parking Supply and Demand Timeline

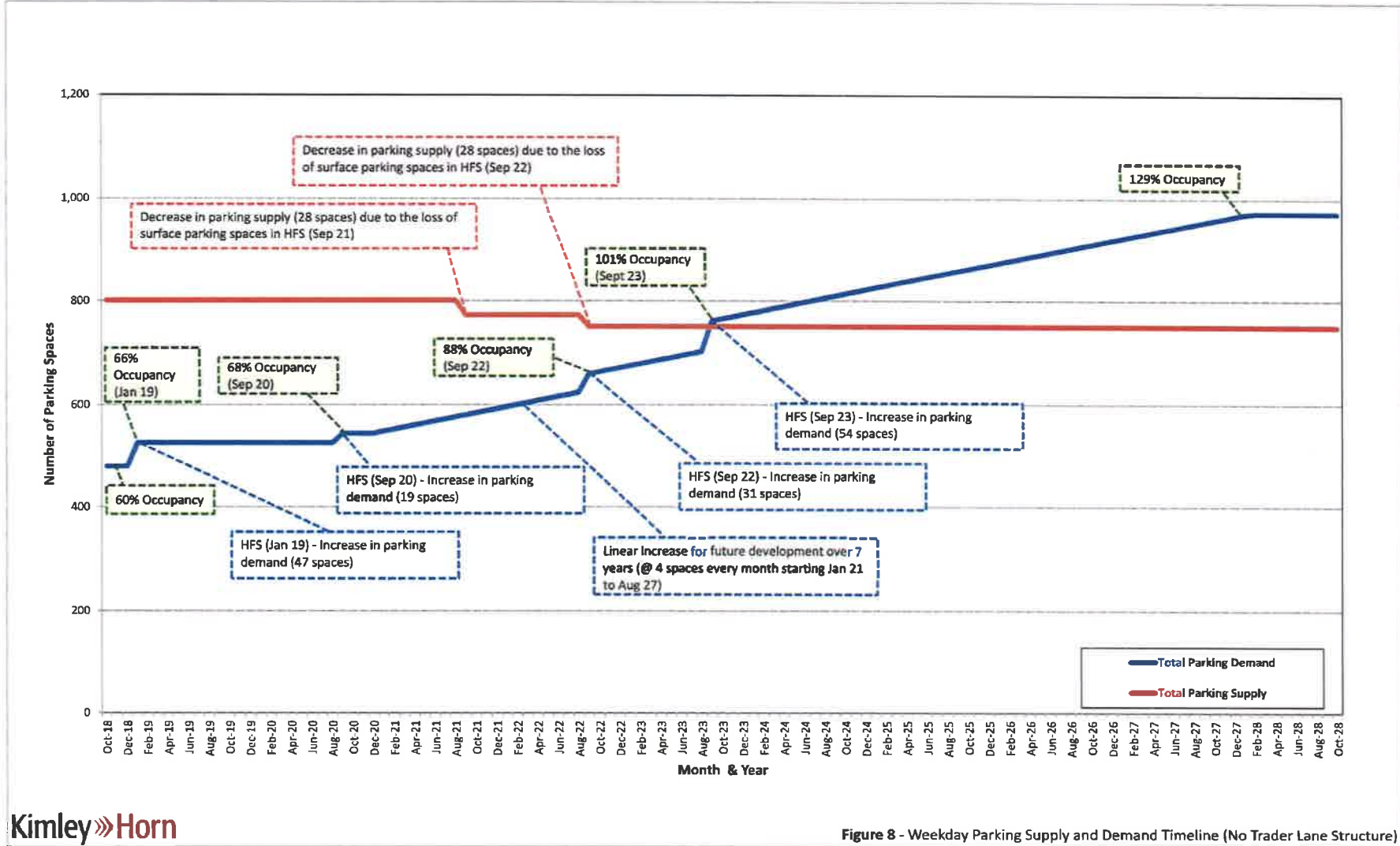
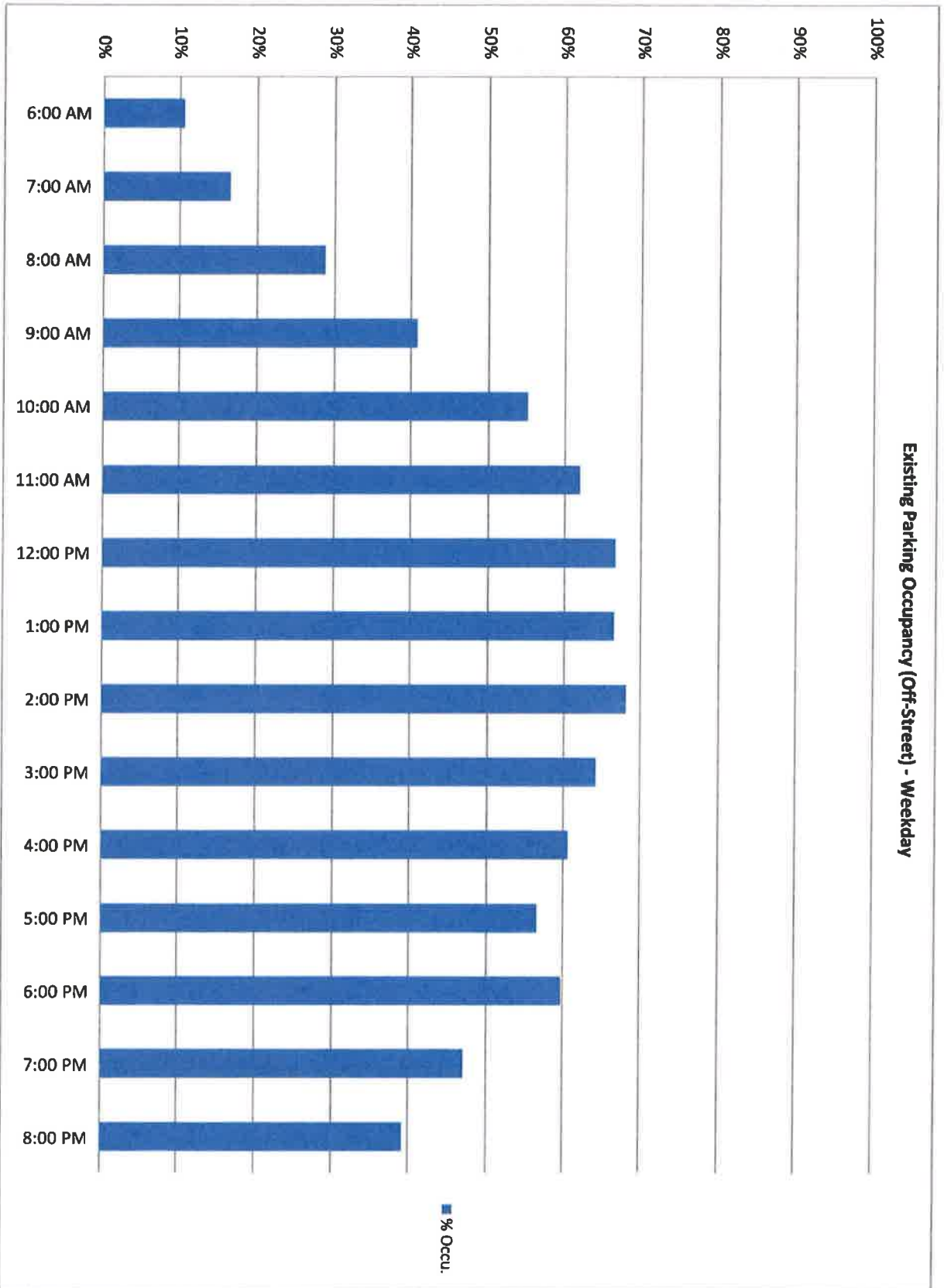


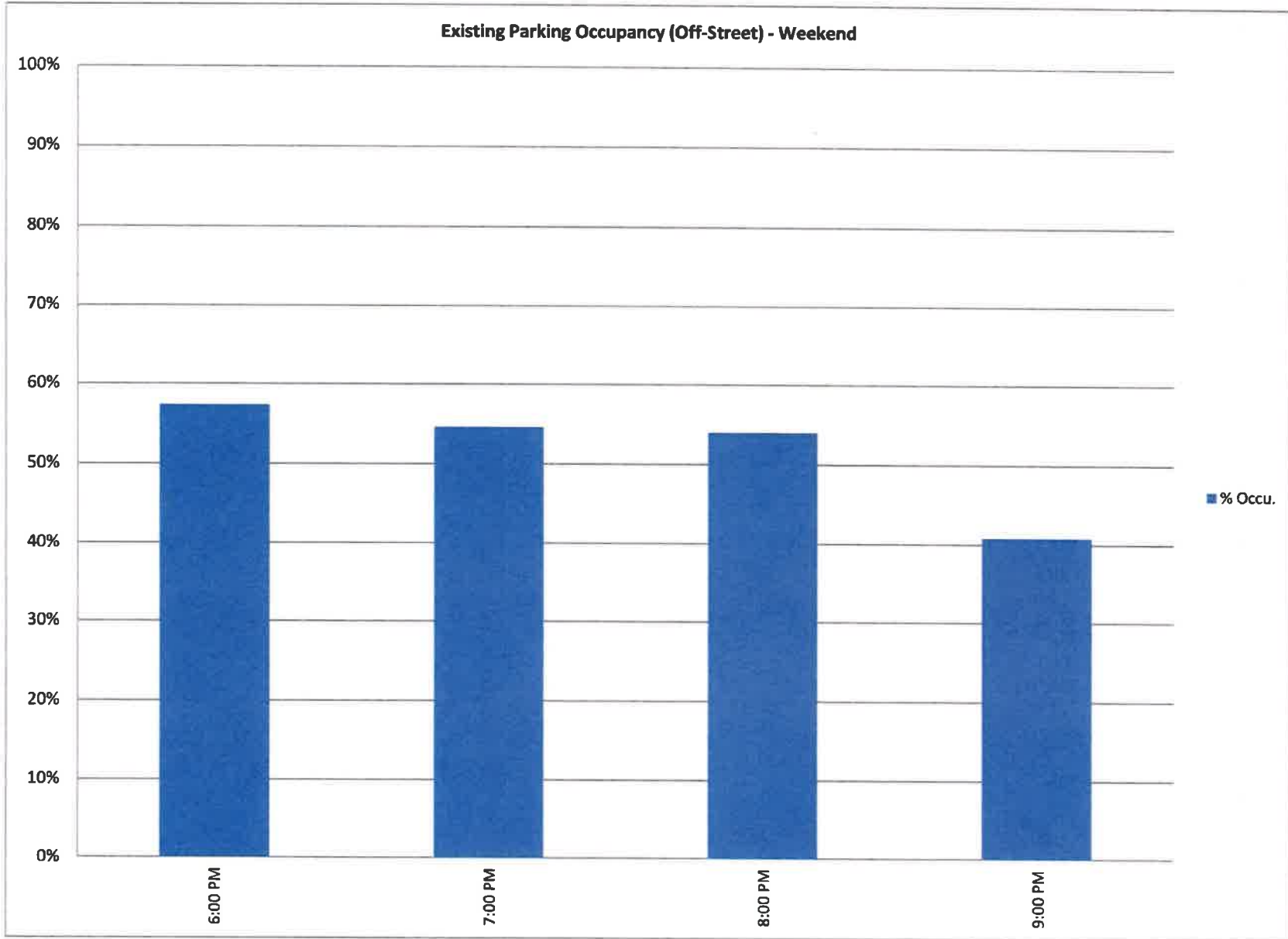
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)



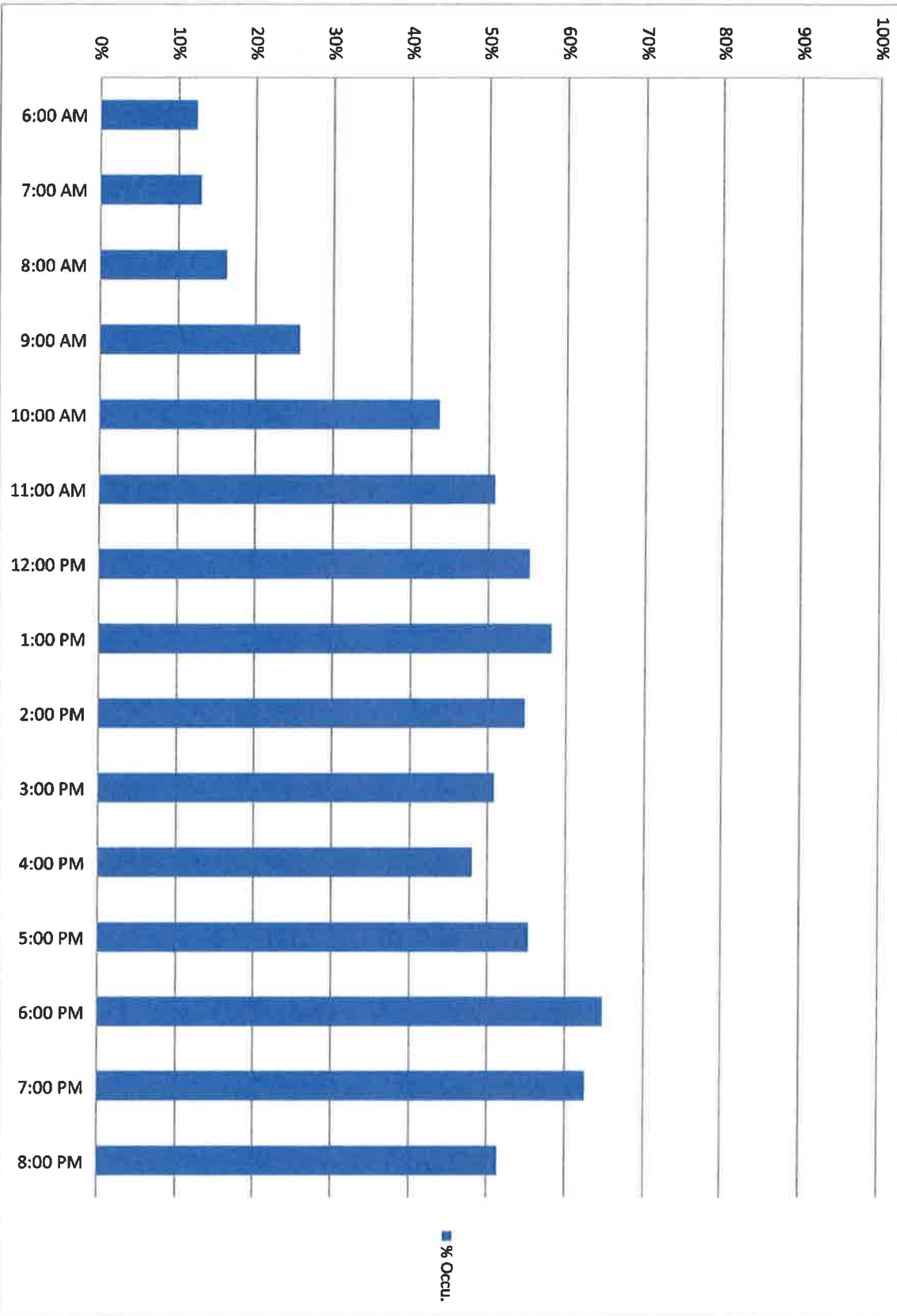
Attachment A – Parking Occupancy Data

Existing Parking Occupancy (Off-Street) - Weekday

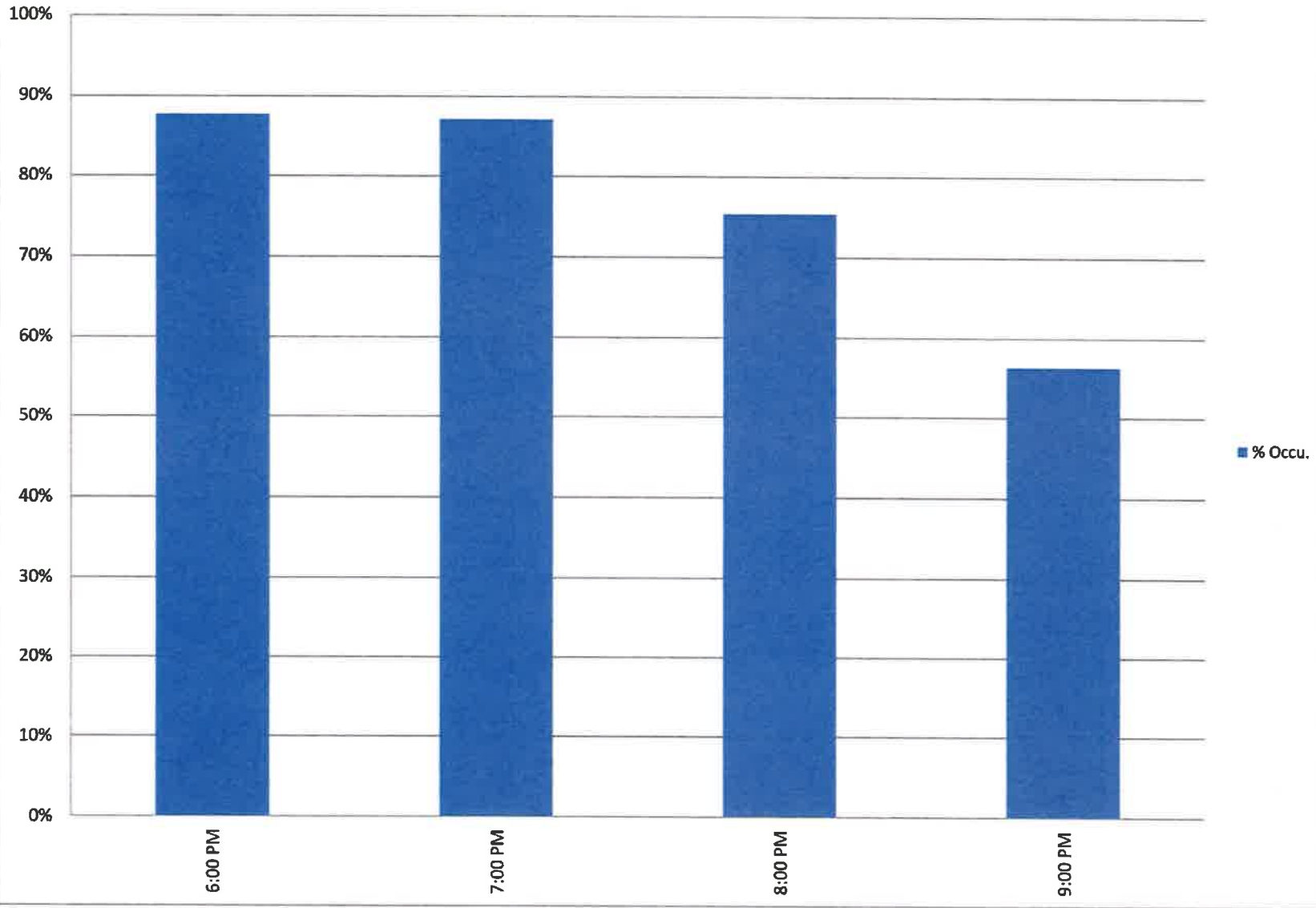




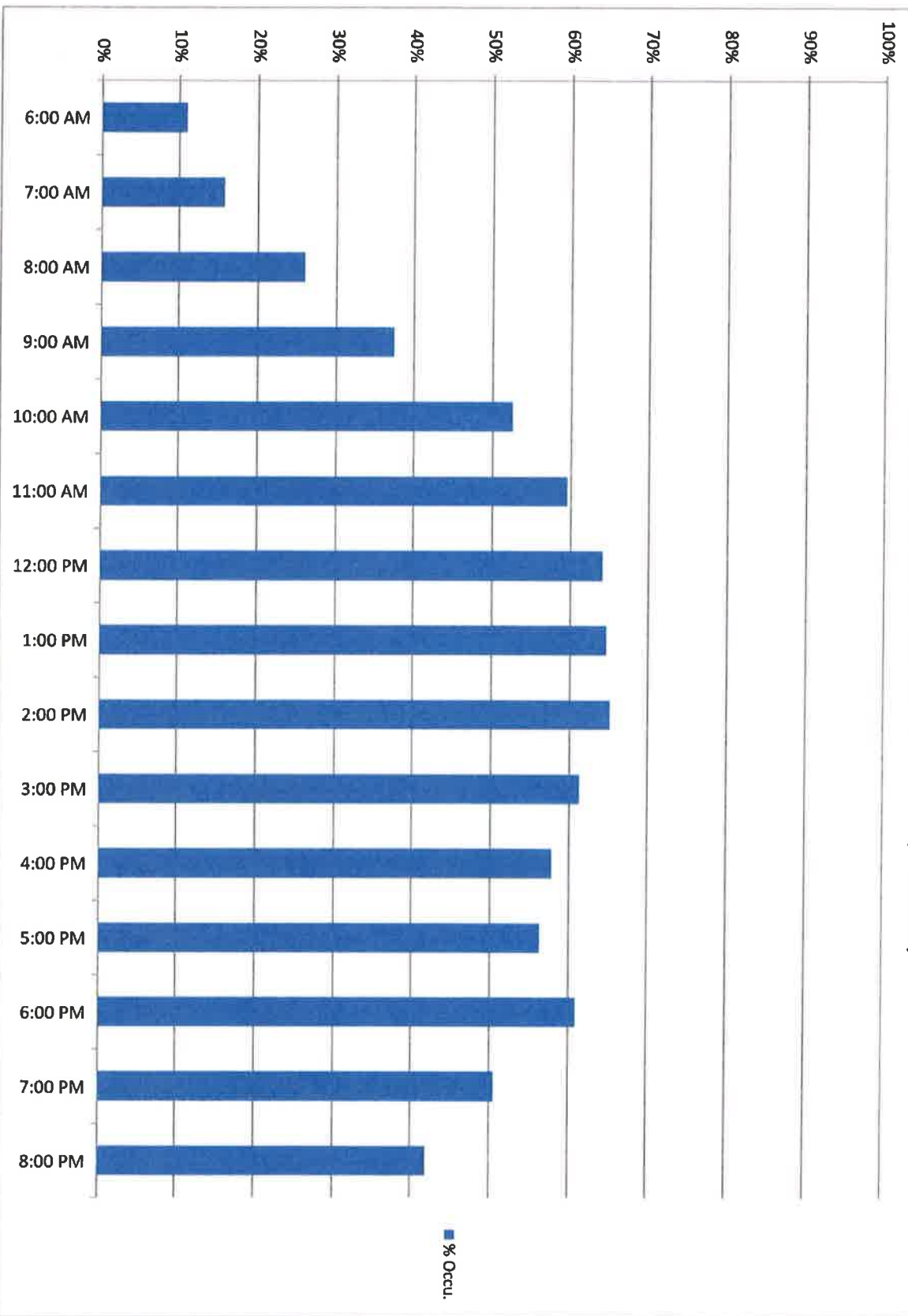
Existing Parking Occupancy (On-Street) - Weekday



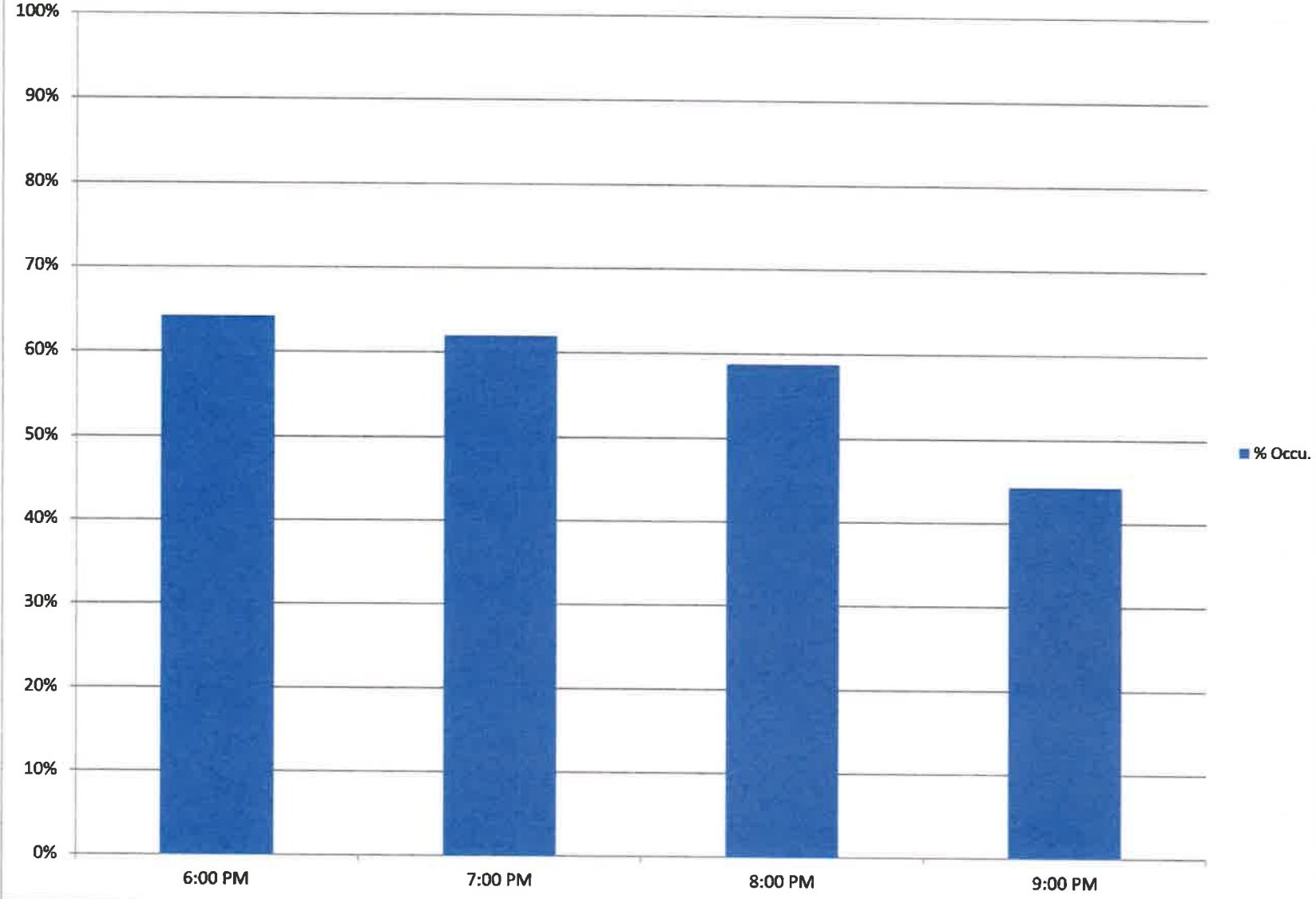
Existing Parking Occupancy (On-Street) - Weekend



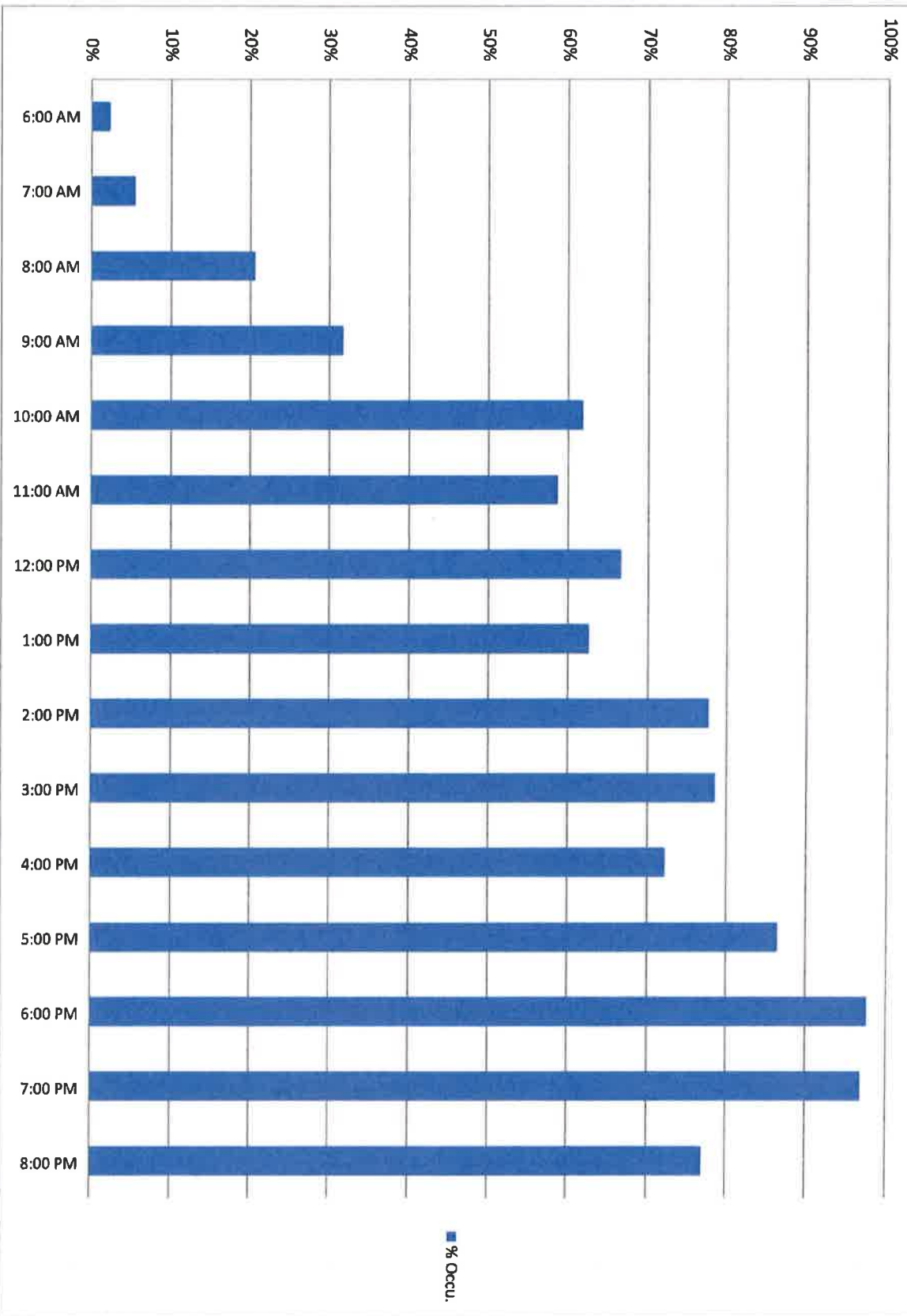
Existing On-Street and Off-Site Parking Occupancy - Weekday



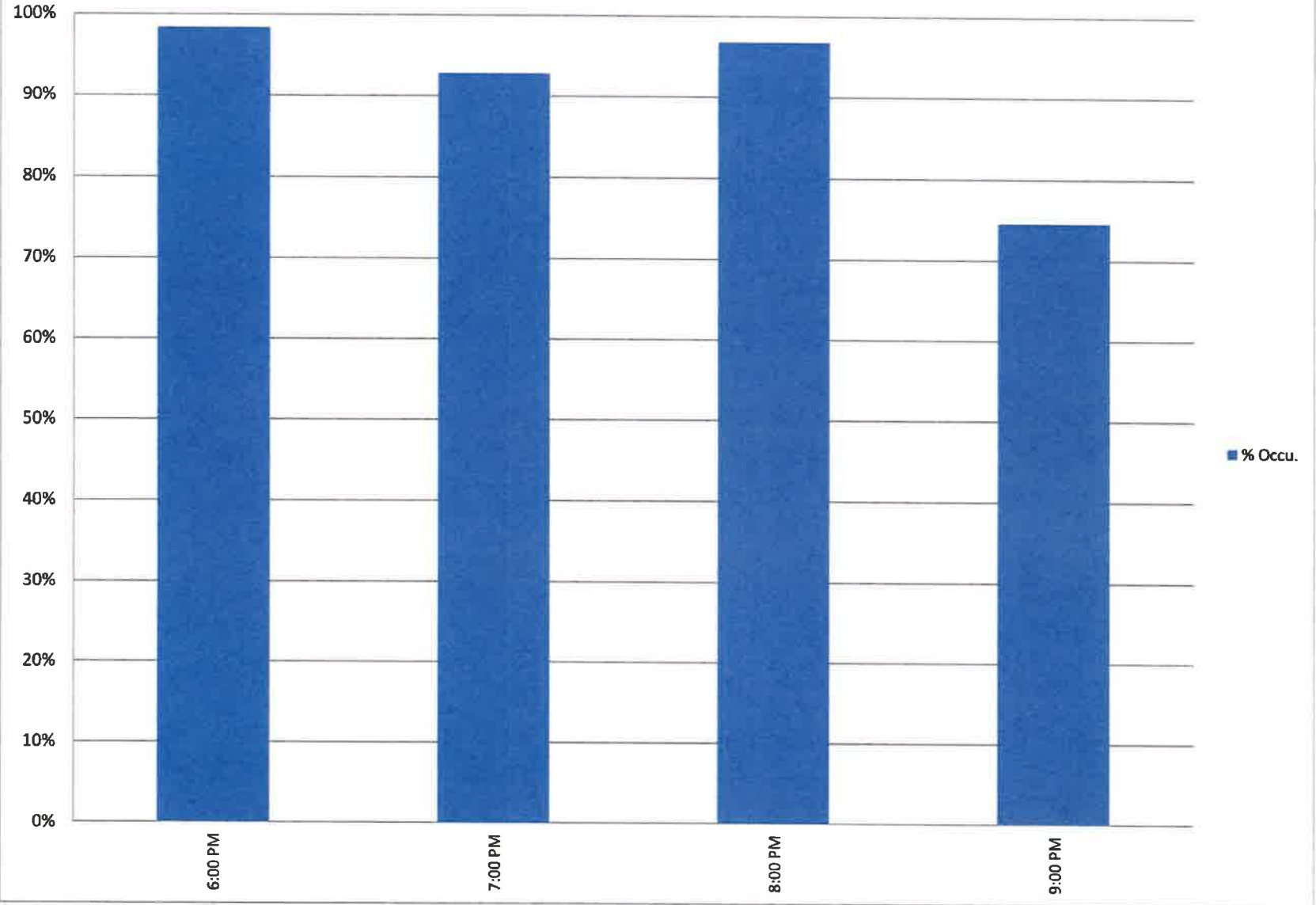
Existing On-Street and Off-Site Parking Occupancy - Weekend



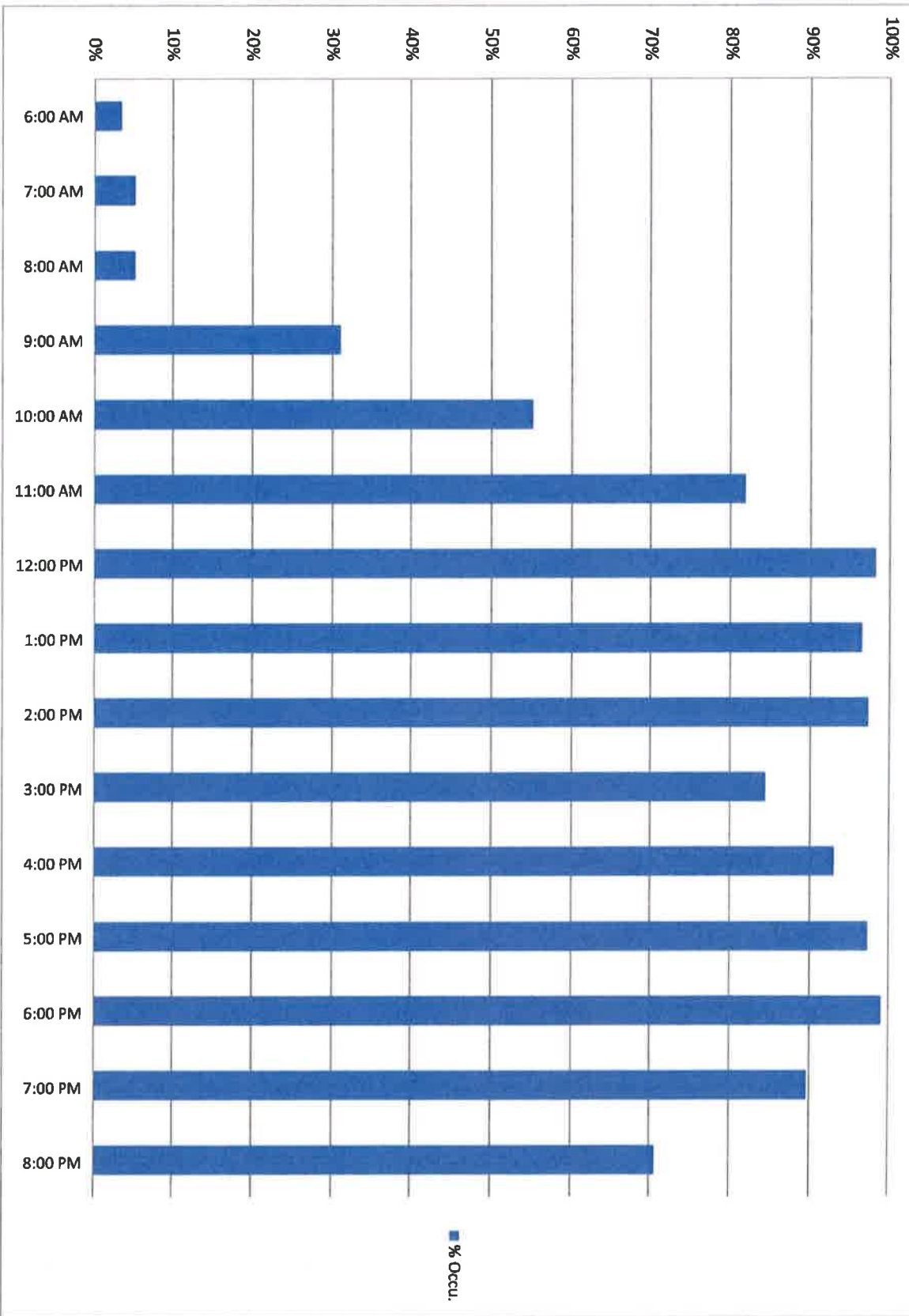
Existing Parking Occupancy (Off-Street) - Weekday - Zone 1



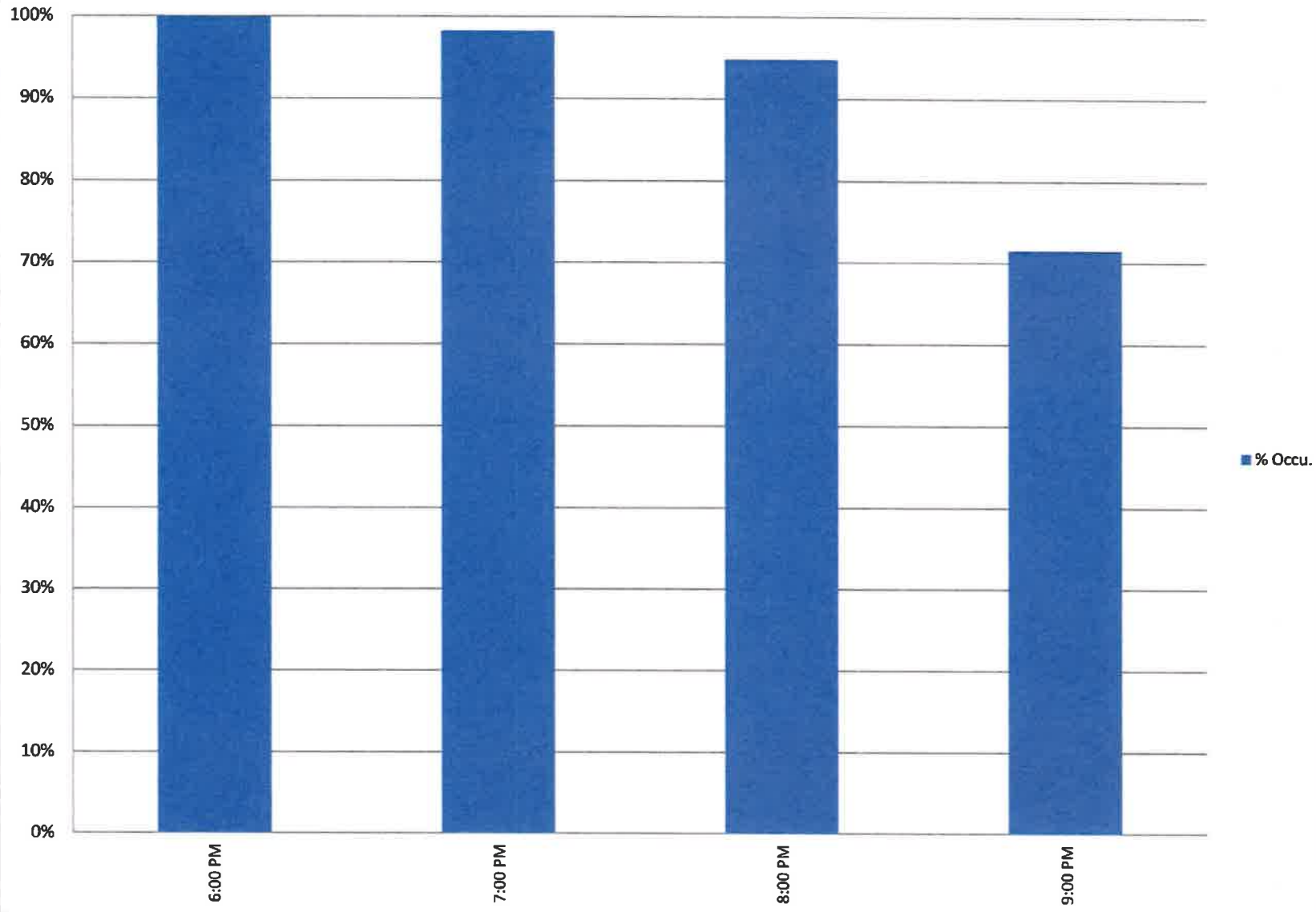
Existing Parking Occupancy (Off-Street) - Weekend - Zone 1



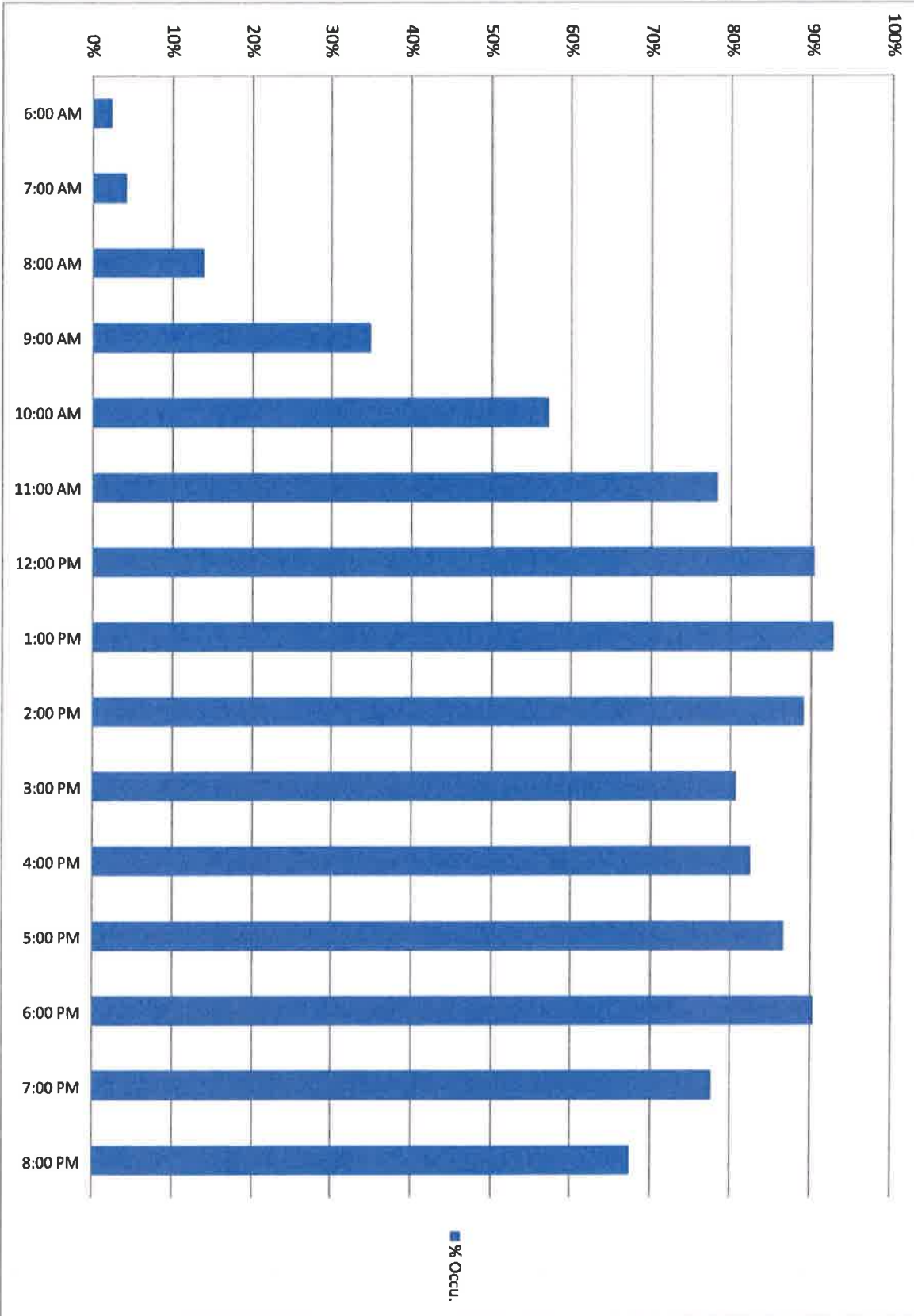
Existing Parking Occupancy (Off-Street) - Weekday - Zone 2



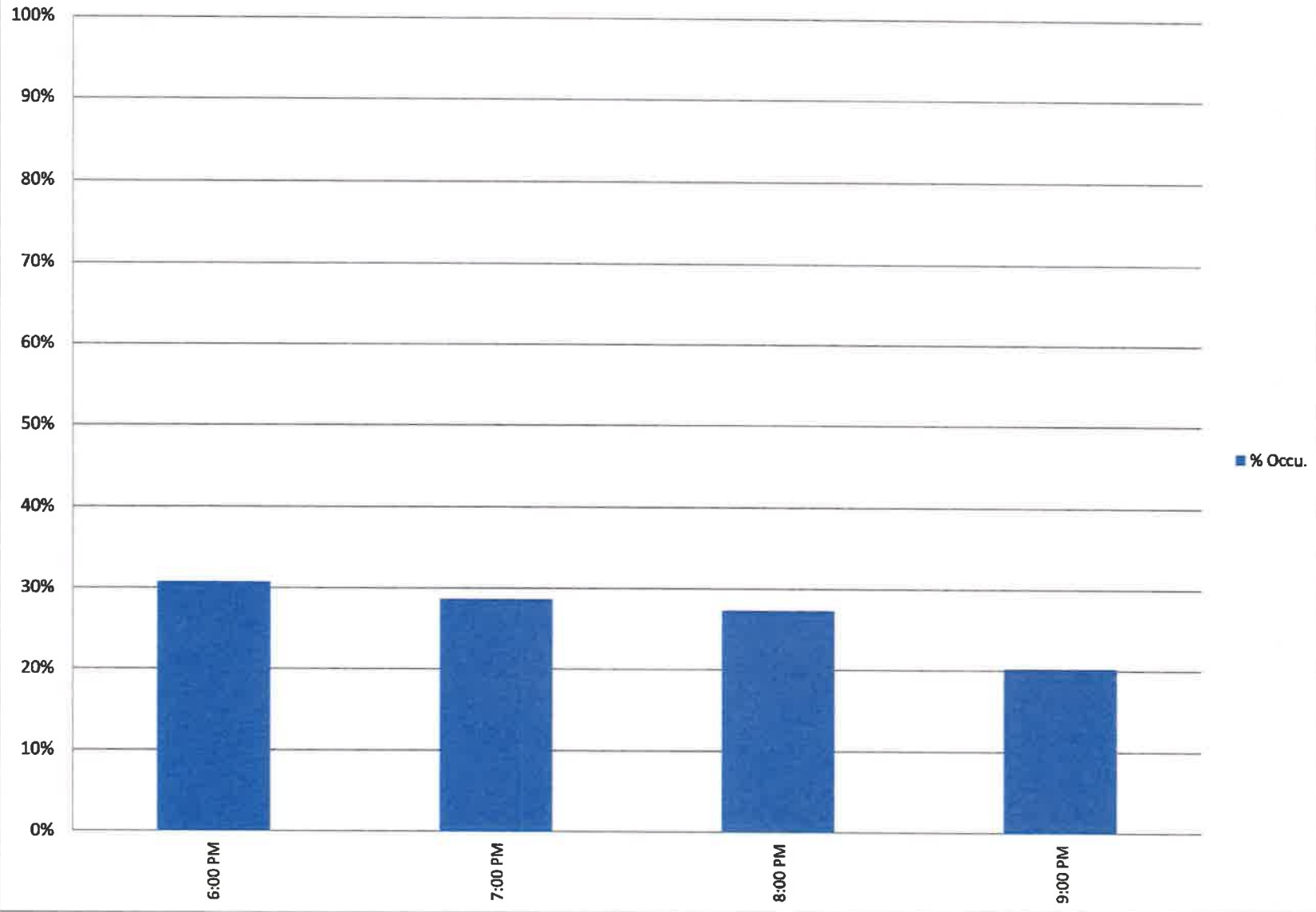
Existing Parking Occupancy (Off-Street) - Weekend - Zone 2



Existing Parking Occupancy (Off-Street) - Weekday- Zone 3



Existing Parking Occupancy (Off-Street) - Weekend - Zone 3





Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	
607	Sutter St				2623				2623	Office	Fire Rain	1	
607	Sutter St								2	Residential Units	Fire Rain 2 two-bed apts	1	
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Buriap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Alyce	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Hornes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasliiy Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
813	Sutter St							1000	Health/Beauty	American Barber Shop	3		
813	Sutter St		650					650	Novelties/Gifts	Charming Jules	3		
813	Sutter St		650					650	Jewelry	Gem N I Jewelry Gallery	3		
813	Sutter St		660					660	General Retail	Shanei	3		
813	Sutter St							650	Novelties/Gifts	Timeless Passion	3		
813	Sutter St							650	Novelties/Gifts	It's Just Your Style and Friends	3		
815	Sutter St							650	Novelties/Gifts	Betty's House of Turquoise	3		
815	Sutter St							650	Novelties/Gifts	Sutter St Pastels	3		
823	Sutter St		3357		2346			5703	Museum	Folsom History Museum	3		
825	Sutter St		3200					3200	Restaurant	Fat Rabbit	3		
800 Future (HFS)								25350	General Retail	Historic Folsom Station	3	B	
800 Future (HFS)								8500	Restaurant	Historic Folsom Station	3	B	
800 Future (HFS)								11780	Office	Historic Folsom Station	3	B	
800 Future (HFS)								Residential Units		60	Historic Folsom Station	3	B
905	Sutter St	100	5000					5000	Office	Folsom Lake Bank	3		
905	Sutter St	200			5661			5661	Office	REY Engineering	3		
905	Sutter St							1250	Office	Sutter Court, LLC	3		
915	Sutter St							750	General Retail	UnWined	3		
915	Sutter St							750	Office	ID Solutions	3		
915	Sutter St							750	Office	Bemau Development Corp	3		
915	Sutter St							750	Office	Essex Mortgage	3		
915	Sutter St							750	Office	Folsom Historic District Association	3		
915	Sutter St							750	Office	Historic Folsom Station	3		
915	Sutter St							750	Office	Kensington Homes, Inc.	3		
915	Sutter St							750	Office	Today'sSpecialsApp.com	3		
921	Sutter St							1250	Office	Capital Equit Group Corporate Office	3		
921	Sutter St							1250	Office	Folsom Telegraph	3		
929	Sutter St							1250	Office	Hampton Photography	3		
929	Sutter St							750	Office	Jiva Wellness	3		
TOTALS													
Existing								165,968 + 115 Theater Seats + 2 D.U.					
Future								45,630 + 60 D.U.					
Existing + Future								211,598 + 115 Theater Seates + 62 D.U.					

Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project

Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
Re: **Technical Memorandum #2 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: January 17, 2014

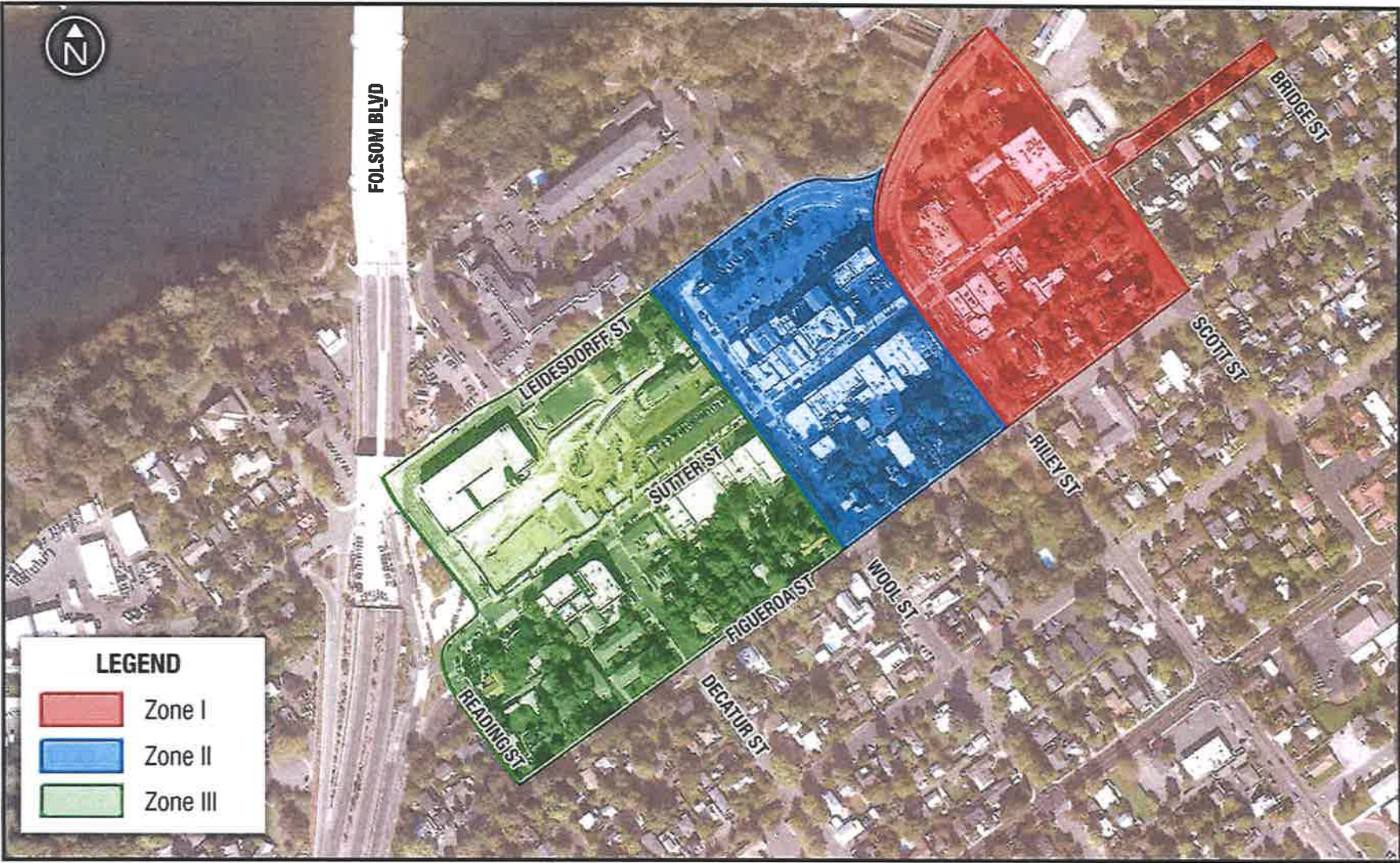
This memorandum builds upon the previously completed Existing Conditions evaluation (October 3, 2013) and is intended to provide the City with an updated projection of Historic District parking supply and demand over the next decade. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		50	176	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
Subtotals:	380		83	463	
Total Off-Street Spaces:		622	Total On-Street Spaces:		184
					806
<i>Kimley-Horn and Associates, Inc., September 2013</i>					

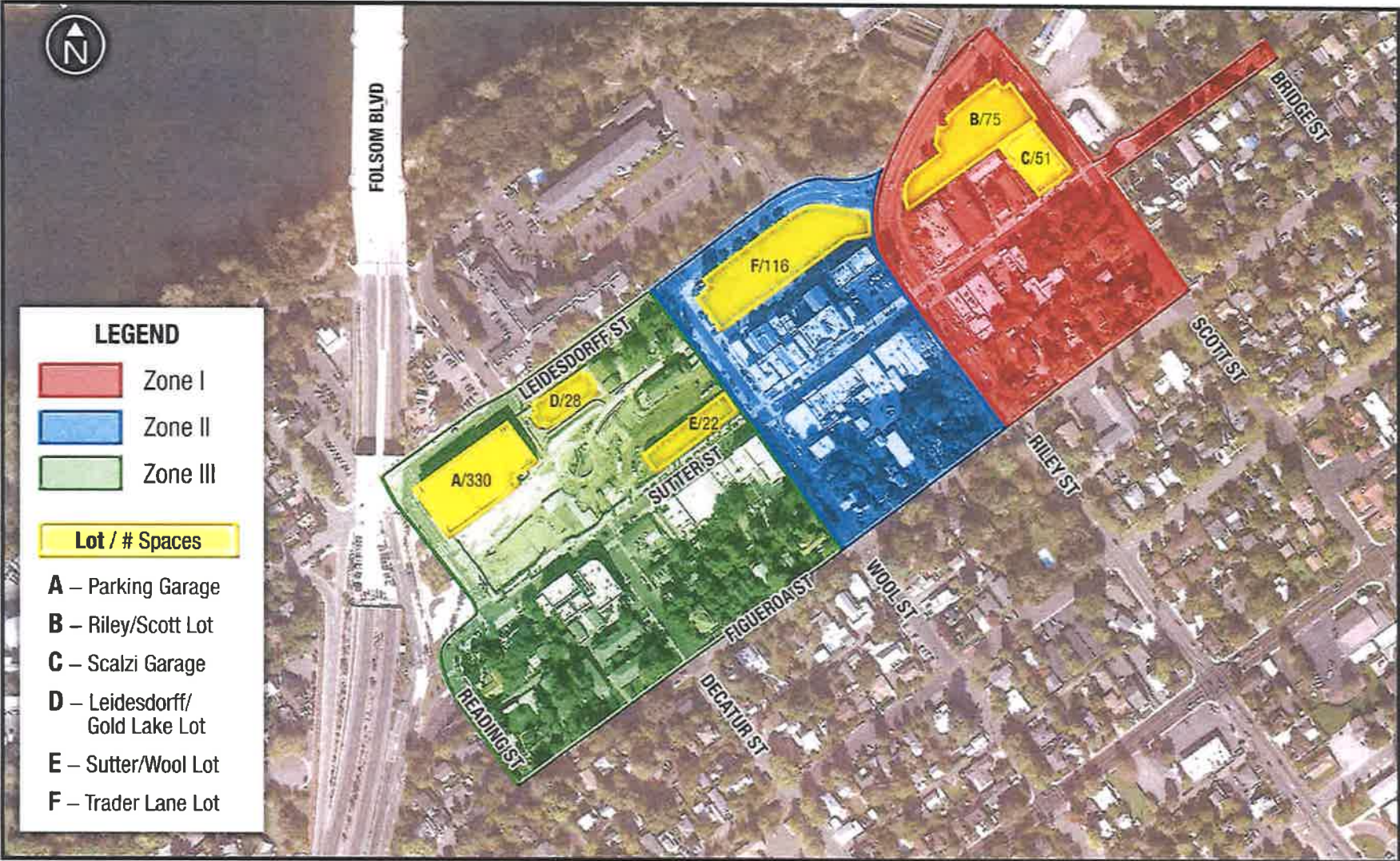
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



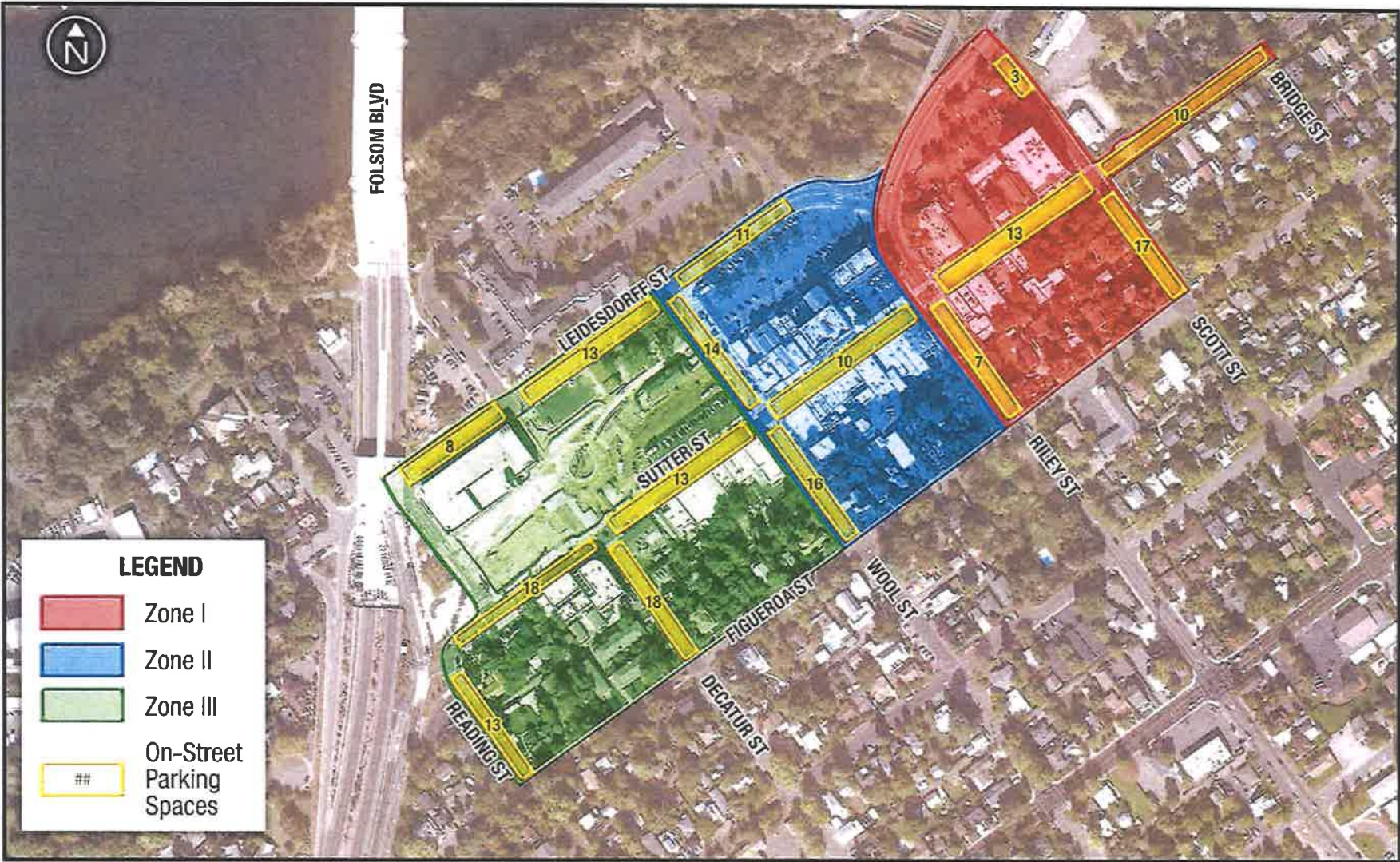
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces





When compared to the data contained in our original study¹, the off-street and on-street parking supply included in the study has decreased by 53 (622 vs. 675) and 48 (184 vs. 232) spaces respectively. In total, the current parking supply included in the study is 101 spaces (806 vs. 907) less than was documented in 2008.

Parking occupancy data was collected on Wednesday, September 25 and Friday September 27, 2013. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our original study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2008 data which reflected peak weekday occupancies (off- and on-street) of over 70 percent, the current data peaks at less than 40 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at nearly 85 percent occupancy with the current data reflecting less than 50 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the original study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the Folsom Historic District Association. Where appropriate, assumptions were made using the original study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Historic District Parking Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 16, 2009.

Table 2 – Existing Land Use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	9,786	30,975	9,460	50,221
Restaurant	15,298	2,700	3,600	21,598
Office	24,422	7,500	28,961	60,883
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	53,696	47,425 + 115 Theater Seats	59,224	144,642 + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3** below:

**Table 3 – Comparison of Parking Model Calibration Results with
Observed Parking Occupancy – Weekday**

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	378 spaces	339 spaces	10%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	12:00 a.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	11:00 a.m. to 1:00 p.m., 5:00 p.m. and 7:00 p.m.	

As per the parking model, the weekday peak parking demand is 378 spaces and the peak parking demand observed using occupancy survey is 339 spaces, a difference of 39 spaces, or a 10 percent difference. Based on this finding, the parking model is considered to be validated.

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	442 spaces	446 spaces	-1%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. and 7:00 p.m.	

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 446 spaces, a difference of 4 spaces, or 1 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City’s direction as part of the original study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

It is important to note that, per the City’s direction the “planned/approved projects” include Fire Rain (Zone I), Westwood (Zone III), and Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

² *Historic District Design and Development Guidelines, City of Folsom, October 1, 1998.*



Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 184 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 640 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 640 spaces is 166 spaces less than the existing parking supply.

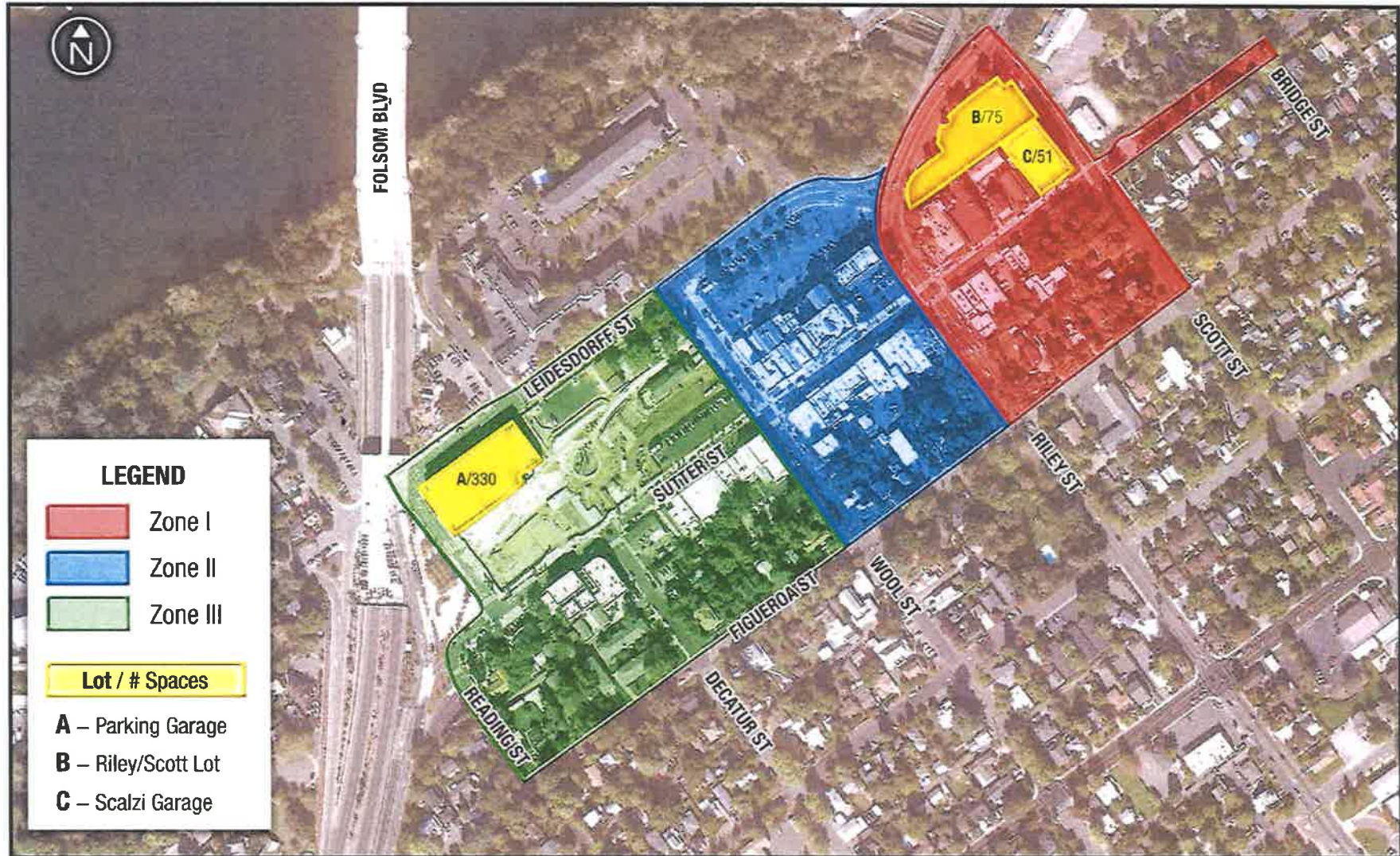
Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
	Subtotals:	126		50	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		83	
Total Off-Street Spaces:	456	Total On-Street Spaces:	184	640	

Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots



Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 445 spaces. This level of parking supply (445 spaces) was determined to accommodate 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 135,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand.

Table 7 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 6 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	28,350	19,850	40,600	88,800
Restaurant	8,500	-	29,000	37,500
Office	16,334	-	46,400	62,734
Club/Bar/Tasting Rooms	1,717	-	-	1,717
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	62	-	-	62
Total	54,901 62 D.U.	19,850	116,000	190,751 62 D.U.

¹ Includes Fire Rain, Historic Folsom Station, and Westwood projects

As shown in **Table 7**, based on the future parking supply limitations (445 weekday and 398 weekend), an assumed future development scenario of 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. As demonstrated, the City should begin construction of a Trader Lane parking structure in July 2016, at which point the District-wide parking occupancy is anticipated to be approximately 85 percent. An assumed 12-month construction timeline will allow the parking structure to be completed and operational in mid-2017 to achieve a District-wide occupancy of 65 percent.

Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	150 spaces	155 spaces	
	Existing Parking Demand	378 spaces	442 spaces	
3	Total Parking Demand	528 spaces	597 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	640 spaces	640 spaces	
	Excess (Deficit) Parking Spaces	112 spaces	43 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	554 spaces	485 spaces	
	Parking Demand for Wrap-Around Retail	60 spaces	43 spaces	
	Total Available Parking Supply for Future Development	494 spaces	442 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	445 spaces	398 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	40,600 SF	124 spaces	106 spaces
	Restaurant	29,000 SF	85 spaces	287 spaces
	Office	46,400 SF	112 spaces	3 spaces
	Total	116,000 SF	321 spaces	396 spaces
¹ The future parking supply includes 184 on-street spaces and 456 off-street spaces for a total of 640 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces 				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions

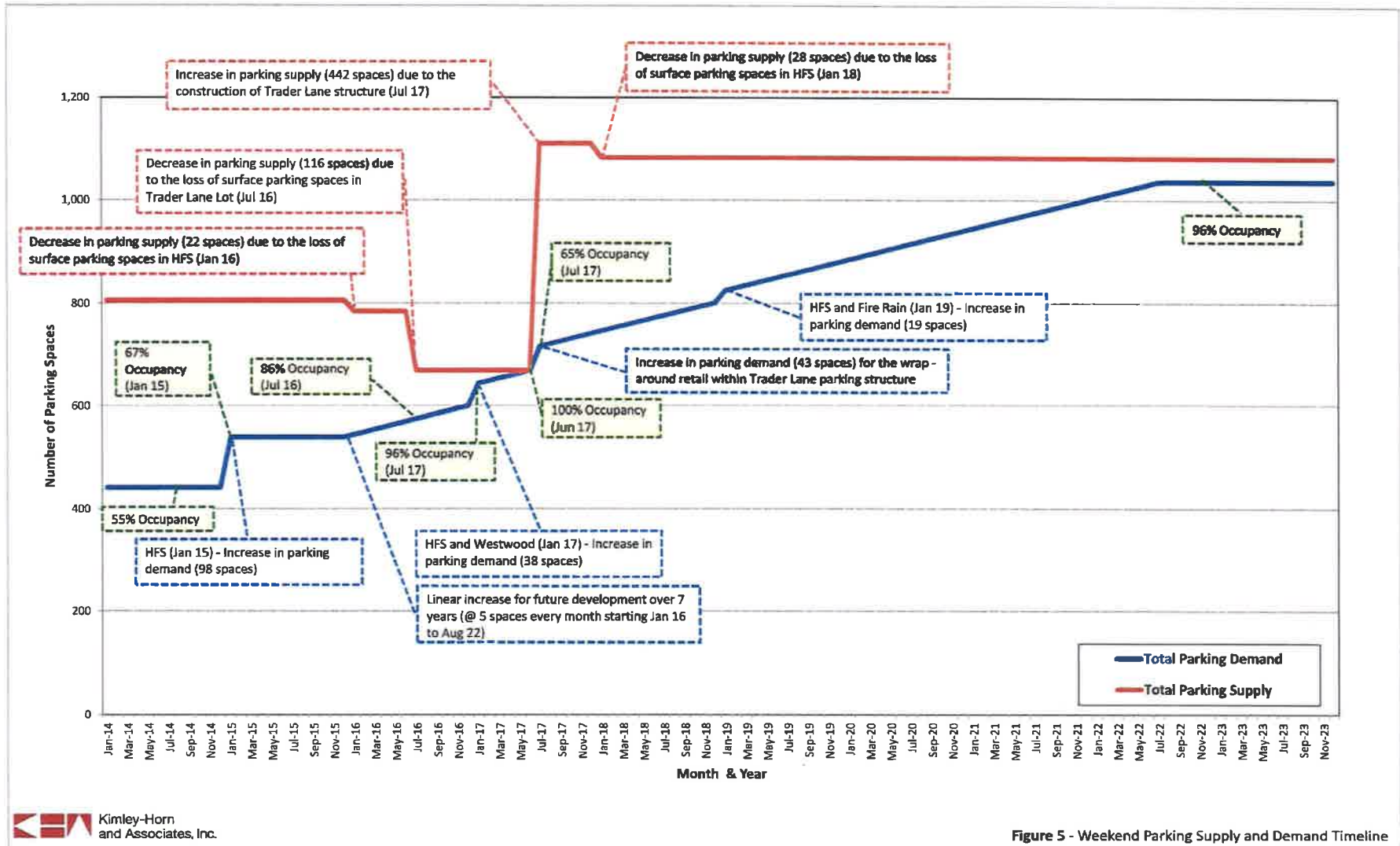


Figure 5 - Weekend Parking Supply and Demand Timeline

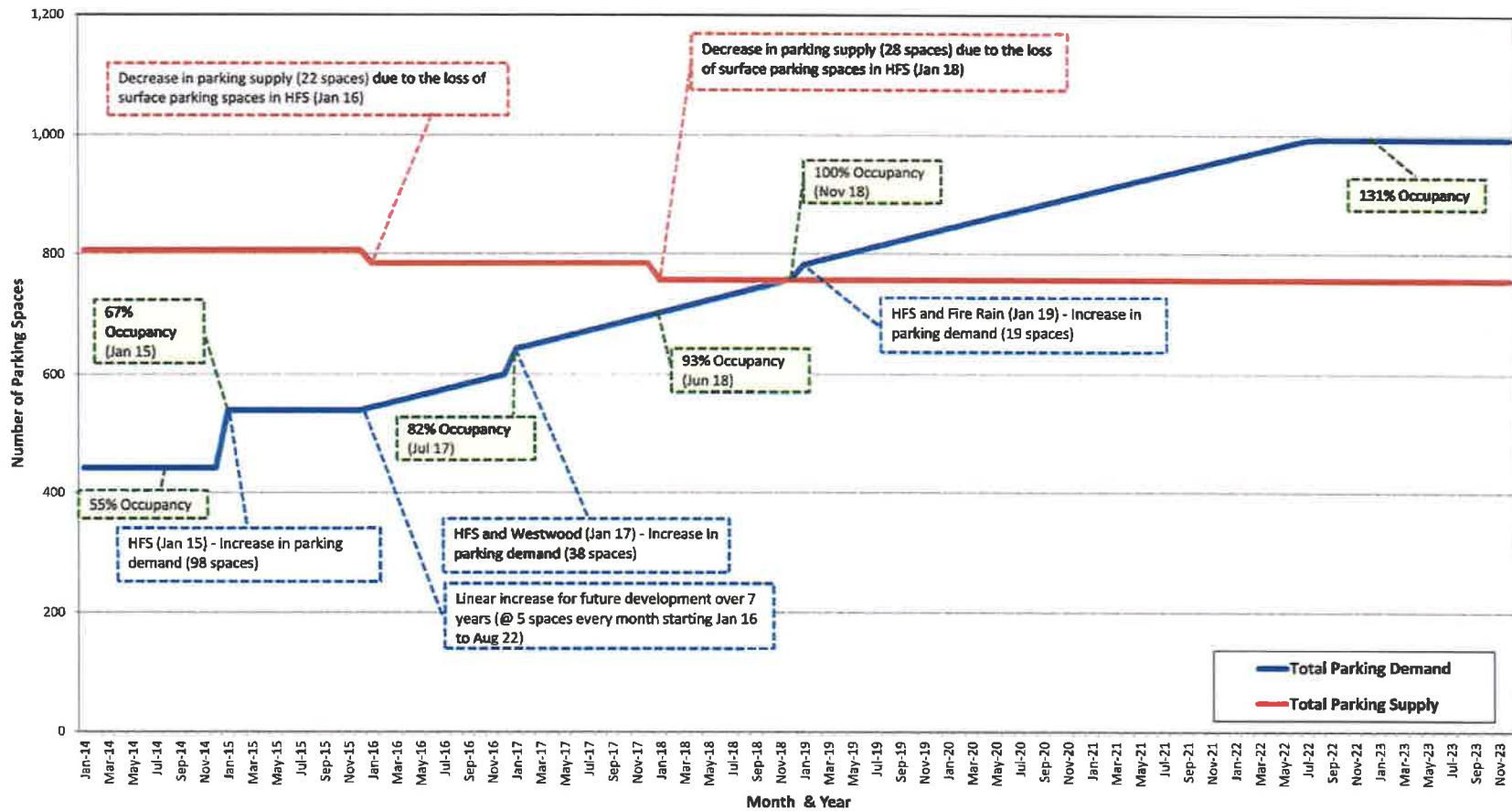


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

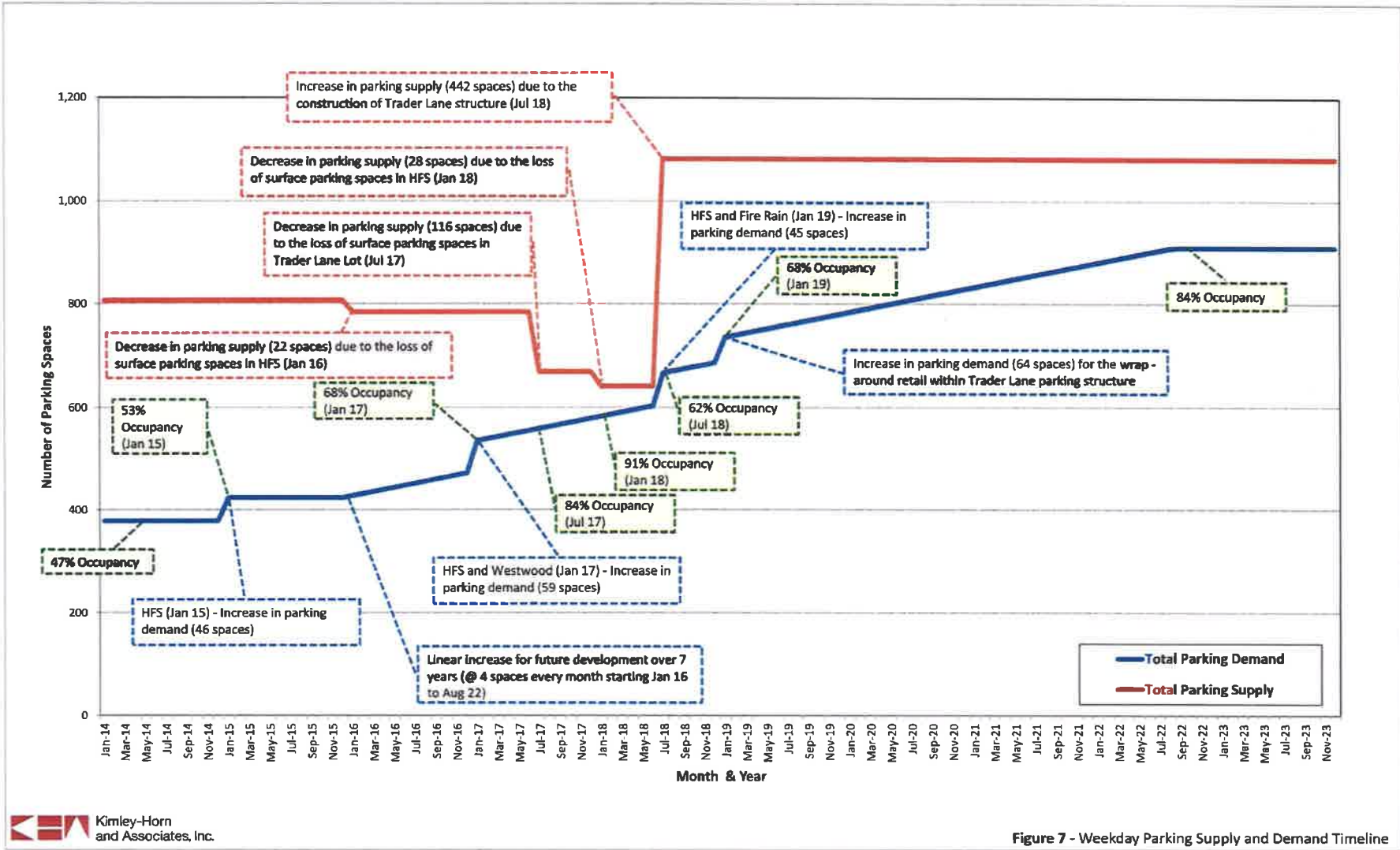


Figure 7 - Weekday Parking Supply and Demand Timeline

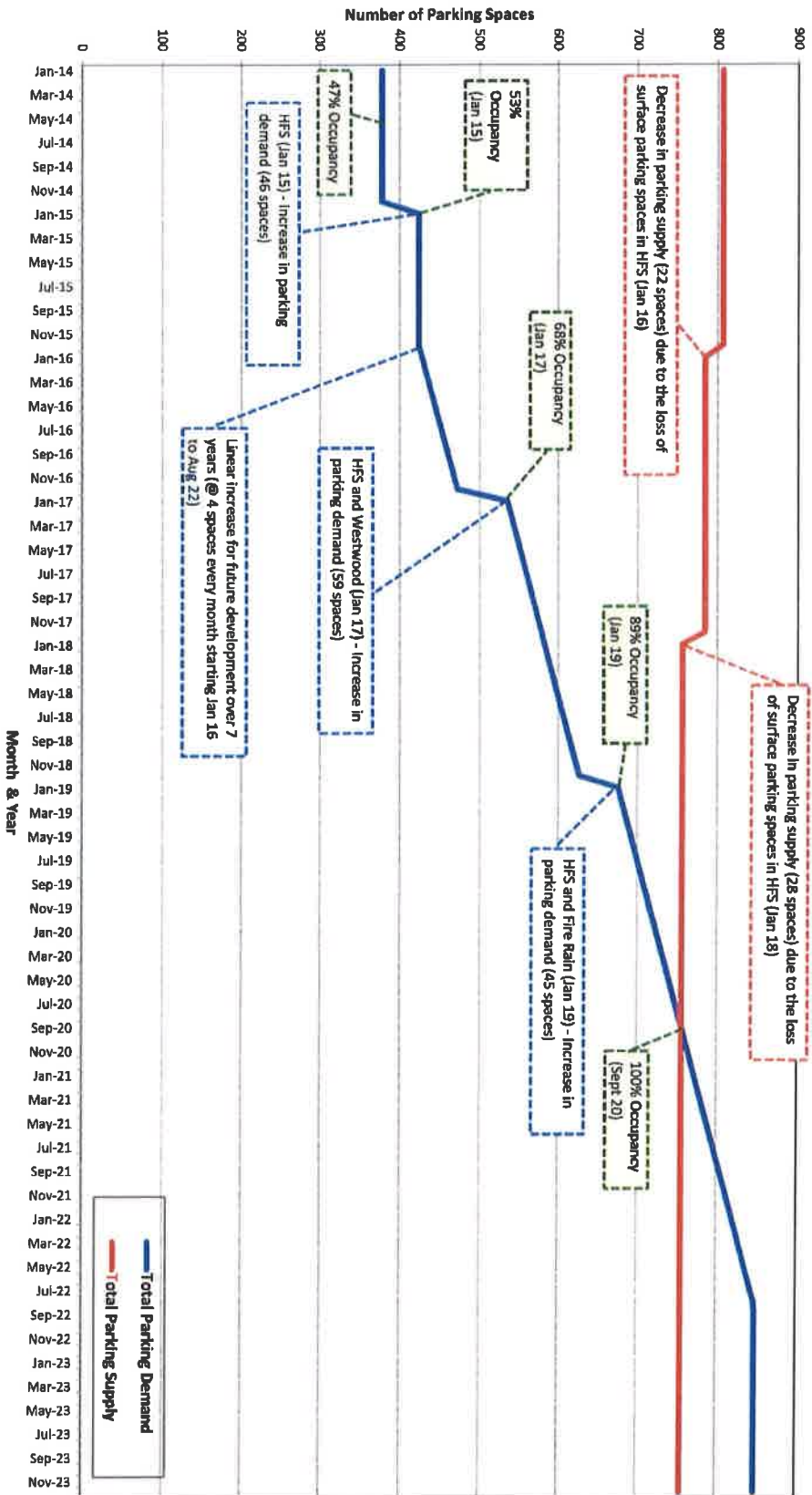
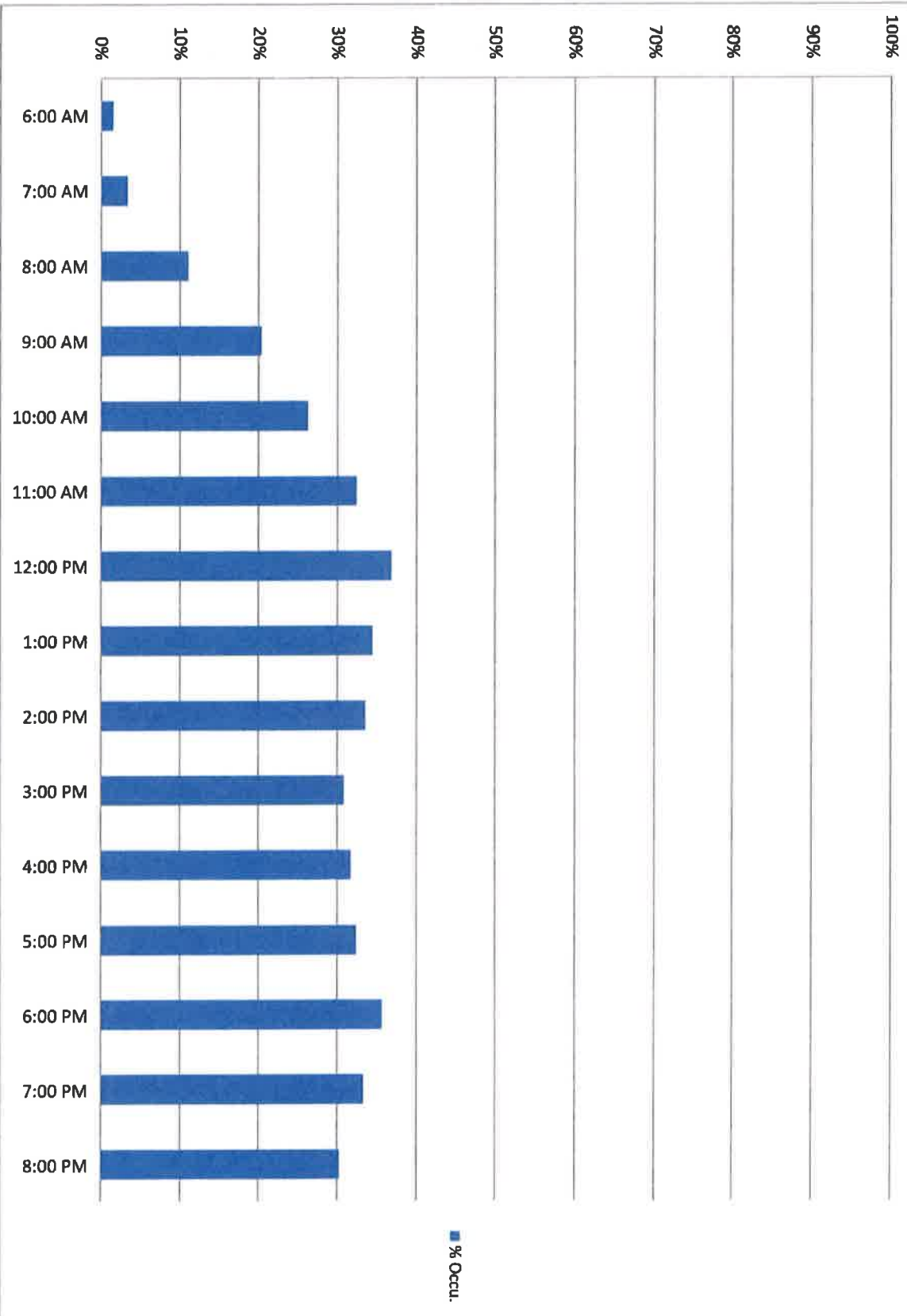


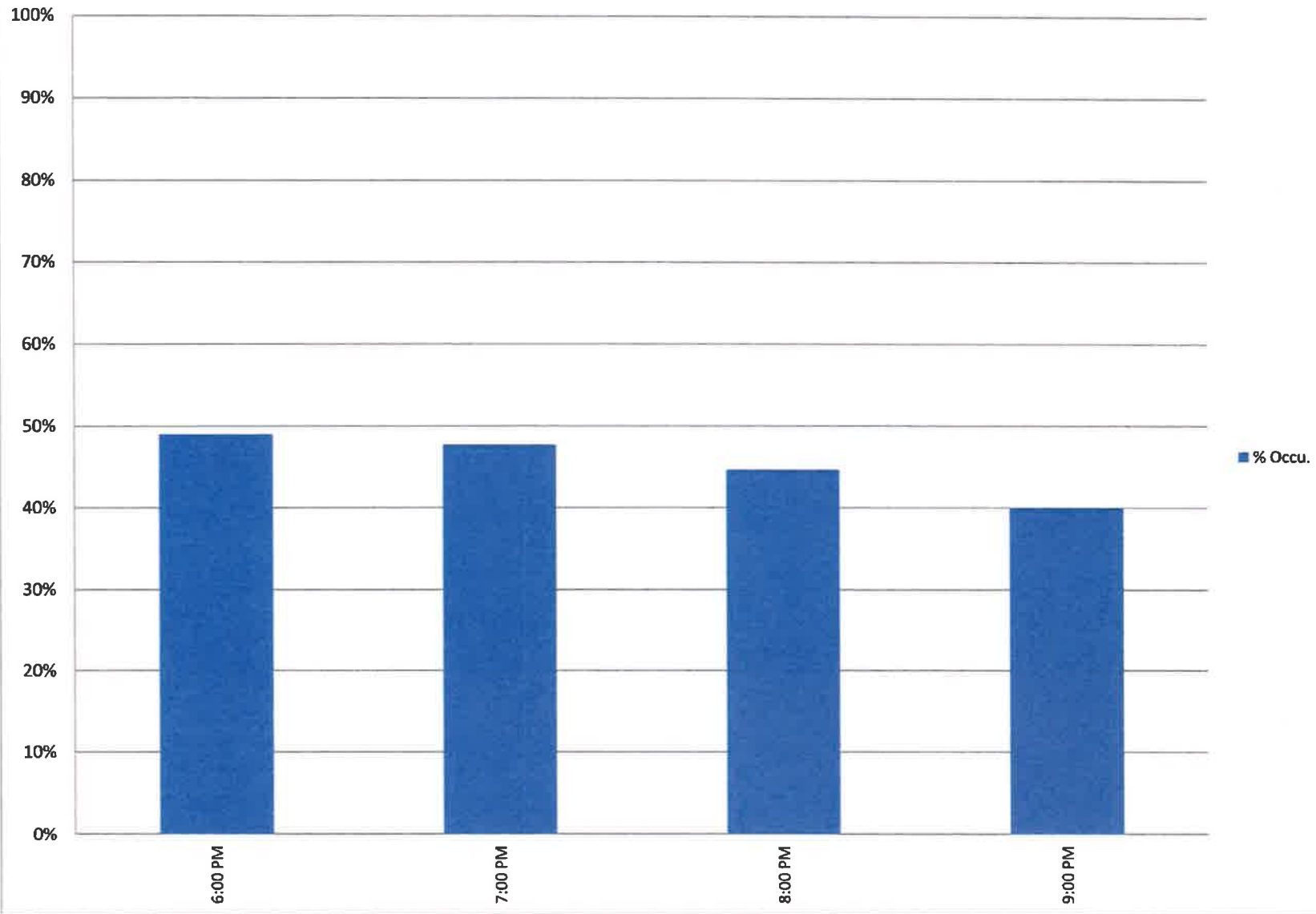
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

Attachment A – Parking Occupancy Data

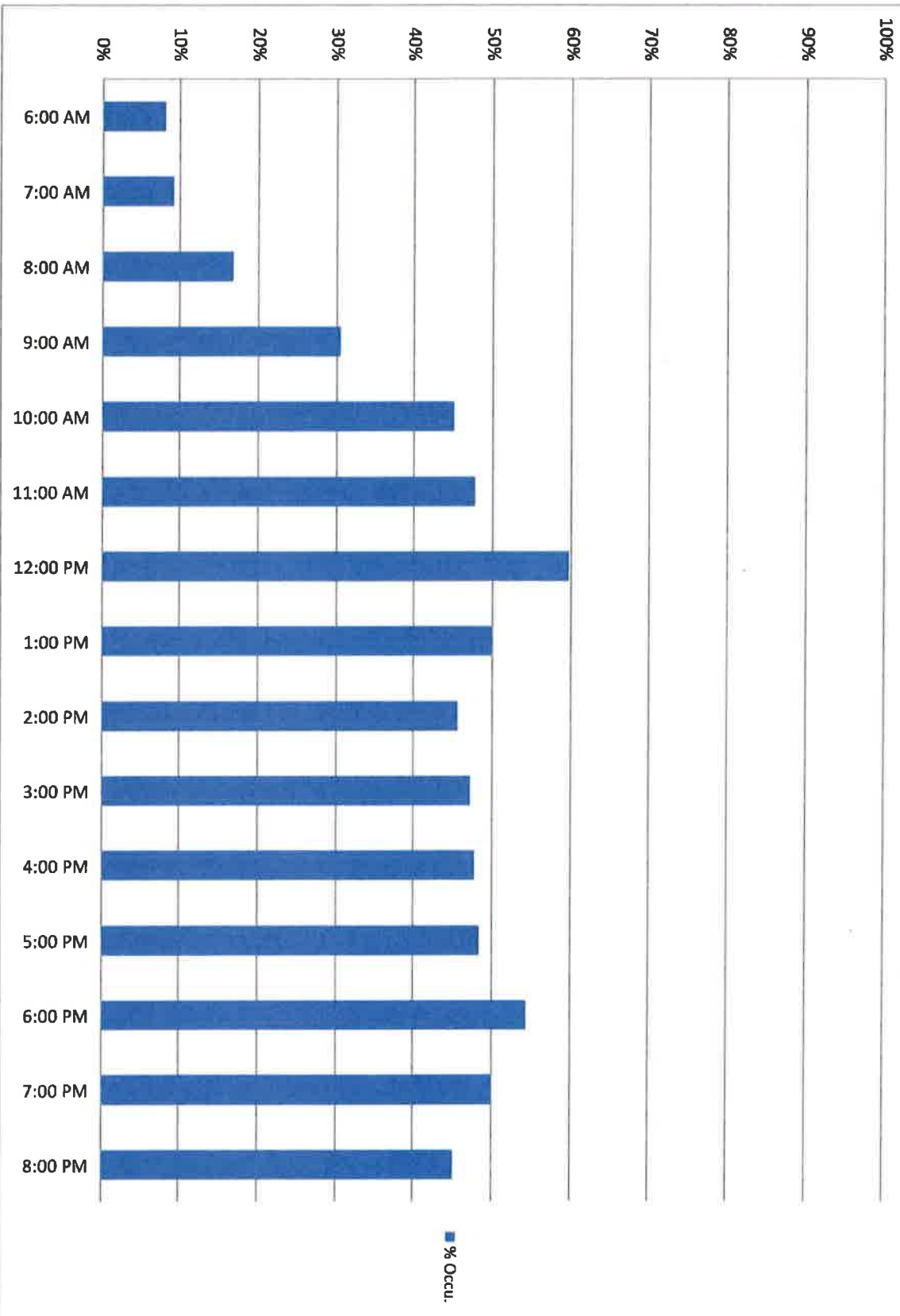
Existing Parking Occupancy (Off-Street) - Weekday



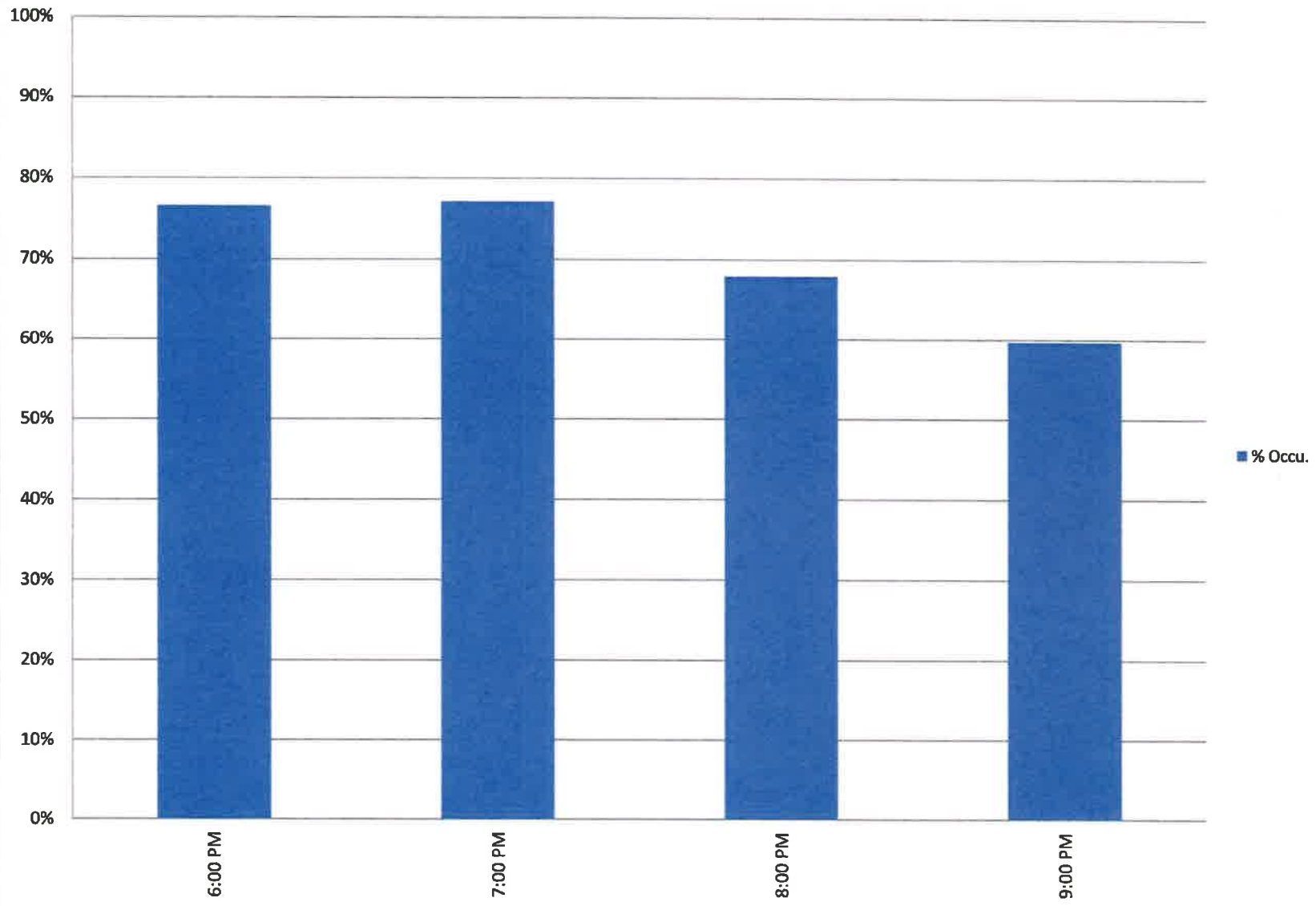
Existing Parking Occupancy (Off-Street) - Weekend



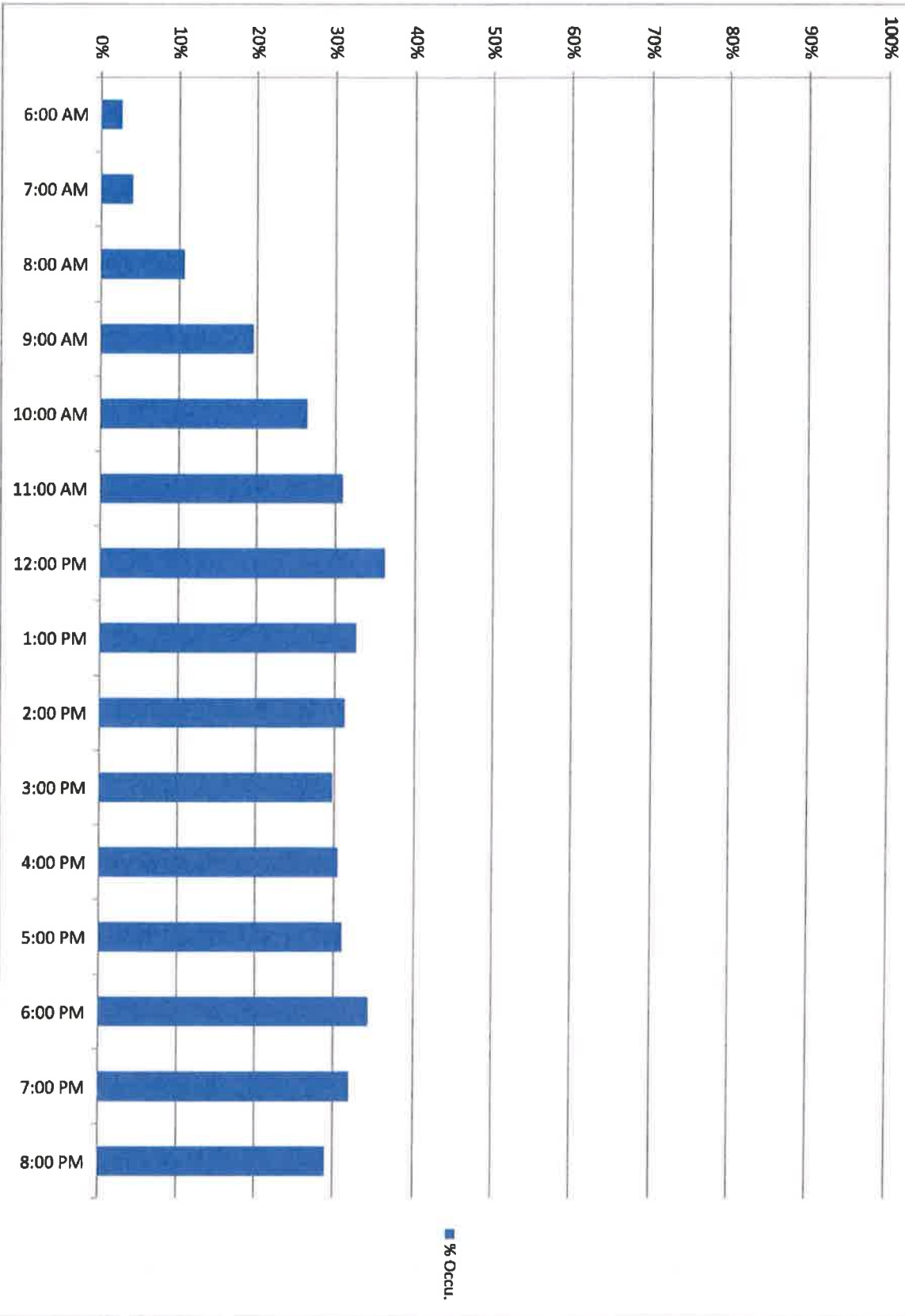
Existing Parking Occupancy (On-Street) - Weekday



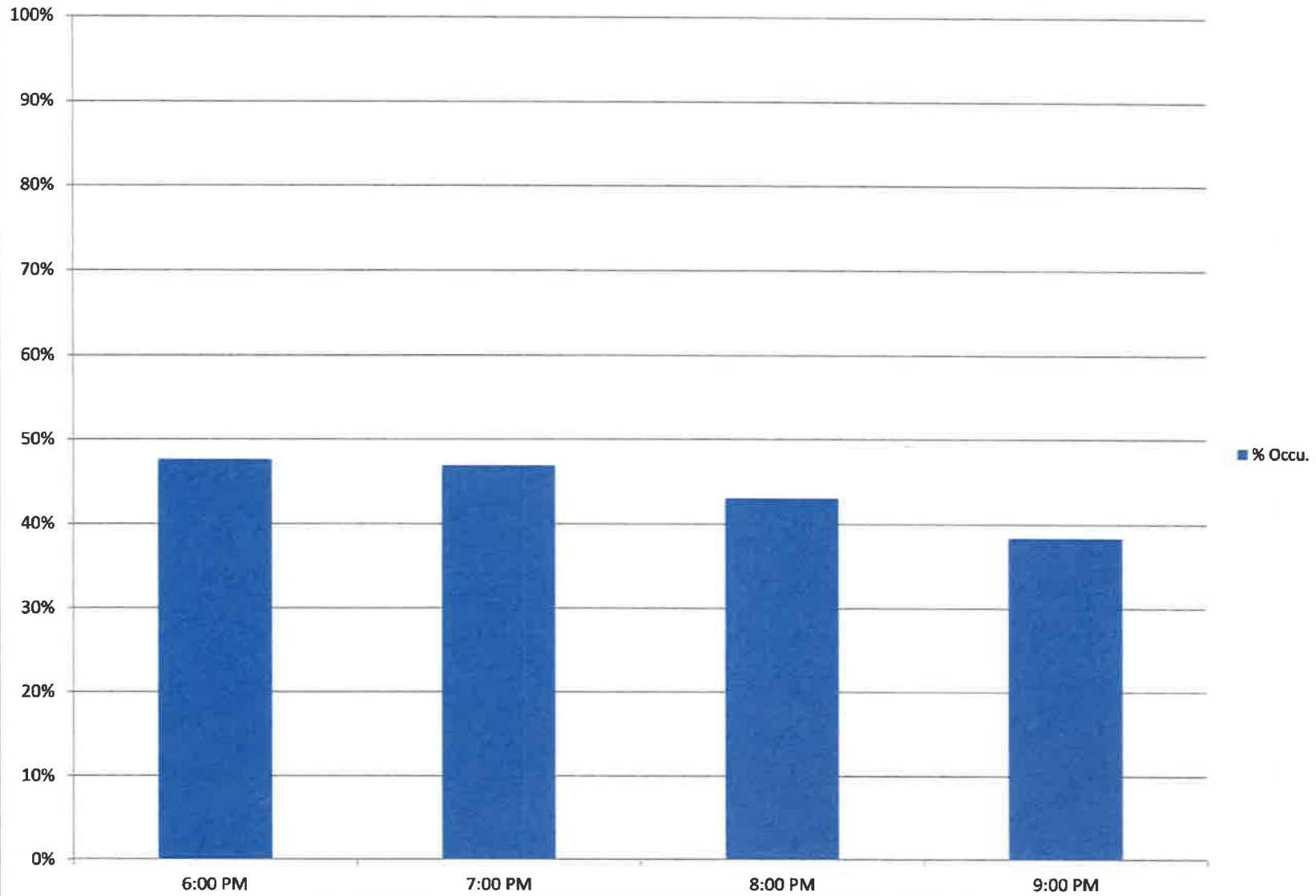
Existing Parking Occupancy (On-Street) - Weekend



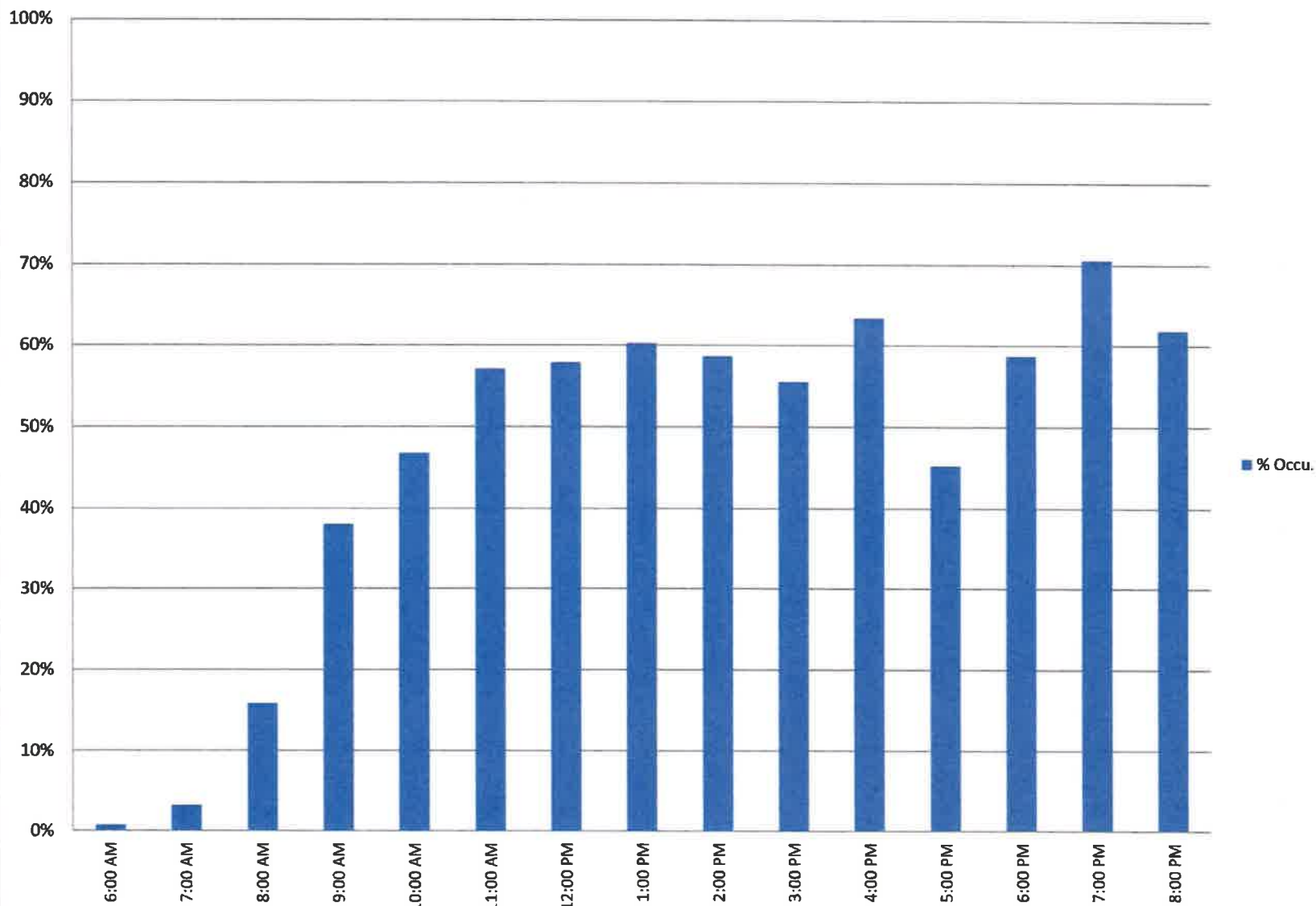
Existing On-Street and Off-Site Parking Occupancy - Weekday



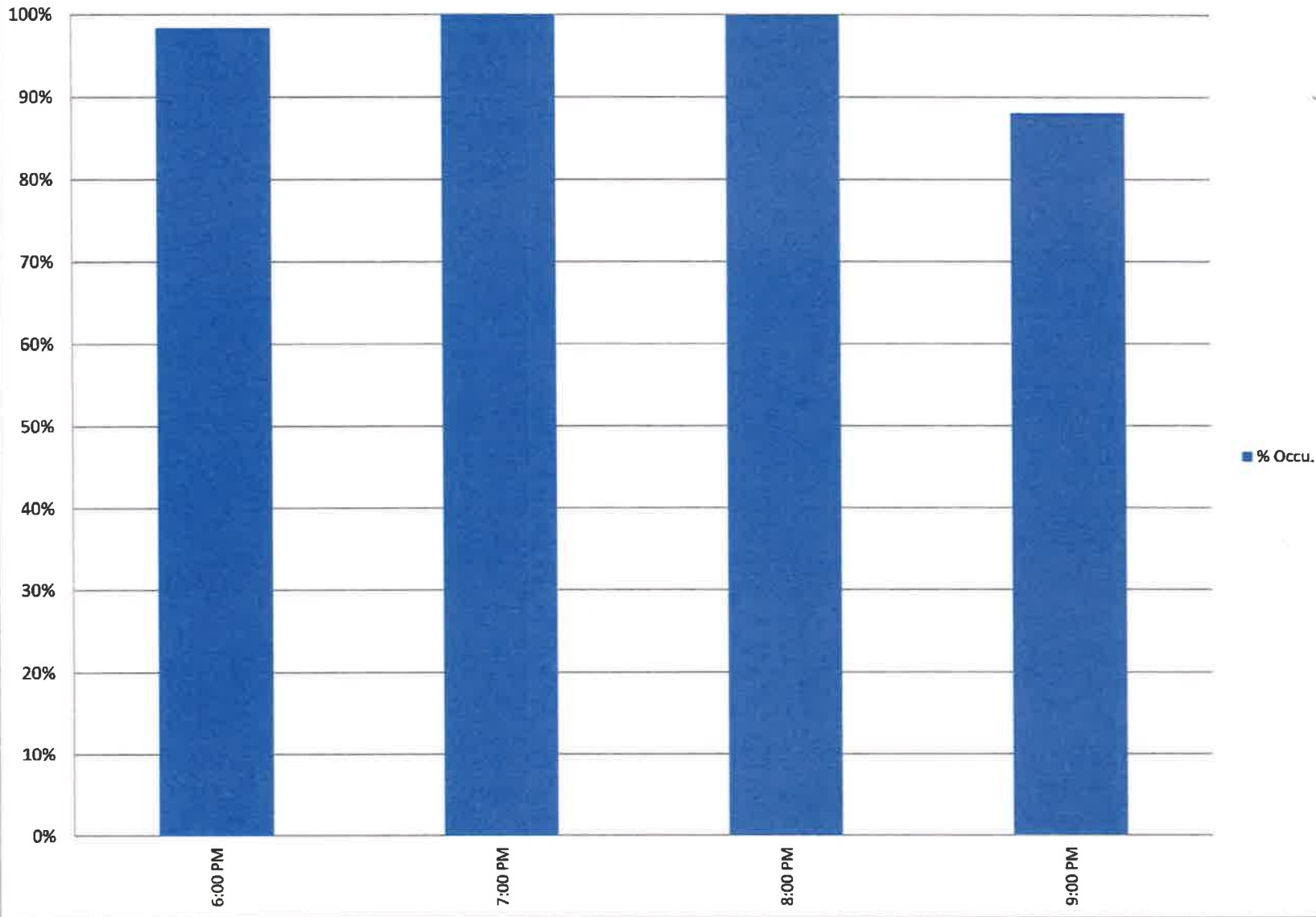
Existing On-Street and Off-Site Parking Occupancy - Weekend



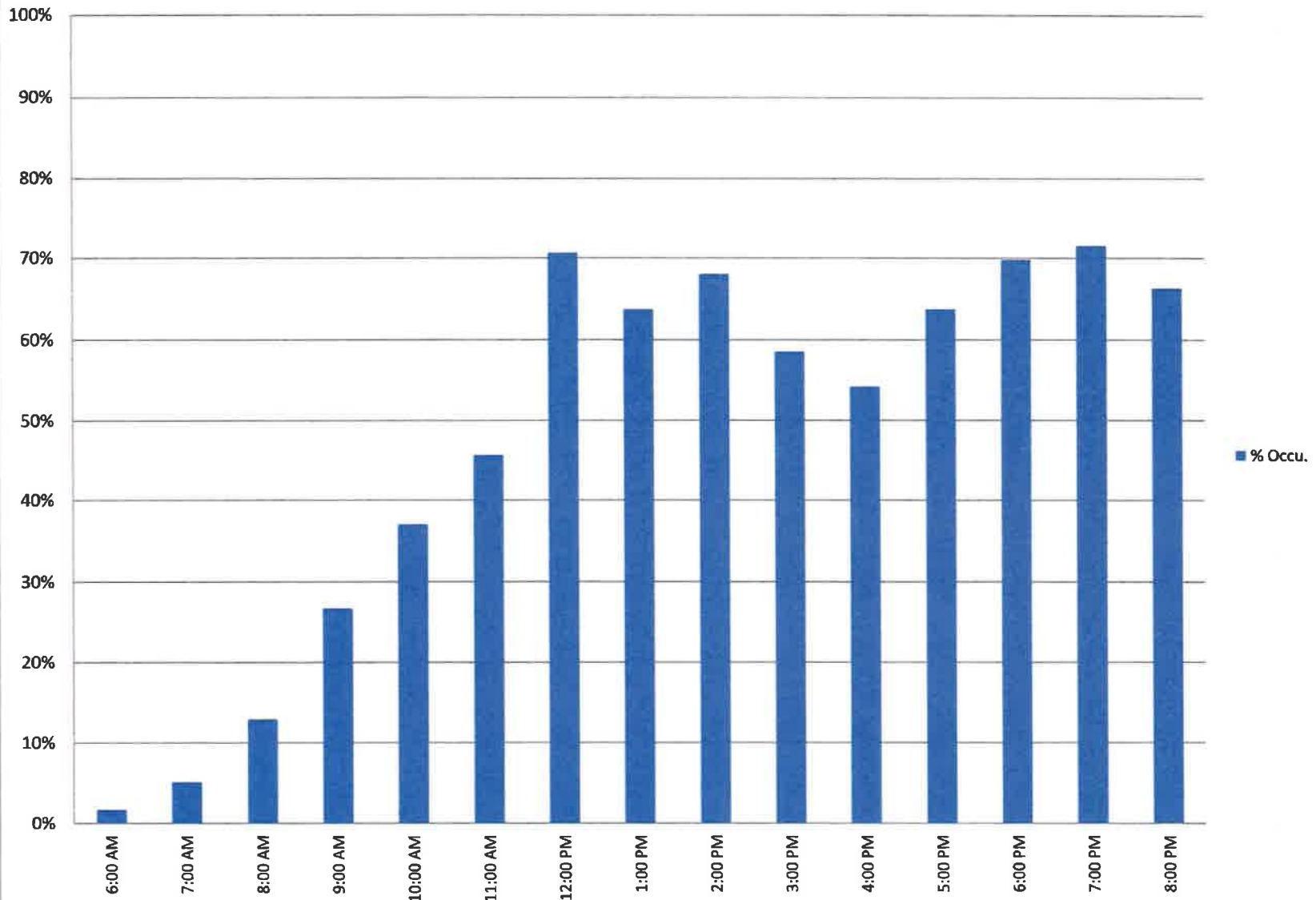
Existing Parking Occupancy (Off-Street) - Weekday- Zone 1



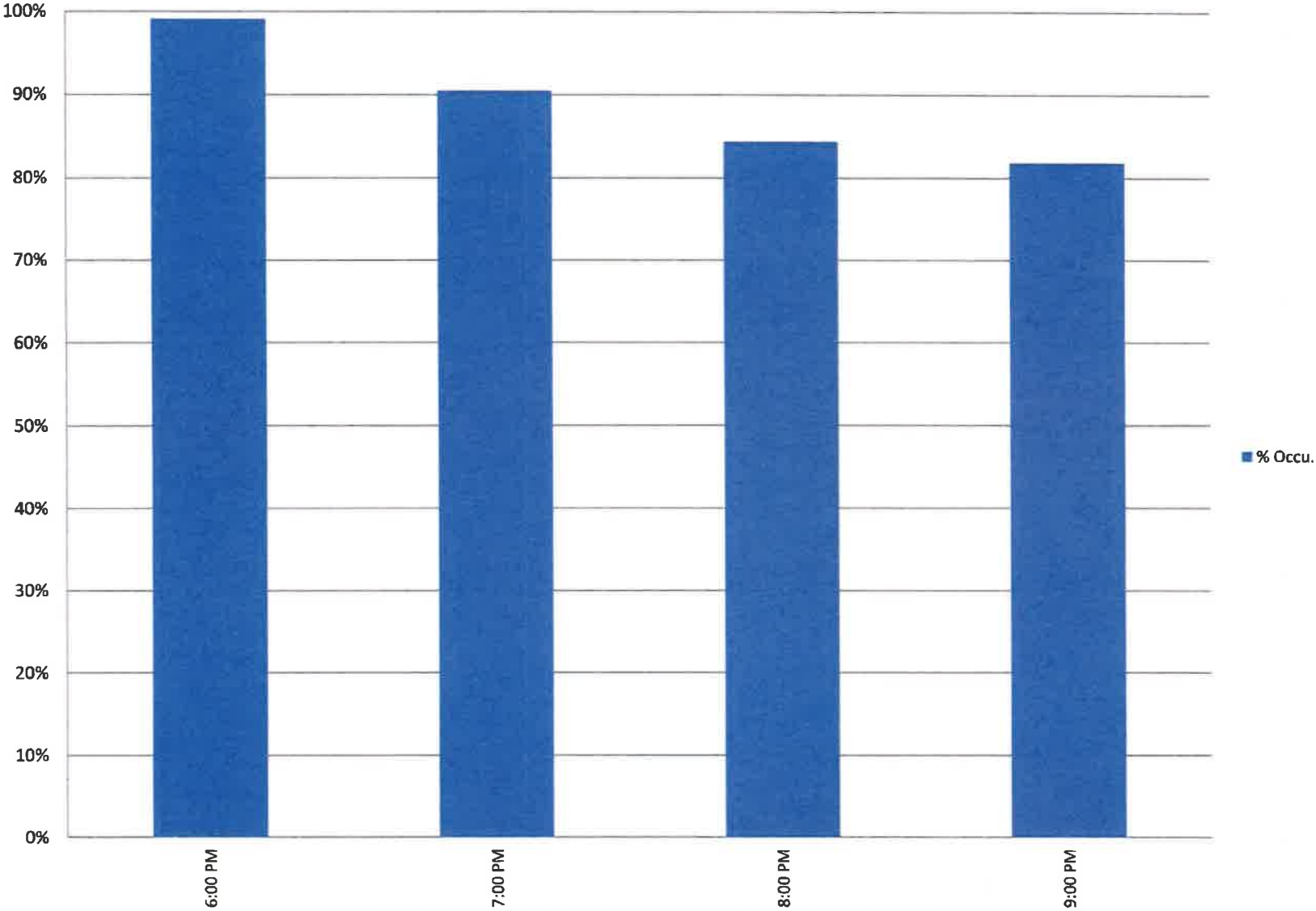
Existing Parking Occupancy (Off-Street) - Weekend - Zone 1



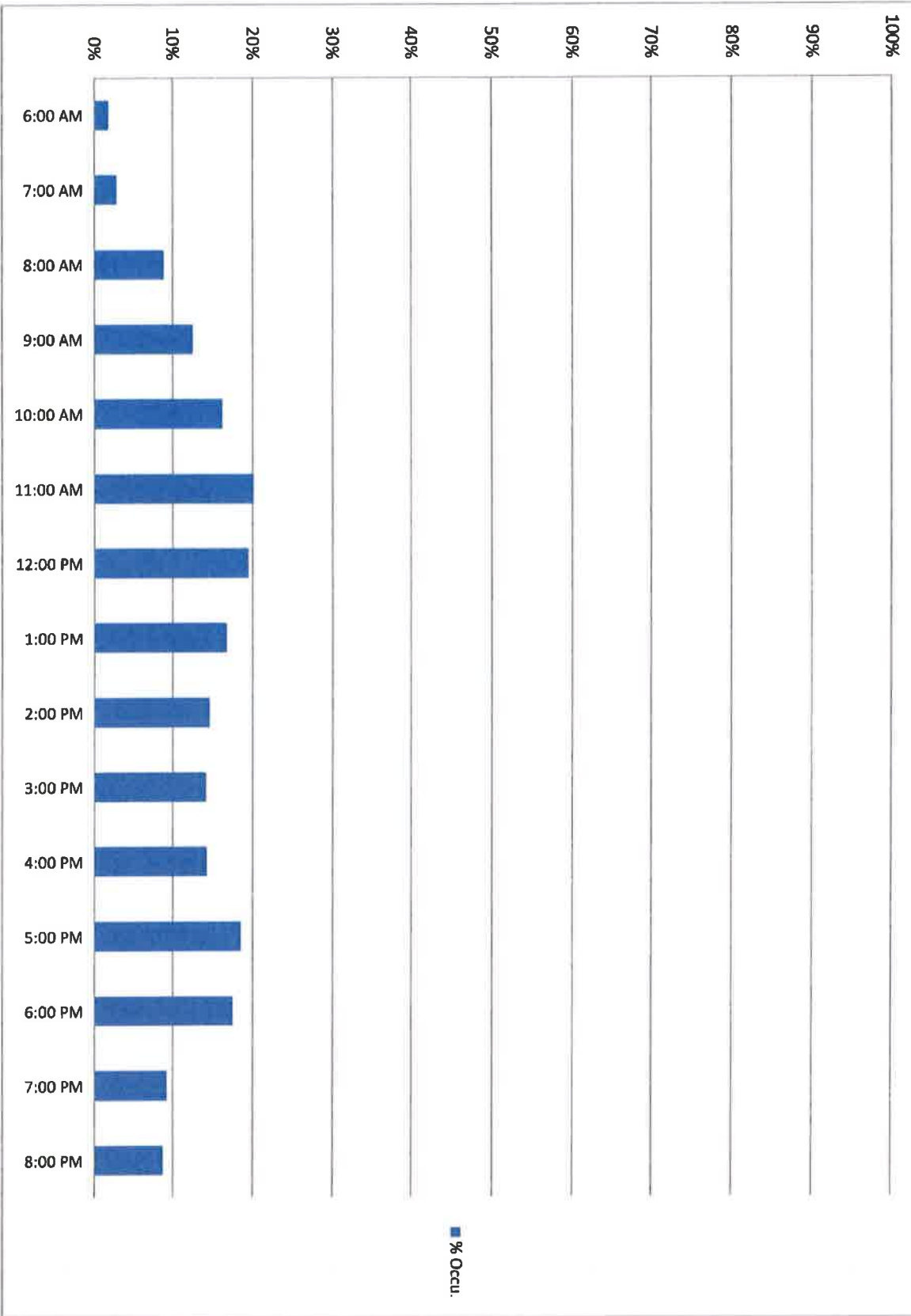
Existing Parking Occupancy (Off-Street) - Weekday- Zone 2



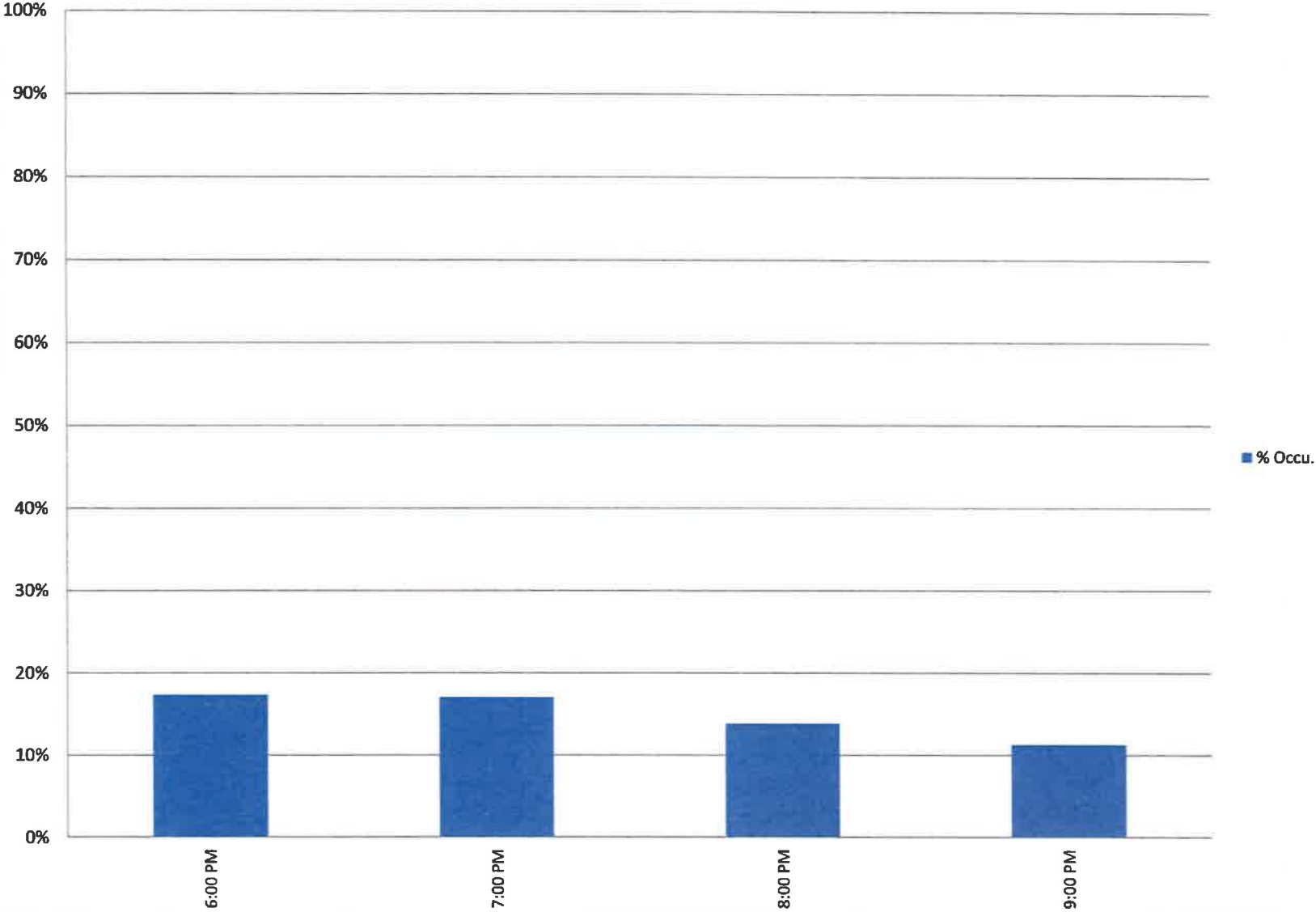
Existing Parking Occupancy (Off-Street) - Weekend - Zone 2



Existing Parking Occupancy (Off-Street) - Weekday - Zone 3



Existing Parking Occupancy (Off-Street) - Weekend - Zone 3





Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
305	Scott St		7192						7192	Club/bar/tasting room	Cohn Club	1	A, B
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	B
607	Sutter St				2623				2623	Office	Fire Rain	1	B
607	Sutter St								2	Residential Units	Fire Rain 2 two-bed apts	1	B
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Burlap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Ayece	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Homes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasily Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	
813	Sutter St								1000	Health/Beauty	American Barber Shop	3	
813	Sutter St		650						650	Novelties/Gifts	Charming Jules	3	
813	Sutter St		650						650	Jewelry	Gem N I Jewelry Gallery	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
813	Sutter St		660						660	General Retail	Shanei	3	
813	Sutter St								650	Novelties/Gifts	Timeless Passion	3	
813	Sutter St								650	Novelties/Gifts	It's Just Your Style and Friends	3	
815	Sutter St								650	Novelties/Gifts	Betty's House of Turquoise	3	
815	Sutter St								650	Novelties/Gifts	Sutter St Pastels	3	
823	Sutter St		3357		2346				5703	Museum	Folsom History Museum	3	
825	Sutter St		3200						3200	Restaurant	Fat Rabbit	3	
800 Future (HFS)									25350	General Retail	Historic Folsom Station	3	B
800 Future (HFS)									8500	Restaurant	Historic Folsom Station	3	B
800 Future (HFS)									11780	Office	Historic Folsom Station	3	B
800 Future (HFS)									60		Historic Folsom Station	3	B
										Residential Units			
900	Sutter St		1717						1717	Club/bar/tasting room	Westwood	3	B
900	Sutter St				1931				1931	Office	Westwood	3	B
905	Sutter St	100	5000						5000	Office	Folsom Lake Bank	3	
905	Sutter St	200			5661				5661	Office	REY Engineering	3	
905	Sutter St								1250	Office	Sutter Court, LLC	3	
915	Sutter St								750	General Retail	UnWined	3	
915	Sutter St								750	Office	ID Solutions	3	
915	Sutter St								750	Office	Bernau Development Corp	3	
915	Sutter St								750	Office	Essex Mortgage	3	
915	Sutter St								750	Office	Folsom Historic District Association	3	
915	Sutter St								750	Office	Historic Folsom Station	3	
915	Sutter St								750	Office	Kensington Homes, Inc.	3	
915	Sutter St								750	Office	Today'sSpecialsApp.com	3	
921	Sutter St								1250	Office	Capital Equit Group Corporate Office	3	
921	Sutter St								1250	Office	Folsom Telegraph	3	
929	Sutter St								1250	Office	Hampton Photography	3	
929	Sutter St								750	Office	Jiva Wellness	3	
TOTALS													
Existing									160,345	+ 115 Theater Seats			
Future									54,901	+ 62 D.U.			
Existing + Future									215,246	+ 115 Theater Seats, 62 D.U.			

Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project

***Historic District
Parking Implementation Plan Update***

DRAFT
December 9, 2008

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City of Folsom, California

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EXECUTIVE SUMMARY

The City of Folsom desires to develop a thorough understanding of the dynamics of development and parking in its Historic District, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. In addition, the City recently prepared the *Parking Management 5-Year Plan* which updates parking conditions and near-term parking management strategies.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, and assesses special events and parking interaction with other concurrent District studies.

Existing Parking Supply and Demand

Based on the data collection and analysis of existing supply and peak demand, there is sufficient parking within the study area to accommodate current typical weekday and weekend peak demands, particularly since the Rail Block parking structure was completed. While some zones experience relatively high demands, overall, there is ample available parking within the entire District. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street.

Future Parking Supply and Demand

A single future development scenario was developed which is constrained by the amount of future parking supply that can be achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporates ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity¹, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects, as well as the proposed retail on the ground floor of Trader Lane parking structure. The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Adequacy of City's Current Historic District Parking Supply Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The detailed parking analysis in this study indicates that this requirement is not sufficient to address the future parking needs of the District. The District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) would require approximately 350 parking spaces, yet the parking demand analysis identifies a need for 425 spaces. In order to meet the existing and future parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine

¹ The practical capacity for parking is defined at 85-90 percent utilization of parking spaces.

dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. Revising the City's parking ratio is applicable for private development that would provide some, or all, of its required parking on-site. It would also be applicable should the City select to permit new development to meet its parking requirements in municipal parking structures by paying an in-lieu fee (see funding strategies).

Assessment of Potential Parking Structure Sites

Six potential sites were initially identified by the City for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. Two sites were determined to best meet site evaluation criterion. Subsequent discussions with the City determined that one of these sites, the Trader Lane lot, should be the single location considered for the development of a new parking structure.

Parking Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. Thirteen parking management strategies, including both near- and long-term components, are identified which could be implemented within the Historic District to address the existing and the projected future parking conditions. These strategies are summarized as follows:

Near-Term Strategies

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.
- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.

- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

Funding Strategies

The City of Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City's needs. It is understood that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the existing parking structure, perhaps on "Thursday Night Market" nights, as a way to raise at least some revenue to be used for operations and maintenance.

Other Considerations

Special Events Assessment

The Historic District has several routine "special" events which result in parking and circulation restrictions different from normal conditions. These "special events" all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Based on assessment of existing conditions and consultation with the Merchant's Association representatives, two primary special event management strategies were developed: overall improved utilization of Historic District parking facilities, and concentrated vendor access, parking, and circulation.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The *Plan* concludes with seven recommendations for addressing the established objects. This report provides a discussion and evaluation of the *Plan's* conclusions.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. The conceptual improvements to Sutter Street also include the addition of on-street parking between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking. This block of Sutter Street between Riley Street and Wool Street experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, this block serves as the core, attracting dense development and associated vehicle and pedestrian activity.

The additional parking supply proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment, and should be designed, implemented, and enforced as such.

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INTRODUCTION

Project Overview

The City of Folsom's Historic District (the "District") is a vibrant cultural and economic center. The eight block District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. As a result of the varying uses within the District, there are varying degrees of parking demand. The western portion of the District currently serves primarily park-and-ride commuters using light rail during weekdays, with those same parking facilities experiencing under-utilization during the evening peak periods. Conversely, the area generally bounded by Riley Street, Lcidesdorff Street, Wool Street, and Sutter Street (the "700 Block") experiences consistent demand throughout both day and night peaks. It is this high demand for parking within this core area of the District that is believed to contribute to over-flow parking into the residential areas located immediately south of Sutter Street. Further complicating the future parking supply and demand discussion is the fact that some areas that are currently used for public parking are anticipated to be redeveloped, which will lead to a decrease in parking supply accompanied by an increase in parking demand. Furthermore, special events add an additional layer of complexity to the District's parking environment, but also provide an opportunity to maximize the efficiency of the City's parking system. Routine events, primarily during the Spring-Fall months, result in changes in traffic patterns, the need for parking and access restrictions, and parking overflow into the adjacent residential areas.

The City of Folsom recognizes that parking is the foundation for the Historic District's economic vitality and the quality of life enjoyed by the City's citizens. The total amount of parking available, its location, and how it is managed play important roles in promoting Historic District businesses, attracting visitors, and accommodating commuters and residents. With these important factors in mind, the City of Folsom desires to develop a thorough understanding of its Historic District parking dynamics, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. Furthermore, the City's recent *Parking Management 5-Year Plan* updates parking conditions, although its scope is limited to relatively near-term (5-year) recommendations.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future full build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, as well as assesses special events and parking interaction with other concurrent District studies. The following sections address each of these study components.

PARKING SUPPLY AND DEMAND

The primary objective of this effort is to project future parking demand and supply, and to determine whether there will be a surplus or shortfall of parking. A second objective is to assess the current City requirement for new development to provide 1 space per 350 square feet for all land use types within the Historic District. This assessment is to determine if the current requirement adequately meets future needs, or whether the requirement should be modified. Modification to the requirement considers changing the single parking ratio globally for all uses or deriving separate parking requirements for each land use type.

Definitions

Study Area

The City of Folsom's eight block Historic District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. For the purposes of this evaluation, the Historic District is divided into three zones (Zone I, Zone II, and Zone III) which are illustrated in Figure 1. The study area does not include the Light Rail Transit station parking lots.

Zone I

The area bounded by Riley Street to the North and West, Figueroa Street to the South, and Scott Street and private land uses to the East.

Zone II

The area bounded by Leidesdorff Street to the North, Wool Street to the West, Figueroa Street to the South, and Riley Street to the East. This zone also includes the dirt embankment located north of Leidesdorff Street generally between Wool Street and Riley Street.

Zone III

The area bounded by Leidesdorff Street to the North, Reading Street and Folsom Boulevard to the West, Figueroa Street to the South, and Wool Street to the East. Zone I also includes Gold Lake Drive, from Leidesdorff Street to the street bend on the north end. This zone also includes the off-street public parking lot (Baker Lot) located on the northwest corner of the intersection of Gold Lake Drive and Leidesdorff Street.

Parking Demand

The number of parked vehicles expected of a specific type and amount of land use during the peak period of a typical weekday or weekend. Parking demand is estimated using "rates" indicating the number of parked vehicles per independent variable of land use such as thousands of square feet (similar to trip generation). Parking demand is independent of parking supply.

Parking Supply

The number of parking spaces provided on a development block, on-street, or in common facilities. Parking supply in new development is governed by the parking standards in the City's Municipal Code.

Parking Occupancy

The number of actual vehicles parked during the peak period of a typical weekday or weekend. Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday or weekend that contains the highest number of accumulated parked vehicles.

Parking Turnover

The average number of vehicles using a given parking space over a specified period of time. The rate equals the total number of parked vehicles divided by the number of parking spaces. Turnover is a measure of parking duration and indicates whether a parking space is predominantly used by long-term parking (more than 4 hours) or short-term parkers (less than 4 hours).

Parking Ratios/Standards

Parking ratios (or standards) are the regulations that determine parking supply for each individual building and type of land use. It is described as the number of required parking spaces per unit of development (e.g., per dwelling unit or per 1,000 square feet of commercial building space). The City's Municipal Code is the guiding document for these standards. The current parking standard in the Folsom Historic District is 1 space per 350 square feet of building regardless of the type of land use.

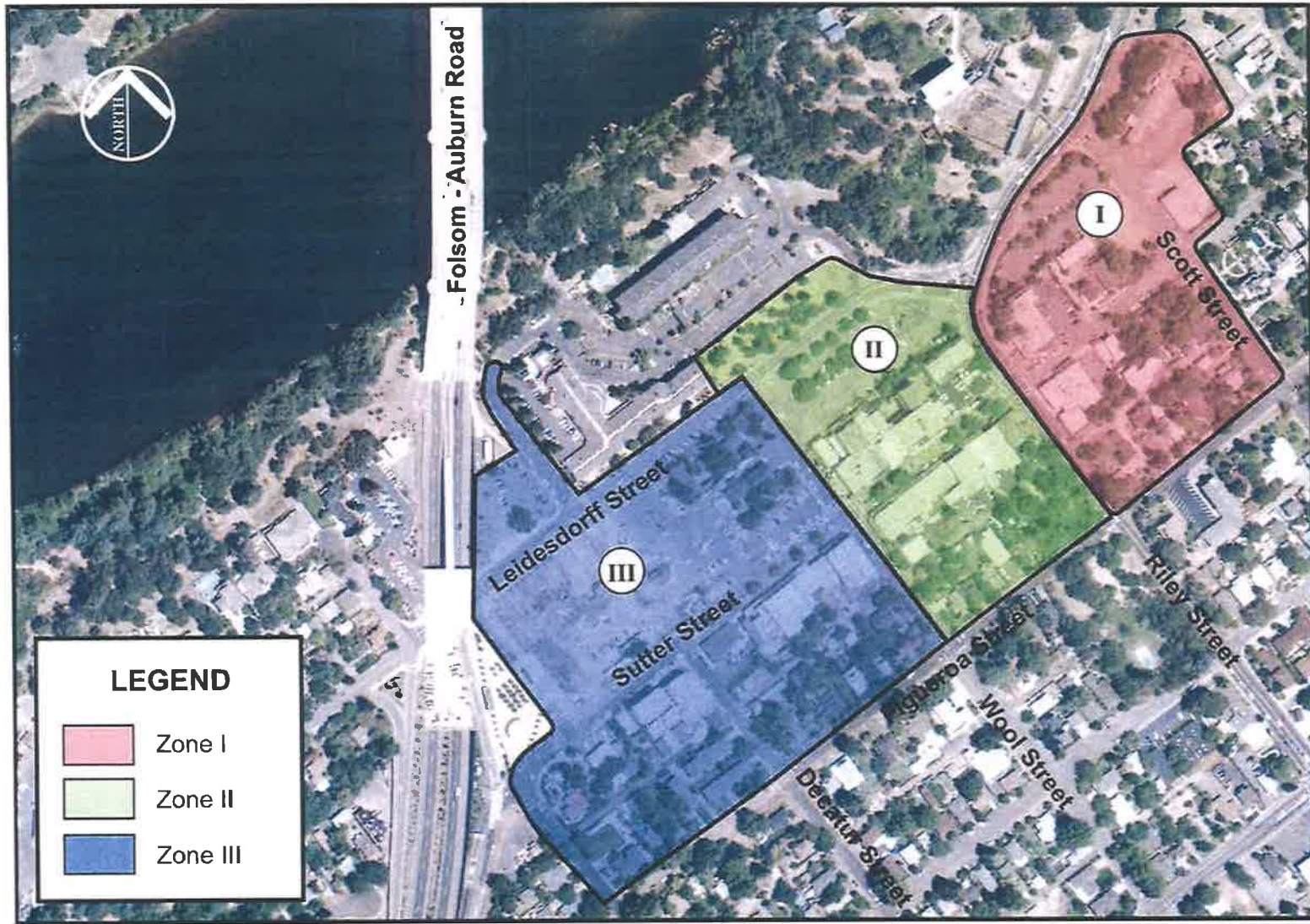


Figure 1
Folsom Historic District Parking
Parking Zones

Shared Parking

The concept of using a parking space to serve two or more land uses without conflict. Conventional regulations require that each development, or land use type, provide enough parking to serve its own peak demand, leaving unused parking spaces during the off-peak periods. Shared parking allows multiple complementary land uses, whose peak parking demands do not coincide, to share the same pool of parking spaces, resulting in a more efficient use of those spaces.

Practical Capacity

The practical capacity for parking is defined at 85 percent to 90 percent utilization of parking spaces. Keeping about 10 percent to 15 percent of the spaces vacant provides a cushion in excess of necessary parking spaces to allow for the dynamics of parking (i.e., people circulating in search of a space, and moving in and out of parking space). When occupancy exceeds the practical capacity, drivers will experience delays and frustration while searching for a parking space, as well as contribute to area traffic congestion while circling the block looking for parking.

Data Collection

Parking data for most of the study area was provided by the City of Folsom for weekday and weekend periods. Kimley-Horn and Associates, Inc. augmented the City-collected data with surveys at selected locations in June 2008. Parking data used in this study included the following:

- An inventory of on-street and off-street parking spaces by street and by individual parking lot (collected by the City in January 2008);
- Weekday parking occupancy survey data conducted every hour from 6:00 AM to 8:00 PM (collected during October and November 2007);
- Weekend parking occupancy survey data conducted every hour from 6:00 PM to 9:00 PM (collected during October and November 2007); and
- Parking turnover surveys (collected in January 2008).

It is important to note that weekday parking occupancy data for 7:00 AM was missing most of the off-street and on-street parking locations. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Existing Parking Supply

On-Street Parking Supply

Most streets within the study area have on-street parking spaces. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation.

Table 1 summarizes the number of parking spaces along each street and the total parking spaces for each zone. The study area contains a total of 232 on-street parking spaces.

Off-Street Parking Supply

Within the study area there are a total of six (6) off-street public parking lots. Off-street private parking lots which allow parking only for the patrons of private businesses and not for general public, were not included in the analysis. All of the public lots with the study area are paved and have marked spaces.

Table 1 summarizes the number of off-street parking spaces in each zone. There are a total of 675 off-street public parking spaces in the study area. Note the off-street parking supply includes the recently completed 330-space parking structure located within the Rail Block.

Table 1 – Summary of Existing On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply	
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7		
			Sutter St. – Riley St. – Scott St.	20		
			Scott St. – Leidesdorff St. to Sutter St.	3		
			Scott St. – Sutter St. to Figueroa St.	12		
	Subtotal		42	124		
II	Trader Lane Lot	125	Riley St. – Sutter St. to Figueroa St.	7		
			Wool St. – Leidesdorff to Sutter St.	11		
			Wool St. – Sutter St. to Figueroa St.	9		
			Leidesdorff St. – Wool St. to Riley St.	11		
	Sutter St. – Wool St. to Riley St.	0				
Subtotal		38	163			
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10		
			Reading St. – Leidesdorff St. to Sutter St.	0		
			Reading St. – Sutter St. to Figueroa St.	10		
	Parking Structure	330	Gold Lake Circle	24		
			Decatur St. – Sutter St. to Figueroa St.	18		
			Wool St. – Leidesdorff St. to Sutter St.	11		
			Wool St. – Sutter St. to Figueroa St.	8		
	Rail Block	110	Leidesdorff St. – Decatur St. to Wool St.	23		
			Sutter St. – Reading St. to Decatur St.	25		
			Sutter St. – Decatur St. to Wool St.	23		
Subtotal		468	152	620		
Total Off-Street Spaces		675	Total On-Street Spaces		232	907
Total Off-Street Spaces (Prior to Completion of New Structure)		323	Total On-Street Spaces (Prior to Completion of New Structure)		232	555
Notes: The 330 space structure in Zone III was not open to the public at the time occupancy data was collected. Existing off-street parking facilities equaled 323 spaces at the time of data collection.						

Total Parking Supply

Table 1 summarizes the total number of parking spaces (on-street and off-street) by zone and in total. There are a total of 907 on- and off-street parking spaces within the study area.

The number of off-street and on-street parking locations, as well as the number of spaces available are shown in Figure 2 and Figure 3.

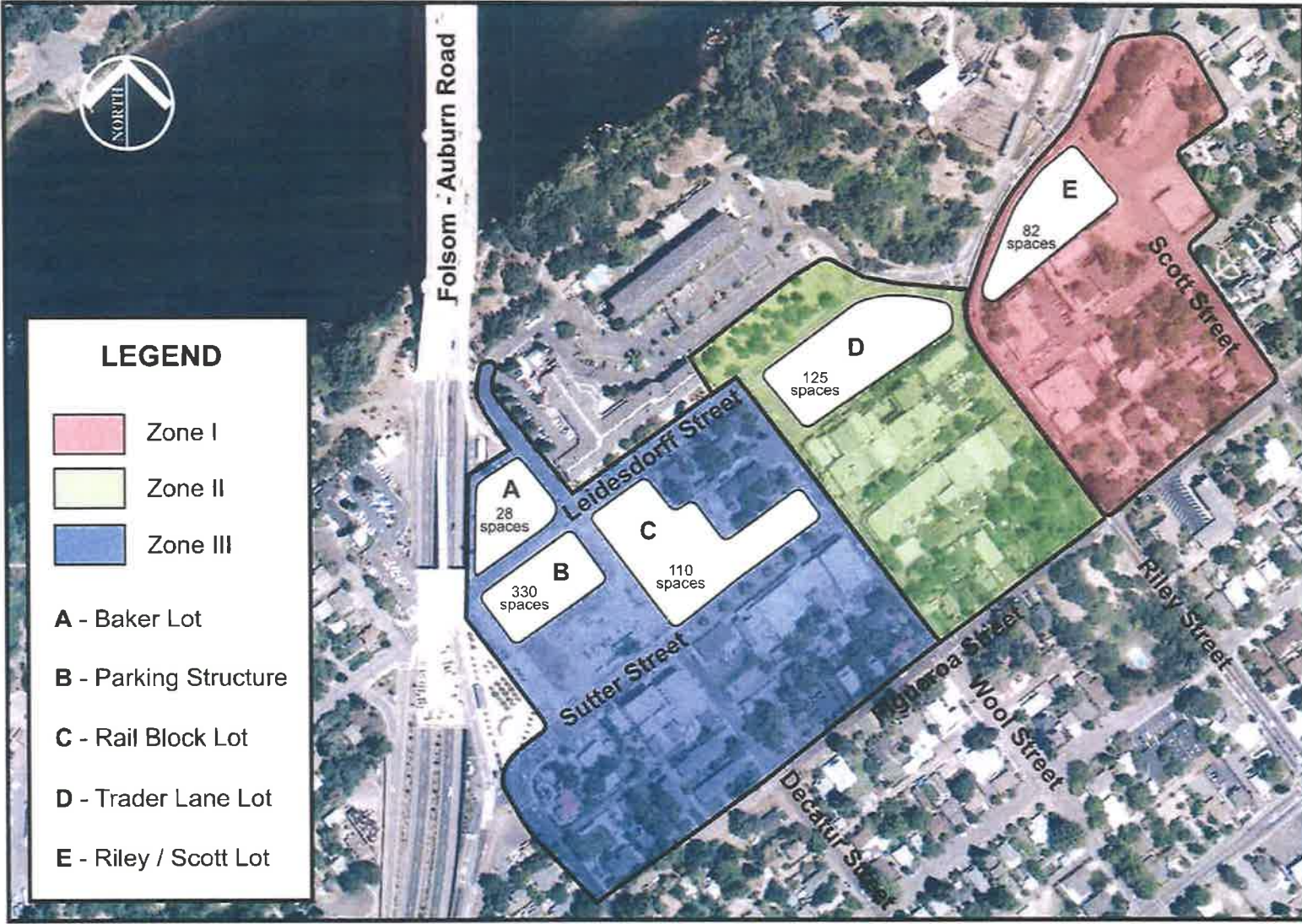


Figure 2
Folsom Historic District Parking
Off-Street Parking Lots

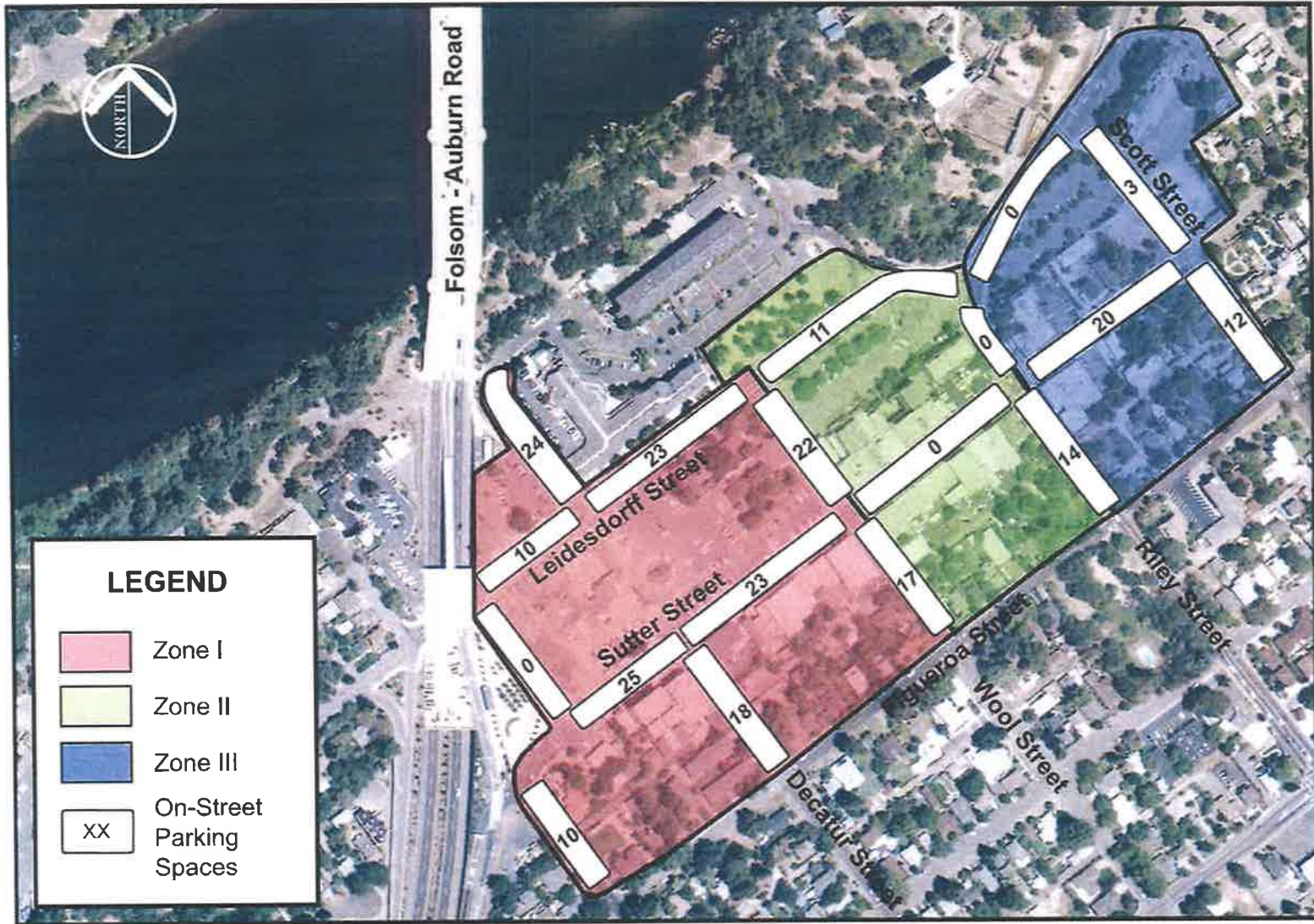


Figure 3
Folsom Historic District Parking
On-Street Parking Spaces

Existing Parking Demand

Existing parking demand was estimated using the parking occupancy data collected by the City of Folsom in October and November, 2007, and supplemented by occupancy surveys conducted by KHA in June 2008. The demand analysis presented in the sections below represents data collection prior to the opening of the new 330-space parking structure in the Rail Block. Therefore, conclusions related to existing parking supply and demand are drawn based on pre-structure conditions.

Weekday (Monday through Thursday)

On-Street Parking Occupancy

Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday that contains the highest number of accumulated parked vehicles. Table 2 summarizes the on-street parking occupancy between 6:00 a.m. and 8:00 p.m. on a typical weekday for the entire study area² and Figure 4 shows the on-street parking occupancy by time-of-day. As shown in Figure 4, between 75 percent and 83 percent of on-street parking spaces are occupied between 10:00 a.m. and 1:00 p.m., after which occupancy drops to approximately 60 percent between 2:00 p.m. and 4:00 p.m. Between 5:00 p.m. and 7:00 p.m. the occupancy is between 40 percent and 60 percent and drops dramatically to 27 percent at 8:00 p.m. The peak on-street parking demand (83 percent) occurs at about 11:00 a.m. and again at 1:00 p.m.

Table 2 – Summary of On-Street Parking Occupancies (Weekday)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 AM	162	9	6%
8:00 AM	162	94	58%
9:00 AM	162	96	59%
10:00 AM	162	121	75%
11:00 AM	162	134	83%
12:00 PM	162	124	77%
1:00 PM	162	134	83%
2:00 PM	162	101	62%
3:00 PM	162	98	60%
4:00 PM	162	99	61%
5:00 PM	162	67	41%
6:00 PM	162	79	49%
7:00 PM	162	95	59%
8:00 PM	162	43	27%

Off-Street Parking Occupancy

Off-street public parking lots within the study area have slightly lower occupancies than on-street parking when averaged over the entire study area. Table 3 summarizes the off-street parking occupancies between 6:00 a.m. and 8:00 p.m. Figure 5 shows that off-street parking lots sustain an occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then drops to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m. the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

² Weekday parking occupancy data for 7:00 a.m. was missing much of the off-street and on-street parking locations within the study area. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Figure 4 – Study Area On-Street Parking Occupancy (Weekday)

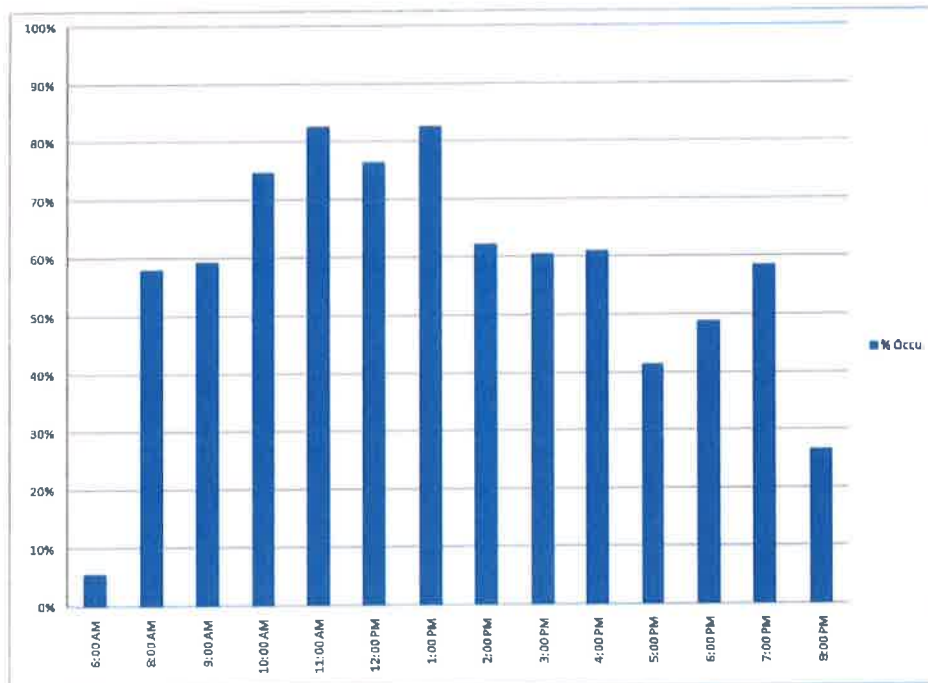


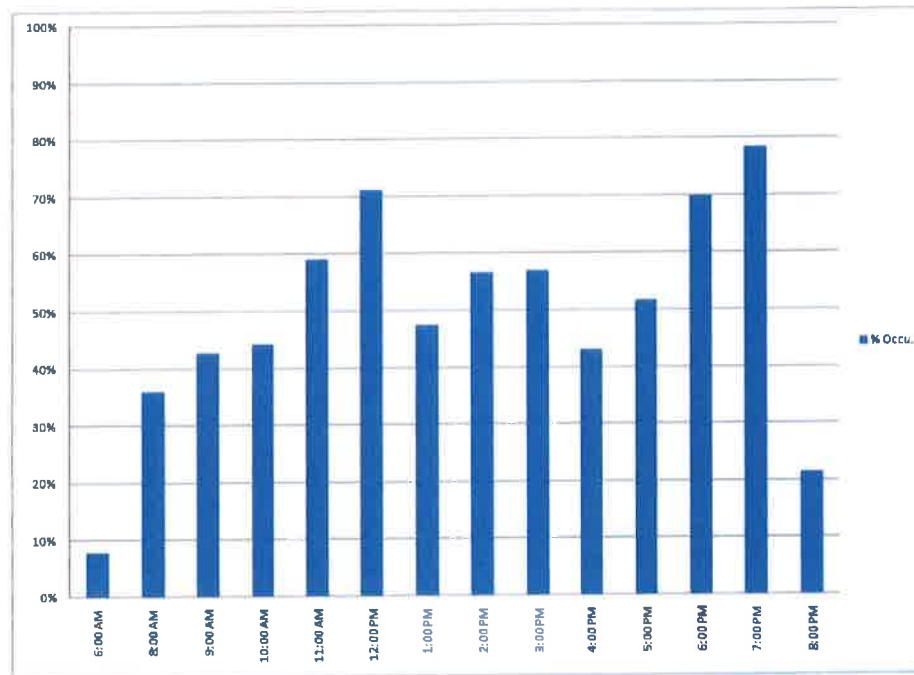
Table 3 – Summary of Off-Street Parking Occupancies (Weekday)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 AM	323	25	8%
8:00 AM	323	116	36%
9:00 AM	323	138	43%
10:00 AM	323	143	44%
11:00 AM	323	191	59%
12:00 PM	323	230	71%
1:00 PM	323	153	47%
2:00 PM	323	183	57%
3:00 PM	323	184	57%
4:00 PM	323	139	43%
5:00 PM	323	167	52%
6:00 PM	323	226	70%
7:00 PM	323	253	78%
8:00 PM	323	69	21%

At the district level, parking lots in individual zones have a wide range of occupancies between 6:00 a.m. and 8:00 p.m. Average occupancy ranges from a low of about 27 percent (Zone 1) to a high of about 58 percent (Zone II). Appendix A contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot throughout the day³.

³ Since the on-street parking occupancy survey data does not distinguish occupancies by specific street segments, on-street parking occupancy data was not documented by zone.

Figure 5 – Study Area Off-Street Parking Occupancy (Weekday)



Total Parking Occupancy and Accumulation

Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 4 summarizes the on-street and off-street peak parking demand within the study area. Figure 6 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces in the morning hours are occupied around 53 percent, climbing to a peak of about 73 percent at noon, gradually decreasing to 56 percent between 1:00 and 6:00 p.m., then climbing to 72 percent at 7:00 p.m., before dropping to 23 percent at 8:00 p.m. This daily profile is indicative of both short-term retail and office uses which peak during the midday and restaurant land uses peak in the early evening.

Peak Occupancy in Study Area:

On weekdays, the study area reaches its peak parking demand at noon as shown in Table 4 and in Figure 6. The study area also peaks at 7:00 p.m., but the occupancy percentage drops significantly at 8:00 p.m. Overall, the parking supply⁴ in Folsom Historic District is almost 73 percent utilized during the weekday peak period. Parking demand in many downtown’s peak around noon to 1:00 p.m. because this is the time that retail/restaurant uses peak during weekday and the time when many short-term visitors come to the downtown for lunch. Folsom Historic District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix.

Conclusions

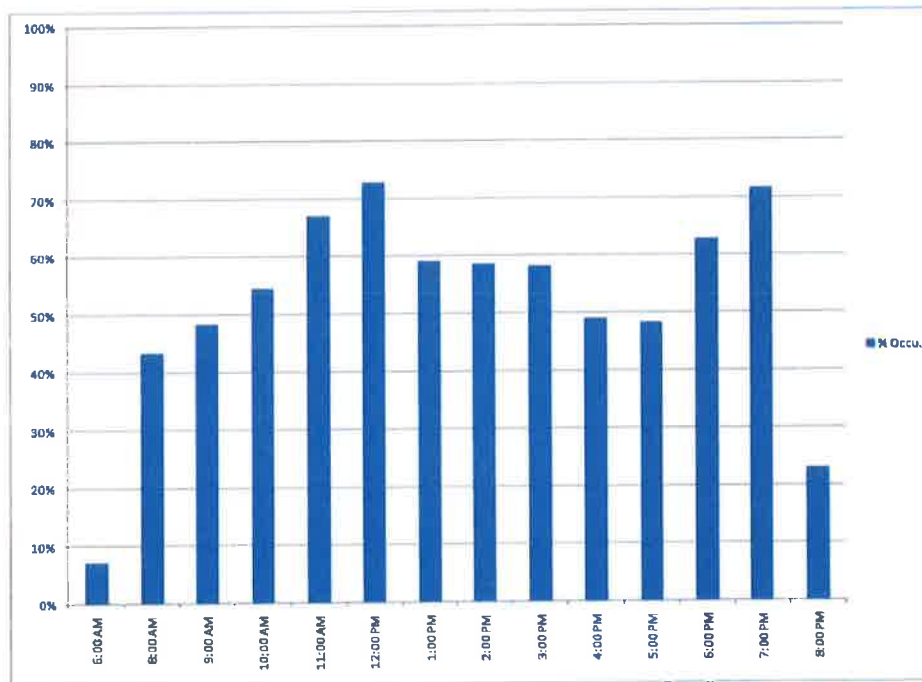
Based on the data collection and analysis of existing supply and weekday peak demand, there is sufficient parking within the study area to accommodate current typical weekday demands. While some zones experience relatively high demands, overall, there is ample available parking within the entire study area.

⁴ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Table 4 – Summary of On-Street and Off-Street Parking Occupancies (Weekday)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 AM	485	34	7%
8:00 AM	485	210	43%
9:00 AM	485	234	48%
10:00 AM	485	264	54%
11:00 AM	485	325	67%
12:00 PM	485	354	73%
1:00 PM	485	287	59%
2:00 PM	485	284	59%
3:00 PM	485	282	58%
4:00 PM	485	238	49%
5:00 PM	485	234	48%
6:00 PM	485	305	63%
7:00 PM	485	348	72%
8:00 PM	485	112	23%

Figure 6 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekday)



Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Weekend (Friday Evening)

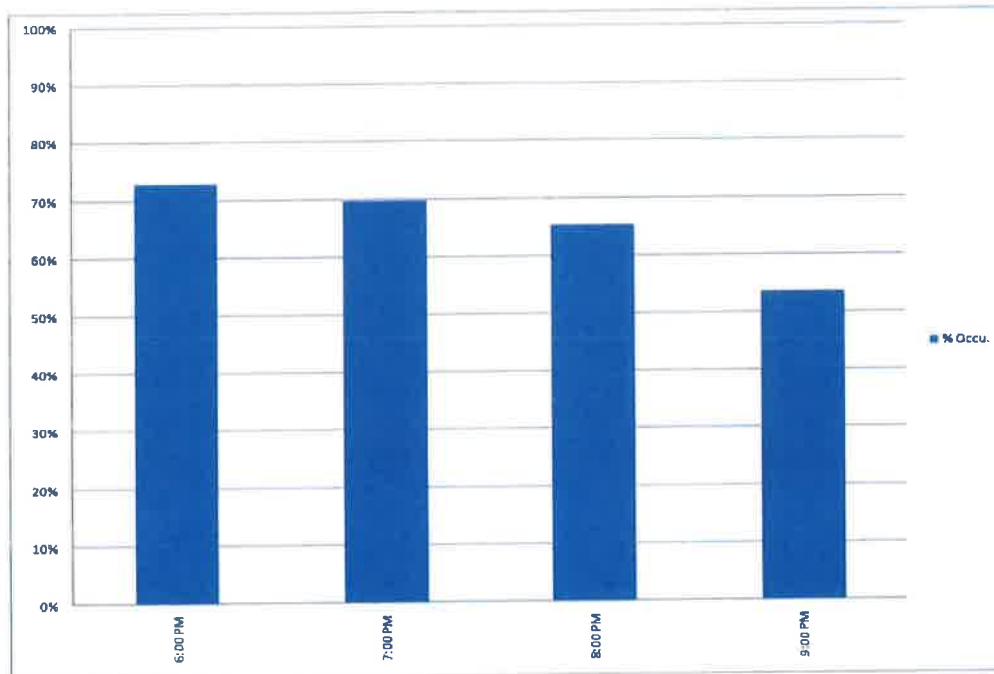
On-Street Parking Occupancy

Table 5 summarizes the average on-street parking occupancy between 6:00 p.m. and 9:00 p.m. on a typical weekend (Friday) for the entire study area, and Figure 7 shows the on-street parking occupancies⁵. As shown in Figure 7, between 65 percent and 73 percent of on-street parking spaces are occupied between 6:00 p.m. and 8:00 p.m. This percentage drops to 54 percent at 9:00 p.m. The peak on-street parking demand (73 percent) occurs at about 6:00 p.m., although the on-street parking demand is at 7:00 p.m. (70 percent) is close to the peak.

Table 5 – Summary of On-Street Parking Occupancies (Weekend)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 PM	162	118	73%
7:00 PM	162	113	70%
8:00 PM	162	106	65%
9:00 PM	162	87	54%

Figure 7 – Study Area On-Street Parking Occupancy (Weekend)



Off-Street Parking Occupancy

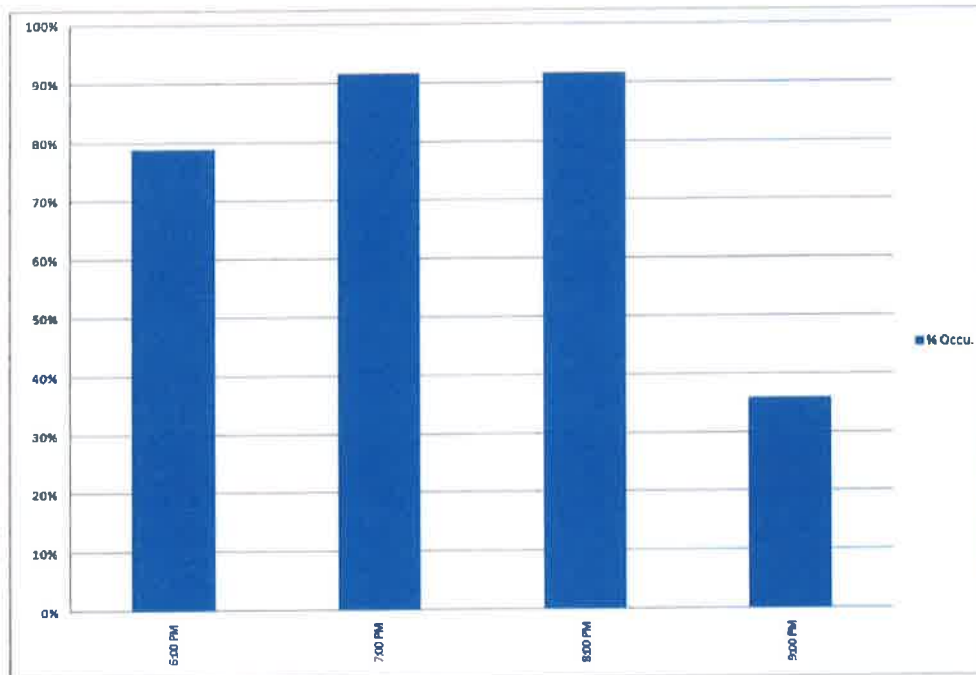
Off-street parking lots within the study area have slightly higher occupancies than on-street parking when averaged over the entire study area for the weekend peak period. Table 6 summarizes the off-street parking occupancies between 6:00 p.m. and 9:00 p.m. Figure 8 shows that off-street parking lots sustain an occupancy averaging 92 percent between 7:00 p.m. and 8:00 p.m., then drop dramatically to about 36 percent around 9:00 p.m. The peak off-street parking demand occurred at 7:00 p.m. and at 8:00 p.m. with 92 percent occupancy.

⁵ Historical parking data indicate that Friday evenings represent the highest period of demand for weekends when compared to Saturday afternoons and evenings, and Sundays. This determination excludes special events such as Farmers Market.

Table 6 – Summary of Off-Street Parking Occupancies (Weekend)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 PM	323	255	79%
7:00 PM	323	296	92%
8:00 PM	323	296	92%
9:00 PM	323	116	36%

Figure 8 – Study Area Off-Street Parking Occupancy (Weekend)



The observations might indicate that most of the off-street parking spaces are being used by restaurant users which peak around dinner time within the study area.

At the district level, occupancy in the parking lots in all individual zones stay relatively high with an average occupancy of approximately 72 percent for Zone 1, 78 percent for Zone 2, and 73 percent for Zone 3. Appendix B contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot between 6:00 p.m. and 9:00 p.m.

Total Parking Occupancy and Accumulation

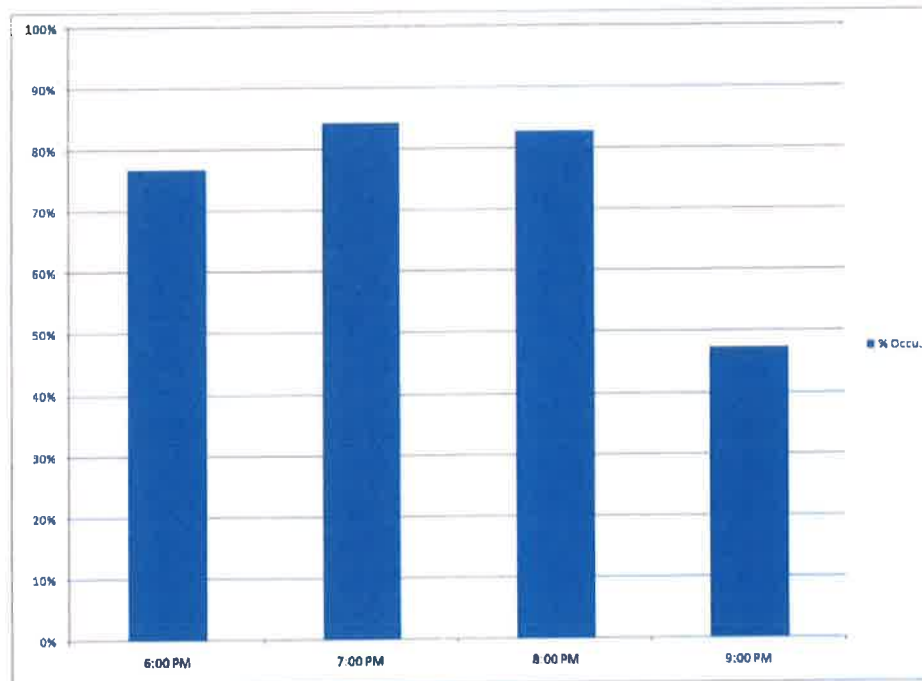
Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 7 summarizes the weekend on-street and off-street peak parking demand for the study area. Figure 9 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces at 6:00 p.m. are occupied at 77 percent, climbing to a peak of 84 percent at 7:00 p.m. and 83 percent at 8:00 p.m., and significantly decreasing to 47 percent at 9:00 p.m. This weekend evening profile is indicative of short-term restaurant parking demand where the profile shows high occupancy during the evening dining period.

Table 7 – Summary of On-Street and Off-Street Parking Occupancies (Weekend)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 PM	485	373	77%
7:00 PM	485	409	84%
8:00 PM	485	402	83%
9:00 PM	485	230	47%

Figure 9 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekend)



Peak Occupancy in Study Area:

The study area reaches its peak parking demand at 7:00 p.m. (84 percent), although the parking demand at 8:00 p.m. (83 percent) is very close to the peak parking demand indicating a long peak. The peak on-street and off-street occupancy in the study area is shown in Table 7 and in Figure 9. Overall, the parking supply⁶ in Folsom Historic District is more than half utilized during the weekend peak period. Typical downtown areas peak around 7:00 p.m. and 8:00 p.m. because this is the time that restaurant uses peak with many short-term visitors coming to the downtown for dinner on weekends. Folsom Historic District weekend peak is indicative of a predominantly restaurant-based commercial mix.

Conclusions

Based on the data collection and analysis of existing supply and weekend peak demand, there is sufficient parking within the study area to accommodate current weekend demands. While some zones experience relatively high demands, overall, there is available parking within the entire study area. However, based on data collected prior to the completion of the new 330-space parking structure, the District’s overall weekend occupancy is nearing “practical capacity” of 85 percent occupancy. This finding, although moot with the completion of the new structure, indicates the need for providing additional public parking.

⁶ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing weekend peak parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods during weekend evening, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Parking Model Development

The first step towards determining the future parking demand is to develop and validate a parking model that accurately predicts/mimics existing conditions. The steps involved in developing and validating the existing parking model include:

1. Identify existing land uses which rely on publicly available parking within the study area. The model excludes existing land uses which provide private parking exclusively for their patrons.
2. Use Institute of Transportation Engineers' (ITE) Parking Generation, 3rd Edition, 2004 and Urban Land Institute (ULI) Shared Parking, 2nd Edition, parking generation rates to establish un-calibrated parking generation rates.
3. Adjust base parking generation rates to reflect specific conditions in Downtown Folsom (detailed text about adjustments is discussed later in this document).
4. Adjust time-of-day profiles to reflect local conditions.
5. Adjust rates to reflect amount of transit, bicycle, walk, and captive trips within the study area. Captive trips reflect people who park once within the study area and visit multiple land uses.
6. Use the model to predict existing peak parking demand using the adjusted rates and the existing land uses.
7. Compare the model-predicted peak parking demand and time-of-day hourly parking profile with the peak parking demand and time-of-day hourly profile observed in the occupancy surveys. Adjust (calibrate) parking generation rates, time-of-day profiles, and/or other factors as necessary, and repeat in an iterative manner.

The parking model is validated if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for existing conditions, the parking model is used to project future parking demand.

Existing Land Uses

The existing land use information for the study area was provided by the City of Folsom. Land use types were grouped by general category because of similarities (e.g., retail). Table 8 below shows the land use categories used to aggregate existing land uses along with the square footages by zone.

As mentioned earlier, existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

Table 8 – Existing Land use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	13,843	48,241	8,880	70,964
Restaurant	0	8,000	5,500	13,500
Office	6,922	7,525	24,117	38,564
Club/Bar/Tasting Rooms	4,690	3,750	0	8,440
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	25,455	67,516 115 Theater Seats	54,200	147,171 115 Theater Seats

Parking Generation Demand Rates

Parking demand is estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because the ITE and ULI rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as downtown Folsom. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of Folsom, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near downtown walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture).

The adjusted parking demand generation rates for a typical weekday and weekend are summarized in Table 9. The rates summarized in Table 9 include additional adjustment factors including:

- Two (2) percent reduction for transit trips
- Two (2) percent reduction for bicycle trips
- Three (3) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Table 9 – Adjusted Parking Demand Generation Rates for Weekday and Weekend

Land Use	Weekday (12:00 to 1:00 p.m.)	Weekend (7:00 to 8:00 p.m.)	Units
Retail	4.00	3.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Restaurant			
Fine Dining	8.50	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Casual Dining	6.50	12.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Office	3.15	0.04	Spaces per 1,000 sq.ft. (Gross Floor Area)
Club/Bar/Tasting Rooms	0.43	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Theater	0.07	0.32	Spaces per seat

Parking Model Validation – Weekday

Following the calibration process described above, the parking model was used to predict existing weekday conditions. The results were compared to the observed weekday parking occupancy for existing land uses (Observed parking occupancy is summarized in Section II). The results of the comparison are summarized in Table 10 below:

Table 10 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	420 spaces	354 spaces	19%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	N/A

As per the parking model, the weekday peak parking demand is 420 spaces and the peak parking demand observed using occupancy survey is 354 spaces, a difference of 66 spaces, or a 19 percent difference. However, the occupancy surveys performed by the City did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered a total of 485 spaces, a difference of 70 spaces.

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 354 spaces, resulting in a combined total of 389 spaces. With the inclusion of the un-surveyed parking spaces, the difference in the weekday peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (420 vs. 389). Hence the parking model is considered validated for existing weekday conditions. Detailed calculation sheets and graphs related to the calibration and validation of the parking model for weekday are shown in Appendix C.

Parking Model Validation - Weekend

Utilizing the calibration process described above, the parking model was used to predict existing weekend conditions. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in Table 11 below. It is important to note that parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a weekend (Friday Night).

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 409 spaces, a difference of 12 spaces, or 3 percent. Based on this finding, the parking model could be concluded as validated. However, as the occupancy surveys did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered on a total of 485 spaces, a difference of 70 spaces.

⁷ The parking garage was not open to public and was still under construction at the time of occupancy surveys.

Table 11 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	422 spaces	409 spaces	3%
2	Existing Peak Hour	8:00 p.m.	7:00 p.m.	N/A
3	Existing Peak Demand Periods	1:00 p.m. to 3:00 p.m. 7:00 p.m. to 9:00 p.m.	7:00 p.m. and 8:00 p.m.	N/A

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 409 spaces giving us a combined total of 444 spaces. Even with the inclusion of the un-surveyed parking spaces, the difference in the weekend peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (422 vs. 444). Hence the parking model is considered validated for existing weekend conditions. Detailed calculation sheets and graphs related to the calibration of the parking model for weekend are shown in Appendix D.

Future Parking Supply and Demand Analysis

This section of the report discusses future planned development, and provides a future parking supply and demand analysis within the study area. As directed by the City, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot. Initial analysis efforts considered multiple structures and locations throughout the District. The full, District-wide future parking supply assessment is provided in Appendix E.

The purpose of this analysis is to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines⁸, this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

The methodology utilized to estimate the amount of allowable future development for the Historic District is as follows:

1. Determine the total number of parking spaces that could be accommodated in a Trader Lane structure, consistent with the 50-foot height limitation. Ground floor retail is assumed to be accommodated in this structure.
2. Using the parking demand rates calibrated for existing conditions, estimate the parking demand for planned/approved projects. Parking demand for the parking structure’s ground floor retail is included in this estimate.

⁸ *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

3. Estimate total future parking demand by adding the parking demand for planned/approved projects, including the structure's ground floor retail, to existing parking demand.
4. Subtract the total future parking demand from the total future parking supply within the District to obtain the total excess or (deficit) of parking spaces. The future parking supply does not include the existing 125 surface parking spaces on the Trader Lane lot that would be lost with construction of the new parking structure.
5. Add the total excess or (deficit) parking spaces to the parking spaces estimated for the proposed Trader Lane structure (from Step 1) to obtain total available parking spaces for future development.
6. The total available parking spaces are reduced by 10 percent to account for practical capacity, resulting in net total available parking spaces for future development.
7. Estimate the amount of future development that can be accommodated by the net total available parking spaces (from Step 6).

It is important to note that the "planned/approved projects" include only the Scalzi development located in the northwest corner of Sutter/Scott intersection, as well as the Historic Folsom Station (Rail Block). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurants, or offices uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future On-Street Parking Supply

The future on-street parking supply remains similar to existing parking supply (Figure 3), except seven (7) additional on-street parking spaces are added on Leidesdorff Street between Gold Lake Drive and Reading Street. Table 12 summarizes the future number of parking spaces along each street and total parking spaces for each zone. The study area contains a total of 239 future on-street parking spaces.

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities, the new 330-space parking structure in the Rail Block, and planned public spaces as part of known new development. Loss of parking spaces from new development includes 110 spaces with development of the Rail Block, and 125 spaces with the development of a parking structure on the Trader Lane lot. An additional 51 public spaces are added in Zone 1 with the development of the Scalzi site.

The number of future off-street parking locations, as well as the number of spaces provided are shown in Figure 10. Table 12 summarizes the future number of off-street parking spaces in each zone. There are a total of 491 future off-street public parking spaces in the study area.

Total Future On- and Off-Street Parking Supply

Table 12 summarizes the total future number of parking spaces by zone and in total. There are 730 total future on-street and off-street parking spaces within the study area.

The future on- and off-street parking supply of 730 spaces is 175 spaces more than the existing parking supply prior to the completion of the new parking structure, and 177 spaces less than the existing parking supply after completion of the structure.

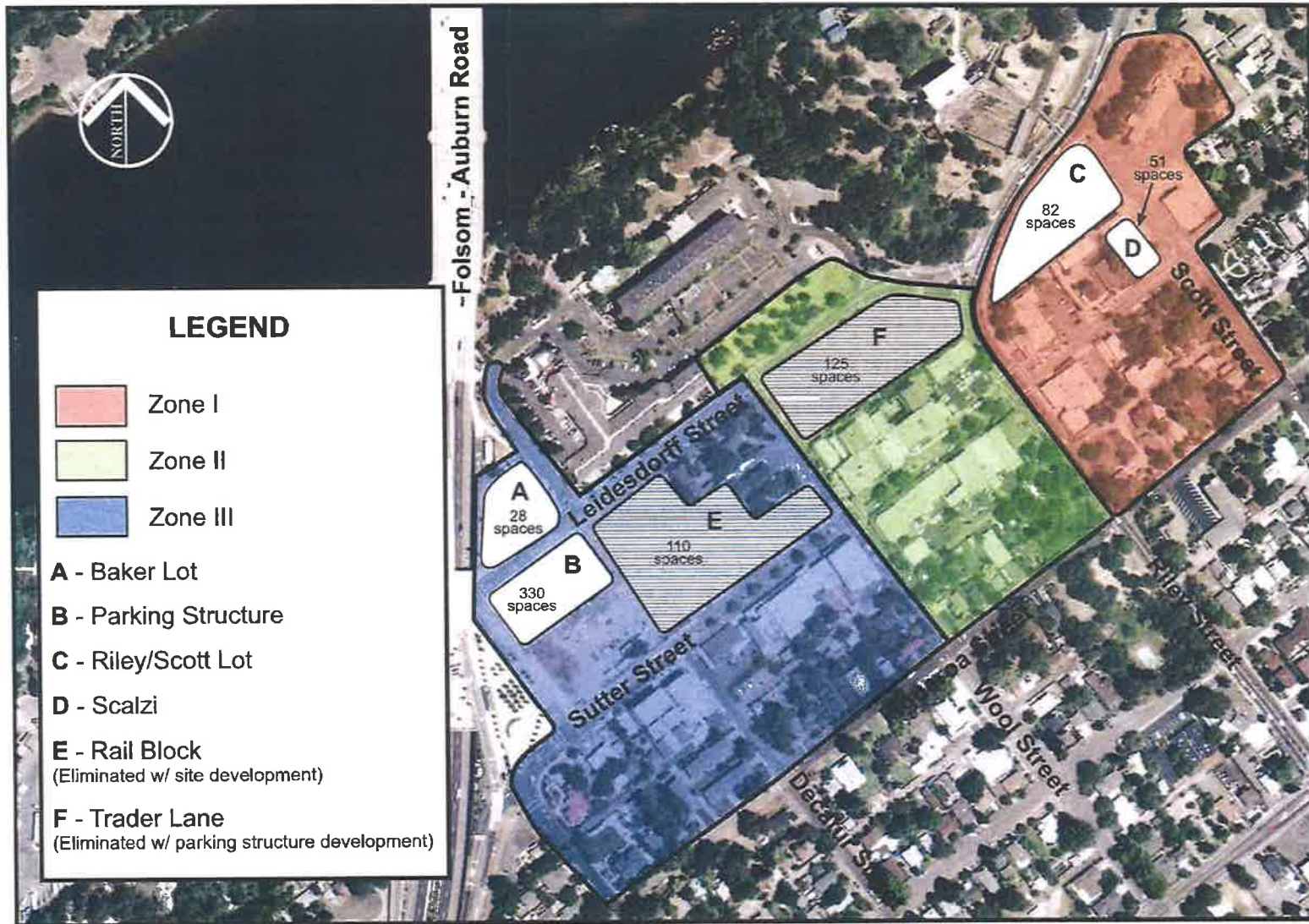


Figure 10
Folsom Historic District Parking
Future Off-Street Parking Supply

Table 12 – Summary of Future On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	20	
	Scalzi	51	Scott St. – Leidesdorff St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotal	133	Subtotal	42	
II			Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	0	
	Subtotal		Subtotal	38	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	8	
			Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	25	
			Sutter St. – Decatur St. to Wool St.	23	
	Subtotal	358	Subtotal	159	
Total Off-Street Spaces	491	Total On-Street Spaces	239	730	

Note: Excludes off-street parking supply gained in proposed Trader lane parking structure.

Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. Because the data collection and analysis of existing supply and demand indicated a supply surplus, it can be assumed that, although frequently observed, the study area does not experience spillover parking into surrounding neighborhoods resulting from a parking supply deficit during typical weekdays and weekends. Therefore, the future parking demand analysis focuses on the study area, and does not include the surrounding neighborhoods. The purpose of this analysis is to:

1. Estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient; and
2. If existing plus future demand exceeds supply, determine if there is the potential for spillover parking into adjacent residential neighborhoods.

For this study, the demand generated by future District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation (Figure 11), 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Table 13 shows the land use categories and square footages representing future land uses.

Table 13 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	32,908	19,850	55,000	107,758
Restaurant	11,700	-	27,000	38,700
Office	31,301	-	20,000	51,301
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	75,909 60 D.U.	19,850	102,000	197,759 60 D.U.

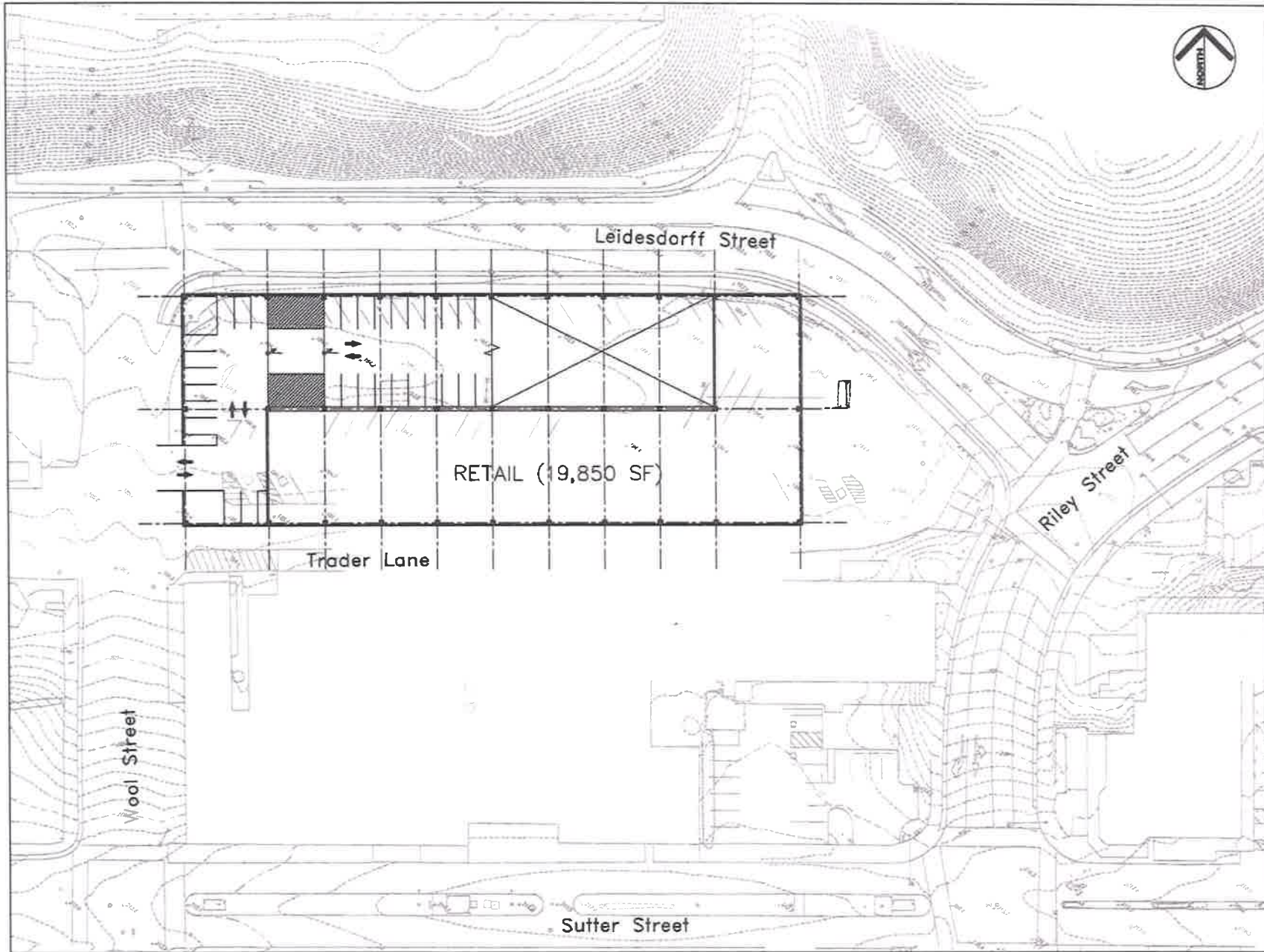


Figure 11
 Trader Lane Parking Structure Details

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. Table 14 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 14 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	256 spaces	215 spaces	
	Existing Parking Demand	420 spaces	422 spaces	
3	Total Parking Demand	676 spaces	637 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	730 spaces	730 spaces	
	Excess (Deficit) Parking Spaces	54 spaces	93 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	496 spaces	535 spaces	
	Parking Demand for Wrap-Around Retail	64 spaces	64 spaces	
	Total Available Parking Supply for Future Development	432 spaces	471 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	390 spaces	425 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	55,000 SF	176 spaces	132 spaces
	Restaurant	27,000 SF	162 spaces	292 spaces
	Office	20,000 SF	50 spaces	1 space
	Total	102,000 SF	388 spaces	425 spaces
¹ The future parking supply includes 239 on-street spaces and 491 off-street spaces for a total of 730 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Powerhouse Lot = 82 spaces - Baker Lot = 28 spaces - Rail Block Parking Structure = 330 spaces - Scalzi = 51 spaces 				

As shown in Table 14, based on the future parking supply limitations (390 weekday and 425 weekend), an assumed future development scenario of 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Adequacy of City’s Current Parking Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types within the Historic District. Assuming that all new development will provide parking in one form or another (i.e., either build parking on-site or contribute to the cost of public parking equivalent to their on-site requirement), Table 15 estimates the total future parking supply needed by new development using the City’s existing parking ratio. As shown in Table 15, new development would result in 348 spaces.

Table 15 – Estimate of Future Parking Supply Based on Current Parking Ratio

	Future Land Use (Square Footage)	City’s Existing Parking Ratio	Total Estimated Future Supply (spaces) Needed
Entire District	121,850	1 space per 350 sq. ft.	348
Note: The estimates above do not include requirements for residential visitor parking that might be located off-site.			

This analysis indicates that using the City’s current parking ratio (1 space per 350 square feet) would result in a number of spaces that would be less than the maximum deficit of 398 spaces (see below) calculated using the calibrated parking demand rates developed in this report. The City’s current ratio would under-provide parking by 50 spaces.

Revised Average Flat Parking Rate to Accommodate Parking Deficit

The peak weekday parking demand, with a factor to reflect practical capacity, is 1,128 spaces. The amount of future parking supply is 730 spaces, which is 398 spaces less than required.

For these 398 spaces to be provided through development requirements, the City could revise the existing parking ratio of 1 space per 350 square feet to 1 space per 305 square feet (see calculations below).

- Peak weekday parking demand for existing plus future conditions = 1,128 spaces (676 + 64 + 388 = 1,128 per Table 14)
- Future parking supply (existing plus proposed) = 730 spaces
- The peak weekday parking demand for existing plus future conditions exceeds the future parking supply by a total of 398 spaces (1,128 - 730 = 398)
- City’s revised parking ratio = 121,850 sq. ft. of new development at 1 space per 305 square feet will be equal to approximately 400 spaces.

Individual Parking Ratio by Land Use Types

If the City chose to apply individual parking ratios by land use types, then individual parking ratios for each future land use type is estimated using the future land use square footages, adjusted peak weekday parking demand, and the number of parking spaces required. The future land uses were divided into retail, restaurant (fine dining and casual dining), and office uses. Table 16 shows the calculations of individual parking rate by land use types, assuming 398 spaces (one parking structure) are required to meet the deficit.

Table 16 – Individual Parking Ratio by Land Use Types (Based on Need for 398 Spaces)

Land Use	Future Land Use Square Footages (A)	Adjusted Weekday Peak Demand Rates ¹ (B)	Estimated Demand ² (C)=(A)x(B) x80%	% Percent (D)	No. of Pkg. Spaces Needed (E)	Spaces Required by Land Use Type (F)=(D)x(E)	Approximate Individual Parking Ratio (G) = (A) / (F)
Retail	74,850	4.00	240	53%	398	211	1 Space per 350 sq. ft.
Restaurant							
Fine Dining	13,500	8.50	92	20%	398	80	1 Space per 170 sq. ft.
Casual Dining	13,500	6.50	70	16%	398	64	1 Space per 210 sq. ft.
Office	20,000	3.15	50	11%	398	43	1 Space per 460 sq. ft.
Total	121,850	-	452	100%	398	398	1 Space per 305 sq. ft.

¹ Adjusted weekday peak demand rates from Table 9.
² Estimated demand includes adjustment for transit, walk, bike, and captive trips (a total of 20%).

Conclusions

The overall conclusions of this analysis result in the following:

- The current ratio of 1 space per 350 square feet would result in about 348 spaces and would fail to accommodate the projected maximum deficit of 398.
- A revised ratio of 1 space per 305 square feet would result in about 400 spaces and would adequately accommodate the maximum deficit of 398 spaces.
- Individual ratios by land use type ranging from 1 space per 170 square feet to 1 space per 460 square feet would result in about 398 spaces, which would accommodate the maximum deficit.

ASSESSMENT OF PARKING STRUCTURE SITES

Identification of Potential Sites

As part of the Request for Proposals for this project, as well as a carry-over from the 2002 *Plan*, the City identified six (6) potential sites for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five (5) with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. As such, the assessment of parking structure sites focused on the following five locations:

1. Folsom Hotel
This site is generally described as the vacant ravine behind the Folsom Hotel, adjacent to Riley Street. Access would likely be provided from Figueroa Street and/or the alley between Sutter Street and Figueroa Street.
2. Gold Lake Center
This site is generally described as the vacant, earthen embankment adjacent to the Gold Lake Center commercial development, along the north side Leidesdorff Street in the vicinity of Wool Street. Access to this site would likely be provided from Leidesdorff Street and from the existing surface parking lot within the Gold Lake Center property.

3. Moose/Eagles Lodges
 This site is generally described as the parcels currently occupied by the Moose and Eagles Lodges located east of Scott Street, between Riley Street and Sutter Street. Access would likely be provided from Sutter Street and/or Scott Street.
4. Riley/Scott
 This site would replace the existing surface parking lot located south of Riley Street between Leidesdorff Street and Scott Street. Access would be provided from Scott Street.
5. Trader Lane
 This site would replace the existing Trader Lane surface parking lot. Ground level access would be provided from Wool Street and/or Leidesdorff Street.

These five potential parking structure sites are depicted in Figure 12.

Evaluation Criteria and Matrix

In order to evaluate and provide a meaningful relative comparison of the five potential parking structure sites, five evaluation criterion were identified:

- a. Capacity: Does the site contribute toward lessening future parking deficit?
- b. Implementation: Does the site minimize implementation effects on existing parking supply, businesses, and circulation?
- c. Site Accessibility: Is the site located near District generators and localized parking deficits, and is visible?
- d. Community Considerations: Does the site provide for mixed-use opportunities and incorporate urban design characteristics?
- e. Cost Considerations: Does the site incur reasonable construction costs?

The evaluation matrix provided in Table 17 provides a summary of the evaluation of the five potential parking structure sites. More detailed concepts for each of the sites are provided in Appendix F.

Table 17 – Parking Structure Site Evaluation Matrix

Site Alternative Assessment Evaluation Criterion		Parking Structure Alternative Location				
		Folsom Hotel	Gold Lake Center	Moose / Eagles	Riley / Scott	Trader Lane
a	Contributes toward lessening future parking deficit?					
b	Minimizes implementation effects on existing supply, businesses, and circulation?					
c	Is located near District generators and localized parking deficits, and is visible?					
d	Provides for mixed-use opportunities and incorporates urban design characteristics?					
e	Incurs reasonable construction cost?					
Identified as viable site for potential parking structure development?						
Poorly Addresses Criterion Moderately Addresses Criterion Addresses Criterion Effectively Addresses Criterion						

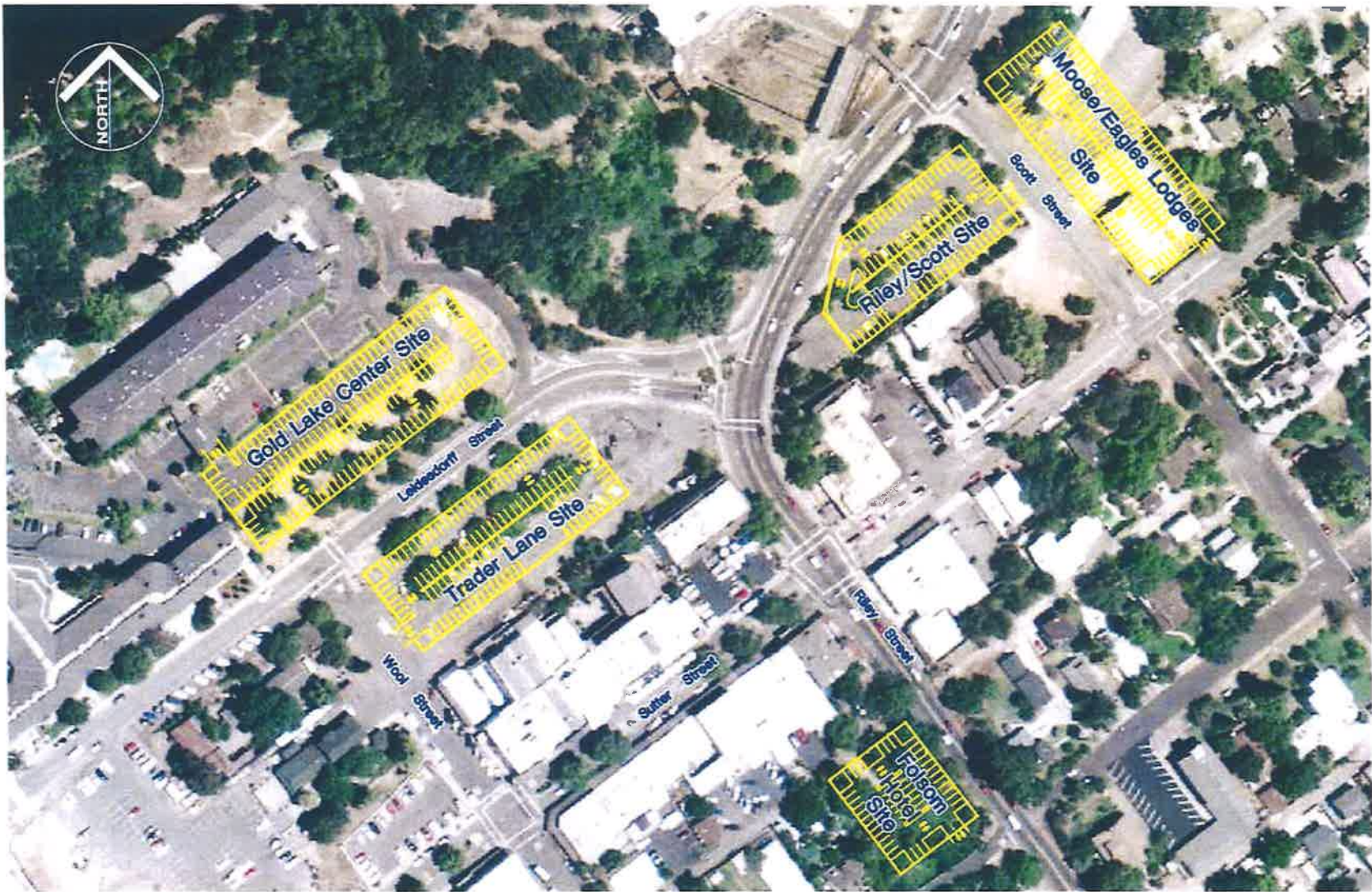


Figure 12
Paking Structure Evaluation Sites

As demonstrated in Table 17, the Trader Lane and Moose/Eagles sites were determined to most effectively address the site evaluation criterion. Conversely, the Folsom Hotel and Gold Lake Center sites were determined to most poorly address the criterion. As previously discussed, subsequent discussions with the City determined that the Trader Lane lot should be the preferred location considered for the development of a new parking structure. The evaluation conducted as part of this effort supports the direction offered by the City.

Conclusions

Based on the aforementioned evaluation of the five potential parking structure sites, the Trader Lane and Moose/Eagles sites were determined to best satisfy the established criterion for the addition of Historic District parking supply. Therefore, these two sites are recommended for design implementation according to the outcomes of this study. The City's subsequent direction to consider only a single structure on the Trader Lane lot is consistent with the outcome of this effort.

PARKING IMPLEMENTATION STRATEGIES

Because the City of Folsom's Historic District is anticipated to realize a parking deficit of approximately 400 spaces at build-out, it is necessary for the City to consider various strategies on how best to address this anticipated shortfall. This section provides a menu of potential general parking strategies, and presents a series of specific recommended near-term and long-term strategies for the Historic District.

Objectives

According to the *Historic District Design and Development Guidelines*⁹, "Because historic downtown lot sizes and development patterns were established prior to the advent of the automobile, however, the opportunities for individual sites in the Sutter Street Subarea to provide on-site parking are severely constrained. In order to preserve the historic structures and ambiance of this area, the City has assumed a share of the responsibility for providing adequate parking for the entire Subarea."

Furthermore, the *Guidelines* specify that "All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code, and any other adopted City ordinances, policies and requirements. The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process."

As such, the overall objective of parking strategies for the City of Folsom's Historic District revolve around the *Guideline's* principles in which the City is a stakeholder in the development of adequate parking supply for the District. This adequate parking is acknowledged to be comprised of both structured and other off-street surface parking facilities.

Historic District Users and Needs

Parking strategies, in general, need to accommodate the multiple users of the Historic District. The mixed-use nature of the District dictates that the users include residents, residential visitors, light-rail transit (LRT) users and commuters, customers (non-residential visitors, shoppers, diners), employees, delivery and public services (police, fire, refuse, etc.), special event visitors, and residents of the surrounding neighborhoods.

⁹ *The City of Folsom, Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

Each of these user groups have their own specific needs, most significantly distinguished by the duration of their parking demand.

The parking strategies described herein specify the particular users that are anticipated to benefit from the various parking strategies. The ultimately selected parking strategies, in cumulative, should address each of the multiple District users' needs.

Historic District Parking Principles

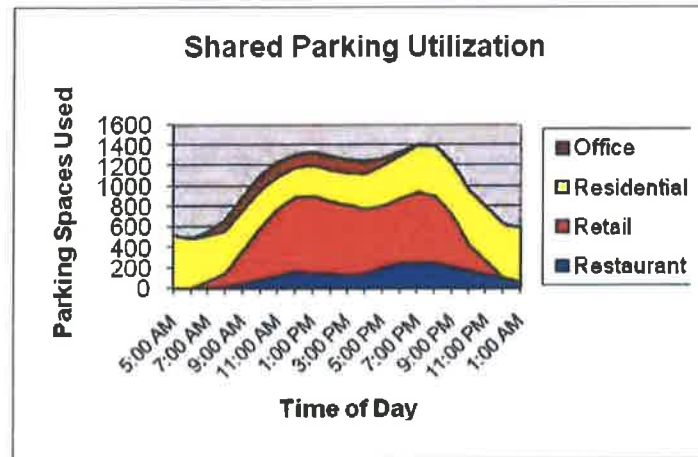
A vibrant, economically viable and successful Historic District (i.e., “downtown”) combines both public and private parking opportunities to create an environment in which visitors park once, and walk to multiple destinations. As specified in the District’s *Guidelines*, private development is essentially expected to rely on the public parking supply to accommodate nonresidential parking demand. As a result, where public parking supply is shared by uses with varying and complementary peak periods of demand, the concept of “shared parking” is introduced. For example, office uses in the District generate their peak parking demand in the mid-morning and early afternoon timeframes, whereas restaurants generate their peak demand midday and in the evenings. These two land uses can effectively share a lower number of parking spaces than if each use was required to accommodate its own peak demand. This “sharing” of parking supply is in contrast to typical suburban parking requirements where each building is required to provide parking on-site for its own users, but rarely fully utilizes its own supply. According to the Urban Land Institute’s *Shared Parking (Second Edition)* “...shared parking has been a fundamental principle of downtown planning from the earliest days of the automobile.”

The following figures (Figure 13 and Figure 14) illustrate the concept of shared parking. Figure 13 is an example of the amount of parking provided based on minimum parking requirements or standards. This approach is based on providing each land use a minimum number of parking spaces as if it were an isolated use. Figure 14 illustrates the actual utilization of the parking spaces for each land use by time of day. Since different land uses have peak parking demands at different times, the land use can effectively “share” a common pool of parking spaces, as long as the highest demand of the day can be accommodated. The result of shared parking is a lower total number of parking spaces than if each individual use is required to provide for its own peak period.

Figure 13 – Minimum Required Parking Example



Figure 14 – Minimum Shared Parking Example



In addition to increasing the efficiency of a limited parking supply, the concept of shared parking reduces the overall cost of providing parking. In downtown areas where development intensity and floor area ratios are high, blocks and individual parcels are small, and land uses are predominantly small businesses, it can be prohibitively expensive to provide parking which satisfies typical zoning code requirements, particularly if structured or underground parking is required. Typical downtown areas have the advantage of being able to combine resources to fund and maintain a common pool of parking for all users. In addition to the principle of shared parking, there are several general principles that should guide decisions regarding parking in a downtown core. These principles include:

1. Provide adequate, but not excessive public parking supply.
2. Provide a simple, easily understood parking environment with adequate way-finding.
3. Maximize the provision of on-street parking as a primary source of short-term customer parking, and enforce time restrictions.
4. Strategically locate municipal lots to provide short-term and long-term parking. Identify at least one location for the eventual construction of a parking structure within the core when needed.
5. Gradually implement pricing as a parking management strategy to reduce long term parking in the downtown core, to balance the level of utilization between on- and off-street parking, and to recover the costs of operating and maintaining parking facilities.
6. Provide options for long-term parking including long-term parking within the core controlled by pricing and free or low-cost long-term in the periphery of the core.
7. Improve the walkability of the downtown to encourage employees to park farther from the downtown core.
8. Ensure high-quality pedestrian connections.
9. Protect neighborhoods from spillover parking.

The strategies identified below are consistent with the principles described above.

Parking Management and Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. A number of parking management strategies could be implemented within the Historic District to address the existing and the projected, future parking conditions. Potential parking management strategies include:

1. Update Private Parking Requirements
2. Establish and Implement In-Lieu Parking Fees
3. Improve Management of Rail Block Parking Structure
4. Implement Residential Permit Parking or Alternative Neighborhood Protection
5. Establish Public Parking Phasing Threshold
6. Establish Loading and Delivery Strategies
7. Implement On-Street Parking Management Strategies
8. Implement Off-Street Public Parking Management Strategies
9. Establish and Implement Valet Parking
10. Implement Additional On-Street Parking
11. Establish Pricing Strategies
12. Establish Parking Demand Reduction Strategies
13. Address LRT Commuter Parking in the District

The following is a discussion of each of these strategies and associated near- and long-term implementation recommendations:

1. Update Private Parking Requirements

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The previously documented detailed parking analysis indicated that this requirement is not sufficient to address the future parking needs of the District. As per the parking analysis, the District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and known planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) will require approximately 350 parking spaces. The parking analysis also indicated that using the City's current parking ratio (1 space per 350 SF) for future parking demand would under-provide parking by approximately 50 spaces.

Recommendation #1: Update the private parking requirements in the Municipal Code to accommodate existing and future parking demand.

The parking analysis evaluated the adequacy of the existing flat parking ratio to meet future parking demand. As per the parking analysis, in order to meet the future weekday parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. By adjusting the parking ratio, the District would be able to accommodate the future parking demand.

In the near-term, the City should consider increasing the flat parking rate from 1 space per 350 SF to 1 space per 305 SF to meet the future parking needs. In the long-term, the City should consider adopting separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses. Adopting separate ratios for different uses will allow the City to more accurately identify future parking needs.

2. Establish and Implement In-Lieu Parking Fees

Under this strategy, developers are allowed to pay a fee in-lieu of providing on-site parking spaces traditionally required by the Municipal Code. The revenue collected by this fee is used to finance public parking spaces. This strategy gives developers an option to either provide the parking required or pay a fee if it is infeasible to construct parking on-site. Alternatively, a development may provide some parking on-site and provide the balance required through payment of the in-lieu fee. This

approach is highly applicable in downtown areas where development opportunity sites are small, and providing on-site parking is difficult and often expensive. Since the City uses Redevelopment Funds to finance public parking spaces in the District, the revenue collected could alternatively be used to pay for a Parking Enforcement Office position.

Recommendation #2: Establish and implement in-lieu parking fees to provide options for developers within the District.

A number of development opportunities exist within the District. However, the size of the development for most of these opportunity sites is small because of existing uses, and it would be difficult for developers to provide the on-site parking spaces required by the Municipal Code. An in-lieu parking fee provides the developer an option of paying a one-time fee for each parking space not provided on-site, thus encouraging development within the District. Cities are often faced with a dilemma where they would like developers to invest in their City, but do not provide developers with an option where they can rely on public parking facilities to meet their parking demand by paying an in-lieu parking fee. Parking for development sites where providing on-site parking is difficult or expensive typically relies upon on-street parking. Increased on-street parking demand has the tendency to discourage customers from visiting.

As a long-term parking strategy, the City could establish and implement in-lieu parking fees. The timing of the in-lieu parking fee could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.

3. *Improve Management of Rail Block Parking Structure*

The recently constructed Rail Block public parking structure is currently used by Historic District employees, customers, and Light Rail Transit (LRT) commuters. Improved management of the different users will result in more effective utilization of public parking resources.

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

This topic is discussed in detail, and implementation recommendations are provided later in this document within the "Assessment of City's 5-Year Parking Management Plan" portion of the "Other Considerations" section on Page 53.

4. *Implement Residential Permit Parking or Alternative Neighborhood Protection*

This strategy has multiple objectives, primarily to protect residential neighborhoods surrounding the District from spillover parking. This strategy would allow residents of the District to obtain permits to park on streets in the surrounding neighborhoods, provided that there is sufficient on-street parking capacity to accommodate the needs of the neighborhood. The revenue generated by this strategy may be used to administer, and enforce, the residential permit parking program, or may be used to fund improvements specific to the neighborhood in which the permit was sold (e.g., traffic calming, landscaping, streetscapes, etc.).

Recommendation #4: As development intensifies in the District, it is recommended to periodically monitor parking conditions to determine if residents are parking on-street, or within surrounding neighborhoods. If so determined, develop and implement a program to administer and enforce a Residential Permit Parking Program (RPPP).

Criteria for triggering the need to implement permit parking also need to be established. There are two purposes for these criteria: a) for Historic District residents to park in public spaces within the District area, and b) to minimize impacts of spillover parking in surrounding neighborhoods (District visitors parking in the adjacent neighborhoods).

Criteria for a) includes: More than 10 percent of the public parking spaces are being utilized by Historic District residents (e.g., overnight parking) on a regular basis. Criteria for b) includes: A neighborhood association registered with the City's Planning Department circulates a petition, and obtains signatures for 60 percent or more of the households in the area. It is also critical that the City has conducted a parking study to demonstrate that spillover parking is occurring.

The City of Folsom has an ongoing neighborhood Permit Parking ordinance which will enable neighborhoods to establish permit parking zones. Also, recent field observations indicate spillover parking into adjacent neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District, and would like to park closer to their destinations.

In the near-term, the City does not need to implement an RPPP for neighborhoods adjacent to the intersection of Wool Street and Figueroa Street. However, the City should continue to monitor this, and other neighborhoods for spillover parking as growth intensifies within the District. A RPPP is an inconvenience for residents, and should be avoided as long as practical.

The long-term strategy is to establish an RPPP, if found to be needed. A RPPP should be implemented gradually, and applied only to neighborhoods that are experiencing spillover impacts. If implementation of RPPP in one neighborhood is determined to push the impact to an adjacent neighborhood, the RPPP should be expanded to that adjacent neighborhood.

5. *Establish Public Parking Phasing Threshold*

As per the parking analysis, the future parking supply (on-street and off-street) within the District is 730 spaces. The estimated existing parking demand for a weekday is 420 spaces which is approximately 50 percent of the future parking supply. The parking demand for planned/approved projects within the District is estimated to be 256 spaces. With the construction of all planned/approved projects, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 79 percent of the future parking supply within the District.

The parking analysis indicated an additional 121,850 SF of commercial development is feasible within the District without exceeding the parking capacity of a future parking structure. A 422 space parking structure is proposed at the existing Trader Lane Lot, which will in turn eliminate 125 off-street parking spaces. With the elimination of the Trader Lane Lot, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 93 percent of the future parking supply within the District. Typically, the construction of any new parking facility begins when the parking demand reaches 85 percent of the parking supply. This approach ensures that enough parking spaces are available during the period of construction. Accordingly, the construction of the proposed parking structure at the Trader Lane Lot should begin when the parking demand of planned/approved projects reaches 80 percent (205 spaces).

Recommendation #5: The City should start construction of the parking structure at the Trader Lane lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.

In the near-term, the implementation of planned/approved projects should be closely monitored to determine when 80 percent of the development's parking demand is reached. Any additional loss of parking spaces within the District should also be closely monitored.

In the long-term, the construction of a 422 space parking structure should begin when the parking demand within the District reaches 85 percent of the available parking supply.

6. *Establish Loading and Delivery Strategies*

Loading areas for the delivery of goods, merchandise, and supplies is essential for the economic health of the District. Deliveries should be accommodated through a combination of on-site loading docks, on-street loading zones restricted to certain hours, and permanent on-street loading areas. Larger development projects should provide on-site loading.

Smaller, or otherwise constrained sites may be served by on-street loading zones that are restricted to loading in the early morning hours and afterward revert to public parking. These loading areas are project-specific, but should be selected to serve several properties. These restricted loading areas should be as convenient as possible to the service entrances of the buildings they serve, but if not feasible, loading zones should be on side streets or in the rear of the buildings.

The District should provide several permanent on-street loading zones distributed in all three zones to permit deliveries throughout the day. The City's Municipal Code requires commercial uses where large amounts of goods are received and shipped to provide adequate loading and unloading space to handle the volume and frequency of the truck traffic (Section 17.57.060). The City requires the loading zones be a minimum of 10-foot wide, 35-foot long, and 14-foot high.

Recommendation #6a: For large developments, the City should recommend on-site loading and unloading zones.

Currently, the City's Municipal Code does not require large developments to provide on-site loading and unloading zones, which puts the burden upon on-street parking spaces to serve as loading and unloading zones. For these large developments, additional on-street parking spaces are required (as per Municipal Code Section 17.57.060) which are likely to reduce the general availability of on-street parking spaces for customers/visitors within the District. Therefore, it is recommended that in the near-term the City add a provision within their Code which requires large developments to provide on-site loading and unloading zones.

Recommendation #6b: Based on the location of existing and anticipated commercial businesses, identify and implement restricted and permanent loading zones on curbs with parallel parking.

With the amount of development proposed within the District, sufficient on-street loading and unloading spaces should be provided to accommodate the needs of the future developments. The following locations are recommended for on-street loading and unloading zones (Note: the exact location of existing loading and unloading zones are not known and the recommendations are made based on anticipated future demand from proposed developments):

- Trader Lane between Wool Street and Riley Street
- Sutter Street between Reading Street and Decatur Street
- Sutter Street between Decatur Street and Wool Street
- Sutter Street between Wool Street and Riley Street
- Sutter Street between Riley Street and Scott Street
- Leidesdorff Street between Gold Lake Drive and Wool Street
- Scott Street between Riley Street and Sutter Street

The City should maintain flexibility to change the location of loading zones in response to changes in development. In the near-term, some on-street parking spaces along the recommended sections should be designated as loading and unloading zones during the off-peak hours.

In the long-term, some of these off-peak loading and unloading zones, which are heavily utilized, should be designated as permanent loading and unloading zones without time restrictions. This approach should only be done if the loss of on-street parking spaces does not significantly affect the parking supply, and additional on-street parking spaces exist within the surroundings. The timing for permanent loading and unloading zones could also be coordinated with the construction of the Trader Lane parking structure, as the parking supply within the District will be increased and the loss of on-street parking spaces is compensated.

7. *Implement On-Street Parking Management Strategies*

Most streets within the District have on-street parking. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation. Under future conditions there are a total of 239 on-street parking spaces. Table 12 of this report details the on-street parking locations within the District.

On-street parking is used by employees, customers, and visitors of the District. To some extent, existing on-street parking is used by LRT commuters as parking enforcement is not strictly provided. Proper on-street parking management will increase its efficiency by making sure that adequate parking is available within the District to accommodate short-term peak parking demand. Shoppers, diners, and commercial visitors will comprise the majority of peak period parking demands in future Folsom. This group of users has short-term parking needs (3 hours or less). Therefore, the time restriction and potential pricing strategies discussed below are intended to serve this group of users.

Time Restrictions

Time Restrictions are intended to maximize parking turnover of the most convenient and therefore, the most valuable, spaces in the District. The objective of this strategy is to reserve on-street parking spaces in proximity of retail land uses within the District for customers, while providing unrestricted parking in the periphery for employees or residents.

Existing on-street parking occupancy results indicate peak weekday demand of approximately 80 percent to 85 percent and the peak to be between 11:00 a.m. and 2:00 p.m. During the weekend (Friday evening), the peak on-street parking demand is approximately 75 percent with the peak time between 6:00 p.m. and 8:00 p.m. Parking demand in many downtowns peaks around noon to 1:00 p.m. as this is the time that retail/restaurant uses peak during weekdays. The District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix. For the weekend, the observations suggest on-street parking spaces are being used by restaurant users, which peak around dinner time within the study area.

Approximately 75 percent of the District's on-street parking should be restricted to short-term parking. While time restrictions can vary depending on the needs of the adjacent land uses, the basic time limit should encourage the desired turnover (typically 1 ½ to 2 hours). Longer term parking should be provided within the immediate periphery, or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street). These streets should be restricted to 10-hours, or left unrestricted in the near-term. The City may provide shorter time restrictions for street segments at the request of property owners.

The following streets within the District currently have time restrictions:

- Wool Street: Between Sutter Street and Figueroa Street (2-hour limit)
- Wool Street: Between Sutter Street and Leidesdorff Street (3-hour limit)
- Sutter Street: Between Wool Street and Reading Street (3-hour limit)
- Gold Lake Drive (3-hour limit)
- Decatur Street: Between Sutter Street and Figueroa Street (3-hour limit)
- Leidesdorff Street: Between Wool Street and Gold Lake Drive (3-hour limit)

However, these time restrictions are not enforced, and do not cover all streets within the District. Recent parking turnover surveys conducted in January 2008 show vehicles parked throughout the day at some of these on-street parking spaces.

Criteria/Guidelines for Time Restrictions

- Maintain consistent time restrictions within the District. Avoid piecemeal time restrictions unless there are compelling reasons to change.
- Time restriction serving the commercial core should be 2 hours (the average time parking in downtown's nationally is 90 minutes).
- Property owners may petition for time restrictions less than 2 hours on the streets which their property is located, but the change should be applied to the entire street. The majority of property owners fronting the street (at least 51 percent) must agree to the change in restriction. The City may require a parking turnover survey to support changes to the time restriction.
- 30-minute time restrictions may be used for streets serving very high intensity retail activity where rapid turnover is required (e.g., post office, banks, ATMs, dry cleaners, etc.).
- Long-term parking (no time restriction except standard 72 hour limit) should not be signed. Designation of unrestricted parking should be based on whether or not:
 - The parking area is conducive to employee and resident parking outside of the District;
 - There is adequate on-street parking capacity (85 percent or less occupied); and
 - The current adjacent uses on either side of the street do not require high turnover parking.
- Unrestricted long term parking should be provided adjacent to residential development (not mixed use) and in the periphery of the Historic District based on the above criteria.

Recommendation #7a: Change the existing 3-hour parking restrictions to a 2-hour parking restriction within the District. Install revised parking restriction signs on these streets. Consistent enforcement of the time restriction is necessary to maintain adherence.

Recommendation #7b: Adopt the time-restriction recommendations described above. Identify 30-minute parking zones on streets serving high intensity retail or service activity. Also identify long-term parking within the immediate periphery or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street).

In the near term, no change to 3-hour parking restriction is needed. However, enforcement of time restriction is recommended to maintain adherence and to acclimate downtown parkers that enforcement is being consistently applied. Parking tickets, which only give a warning to vehicles parked longer than the time allowed, may be issued during the acclimation period.

In the long-term, as the development intensifies within the District, it is recommended that all on-street parking within the commercial core be limited to 2 hours and parking tickets (appropriate amount should be decided by the City) be issued to vehicles violating the time limits. Parking enforcement could also be coordinated with the construction of Trader Lane parking structure as more parking will be available for long-term parkers.

8. *Implement Off-Street Public Parking Management Strategies*

Within the District, off-street parking lots were observed to have occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then a drop to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m., the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

Nearly all existing off-street parking lots within the District have a 3-hour time limit on parking. However, these time limit parking restrictions are not enforced, and the recent parking turnover survey conducted in January 2008 showed vehicles parked in off-street public parking lots throughout the day.

Recommendation #8a: Restripe existing off-street parking lots to enhance the delineation of the parking spaces.

Recommendation #8b: Remove existing 3-hour time limit from all off-street parking lots and charge a parking fee based on number of hours parked.

Removing the existing 3-hour time limit and charging a parking fee based on the number of hours parked will provide options for employees, commuters, and visitors who need to park for a longer duration. The parking fee charged will provide revenue which can be used for the operation and maintenance of the off-street parking facilities.

In the near-term, the City does not need to make any changes and should continue with the 3-hour time limit for all off-street parking lots within the District. As the development within the District intensifies, the City should start parking enforcement by issuing warning tickets.

In the long-term, the City should remove the 3-hour parking limit from all off-street parking lots and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as over-flow in case the parking spaces within the District are fully utilized. The City should encourage employees to utilize off-street parking during the construction of Trader Lane structure.

Recommendation #8c: Identify off-street parking lots within the vicinity of the District, and encourage employees to use these parking lots during the construction of the Traders Lane parking structure.

9. *Establish and Implement Valet Parking*

A total of approximately 39,000 SF of future restaurant use is either planned or estimated within the District. Identifying on-street and off-street valet parking locations within the District will provide much needed convenience for the restaurant patrons. Restaurants peak during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.

Recommendation #9: Almost exclusively used for restaurants, this strategy increases parking capacity as well as convenience for restaurant patrons. The City should permit restaurants, or other commercial businesses, to institute valet parking through a conditional use permit, including permission to reserve one to two parking spaces in front of the businesses to conduct valet operations. Valet parking can utilize private parking facilities through agreements with the facilities' owners.

In the near and long term, the City may consider valet parking operations to be used by restaurants during the evening (6:00 p.m. to 8:00 p.m.). This requires establishing conditional use permits, reserving portions of off-street public facilities for valet parking, and allowing reservation of curb space for valet operations.

10. Implement Additional On-Street Parking

One approach to increasing the public parking supply is to implement angled parking spaces on appropriate existing streets. The minimum street width to accommodate angled parking on one side of the street and parallel parking on the other side is 53-feet for 60-degree angled parking, and 50-feet for 45-degree angled parking. These street widths allow for a wider lane adjacent to the angled parking so that vehicles backing out of the parking spaces do not encroach into the opposing travel lane. A minimum curb to curb width of 50-feet is needed for streets to have angled parking. Currently, angled parking exists on Leidesdorff Street, west of Wool Street, and on Wool Street, north of Sutter Street. Streets with sufficient widths to accommodate angled parking should be identified within the District to increase on-street parking supply.

Recommendation #10a: Identify streets within the District with sufficient widths to accommodate angled parking.

In the near-term, additional on-street parking spaces as suggested by the City's *5-Year Parking Management Plan* (January 2008) should be implemented. Additional on-street parking spaces which involve the Trader Lane Lot should be coordinated with the construction of the Trader Lane Lot parking structure.

In the long-term, the City should conduct a detailed study to identify streets within the District where angled parking could be implemented.

11. Establish Pricing Strategies

Currently within the District, parking is provided free of charge. There is minimal parking enforcement and, therefore, no source of revenue for the City. As per the City's *5-Year Parking Management Plan* (January 2008), the installation of parking meters within the District is not recommended, citing the installation and maintenance costs, as well as the potential of diverting funds away from other more beneficial improvements. It is also speculated that the implementation of parking meters could drive customers away to nearby shopping districts without parking fees.

While the perception of deterring patrons away from the District may be true for the near-term, it may play less of a role for future conditions. The District can accommodate future commercial development of approximately 121,850 SF in addition to the already planned/approved projects. The future development of the District is likely to attract more customers, and lack of available on-street parking due to time limit violations, and no parking enforcement would also discourage them from visiting. Parking meters are typically found in most downtowns within California.

In the long-term, the City should install parking meters for on-street parking spaces on streets where the recommended two-hour parking restriction is implemented. As suggested in the City's *5-Year Plan*, the City should continue to explore the feasibility of creating either a full-time parking enforcement position, or using help from volunteer agencies to perform parking enforcement. The revenue generated from the parking meters could be used to fund the parking enforcement officer.

Recommendation #11a: In the long-term, the City should install parking meters for on-street parking on streets where the recommended two-hour parking restriction is implemented.

Recommendation #11b: Create a full-time parking enforcement officer position. Installation of parking meters should be gradual and should start with streets serving retail/restaurant uses which require short-term parking. Also, strict parking enforcement should be performed for effective utilization of on-street parking spaces. As development intensifies within the District, parking meters could be installed on additional streets.

Instead of parking meters, the City should consider installing newer parking machines which can accommodate various payment methods (coins, bills, credit and debit cards, and by cellular telephone or Internet), charge only for time parked, incorporate multiple rates, and have the flexibility to vary rates by time of the day. One parking machine could be installed on each street for all on-street parking spaces on that street. The customer using the on-street parking space on that street buys a parking permit from the machine for the time parked and displays this parking permit on the dashboard of the vehicle for verification by the parking enforcement officer. These newer parking machines also produce receipts and record data for auditing, thus preventing fraud, and also record parking utilization data for planning purposes.

Unbundled Cost of Parking

The cost of parking is typically included in the sales price, or rent of housing. While not a common practice today, the City should provide developers flexibility to separate the cost of parking from the cost or rent of the units, as long as the maximum parking requirements for the development, as a whole, are met. This approach provides a financial incentive for, and attracts, those households with low or zero auto ownership. The developer may be able to separate the cost of parking from all the units, a portion of the units, or offer additional spaces for monthly lease. It would be important that buyers and renters are made aware that they are not paying more for parking, but that the cost of parking is simply being separated out from the other costs of purchasing or renting a unit.

Recommendation #11c: Explore allowing developers to unbundle the cost of parking from dwelling unit sales price or rent. Let developers decide whether there is a market for implementing this innovative parking technique.

12. Establish Parking Demand Reduction Strategies

This strategy is aimed at reducing the parking demand within the District. This approach could be accomplished by encouraging alternate modes of travel (transit, bicycle, and walk), by providing shuttle services which connects remote parking, and by guaranteeing rides home. The City's *5-Year Parking Management Plan* (January 2008) identified a number of parking demand reduction methods that could be accomplished within the District to reduce the dependence on parking. The methods discussed in the *Plan* included:

Transit Incentives: "Encourage use of Light Rail and bus transit by subsidizing transit fares and allowing flexible work schedules."

Remote Parking with Shuttle: "Introducing an off-site location for employee parking and providing a safe and convenient shuttle system can displace long-term parked vehicles out of the District and open up more space for visitors. This can be done on a regular basis or during special events, but may require employee incentives to encourage its use."

Pool Vehicles / Guaranteed Rides Home: "Employers can create incentives by guaranteeing the employee that they will have a ride to their car or home at any time necessary. Some districts will also purchase a small number of fuel efficient, low-cost vehicles that will be available to any employee that needs to use one to run an errand or for overnight use."

Valet/Pedicab Services: “The Chamber of Commerce created valet parking and volunteer pedicab programs last year, which were successful methods of improving the use of less desirable parking spaces”. The City should continue the successful implementation of the Valet/Pedicab program last year and expand if possible.

Improving Walk and Bicycle Access: “A consistent network of safe bicycle and pedestrian trails, coupled with storage and shower facilities can promote non-motorized transportation use, freeing up additional parking for customers”. The Plan identified the current Streetscape effort and bike storage facility in the Rail Block public parking structure as near-term parking strategies.

Recommendation #12: Implement the parking demand reduction strategies suggested by the City’s *5-Year Parking Management Plan* (January 2008).

In the near-term, the City should encourage employers to subsidize transit fares, continue the Valet/Pedicab program, and provide bike storage facilities within the District. In the long-term, the City should identify remote parking areas outside the District and encourage employee parking within these parking areas with convenient shuttle service (financed through a Business Improvement District or service provided by RT).

13. Address LRT Commuter Parking in District

The presence of Light Rail Transit (LRT) introduces a layer of complexity in the evaluation and assessment of parking management strategies in the Historic District. A recent strategy to address the inevitable presence of LRT users within the new Rail Block parking structure was developed in which 100 LRT parking permits would be provided, for a fee, with an established expiration date. Furthermore, District-wide, various time limit parking restrictions have been implemented to further combat the effect of these daily, long-term parking users.

Recommendation #13: It is recommended that the City institute simple, straight forward parking management strategies that are easily understood by all users of the District’s parking supply, including the new Rail Block parking structure. The most effective parking management strategy will simplify enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the Rail Block parking structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

As discussed later in this document, the near-term conditions of the Rail Block parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The City’s contemplated 6-hour maximum time limit within the structure may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

Light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and a floors 3 and 4 with light rail permits and employee permits (also must be enforced).

Also as discussed later in this document, in the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Summary of Recommended Strategies

Near-Term Strategies

The near-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

The long-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.

- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

FUNDING STRATEGIES

This section provides information about the different types of parking costs and different financing options and strategies. The information focuses on structured, free parking, as the City of Folsom plans to construct a new structured parking garage without implementing development funding mechanisms. Based upon the City's stated objectives and findings from other sections of this report, general information that applies to most cities is provided in this report, as well as specific ideas and recommendations for the City of Folsom.

The City of Folsom is not unique in its objectives to provide efficient parking without yet knowing how all of the costs will be paid. And like many cities, parking structures are seen as a catalyst to development and redevelopment activities. Most structured parking facilities are not self-supporting and, even when there are operating revenues, they are often insufficient to cover operating expenses and debt service. Because of this reality, it is often not possible for an owner to obtain 100 percent financing on their parking project without subsidies of some kind. Furthermore, many municipalities are in the process of eliminating parking from their budgets and intend to remain to be involved in managing the parking without being the sole provider of funding and financing for parking.

While there are many cities similar to Folsom that intend to become or remain responsible for the costs of parking, they should be aware that there are a number of strategies that have been successfully used to finance parking facility capital projects. Common financing methods include federal grants, tax-increment financing, taxes from business improvement districts or parking tax districts, and net revenues from other facilities. These and other options are described in this report. To determine the most appropriate means of financing for Folsom, a market and financial analysis study may need to be completed. These financing decisions typically are approved by city councils. Market and financial studies are often completed by an economist with a parking professional providing existing and forecast demand data. When user fees (paid parking revenues) are a part of the financing equation, the projected demand and revenues of a proposed parking facility project are quantified, and so is the extent to which the user fees will cover the operating expenses and debt service. If during the course of such a study it is determined that operating revenues are projected to

adequately cover operating costs and debt service, then there is no need to identify additional funding sources. However, for those projects that do not “pencil out”, a subsidy is required. This subsidy may be defined and quantified through this study process. Since parking is intended to remain free in the Historic District, the City would be seeking subsidy or total financing.

Parking Costs

Parking costs are divided into two categories – capital costs for construction of parking infrastructure, and operations and maintenance costs which are typically combined. Both kinds of cost need to be considered for funding, and each may require separate funding sources because of the timing for when the financing is needed. Capital costs are infrequent, but may be large sums. Operations and maintenance costs are regular (typically budgeted for annually), smaller costs. Capital (or development) costs and operating/maintenance costs vary widely. Land acquisition costs, construction costs, soft costs, and operating expenses are types of costs that should be considered during the planning phase of a parking project.

Estimating the cost of constructing a new parking structure is dependent upon several variables, including the number of spaces needed, the number of parking structure levels, the size/dimensions of the site, the architectural features for the structure, and whether the garage will have ground floor uses. Other variables that affect parking structure costs include the type of flow system (one-way or two-way drive aisles), the number of access points, the amount of underground levels, and the size and shape of the site. Certain site dimensions and topography can make one site more efficient and less costly than other sites. In the event that the City chooses to build parking structures on multiple sites, the cost per space may vary depending on site characteristics and structure sizes. These factors need to be considered in the site selection process.

Land Acquisition Costs

Although not a factor in the District’s proposed use of the Trader Lane site, land costs are often not included during the preparation of a parking project’s economic analysis. In many cases, the institution that is planning a parking facility, an airport, hospital, municipality, university, etc., already owns the land that serves as the site for the proposed parking facility. However, in those cases where land costs do need to be recouped, land acquisition costs become a significant part of the equation. There is no rule of thumb for typical land acquisition costs. These costs vary significantly from one location to another and depend upon a multitude of issues including access, density of development, surrounding land uses, income potential, etc. Land acquisition costs can often add from \$15 to \$100 or more per square foot of land area to the overall project cost.

Construction Costs

The most significant variable impacting construction or “hard” costs is the type of parking improvement. Surface parking lots can be constructed for as little as \$1,000 per space or less for a basic paving and striping project, and as much as \$3,000 or more per space for a grander project featuring an elaborate drainage systems, premium light fixtures, signage and graphics, and landscaping.

Structured parking costs represent comparatively higher costs per space than surface parking, and typically range anywhere from \$8,000 to \$30,000 or more per space, depending on the project particulars. The low end of this range will likely buy a simple concrete parking structure with limited aesthetic appeal. More unique architectural features can drive the cost upward significantly.

Soft Costs

To derive a total project cost, other costs must be added to the construction and land costs. These additional costs are referred to as “soft” costs, and may include items such as a construction contingency, architectural/engineering fees, soils and materials testing, debt service reserve funds, legal fees, and financing costs. Soft costs can vary significantly but typically fall within 15 to 35 percent of construction costs.

Operating Expenses

Operating expenses of parking facilities also vary dramatically. Variations are due to geographical location, size of facility staffing patterns, method of operation, and local legal requirements. These expenses include enforcement, the cost of utilities, supplies, daily maintenance, lighting, cashiering, management and accounting services, on-site security, structural maintenance, landscaping and insurance. Multi-story structures may require additional costs for fire control equipment and elevators, and underground parking may require mechanical ventilation. Public parking facilities typically do not pay taxes.

Annual O&M costs for a parking structure are dependent upon several variables, including whether or not the garage is free or for pay (which would require personnel), whether or not there are restrooms, and how large the structure is or how many levels of parking it provides. Annual costs per space range from about \$200 for basic maintenance, up to \$800 for a facility with attendants.

Types of insurance coverage include comprehensive liability, the garage operator's legal liability, fire and extended coverage, workers' compensation, equipment coverage, money and security coverage (theft occurring on the premises), blanket honest coverage (employee theft), and rent and business interruption coverage, (structural damage resulting from natural phenomena). Annual operating expenses for structured parking facilities typically range from \$200 to more than \$800 per space. These figures exclude parking, property, and sales taxes.

Financing Strategies

The financing mechanisms discussed in this section are typical strategies used by cities similar in size to Folsom. A menu of options is provided for the City to use to finance future parking costs. The decision-making process for the parking facility financing should begin with a general agreement regarding basic principles and end with a more detailed approach for resolving funding, management, and cost allocation issues. Kimley-Horn has identified a number of guiding principles that can guide future actions and decisions regarding the sources and use of funds for parking facilities. A consensus among key stakeholders on general principles will help guide and resolve financing-related issues as they arise throughout the implementation process.

Guiding Principles

The City's financing strategy should be guided by the following principles:

- The improvement program that is ultimately adopted must be financially feasible, i.e., funding sources must be identified, and quantified that match programmed expenditures. In addition, maintenance, operations and depreciation must be considered prior to project development. Given the significant cost associated with construction of parking facilities, it will be important to develop a strategic approach to project financing and prioritization of investments. As a general principle, the investment in new parking facilities should occur only after adequate funding sources have been identified and committed for both one-time and ongoing costs. Consequently, the actual project schedule and phasing will need to be adapted to funding realities. In addition, since the construction of parking facilities generally leads to Operations and Maintenance (O&M) costs, capital investment must be matched with increased operation revenues.
- Innovative ways of covering project costs should be pursued based on a concerted public-private partnership and leveraging the diverse spectrum of potential sources available. The large cost of meeting the parking needs suggests that existing sources and standard techniques will need to be leveraged and expanded in a number of ways. Private funding through fees and assessments will also be required, and the support of local stakeholders and the Folsom community will be critical for success. Under some proposed financing scenarios, voter approved funding mechanisms may be necessary. In addition, funding mechanisms and programs should be established early on so as to build up reserve accounts that grow over time. In general, it is anticipated that the financing program will be based on a concerted public-private partnership.

- The costs associated with parking facilities should be allocated in a proportional and equitable manner and, to the extent possible, across a range of potential beneficiaries and user groups associated with the facilities. No single financing mechanism is expected to cover the full cost of construction and operating a parking structure. Rather, a combination of sources will be required in order to provide adequate funding and allocate costs among different groups. The section below outlines several financing scenarios developed to illustrate the range of financial responsibilities that could be assigned to various entities, and provides further detail on the nature and potential applicability of various funding mechanisms.

Alternative Financing Strategies

The following is an overview of the most commonly used strategies for financing parking facilities, most of which fall short of generating operating revenues that are sufficient to cover operating expenses and debt service:

Federal Grants

At least two potential funding sources are available at the federal level. Location, intended use of the facility, and availability of grant money are the variables that typically govern whether a project receives federal grant money. The U.S. Department of Transportation offers two types of grants that may be applicable to a parking project: Federal Transit Capital Investment Grants and Federal Transit Formula Grants. The capital grant can be applied to virtually any infrastructure improvement pertaining to the establishment or improvement of mass transit systems. Qualified applicants include: public agencies, states, municipalities, public corporations, boards and commissions, and private agencies through contractual agreements with a public agency grantee. Qualifying parties must submit an application with detailed requirements and approval of the project by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

Tax Increment Financing

Implementation of a tax increment finance (“TIF”) district is a common financing mechanism employed by municipalities. Tax increment financing is a way to use tax revenue growth produced by an increase in the tax base of a specified area to fund improvements. A TIF is an increasingly viable solution to funding the development of needed infrastructure, including structured parking. Projects are taxed through an anticipated increase in the area’s property tax revenues. TIF districts do not generate tax revenues by increasing tax rates. Rather, the TIF district generates revenues by permitting the municipality to temporarily capture the tax revenues generated by the enhanced valuation of properties resulting from various redevelopment projects.

Parking Tax Districts

A parking tax district typically addresses a narrow selection of issues directly related to parking. In cases where the municipality is the sole provider of parking, the collection of parking taxes tends to be applied in a uniform manner on an assessed value basis or as a fee per space based on zoning parking standards or requirements, and typically with a partial exemption for parking spaces provided above a threshold percentage. Typically, no commercial property is 100 percent exempt unless its owner provides 100 percent of the parking requirements mandated through the zoning ordinance within the district. Single-family residential property is usually exempt, but multi-family apartments usually are not exempt. Examples of some California cities with this strategy are provide below.

Covina, California has a vehicle Parking District Tax. This tax is assessed only on the difference between the number of spaces provided and the number required by the zoning ordinance. There are no exceptions to this tax for owners who provide parking.

Alhambra, California includes parking within a Business Assessment District Tax. This tax is assessed uniformly on all commercial property based on the gross receipts of the business. Because this tax supports functions other than parking, such as beautification, cleaning signage, etc., there are no exceptions for parking provided.

Fullerton, California owns almost all of the off-street parking within the city, and all businesses within the parking district were assessed a parking district tax to retire bonds for the construction of parking. No exemptions were offered as almost no properties supplied their own parking needs. Because the bond debt was retired several years ago, the parking tax district was also retired.

General Obligation Bonds

General obligation bonds obtain the lowest possible interest rate or cost of borrowing for any given municipality. Because the full faith and credit of the municipality is pledged to such bonds, the rate of interest will reflect the best that the community has to offer. The primary way for a municipality to improve on its own full faith and credit pledge to a bond issue is to purchase municipal bond insurance.

The general obligation bonds of local governments are most commonly paid from ad valorem property taxes and other general revenues. These bonds are considered the most secure of all municipal debt and are limited in California by Proposition 13 to debt authorized by a vote of two thirds of voters in the case of local governments.

Revenue Bonds

When revenue bonds are issued to finance a parking project, the bond issuer pledges to the bond holders the revenue generated by the parking project. Revenue bonds are payable only from specifically identified sources of revenue, including pledged revenues derived from the operation of the financed parking facility, grants, and excise or other taxes. Parking revenue bonds secured solely by the revenues from a single, stand-alone, municipality-owned parking facility are acceptable at a reasonable tax-exempt rate only when irrefutable evidence is presented.

In-Lieu Fees

In-lieu fees are charged to development "in-lieu" of parking that developers would otherwise be required to construct on site. Such fees are generally optional, apply only to new development, and are typically collected when building permits are issued. Because different land uses generate different levels of parking demand, cities typically establish a schedule of specific in-lieu fees for retail, office/light industrial, and lodging uses that reflect variations in demand. This approach assumes that residential development typically constructs its own on-site parking.

Parking District / Special Assessments

Special assessments are charges to real property based upon a benefit conferred by a public improvement, in this instance, parking. In order to collect special assessments from Historic District property owners, the City would need to establish a Parking District. A special assessment would require the support of the owners of a majority of the proposed district. Alternatively, the City could generate similar revenues through an increase in the business license tax without voter approval. It is assumed that in either case residential development would be excluded from this fee.

Business license taxes can be assessed based on the land use of the business. For example, an annual assessment of \$0.62 per square foot of retail restaurants, \$0.42 per square foot of office/light industrial, and \$0.31 per square foot of lodging could be charged to the businesses. These fees would be based on future land use projections and would be charged as the land develops. If parking facilities are built before all projected development occurs, the City may experience a funding gap period during which General Fund loans or alternative short-term funding mechanisms would be required to pay for capital costs and operations.

Certificates of Participation

A Certificate of Participation (COP) allows the public to purchase a share of the lease revenues paid by a municipal entity for the acquisition or construction of specific equipment, land, or facilities. COP proceeds are then used to fund the project or acquisition. The technique provides long-term financing that does not constitute indebtedness under the state constitutional debt limit and does not require voter approval.

Repayment of COPs can come from a variety of sources, including general fund revenues or earmarked funds in the general fund such as special tax proceeds or fees. Potential revenues from tax increases and parking meter fees are discussed below. These sources could also be used to cover operations and maintenance costs.

Conventional Debt Financing

Conventional loans are loans that are not insured or guaranteed by a government agency. This method of obtaining funds for a capital improvement project involves a lending process that is often rigorous, and may result in higher financing costs incurred by the borrower. Banks want to lend to parties that have a clear record of profitable operations, that generate a cash flow sufficient to repay the load, and that have enough collateral or assets to secure the load. Conventional financing requirements include a clean credit record and no bankruptcies or foreclosures.

Sales Tax Increase

A voter-approved, City-wide sales tax increase could provide a revenue stream to make lease payments on parking structure capital construction. If intended to provide dedicated funding for parking-related projects, this type of sales tax measure would require a two-thirds majority vote of residents and would depend on significant public support. A general tax increase, in contrast, would require only a simple majority but would not be earmarked specifically for parking-related projects and might be subject to changing budget priorities.

Transient Occupancy Tax Increase

A transient occupancy tax (TOT) is similar to a sales tax increase as it requires two-thirds voter approval if it is to be dedicated to a specific purpose, or simple majority approval if it is to be a general tax. A TOT increase could provide a revenue stream to secure COP financing or other form of debt financing.

Meters, Fees, and Enforcement Fines

Many jurisdictions have been able to partially finance construction of parking structures using bonds funded through parking meter revenues and fines. And some jurisdictions utilize meters as a parking management tool to encourage turnover and control employee parking. Ultimately, the ability to generate net revenues from meters (after accounting for enforcement and capital costs) depends upon local parking demand and supply dynamics as well as public policy objectives. For example, larger cities with high parking demand are generally capable of charging higher meter rates and spreading enforcement cost over a larger area. Meter revenues could also provide funding for a portion of ongoing O&M costs.

Redevelopment Agency

The Historic District falls within the City's redevelopment area. As new redevelopment occurs in the District, tax increments will accrue to the Redevelopment Agency. While a substantial portion of Redevelopment funds are already committed to existing projects, some share of tax increment funding may be available for parking structure financing. In addition, RDA-owned land could be sold to generate revenues for parking structure construction and operations.

Private Funding

In rare cases, private developers may build parking facilities. This generally occurs in dense urban areas, where parking is at a premium and operators are able to charge extremely high parking fees. Given Folsom's size and relative low level of parking demand, it is unlikely that private developers would pursue construction of a parking structure in the City entirely on their own.

Potentially, City-owned land could be provided to a developer with the requirement that development of the property include a parking facility. However, this option could limit the City's control and flexibility. Selling City-owned land and using the revenues to cover a portion of parking structure costs would produce similar results while allowing the City greater involvement in project implementation.

Conclusions

There is no such thing as “free parking.” Even if parking is provided free of charge to users, someone pays for the land, construction, and maintenance of parking facilities and spaces. Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City’s needs. Based on our discussions with the City, we understand that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the City garage, perhaps on “Thursday Night Market” nights, as a way to raise additional funds during peak periods.

OTHER CONSIDERATIONS

Special Events Assessment

The Historic District of the City of Folsom has several routine “special” events which result in parking and circulation restrictions different from normal conditions. These “special events” all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Existing Conditions

The Thursday Night Market is a special event that takes place every Thursday night from early June through late August. These approximately 12 weekly events require routine parking and access restrictions, as well as deviations from normal traffic patterns. To obtain firsthand knowledge of the current “special event” parking and traffic management strategies, Kimley-Horn visited the August 7, 2008, Folsom Historic District’s Thursday Night Market. At this event, representatives from the Folsom Merchant’s Association were consulted to further complete the assessment of existing conditions.

Based on our site visit and discussions with the Merchant’s Association representatives, the conditions resulting from the Thursday Night Market include the following, and are generally depicted in Figure 15:

- Restriction of all vehicular access to Sutter Street from Reading Street to Scott Street. To accomplish this level of access control, barricades are utilized along the Decatur Street, Wool Street (both north and south of Sutter Street), and Scott Street approaches. Sutter Street cross traffic is further restricted at Riley Street.
- Three of the seven barricaded street closures are staffed during the entire duration of each event. These staff members were observed to provide direction to patrons, allow vehicle admittance for vendors and residence, and to provide general guidance at these three key locations.
- Pedestrian access is retained and permitted throughout the District.
- Patrons were observed to utilize adjacent residential streets for parking to access the event. Two general areas were observed to receive a majority of this “overflow” parking: Figueroa Street in the vicinity of Wool Street, and Sutter Street between Scott Street and Coloma Street.

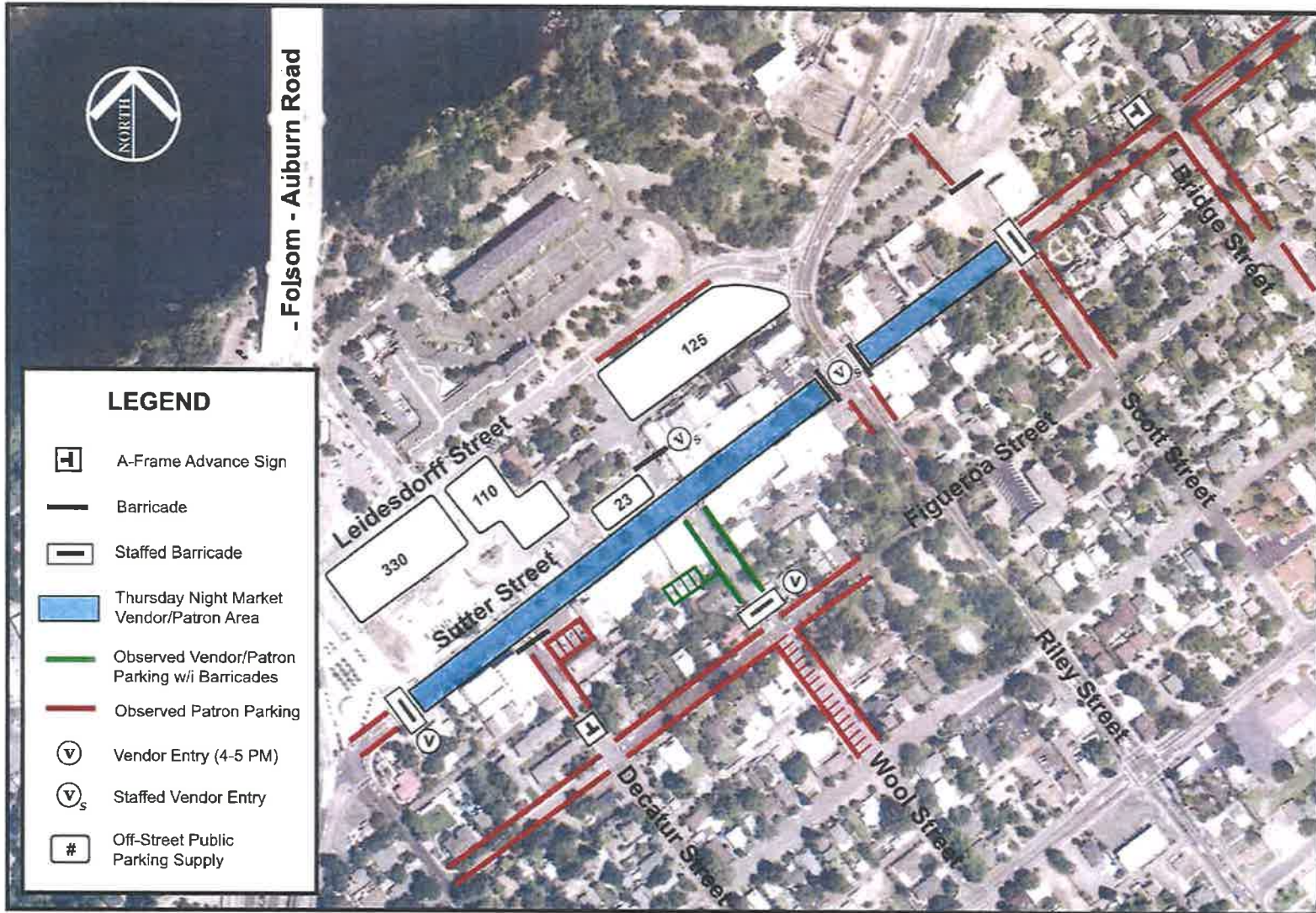


Figure 15
Folsom Historic District Parking
Existing Thursday Night Market Traffic & Circulation Restrictions

- The recently completed parking structure was observed to be underutilized with ample parking available.
- The majority of the vendor booths, patrons, and activity were observed to be located in the 700 block of Sutter Street, between Wool Street and Riley Street.
- The starting time of the event (approximately 6:00 p.m.) coincides with the typical commute peak period experienced along Riley Street and Folsom Boulevard. Vendors arrive between 4:00 and 5:00 p.m. which further contributes to congested peak-hour traffic conditions.

Furthermore, the following issues were identified by the Merchant's Association representatives as being critical to the consideration of revised management strategies:

- *Parking Structure Management*
Because entering vehicles receive no indication of the structure's occupancy status, during peak conditions, vehicles entering are required to circulate to the roof to make the reverse trip back down to exit. The representatives suggested that the addition of electronic technology or other means by which to convey occupancy conditions would improve this condition.
- *Improved Supply and Demand Management*
Because there is limited parking supply within the District, special events routinely result in overflow patron parking into the adjacent residential neighborhoods, as well as the Lake Natoma Inn. The representatives suggested that improved public information directing patrons to the new parking structure, as well as other supply maximizing techniques could minimize the special event effect on adjacent areas.
- *Vendor Access and Parking*
Market vendors currently arrive between 4:00 and 5:00 p.m. to unload at their respective booths in order to be in position for the opening of the event around 6:00 p.m. Due to the advance notification and enforcement of on-street parking restrictions associated with the event, vendors are typically required to enter the restricted area to unload and then must leave to find convenient, available adjacent parking. The process is reversed at the conclusion of the event when similar convenience is preferred during the loading process. The representatives suggested that designated vendor parking could improve the attractiveness of the event. Furthermore, they indicated that improved access for loading/un-loading could also contribute to a better event.
- *Streetscape Project and Short-Term On-Street Parking*
The representatives indicated that, as part of the on-going Historic District Streetscape Project, consideration should be given to providing short term (10-15 minute) parking to promote patronage of the numerous District businesses.

Recommended Management Strategies

Based on our assessment of existing conditions (Figure 15) and consultation with the Merchant's Association representatives, the following special event management strategies are recommended:

Improved District Parking Utilization and Minimized Overflow

Overall improved utilization of Historic District parking facilities will contribute significantly toward minimizing the effect of District special events on the adjacent residential areas, as well as the Lake Natoma Inn.

Because special event conditions confirmed the general existing parking trends of underutilization of existing supply in the western portions of the District, this management strategy is aimed at improving the occupancy and utilization of the new parking structure and other available off-street public parking in this area. As such, the following specific strategy components are recommended:

- Improved Advertisement and Communication of Existing Parking Structure
 - Flyers could be distributed at the beginning of the year by placing on patron vehicles, handing to patrons, and through the media. The flyers would provide a simple District map with clear indication of the magnitude of the supply in the parking structure and the close proximity to Sutter Street.
 - Incentives (coupons) could be provided from Market vendors to encourage patrons to park in the structure.
 - Additional vendors could be aligned to provide a cohesive connection to the structure from the other Sutter Street vendors.
 - The use of Market staff to control/monitor the structure occupancy and maximize operations could further improve the utilization of the structure. An additional consideration is to modify structure access to entrance only from Reading Street and exit only to Leidesdorff Street.
- Improved Way-Finding to New Parking Structure
 - Way-finding signage could be added to Riley Street and Natoma Street to direct Historic District traffic west toward the new parking structure. This strategy would apply to both northbound and southbound approaching traffic.
 - In particular, enhanced signage could be provided to traffic entering the District from Folsom Boulevard due to their close proximity to the parking structure.
- Standardized Appearance and Application of Devices
 - A more consistent application of uniform restriction barriers could assist in better defining the District and restricted areas. The uniformity and consistency with other District signing could further enhance the overall District way-finding effectiveness.
- Residential Parking Permits
 - The development of Parking Districts would allow for the application of residential parking permits. Residential parking permits would likely be the most effective means by which to eliminate the District's overflow parking and dramatically improve the utilization of currently underutilized supply.
- Remote Parking
 - Promotion of off-site, remote parking could contribute to minimizing the District's overflow parking into adjacent residential areas. Effective remote parking should include ample public communication and frequent, reliable transportation between locations.

Vendor Access and Circulation

Because Thursday Night Market vendors arrive early, it is presumed that they, in-turn occupy the most convenient parking supply. This strategy includes concentrating vendor access, parking, and circulation in an effort to preserve the prime parking supply for Market patrons and create a predictable, uniform management environment.

- Weekly Vendor Passes/Display Cards
 - Considering that vendors are required to reserve their Market booth on a weekly basis, the opportunity exists to provide a vendor "pass" at that time to denote each week's participants. Once the vendors are identified, numerous additional strategies become available including the use of dedicated parking areas, exclusion from parking restrictions, etc.
- Dedicated Parking Designation
 - Vendor parking could be designated in a portion of the parking structure, the Baker lot, a portion of the Trader Lane lot, or within the public lot in the corner of Riley Street/Scott Street. Designation of these areas should not conflict with existing time of day restrictions. This strategy would provide predictable, appropriate parking supply for the vendors.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The primary objectives of the *Plan* are to:

- Determine existing parking supply and utilization in the commercial portion of the Historic District under normal conditions
- Recommend strategies to maximize use of existing and planned parking while minimizing impacts to the surrounding residential areas, until such time as additional parking facilities can be constructed
- Identify opportunities for providing additional, cost-effective parking

The *Plan* concludes with seven recommendations for addressing the established objects. The following is a discussion and evaluation of the *Plan's* conclusions.

Rail Block Parking Structure

This recommendation proposes to post the bottom three levels with 2-hour time limit parking, retaining the roof level as untimed parking. It was indicated that if excessive light rail parking use develops, the roof could be posted for no parking between midnight and 7:00 a.m.

It should be noted that the current management of the parking structure deviated slightly from the original recommendation above. At the time of this study, floors 1 through 3 were signed for 3-hour time limit parking, Monday through Friday from 5:00 a.m. to 5:00 p.m. The roof level was untimed Monday through Friday from 7:00 a.m. to 3:00 a.m., with no parking from 3:00 a.m. to 7:00 a.m.

Assessment

Subsequent to the release of the *Plan*, a revised parking management strategy was proposed by the Historic District Merchant's for consideration by the City. The revised strategy consisted of the following components:

- a. All Floors = 6-hour time limit (visitors/customers allowed on all 4 floors)
- b. Floors 2, 3, and 4 = light rail and employee permits permitted
- c. Provide up to 100 light rail permits for a fee with an established expiration date
- d. Provide an unspecified number of employee permits without a fee

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

The addition of permit parking, almost regardless of its complexity, will require City staff effort to develop, advertise, implement, and maintain the program. Such costs should be considered when evaluating the effectiveness of a new parking management strategy.

The near-term conditions of the new parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The proposed 6-hour maximum time limit may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

The proposed light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and floors 3 and 4 with light rail permits and employee permits (also must be enforced).

In the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Rail Block Surface Parking

This recommendation proposes to maintain the existing time-limited surface parking while fencing off the current construction staging area. It is also proposed to open the staging area parking only for special events only until construction of the Rail Block development begins.

Assessment

It is recommended that all viable surface parking be made available until a time at which Rail Block development construction necessitates the closure of these areas. Considering the current overflow parking into adjacent residential areas, as well as the Lake Natoma Inn site, the near term benefit of additional off-street public parking will likely be significant. Applicable time-limits should be uniformly applied to these spaces as well.

Time Limit Parking

This recommendation proposes to convert additional Trader Lane lot parking to time-limit with subsequent turnover studies to evaluate the time-limit durations. A residential permit program is also considered as part of the strategy.

Assessment

Previously documented parking occupancy and turn-over studies confirmed the desirable nature of the Trader Lane parking lot. This lot is located within the previously defined Zone II of the District which is documented to currently, and in the future, experience the greatest parking deficit in the District. The application of additional time-limit restrictions to preserve this premium parking supply is strongly supported.

Additional On-Street Parking

This recommendation proposes to maximize the efficiency of existing on-street pavement to provide additional on-street parking supply.

Assessment

A more efficient use of existing on-street pavement is supported as a means by which to increase the parking supply within the District.

Alternative Modes

This recommendation proposes to continue the use of valet and pedicab services, as well as establishing consistent shuttle bus services for all special events to and from the adjacent Glenn Light Rail Transit station. The feasibility of extending light rail transit hours to encourage employees to utilize light rail parking lots as remote evening/special event parking is also recommended.

Assessment

The use of remote parking lots with viable, predictable shuttle/transportation services is an effective approach to preserving the limited Historic District public parking supply for patrons and special event attendees. Considering the close proximity of light rail and the adjacent Glenn station, use of this connection to the District should be considered as a primary strategy in remote parking management.

Parking Enforcement

This recommendation proposes to create a parking enforcement officer position and conduct consistent, regular parking enforcement City-wide.

Assessment

The effectiveness of timed parking restrictions is most significantly influenced by the public's perception of the enforcement of said restrictions. It is anticipated that the intended turnover of the various parking supply can be achieved by consistent, regular parking enforcement.

Parking Management/Outreach

This recommendation proposes to form an ad-hoc Parking Advisory Committee to meet quarterly to review parking issues and consider other strategies. In addition, a parking website and printable parking maps for new visitors is recommended. Furthermore, way finding signs at major public parking lots, consistent with guide sign design standards, and noting the associated time limits is also recommended.

Assessment

The formation of a committee and improved public outreach are considered to be two highly effective means by which to maximize the operation of the District's limited parking supply. Additional consideration should be given to extending the signing concept to special events to further emphasize the uniformity of the District.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. According to material presented at a May 1, 2008, Streetscape Design Committee Meeting, the conceptual improvements to Sutter Street also include the addition of on-street parking along Sutter Street, between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking.

As previously documented, this block of Sutter Street between Riley Street and Wool Street, experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, the block serves as the core, attracting dense development and the associated vehicle and pedestrian activity.

The additional parking supply is proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment. Considering the location and limited new supply of these spaces, the streetscape plan should, at a minimum, incorporate the following strategies:

- Diagonal on-street parking is preferred due to the relative ease of use when compared to the parallel parking currently proposed. Nonetheless, parallel parking stalls should be designed appropriately to promote high-turnover, ease of access and departure.
- A short-term time-restriction (10-20 minutes) for the proposed Sutter Street on-street parking spaces is recommended to encourage high turnover of this premium parking supply.
- Strict enforcement of on-street time restrictions.
- On-going promotion (e.g. way finding and advertisement) of the District-wide parking supply to further maximize utilization of documented parking surplus elsewhere in the District.

Attachment 9

**Remy-Moose-Manley CEQA Response Letter
Dated December 23, 2021**



REMY | MOOSE | MANLEY

LLP

Sabrina V. Teller
steller@rmmenvirolaw.com

December 23, 2021

Honorable Mayor Kerri Howell
and Councilmembers
City of Folsom
50 Natoma Street
Folsom, CA 95630
Via email to: CityClerkDept@folsom.ca.us

Re: Applicant's Response to CEQA Issues Raised in Appeals for Barley Barn Tap House (PN 19-174)

Dear Mayor Howell and Councilmembers:

On behalf of the Property Owner and Applicant for the Barley Barn Tap House Conditional Use Permit and Design Review, we provide the following responses to the points raised regarding the City's compliance with the California Environmental Quality Act (CEQA) in the appeal filed by Mr. Delp challenging the Historic District Commission's approval of the proposed project. Robert Holderness is responding separately on behalf of the Applicant to the appeal claims regarding the adequacy of parking and other issues of compliance with City regulations and standards.

CEQA Compliance

Mr. Delp asserts that the proposed project does not qualify for the Class 3 categorical exemption (CEQA Guidelines, § 15303) from CEQA and that certain potential exceptions to the use of categorical exemptions (CEQA Guidelines, § 15300.2) are triggered here. He is incorrect on all of these points. The project qualifies for multiple categorical exemptions—the Class 1 exemption for existing facilities, the Class 3 exemption for new construction or conversion of small structures, and the Class 32 exemption for infill development projects. Furthermore, none of the potential exceptions to the use of categorical exemptions are triggered here.

Substantial evidence supports a determination that the project qualifies for multiple exemptions from CEQA.

First, it is important to note that the administrative record for this project contains

December 23, 2021

Applicant's Response re: CEQA Appeal for Barley Barn Tap House (PN 19-174)

substantial evidence¹ supporting City staff's determinations that the Class 3 exemption applies to the proposed project and that the potential exceptions to the use of exemptions are not met. The HDC Staff Report explained at length the reasons that staff made these determinations and the Applicant concurs with staff's reasoning and evidence. If the Council denies the appeals and there is a legal challenge, a reviewing court affords substantial deference to the City's determinations where those are supported by substantial evidence.² The burden is on the project challenger to show that the determination is not supported by any substantial evidence in the record.³ That the challenger merely disagrees or would interpret the exemption differently if he were on the Council is not sufficient to overturn the City's determinations.

When an agency concludes that a project fits within one or more categorical exemptions, the agency must also consider whether the project is subject to one of the enumerated exceptions to the exemptions, also set forth in the CEQA Guidelines.⁴ If a project fits within a categorical exemption and is not subject to an enumerated exception, the agency's inquiry under CEQA ends; the project is exempt and no further review is required.⁵

As explained further below, the record for this project demonstrates that it meets the

¹ Substantial evidence is "enough relevant information and reasonable inferences from [that] information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." Conversely, substantial evidence "is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." (CEQA Guidelines, § 15384, subd. (a).)

² *Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 817 (an agency's determination that a project qualifies for a categorical exemption must be supported by substantial evidence); see also *San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1386–1387; *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1097.

³ *Protect Telegraph Hill v. City and County of San Francisco* (2017) 16 Cal.App.5th 261, 266, 270.

⁴ CEQA Guidelines, § 15300.2.

⁵ CEQA Guidelines, §§ 15300, 15300.2, 15061, subd. (b)(2) (CEQA does not apply where a categorical exemption applies and "the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2"); *San Lorenzo, supra*, 139 Cal.App.4th at pp. 1373, 1380–1381, 1386 (it is a "fundamental concept" that "CEQA does not apply to exemption decisions").

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criteria for more than one categorical exemption from CEQA. The City Council may also exercise its discretion to determine that various components of the proposed project qualify for different exemptions.⁶

The project qualifies for the Class 1 categorical exemption from CEQA.

CEQA Guidelines section 15301 exempts the "operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." It goes on to list non-exclusive examples of such projects, emphasizing that the "key consideration is whether the project involves negligible or no expansion of use." Relevant to this project, these examples include:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
...
- (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, . . . ;
- (e) Additions to existing structures provided that the addition will not result in an increase of more than: (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or (2) 10,000 square feet if (A) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and (B) the area in which the project is located is not environmentally sensitive.
- (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.

The modifications to the existing structure on the proposed project site meet several of these examples. The Applicant plans to reduce the second-story floor area by 578 square feet to use it as storage. A former loading dock area of about 480 square feet located on the west side of the barn will be fenced in to make a patio. The footprint of the existing structure will not change. The entry doors will be modified to mimic those common to

⁶ *Surfrider Foundation v. California Coastal Commission* (1994) 26 Cal.App.4th 151, 155–156 (an agency may rely on more than one categorical exemption to exempt an entire project from CEQA).

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barn construction to accommodate wagons and livestock. Windows similar to those constructed for packing sheds will be included to provide natural light, and reclaimed barnwood will be added to create the appearance of an iconic old western type barn. Other minor modifications include the addition of architecturally appropriate exterior lighting and signage that will comply with the Historic District Design and Development Guidelines. The project also includes an ADA-compliant lift to assist patrons in accessing the tap house patio and sidewalk from the adjacent lower-level parking lot. Minor utility repairs and upgrades are necessary to meet current code standards but the project site has existing water, sewer and electrical connections.

The structure has had a variety of uses over its approximately 60-year-existence, including manufacturing, storage for commercial businesses, retail, and entertainment. The currently proposed use as a beverage-serving, subdued-entertainment venue is consistent with those previous commercial uses and surrounding businesses, and is allowed under the current zoning with the issuance of a CUP.

The proposed project and its minor modifications to the existing structure are consistent with the examples and overall purpose stated in the Class 1 exemption. Therefore, the City Council may properly exercise its discretion to determine that the project qualifies for the exemption.

The project qualifies for the Class 3 categorical exemption from CEQA.

Guidelines section 15303 describes the Class 3 exemption for new construction or conversion of small structures, as follows:

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

...

- (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding

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2500 square feet in floor area. In urbanized areas,⁷ the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

- (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

City staff reasonably concluded, based on substantial evidence set forth in the HDC Staff Report and elsewhere in the City's record, that the proposed project and minor modifications in the existing structure meet the criteria of the Class 3 exemption. Mr. Delp asserts in his appeal that the existing 4,377-square-foot building does not qualify as a "small structure" under this criteria, arguing that the alternate 10,000-square-foot criterion for urbanized areas only applies where there are multiple buildings. Mr. Delp's interpretation is not consistent with the plain language of the example given in the exemption, which states it can apply "up to four such commercial buildings." The term "up to" obviously encompasses a potential range, from one to four.

Mr. Delp further claims that the modifications proposed for the structure are not "minor," yet he cites no authority for his interpretation that the proposed modifications do not meet this criterion, only his own opinion that the modifications are "substantial." Because the footprint of the building will not change and the modifications are typical of those made to modernize an existing building to bring it up to current standards and to suit a legal use for which it is zoned, the City may reasonably determine that these modifications are "minor." Indeed, some of the proposed modifications that Mr. Delp complains of are exactly the types of changes provided in the non-exclusive examples listed in the exemption (e.g., utility extensions, patios, fences). Moreover, since the stated scope of the exemption also includes the *entire construction of a new structure*, Mr.

⁷ The CEQA Guidelines define "urbanized area" as "a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile." Folsom qualifies as an "urbanized area" according to the current U.S. Bureau of Census data, with a population of 81,238 people.

<https://www.census.gov/quickfacts/folsomcitycalifornia>

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Delp's argument that it excludes the kinds of modifications proposed here to an existing structure is at odds with the plain language of the exemption. The Council should affirm staff's and the HDC's determinations that the Class 3 exemption applies to the project.

The project qualifies for the Class 32 categorical exemption from CEQA.

The Class 32 exemption applies to "in-fill developments" that: (a) are consistent with applicable general plan and zoning designations and policies; (b) are within city limits on a site of no more than five acres substantially surrounded by urban uses; (c) are located on a site that is not valuable habitat for special status species; (d) do not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) can be adequately served by all requisite utilities and public services.⁸ The Barley Barn Tap House project meets all of the criteria for the infill exemption.

As stated in the HDC Staff Report, the proposed project is consistent with the applicable General Plan and zoning designation with approval of a Conditional Use Permit. The staff further determined that the proposed project, which does not alter the building footprint or location of the existing structure, meets all applicable development standards (building height, setbacks, etc.) established for the Sutter Street Subarea of the Historic District. The project site is located within City limits on a 0.12-acre parcel, bounded by commercial development on three sides and a parking lot. It sits in a highly urbanized environment and the Applicant does not propose to remove the minimal existing landscaping on the site. Thus the project will not take away any valuable habitat for any special status species. As further documented in the HDC Staff Report and elsewhere in the record, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. It will comply with all standard conditions required by the City of similar businesses in the area. And it can be adequately served by all requisite utilities and public services.

The proposed project will not result in any significant traffic, noise, air or water quality impacts. Firstly, there is no grading or other earth-moving equipment needed for the modifications to the existing barn site, which is typically the largest source of air pollutant emissions for new construction. The equipment that will be used in the proposed modifications is of the type commonly used for home renovations and other small projects. Mr. Delp asserts that the use of the off-site parking lot at the Eagle Lodge will cause air quality impacts due to increased dust, but he provides no evidence to support

⁸ CEQA Guidelines, § 15332.

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this claim, only opinion. The HDC conditioned the project approval to require the Applicant to pave the Eagle Lodge lot, thereby avoiding new dust generation that Mr. Delp is concerned about.

The barn site is already paved and no new impervious cover will be added, so there will be no increase in stormwater runoff to adversely affect water quality. When the Eagle Lodge parking lot is paved all required, standard erosion control and water quality best management practices will be followed.

The HDC staff report thoroughly discusses City staff's assessment of the proposed project's potential for noise impacts and how the conditions adopted by the HDC in approving the project will prevent any significant noise impacts from occurring. These conditions are common to the other similar hospitality and entertainment businesses in the area and there are no unique features of the proposed project or operations that would warrant a different assessment or conclusion. The subdued live entertainment (solo, duet, or trio-type performers) planned for the venue will occur inside the building only. Mr. Delp offers no evidence that the noise levels resulting from the operation of a largely-indoor bar with a few outdoor tables and indoor-only music will exceed any significance thresholds or result in greater or dissimilar noise than the other entertainment and hospitality businesses in the immediate area.

Mr. Delp asserts at various places in his appeal that the project will cause traffic impacts, primarily founded on his belief that parking is inadequate for the project and that the project will cause pedestrian safety impacts. The traffic metric currently allowed under CEQA is the amount of vehicle miles that a project will generate, not levels of service (congestion). An infill project of this small size is generally assumed not to result in a significant traffic impact. The Governor's Office of Planning and Research's Technical Advisory for the implementation of SB 743 (the bill that eliminated LOS as a traffic metric) recommends that lead agencies find projects that generate 110 trips or fewer per day or that are consistent with the local Sustainable Communities Strategy to have a less than significant impact. The capacity of the proposed project is approximately 160 people. Even conservatively assuming the tap house would be completely full every day, it is reasonable to also assume that a substantial percentage of the patrons will share rides to their destination or will visit the project as part of a trip to other businesses in the Historic District. Thus, the project is not likely to result in a significant traffic impact under CEQA.

To the extent that Mr. Delp (and the other appellants) are arguing that the project's alleged parking deficiencies result in an unstudied environmental impact under CEQA in

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their pages and pages of complaints about parking availability for the project, they are wrong. The courts have repeatedly held that having to hunt for a parking space is not an impact under CEQA.⁹ Moreover, in 2009, the California Natural Resources Agency deleted "parking availability" from the CEQA Guidelines Appendix G checklist, and it has been absent from the list ever since. The Agency's rationale was that it agreed with the court's decision in the *San Franciscans Upholding the Downtown Plan* case and knew of "no authority requiring an analysis of parking adequacy as part of a project's environmental review." Moreover, Mr. Delp provides no substantial evidence that the number of people who could hunt for a parking spot to patronize the proposed project would be so great as to result in any measurably significant secondary impact on air quality or other resources. He offers only his own opinion and speculation, which is not substantial evidence.

Lastly, Mr. Delp also asserts, in the context of his claims regarding potential traffic impacts, that the project will increase risks to pedestrians and bicyclists. Again, he offers no evidence that such a modest-sized project will cause so much traffic that it would result in a significant pedestrian or bicyclist safety impact. The project site is already served by a combination of public sidewalks and private pathways, one of which leads to the adjacent public parking lot. Public access will continue to be allowed on this pathway. The Historic District has numerous sidewalks serving the existing local businesses and public parking areas, which regular patrons of the existing nearby businesses are accustomed to using. Mr. Delp points to no unique features of the project design or location or operation that could result in any substantially increased risk to pedestrian and bicycle safety.

The proposed project meets all of the criteria of the Class 32 exemption for infill projects, and the Council should exercise its discretion to determine that this exemption applies in addition to the Class 1 and Class 3 exemptions.

None of the potential exceptions to categorical exemptions apply here.

Once an agency determines that a project fits within one or more categorical exemptions, the agency must consider whether any of the exceptions to the exemption, described in

⁹ *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656, 697 (the "social inconvenience of having to hunt for scarce parking spaces is not an environmental impact"); *Save Our Access-San Gabriel Mountains v. Watershed Conservation Authority* (2021) 68 Cal.App.5th 8, 25 ("Parking deficits are always inconvenient for drivers, but they do not always cause a significant adverse physical impact on the environment.")

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Guidelines section 15300.2 applies to the project. Here, the staff and the HDC found that the potential exceptions to the exemptions do not apply. That determination is supported by substantial evidence in the record.

Mr. Delp disputes the conclusion that the exceptions to the exemptions do not apply, claiming the cumulative impact, "unusual circumstances," and historical resources exceptions disqualify the use of the Class 3 exemption for the project.

Regarding cumulative impacts, Mr. Delp focuses mainly on his claim that this project will exacerbate alleged parking shortages in the Historic District and somehow lead to a cascade of environmental catastrophes in the area. But again, even if the project were to generate substantial amounts of traffic (which it will not), congestion is no longer a cognizable CEQA impact, and neither is the hunt for a parking space. Mr. Delp offers no substantial evidence showing that the project will result in significant environmental impacts, only speculation and exaggerated opinion. The HDC Staff Report adequately explains the reasons and evidence supporting staff's conclusion that the project will not make a substantial contribution to any significant cumulative impacts.

The unusual circumstances exception, contained in Guidelines section 15300.2, subdivision (c), provides that "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." The California Supreme Court addressed the "unusual circumstances" exception in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1097. There, the court explained that merely questioning the agency's conclusions of significance was not enough to disqualify a project from using a categorical exemption. Instead, the court provided two alternative options for proving the exception applies. Mr. Delp fails to meet his burden under either of them.

In the first alternative, a challenger must prove both unusual circumstances exist and a significant effect on the environment due to those circumstances.¹⁰ The first prong, whether there are any "unusual circumstances," is a factual question for the agency, to which a reviewing court is deferential to the agency's conclusion.¹¹ Where there are no

¹⁰ *Id.* at p. 1105.

¹¹ *Id.* at p. 1114; *Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Ag. Association* (2015) 242 Cal.App.4th 555, 574 (*Citizens*). "[R]eviewing courts, after resolving all evidentiary conflicts in the agency's favor and indulging in all legitimate and reasonable inferences to uphold the agency's finding, must affirm that finding if there is *any substantial evidence, contradicted or uncontradicted*, to support it." (*Berkeley*

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unusual circumstances, the inquiry ends and the exception does not apply.¹²

Here, the City explicitly determined that “no unusual circumstances exist to distinguish this project from others in the exempt class.”¹³ The City supported that determination with substantial evidence in the record, explaining why the project's setting, size, proposed use and other factors are not “unusual.”

In the second approach articulated by the Court in *Berkeley Hillside*, “a party may establish an unusual circumstance with evidence that the project *will* have a significant environmental effect.”¹⁴ Under this test, great deference is given to the public agency; a challenger must establish more than merely substantial evidence of a fair argument that the project will have a significant environmental effect.¹⁵ The burden rests on the challenging party to produce evidence showing that the project *will* have a significant effect.¹⁶

A project opponent may try to establish that the Project will have a significant environmental effect due to an unusual circumstance by showing it has some feature distinguishing it from others in the exempt class, such as the Project's size, scope, location, or inconsistency with surrounding zoning and land uses.¹⁷ But, “the presence of comparable facilities in the immediate area adequately supports [an] implied finding that there were no ‘unusual circumstances’ precluding a categorical exemption.”¹⁸ As noted in the HDC Staff Report, the project is consistent with the surrounding zoning and land uses, as there are other restaurants and bars in close proximity to the project site.

Mr. Delp has not shown that the project *will* have a significant effect, offering only his own opinions and interpretations of City standards and unsupported, hyperbolic predictions of impacts that are wildly disproportionate to a modest project such as this one. A challenger's burden under the test created by the Supreme Court under this exception is high, and he fails to meet that burden.

Hillside, *supra*, 60 Cal.4th at p. 1114, emphasis added; *Berkeley Hillside II*, *supra*, 241 Cal.App.4th at pp. 954–955.

¹² *Citizens*, *supra*, 242 Cal.App.4th at p. 588, fn. 24.

¹³ HDC Staff Report, p. 26

¹⁴ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105, emphasis added.

¹⁵ *Citizens*, *supra*, 242 Cal.App.4th at pp. 575–576.

¹⁶ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105; *Walters*, *supra*, 1 Cal.App.5th 809 at p. 823.

¹⁷ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105.

¹⁸ *Walters*, *supra*, 1 Cal.App.5th at p. 821.

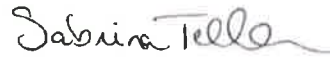
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Mr. Delp does not further explain or support his claim that the historical resource exception to exemptions applies here, so the City should consider his argument waived. In any event, the HDC Staff Report adequately explained why staff concluded this exception is not met, and there is no evidence provided to the contrary.

The City's determination that the potential exceptions to the use of categorical exemptions do not apply to the project is supported by substantial evidence in the record. The City Council should find that the proposed project is categorically exempt from CEQA under the three exemptions described above and deny the appeals.

Very truly yours,



Sabrina V. Teller

cc: City Clerk's Office
City Attorney's Office
Steve Banks, Principal Planner
Murray Weaver, for the Applicant
Robert Holderness, for the Applicant

Attachment 10

Applicant Response Letter, dated December 28, 2021

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December 28, 2021

Mayor Kerri Howell and
City Council Members
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Opposition to Three Appeals from HDC Approval of
Barley Barn Tap House Project (PN 19-174)

Dear Mayor Howell:

I. Introduction: This letter brief is written on behalf of Murray Weaver, who is the Applicant/Respondent in the matter of the three appeals against the approval of design review and a conditional use permit ("CUP") for the Barley Barn Tap House Project (PN 19-174). Said approval was granted by Folsom's Historic District Commission ("HDC") on or about November 18, 2021, and pursuant to the Folsom Municipal Code ("FMC"). This letter brief addresses the relevant FMC provisions, and the public policy issues raised by the three Appellants.

In addition to the submission of this letter brief, attorney Sabrina V. Teller, a principal in the Sacramento law firm of Remy Moose Manley, has submitted her letter brief on behalf of the Applicant/Respondent. Her letter brief addresses the CEQA issues raised by the Appellants herein, and Appellant Bob Delp in particular

II. The Case:

A. The Project: The Barley Barn Tap House is proposed to sell beer, soft drinks, and snack items in the existing red barn located at 608 ½ Sutter Street. No wine; no hard liquor. It is also proposed to have low volume music inside the building, and tables outside on the west side of the building for those patrons who want to enjoy the out of doors while at the tap house drinking their favorite beverage. The barn was built in 1958 or 40 years

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before the City's adoption of the FMC provisions here in issue. It sits on a parcel of about .12 acres in area, including the barn and a wide walkway that connects the barn directly to Sutter Street. The walkway also connects to the public parking lot located at Riley & Scott Streets and which is to the rear of the barn.

B. The Role & Powers of the HDC: Under the provisions of FMC Section 17.52.300, the HDC "shall have final authority relating to the design and architecture of the following structures within the historic district boundaries. All exterior renovations, remodeling, modification or addition to existing structures. (Ord. 890 Section 2 (part), 1998." Likewise, under FMC Section 17.52.360, "A. The [HDC] shall have final authority relating to the issuance of [CUPs] for any of the uses or purposes for which such permits are required or permitted by the terms of this title within the boundaries of the [HDC]."

C. The Role & Powers of the City Council in this case under the FMC: The procedural requirements of the appeal and the powers of the City Council are set out in FMC Sections 17.52.700, 17.52.710, and 17.52.720 (Ord. 89-section 2(part) 1998). In sum, the procedure is "[i]f a ... person whose property rights may be affected is dissatisfied with any determination made by the [HDC] such person may appeal to the city council," provided she or he complies with the timeliness requirements of the FMC in the filing of a written appeal.

Thereafter, the Council "shall review the entire proceeding relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable including granting of a permit..." but must do so by written decision and findings. Section 17.52.710, above. The Council's findings must be supported by substantial evidence presented for its consideration. Topanga Ass'n For A Scenic Community v. County of Los Angeles (1974) 11 C.3d 506. See also, BreakZone Billiards v. City of Torrance (2000) 81 CA4th 1205, which held that in a CUP case, a court should resolve all reasonable doubts in favor of the administrative findings and the decision. Similarly, the City Council, when exercising its powers

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under the FMC to review the findings and decision of the HDC, should resolve all reasonable doubts in favor of the HDC's decision and render it final. FMC 17.52.360A, above.

In this case, the City's written staff report as well as the written submission of the Applicant, and the oral presentations of staff, Applicant and others [as evidenced by the minutes of the HDC], establish substantial evidence in support of the HDC's decision approving design review and granting the CUP as requested, but on condition of the maintenance of the lease of the Eagles' parking lot during the period of the CUP, and the paving and striping of that parking lot by Applicant before building permits are issued.

D. HDC's Decision & The Appeals: On or about November 18, 2021, the HDC unanimously approved the design of the project [with two recusals] and granted the CUP by a vote of 4 to 1 [also with two recusals]. The Applicant's reply to the three appeals follows in Section III., hereof.

E. The Conditional Use Permit Requirement: City Staff has determined that the underlying zoning for this property is C-2, which is set out at FMC Section 17.22.030 A.2. and E.29 [bar & tavern]. Per FMC Section 17.22.040 6., City Staff has concluded that a CUP is required in this instance because the proposed Project is within 500 feet of residences and because the application requests permission to stay open until 12:30a.m. the following morning on Thursdays, Fridays, and Saturdays. That is, the requested closing time is beyond 11pm limit under the C-2 zoning for "bar & taverna," the relevant provisions are set out, above.

III. Argument:

A. Appellants' Parking Issues: Either explicitly or implicitly, each of the three appellants centers their appeal on a "parking" issue. But none of them has defined what exactly is the "parking" issue for them, and they don't seem to agree among themselves.

1. Delp Position on Parking: In the case of Mr. Delp, he employs rough tactics on all issues, largely CEQA based, and his arguments are taken up in the letter

brief submitted by the Applicant's CEQA counsel, Sabrina Teller.

2. The HFRA Position on Parking:

a. The parking issue for the Historic Folsom Residents' Association ("HFRA") appears based on their desire to eliminate altogether the incidence of people parking their cars on the public streets in front of their members' homes, even though the city has not restricted parking there, and furthermore, HFRA is not alleging that there are whole-sale violations of established parking restrictions in their neighborhood.

b. HFRA advances this goal by claiming that this Project will "be detrimental or injurious 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 city." FMC Section 17.52.510.

c. However, aside from repetitive *ipse dixit* argumentation, neither HFRA nor its testifying members offered any probative evidence to HDC that this project was in any way detrimental or injurious. For example, they complain that the parking studies of 2008, 2013 and 2018 were not presented to HDC, but they fail to point out how or in what particular way those parking studies would establish that this project would be detrimental or injurious to the members of HFRA or anyone else. While they imply that the three studies establish that there is "a lack of parking relative to the existing businesses" they do not establish a factual basis for that assertion. Moreover, and to the contrary, this writer spoke with the City's traffic consultant and principal author of those traffic studies [Matt Weir], earlier this month, and he told me by telephone that in fact there is "adequate parking" for this project in the Sutter Street Commercial area. Mr. Weir's opinions can be verified and established by City Staff calling upon him [as their consultant] to opine on that topic before the City Council at the January 11th hearing. In their appeal, HFRA objects to City Staff relying on "past practice" in not requiring compliance with a modern day [that is, a 1998] parking ordinance provision. The "past practice" they object to is a recognition that

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the 1998 parking requirements do not apply to a project in that commercial area when a building owner simply changes the use or occupant of an existing building but does not request to expand the footprint of the building. It is more than ironic for a group with the word "Historic" in its name would attack modern day implementation of 19th century planning principles in a historic area, in favor of more contemporary auto-centric requirements instead.

The reason for Staff's "past practice" is readily apparent when one looks over the layout of the Sutter Street commercial area itself and considers its development history. This commercial area runs roughly along Sutter Street from Scott Street to Folsom Blvd. and encompasses Leidesdorff Street between Scott St. and Folsom Blvd. as well. The boundaries of the commercial area are partly based on the 1856 Theodore Judah parcel map of "Granite City." The original commercial development of that area was done during the 19th century and was consistent with 19th century standards. In those days, folks traveled by foot, by horseback, or by carriage [including coaches & wagons]. Automobiles did not exist.

As is well known, cars weren't invented until the late 1880s and didn't become popular in the U.S. until the early 20th century. By that time, the Sutter Street commercial area was pretty much fully developed as can be seen in the historical record being preserved at Folsom's history museum and their photographic archives.

No automobile parking was included in any of the commercial properties of the time, for the reason stated. When automobiles showed up and after zoning codes were invented, there was no way to retrofit automobile parking spaces on those properties. Automotive parking needs were accommodated by diagonal parking on Sutter Street. The other way of accommodating automobile parking on or near Sutter Street was by land acquisition and replacement of buildings with parking lots. This has been done along Sutter Street. For example, when what we call the Hacienda Building was built in the 1970s over a location that had an 19th century building beforehand, about 12 or 13 parking spaces were added to the front of the property. Likewise, at the site of the old Fireman's Hall [which burned down nearly 100 years ago], in recent years, Developer Jerry Bernau has added about 25-30 automotive parking spaces.

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d. As a corollary to the 19th century planning model, there is no private land in the immediate vicinity of this project or any other along that part of Sutter Street that is available for more parking. [Hence, Applicant's turn to the Eagles to increase utilization of their parking lot]. A decision by the Council to require the Applicant to provide 13 or 14 more parking spaces either on-site or near-by off-site, would be the death knell for this Project, as it likely would be for any similar project on the whole of Sutter Street.

e. Cruellest cut of all, HFRA, in its eagerness to vanquish the Applicant does not even acknowledge:

- (i) Applicant was the biggest supporter of having the city establish and fund an experimental "parking permit program" for the benefit of the HFRA residents;
- (ii) In October, 2021, this City Council approved going forward with such a parking permit program and implementation is now underway;
- (iii) One salubrious result of such program would be to eliminate any chance for the Applicant's future customers to park their vehicles in the restricted area without penalty, but far be it from HFRA to acknowledge this benefit, for so far as HFRA is concerned, that parking permit program means nothing *vis`a vis* the Applicant's Project, when it meant everything a few weeks ago when HFRA appeared before the City Council to ask for the funding. It is sad to see such double talk from a neighborhood group.
- (iv) At the HDC hearing, Gary Richard told the Commission that the shuttle carries between 20 and 50 customers on Friday and Saturday nights. That is 20 to 50 people who aren't parking in HFRA's neighborhood, not that HFRA cares a lick.

f. In the same vein, HFRA can't bring itself to acknowledge that this Applicant is the only property and/or business owner in the entire Sutter Street commercial area who has spent his own money to provide shuttle services so his customers will park in the City's many public parking lots at the west end of Sutter Street and not in the HFRA neighborhood. But apparently it is too much to get

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them to acknowledge the benefit to themselves from that program as well.

g. Finally, it should be obvious, HFRA's remedy for their angst over parking is not to stop the Applicant's Project, nor to shut down growth and development on Sutter Street, but to work with the City to establish a fair, equitable, and workable parking plan for their neighborhood.

3. The Railroad Block Developer's Parking Issue:

a. Counsel for the Applicant understands that counsel for Appellant, Folsom Railroad Block Developer, LLC, (which is managed by Folsom Developer Jerry Bernau [hereinafter the LLC is sometimes referred to as "Developer Bernau"]), was not at the HDC hearing, so his knowledge of events there is second hand. In this instance, it is also faulty. Counsel for this Appellant mis-states the position presented by City Staff to the HDC at the hearing on this Project.

Contrary to this Appellant's contention [via counsel] City Staff did not recommend that Applicant's lease of the Eagles' parking lot be characterized as a condition of the CUP because it believed the FMC required it, or that there was a shortage of parking in the Sutter Street Commercial Area. In fact, at the HDC hearing, City Staff made it clear that it is not imposing a new parking obligation on the Applicant per FMC Section 17.52.510F(Ord. 890 section 2 (part), 1998) [1 parking space per each 350 square feet of the building], because it is the long time established practice of the City not to impose the FMC parking requirements on a project when it consists of a building remodel or a change of use which does not include an expansion of the footprint of the building, as in this case. The underlying policy behind this practice is illustrated in this case, and as described in the response to the HFRA argument on parking. See, Headnote III., A., 1., above (on page 3).

In addition, as aforesaid, this barn was erected in 1958 or about some 40 years before the parking requirement of Section 17.52.510F. was established. Also, it was built 30 years before the parking lot adjacent to the back of the barn was constructed. Given the barn's 60 years in place without change to its footprint, were the City to require

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compliance with Section 17.52.510F, above, each time this or any other building owner changes the use of the premises, as has been done with the red barn at least one time after 1998 and since Applicant acquired it from the Clouds, then the older buildings on Sutter Street, including this one, would become uneconomic and unsustainable. This conclusion which is, in substance, the recommendation of City Staff and the finding of the HDC, was established before the HDC through the testimony of Glenn Fait, former Mayor of Folsom and long-time owner of at least two commercial buildings in the 800 block of Sutter Street.

In the same vein, and to this writer's best knowledge and recollection, in the 34 years [beginning in November, 1979] of practicing law in this city, before Folsom's Commissions and Council alike, as well as 8 years on the City Council, no parking requirement has been adopted which placed on existing buildings on Sutter Street the obligation to assume a new parking burden upon a change of tenants or a change of use, except when there was also an increase in square footage of the building.

In addition, I was a member of the city council when this parking requirement, FMC Section 17.52.510F(Ord. 890 section 2 (part), 1998) [1 parking space per each 350 square feet of the building] was adopted. To my best knowledge and recollection, neither I, nor any of my colleagues on the 1998 city council [that is, members Glenn Fait, Sara Myers, Tom Aceituno or Steve Miklos], opined in public hearing that the purpose of this proviso was to impose a parking requirement on existing Sutter Street buildings, should they change occupants or uses in the future. To my knowledge and best recollection, there is no legislative history that supports the contention by counsel for Developer Bernau on this point of FMC interpretation nor any other legislative history supporting his contention.

b. Developer Bernau's "no parking available" claim is not established in the record from the HDC and is actually incorrect: At the HDC hearing, Developer Bernau claimed that the parking capacity of the Sutter Street subarea was exhausted last summer (2021) and there is no capacity left for the Applicant's project. His counsel repeats that contention in this appeal. At the HDC's hearing, the

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City's engineering staff was present. That staff member reviewed the chart produced by Developer Bernau before the HDC, and among other things, opined in substance that Bernau misconstrued the Kimberly-Horn chart when he made this argument, and that the study appeared to predict a possible parking saturation point beginning in August, 2023, not the summer of 2021 as claimed by this Appellant. The chart itself supports City Staff, not the Appellant. Specifically, the operative entries on the chart are that the Sutter Street commercial area is projected to be at 92% of capacity [not 100%] in September, 2022, that is 9 months from now. Also, the chart projects that 41 more parking spaces may be needed in about 21 months from now, if its assumptions are correct.

First off, it should be noted, the traffic study projections have not been adjusted by Kimberly-Horn to account for the impact on parking in the Sutter Street commercial area from ride sharing apps. such as Uber and Lyft. The Applicant's experience is that between 10% and 20% of his patrons use ride share on any given night. This is a significant factor not yet accounted for in any of the City's traffic studies. The effect of ride share apps. can only be to reduce the demand for parking spaces in the area. This factor ought to be a part of base line for estimating the future parking space needs.

Moreover, close examination reveals that the projections in the chart which was introduced by Appellant to the HDC and now to the City Council are demonstrably wrong. Why? Because the chart wrongly assumes that Appellant will have begun construction on another building last September [he didn't] and complete that construction by September 2022 [he won't]. Were it so, 22 parking spaces would already have been supplanted by construction activity, and 20 more spaces would be needed at the hypothetical completion of construction not yet begun. That erroneous projection alone demonstrates the unreliability of parking space projections. This error alone creates a swing of 42 available parking spaces in favor of the approval of Applicant's project now. What that also means is that measuring the parking projections on the chart with what Appellant is actually not doing on the ground, establishes that there is parking available in the commercial district for the Applicant's future

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customers. In other words, the parking is adequate.

In point of fact, the principal author of the parking studies, Matt Weir of Kimberly-Horn, as aforesaid, told this writer in a phone conversation in early December, 2021, that there is "adequate parking" for this project in the Sutter Street commercial district. City Staff is in a position to confirm the veracity of this opinion by discussing it directly with their parking consultant, Matt Weir, before the hearing on this appeal and ought to do so in order to present their best evidence to the City Council on this topic.

c. Developer Bernau's Claim of Inadequate Parking Is Not Sustained, as Evidenced by His Own Conduct as an FHDA Board Member and by Public Parking Space Eliminations Approved by FHDA and the City of Folsom Itself:

It is well known that Bernau is active in the civic affairs of Folsom. Most prominently he serves on the Folsom Historic District Association Board of Directors and on the Tourism Board of Directors as he has done from inception. His record of public service is commendable. However, that record of service to the businesses in the Sutter Street commercial area stands in stark contrast to the contentions asserted in his appearance before the HDC on this Project, and which he is now asserting before the Council. In particular, Developer Bernau, as a member of the Board of Directors of the Folsom Historic District Association ("FHDA"), has supported the City and FHDA in recently eliminating parking spaces along Sutter and Leidesdorff Streets for other uses.

Specifically, the FHDA board of directors (including Bernau) and City Staff have approved the elimination of about **7 public parking spaces** along Sutter Street at all times, from about July, 2021 to the present and into the indeterminate future. They have also eliminated about **13 public parking spaces** at the Hacienda Building from Friday through Sundays also since about July, 2021 [including 7 of those all the time]. This total of about **20 parking spaces** is mainly eliminated when parking spaces are in highest demand, that is, Friday night and weekends.

In addition, the FHDA board of directors [including Bernau], and City Staff have closed off about **30 parking spaces** for use of the ice-skating rink operators from about October 15, of each year until about January 15 of the

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following year. That is, during a three-month period of the calendar year when public parking spaces are at a premium in the historic district's commercial area. Now, if you believe, as the Applicant does, that the Sutter Street commercial area has sufficient parking resources to accommodate this reduction of about 50 spaces, then there is no problem in doing so, and no problem in the Council approving the grant of entitlements by HDC, so he can go forward with his Barley Barn Tap House Project.

On the other hand, how can anyone accept Developer Bernau's claim that there is inadequate parking in the Sutter Street commercial district to accommodate the Applicant, such that his Project should be denied when he's at the forefront of eliminating some 50 parking spaces at the busiest times of the week and the year? Were he truly believing that, he would be working overtime to retain those parking spaces, not eliminate them.

Likewise, City Staff's approval of the elimination of those 50 parking spaces, as well as the fact the City has not taken steps to rent or lease the Baker Family's parking lot at Leidesdorff & Gold Like Drive [which has about 20-25 parking spaces], as has been done on occasion in the past, betokens a belief, consistent with City Staff's recommendation of approval of this Application, that the City has adequate parking in the Sutter Street commercial area. At the present, the Baker parking lot lies vacant and unused for public parking. If scarcity of public parking spaces in and around Sutter Street were a real, critical, and immediate problem, one would expect to see Developer Bernau appealing to the City to recover the 50 closed off spaces and even extend it to a request to use the Baker property's parking spaces. Given the contentions of Developer Bernau in this case, his inaction in those other venues constitutes some evidence that he knows there is in fact adequate parking for the Applicant's project, as both the City's Staff and its consultants indicate. In other words, when his claims and contentions against the Applicant's Project are placed in the context of his effort to eliminate the use of parking spaces in the commercial area of Sutter Street, it is clear that his claims in this case are pretextual, not genuine.

d. Developer Bernau's Argument That Applicant and Others Are Impinging on his "Right" to Park His Future

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Customers', Patrons' & Tenants' Cars in the City's Parking Garage Lacks Proof of Causation: While Bernau made this claim before the HDC he did not share the circumstance of his predicament. Namely, he was obligated by contract with the City to begin work on the Granite House in calendar year 2008 by reason of the completion of the construction of the City's parking garage in that year [which completion was a precondition to his obligation to commence construction]. To date, over 13 years later, construction on the Granite house is yet to begin. Likewise, no building by Bernau on the Fireman's Hall site, nor at the former Perkins Building site. It is the fact that none of those three buildings are underway, not Applicant's little tap house project that is the cause of Bernau's predicament.

e. Neither Developer Bernau nor his LLC have standing to appeal the HDC decision. As set out in headnote "B" above (page 2 hereof), an Appellant must be a person whose property rights are affected" by the granting of a CUP to the Applicant. FMC, Section 17.52.700A., above. Neither in his appearance before the HDC nor in his LLC's appeal to the City Council has Developer Bernau or his counsel alleged facts sufficient to establish that he or his LLC is a person whose property rights are affected by the granting of the CUP. Specifically, neither Bernau nor his LLC "resides" within 500 feet of the Applicant's barn building. Likewise, and because of that fact, keeping the Applicant's tap house open to 12:30am three nights a week has not been alleged as having any impact on this Appellant's, "property rights." Indeed, Bernau's only existing fully commercial building in the Sutter Street commercial area is way more than 500 feet from the Applicant's barn building and the restaurant therein routinely stays open past 12:30am on Fridays and Saturdays. Likewise, his multi-use Whiskey Row Lofts property is way more than 500 feet from the premises, but barely 100 feet away from Bernau's Roundhouse Building. In sum, neither has alleged facts sufficient to meet the FMC requirement cited above.

4. The Non-CEQA Issues in the Delp Appeal: As stated above, the Delp appeal is mainly centered on his CEQA arguments which have been ably answered on behalf of the Applicant by Attorney Sabrina Teller under a separate

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filing. There are a few other issues raised by Mr. Delp to which this reply is made.

a. Easement Issue: Delp argues that Applicant cannot access the Eagles' parking lot because access is provided by an alley way. Delp claims without documentary evidence that the City "owns" the alley way. That may or may not be the case here, but a majority of this Council will recall that its review of permits for the Mosley House on Bidwell Street established a common circumstance that likely here applies as well, namely, as in Mosley, the Eagles likely own the underlying fee to the middle of the alleyway, and the City has an easement upon it. Counsel for Applicant does not see any prohibition arising against the Eagles or their tenant from that circumstance, but in any case Delp's easement issue is not proven by probative evidence.

b. The Road Crossing Issue: Delp claims, again without Evidence, that use of the Eagles' lot would be a grave danger to the parking public in that they will not walk a few feet up hill to cross the street at a four way stop, nor walk down the hill a few feet to cross the same street at a signalized intersection with a pedestrian feature as a part thereof. Again, no competent evidence presented, such as accident or incident data, just Delp's speculation.

5. Additional Issues Arising From The HFRA Appeal: Before HDC, HFRA raised other issues pertaining to "parking variances" "parking density" "hours of operation" and so forth. Those were addressed in the written submissions before the HDC as well as the oral presentation to HDC, and are part of the administrative record in front of the City Council. Those replies on behalf of the Applicant need not be repeated here, but are by such reference, incorporated herein.

6. The Eagles' Lot Lease Issues & Related Issues: All three of the appeals attack Applicant's lease of the Eagles' lot. This headnote is intended to address them in unison. To begin with, one of the Kimberly-Horn studies observed that the Eagles' parking lot was under-utilized and its use ought to be enhanced. This recommendation was the source of the Applicant's decision to lease that parking lot for his Project. The fact that the parking lot sits close to his barn, where the tap house is to be

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located, made that parking lot's use very desirable.

The lease on the Eagles' lot was acquired by the Applicant to give the patrons of his proposed tap house a close-in alternative to the public parking adjacent to the barn and the shuttle service he has been providing for nearly three years. The lease is a legally binding document for which the Applicant has been paying rent to the Eagles since September 2021.

Attached to this writing are copies of 5 photographs taken by the Applicant in one week in September, 2021 to illustrate the normal condition of the Eagles' parking lot: empty! In addition to those 5, the Applicant has taken another 15 or so photographs on various days since September to illustrate that point. The Eagles has admitted to the Applicant that they actually use their own parking lot only a day or two every month, at the most, hence its availability to the Applicant's customers for about 340 days a year, or more. Counsel for the Applicant respectfully suggests that this lease will make a modest expansion to the City's inventory of parking spaces for commercial activity in and around Sutter Street. Any incremental increase in parking options by the private sector in the historic district should be worthy of laudations, not brickbats.

Formerly there was no Uber and Lyft to deliver patrons and customers to the businesses on Sutter Street as is the case today. In sum, there are many, many different mobility paths to the Applicant's property besides parking in front of the home of HFRA members and the Applicant has done more than his fair share to see that through.

Finally, it appears that the opponents to this project approach its likely parking needs in a static, straight-line method, as if every day the tap house will have the same number of patrons needing about the same number of parking spaces at the same time, etc. The reality will be quite different. For example, around noontime customers of the tap house will be able to share the parking lot next to Wild's with their customers, because the Powerhouse Pub and Scarlet's are not open for customers at that hour. Likewise, after the dinner hour, parking is readily available in the Sutter Street commercial area. The crunch time is the dinner hour when the Eagles' lot, plus the

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Sutter Street Surfer's shuttle service as well as the ride share apps., the parking garage, the parking at Peddler's Lane and on the lid and across from the lid will alleviate parking pressure by the barn. Likewise, the City's neighborhood permit system, plus improved way-finding, will direct automobiles away from the residential neighborhoods and towards parking on the west side of the commercial area. What causes parking issues anyway? Success. People want to go to Sutter Street and spend their money. This translates into money for the City's coffers. The economic revitalization of Sutter Street that was begun more than 10 years ago is being successful. Parking issues are a sign of good times, so the City simply needs to actively participate in creating more parking solutions as the need arises. So far, it's doing pretty well.

7. The Applicant's Long Standing Good Neighbor Policy:

The Applicant has a long history of public-spirited contributions of time and money to FHDA as well as a former board member, as a member of the Folsom Chamber of Commerce and as a former board member. He also donated time and treasure toward Folsom Live, and Folsom Tourism. In the same spirit, he has participated in Folsom's *ad hoc* committee on parking in the historic district, and for nearly three years he has provided his own customers and others, free of charge, the Sutter Street Surfer shuttle service. This service makes it possible for people to conveniently have more mobility options besides walking or parking in the HFRA neighborhood. Customers have a wider selection of on and off-street public parking options, public transportation, or ride sharing apps. than ever before. A copy of the Applicant's poster promoting the shuttle service is attached to the record before the HDC and is by such reference incorporated herein.

8. Applicant is an Established Business Owner With a 20+ Year Track Record of Accomplishment for the Community of Folsom: Every year Applicant pays over \$100,000 to the City's coffers by means of sales and real property taxes. As such these expenditures do, among other things, contribute to the maintenance of the high level of

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municipal services that HFRA members and all other residents of Folsom have and enjoy. With Council's denial of the Appeals and affirmation of HDC's approval of this project, the Applicant will gladly expand that contribution to the commonweal by way of the operation of the Barley Barn Tap House.

9. Conclusion: The three appeals should be denied and the decision of the HDC should be affirmed with such findings and conclusions based on the evidence adduced at the hearing before the City Council and as the City attorney deems appropriate to support that affirmation.

Very truly yours,

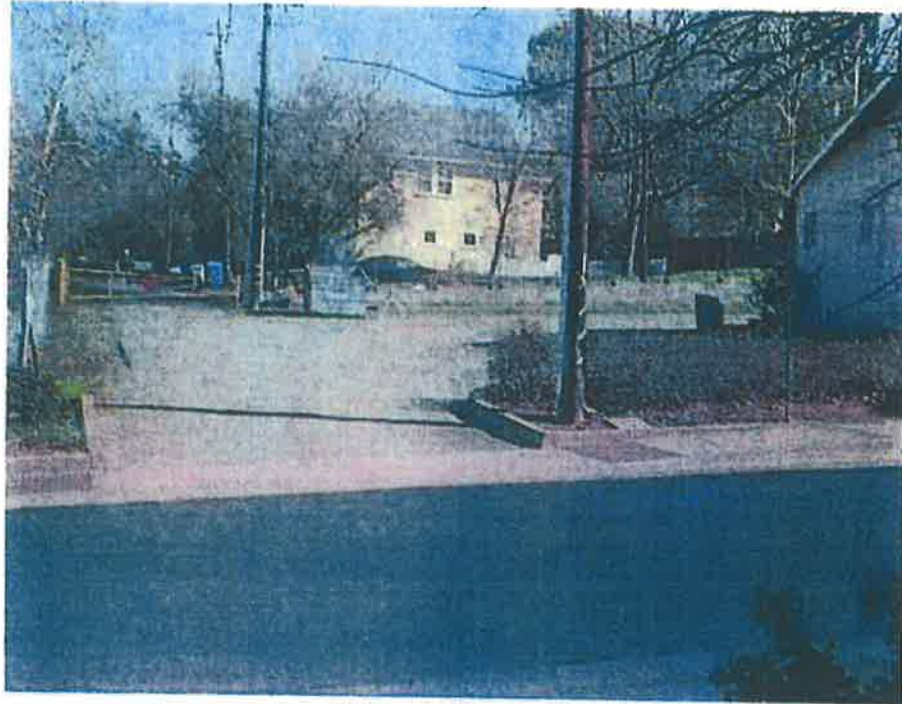

Robert G. Holderness

RGH:ls

cc: Ms. Elaine Andersen, city manager
Ms. Pam Johns, Community Development Director
Mr. Steve Wang, City Attorney
Mr. Mark Rackovan, Public Works Director
Ms. Christa Freemantle, City Clerk
Mr. Steve Banks, Principal Planner
Ms. Sari Dierking, Assistant City Attorney
The Three Appellants [Bernau, Delp, & HFRA]

**Exhibit #1
(Five Photographs)**

Description: Five photos of the Eagles parking lot taken by the Applicant on five consecutive days in September, 2021, to illustrate the most common condition of that parking lot, namely EMPTY.

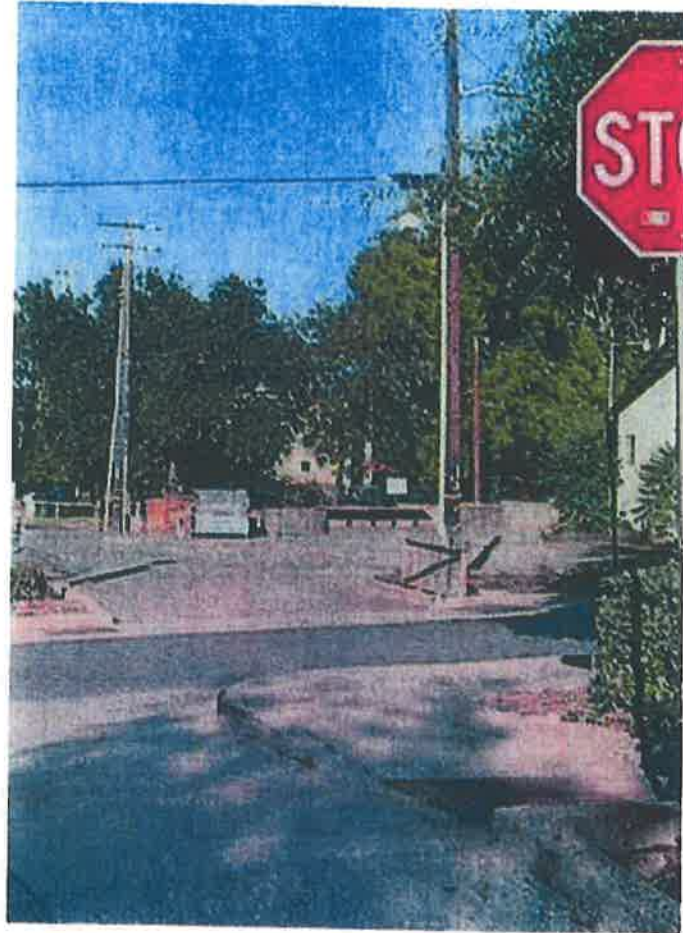


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Attachment 11

**Bob Delp Appeal Hearing Procedure Letter
Dated December 30, 2021**

December 30, 2021

Elaine Andersen, City Manager
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to eandersen@folsom.ca.us

cc: Steven Wang, City Attorney (swang@folsom.ca.us)
Christa Freemantle, City Clerk (cfreemantle@folsom.ca.us)
Pam Johns, Community Development Director (pjohns@folsom.ca.us)

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Appeal Hearing Procedures and Staff Objectivity

Dear Ms. Andersen:

On November 24, 2021, I submitted an appeal to the City Council of the decision by the Historic District Commission (“HDC”) approving the Barley Barn Tap House Project (PN 19-174) (“Project”). Community Development Department (“CDD”) staff have provided a hearing notice advising that a hearing is scheduled for January 11, 2022, at which the City Council will consider the merits of my appeal and two other appeals filed by separate parties.

This letter is to express my concerns regarding a staff-created appeal hearing protocol that is inconsistent with hearing procedures established by City Council Resolution No. 9689 and to express my concerns regarding potential lack of objectivity of staff involved in facilitating what should be a fair and impartial appeal hearing process. I am asking that you take all reasonable and necessary measures to ensure the City Council’s formally adopted hearing procedures are followed and that a fair and impartial hearing is achieved and facilitated by objective City staff.

Hearing Procedure

On December 2nd and in response to a question I asked about the appeal hearing process, the City Clerk directed me to the appeal hearing procedures established by Resolution 9689 (included here as Attachment A). On December 20th, City planner, Mr. Steve Banks, sent me an “Appeal Hearing Protocol” document (included here as Attachment B) that outlines a hearing process inconsistent with the appeal hearing procedures established in Resolution 9689 Rule 6. On December 28th, responding to a question I asked regarding the hearing protocol provided by Mr. Banks, the City Clerk advised me that, “[t]he City Attorney has confirmed that the protocol provided to you by Mr. Banks will be the one used for the hearing.”

In addition to modifying speaker time periods and adding a specific speaker category of “Project Applicant” where no such category is provided in Resolution 9689 Rule 6, the December 20th protocol from Mr. Banks provides for the Applicant to make 15 minutes of closing remarks *after* the appellants make closing remarks (allocated at 5 minutes for each appellant). In particular, the designation and sequence of Applicant closing remarks after the appellant’s closing remarks substantially diverges from the procedures established in Rule 6.

Resolution 9689 provides for certain limited adjustments to the appeal hearing procedure, with the discretion for such adjustments granted solely to the Presiding Officer of an individual

hearing; not staff and not necessarily the Mayor.¹ I recognize the need to provide due process to the Applicant and to ensure sufficient opportunity is provided for the Applicant to address the Council at the appeal hearing. Resolution 9689 is well-suited to accommodate that.

The Applicant can request, and there is every reason to expect that the Presiding Officer would grant, an extended period of time during the Statements from the Public portion of the hearing. If staff is concerned that the Presiding Office might not understand the need to sufficiently accommodate Applicant input, then staff could include a recommendation in the staff report for the Presiding Officer to provide additional time for the Applicant to comment during the Statements from the Public portion of the hearing.²

Resolution 9689 expresses the City Council's intent "to adopt formal procedures for appeals and public hearings to encourage greater public participation and to process information to the public for the betterment of City operations" and "to establish rules to govern its meetings and declare its rules of procedures to the public." There is simply no objective need for staff to preemptively define a unique hearing protocol that substantially diverges from the procedures of Resolution 9689. Staff's attempt to do so undermines Resolution 9689's intent to establish formal procedures and diminishes the resolution's important public involvement and due process objectives.³

Need for Staff Objectivity in Facilitating a Quasi-Judicial Hearing

When the City Council is acting as a quasi-judicial body, as is apparently intended for hearing the appeals, the Councilmembers as well as staff aiding in facilitating the hearing must be objective and free of bias to ensure a fair and impartial hearing. I am not suggesting intended or conscious staff bias, however, even unintended staff bias in favor of the Applicant or Project would adversely affect my right to due process and a fair hearing of my appeal. Therefore, staff

¹ Although the protocol provided by Mr. Banks references the "Mayor," as specified in Rule 1 of Resolution 9689, the Councilmember (Mayor, Vice Mayor, or other) who will serve as the Presiding Officer of a hearing depends on which Councilmembers are present at the meeting and will participate in the hearing. Although the Mayor might be the Presiding Officer, that cannot be definitely determined until the beginning of the hearing and it is confirmed that the Mayor will participate in the hearing. Therefore, any adjustments to the appeal hearing procedures cannot be made in advance of the hearing and must wait until the Presiding Officer for the hearing is established.

² At the heart of my appeal is to seek a full de novo hearing during which the City Council considers the merits of the Project in light of information and analyses sufficient for meaningful consideration of whether the findings required for Project approval can be made. Sufficient information and analyses has not yet been prepared or, at least, has not yet been introduced into the record. Even if the Council were to agree to each of my issues of appeal, the Council's *decision* at the January 11 hearing is unlikely, and perhaps legally cannot, result in the Council's flat denial of the Project. Instead, if the Council agrees with one or more of the issues in my appeal, the Council's *decision* at the January 11 hearing would 1) reject HDC's approvals and 2) direct staff to assemble additional information and conduct additional analyses, prepare a CEQA document, and require the applicant to submit an application for a parking variance prior to bringing the project back to the Council for a de novo hearing. Such a de novo hearing would presumably follow the Resolution 9689 Rule 5 hearing procedures (not the Rule 6 appeal hearing procedures) and would put the Applicant front and center at that hearing, providing ample opportunity for the Applicant to present the merits of his Project to the Council.

³ If staff believes Resolution 9689 fails to provide a sufficient appeal hearing procedure, staff has the ability to bring an amendment to Resolution 9689 to the Council for consideration. That, of course, is outside the scope of the present appeal.

objectivity and potential bias must be taken seriously and addressed to ensure an impartial hearing.

Staff's asserted appeal hearing protocol and deference to Applicant speaking opportunities that differ from the Resolution 9689 Rule 6 framework as discussed above indicate potential staff bias in favor of the Applicant. In fact, each instance in which staff's protocol diverges from the established Resolution 9689 Rule 6 framework appears suggests potential bias in favor of the Applicant and the Project and detracts from the public involvement and due process aims of Resolution 9689.

Furthermore, staff's intent to combine three appeals into one hearing will necessarily dilute the Council's focus on each individual appeal. Additionally, staff's proposed protocol combines three appeals, yet retains a total of just three minutes as the default speaking time for a member of the public to address the Council on all three appeals. Of course, members of the public could request that the Presiding Officer provide additional time and the Presiding Officer may choose to grant that additional time. However, staff-crafted protocol does not propose an increase in time for public commenters in proportion to the number of appeals, yet staff protocol does appear to establish the Applicant's speaking time in proportion to the number of appeals indicating a potential staff bias in favor of the Applicant over members of the public.

There are also other complicating factors inherent in the combined appeals hearing process that suggest potential bias against the appellants. For instance, to exercise my right to comment on the other appeals during the Statements from the Public portion of the hearing, I will need to divert attention – mine and the Council's – away from focusing on the issues of my appeal. Due process requires the City to provide me a fair opportunity to act as an appellant at a hearing of my appeal and also requires the City to provide me a fair opportunity to comment as a member of the public on other appeals.

In addition to potential bias indicated by staff's hearing protocol, another example of apparent potential bias involves the public notice for the appeal hearing. The hearing notice states, "The project is categorically exempt from CEQA." However, a fundamental component of my appeal is that the Project is not exempt from CEQA. A statement in the hearing notice that contradicts a key factor of my appeal indicates a potential bias of the notice preparer and could also serve to foster bias against that aspect of my appeal by anyone reading the notice, including Councilmembers.⁴

Lastly, it appears that Mr. Banks is managing preparation for the January 11th hearing on behalf of the CDD. Mr. Banks is also the planner who coordinated extensively with the Applicant in preparing for HDC hearings, led the preparation of staff reports to the HDC, and presented the Project to the HDC during hearings recommending the HDC's approval of the Project. A basis of my appeal is that, "[i]nformation and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project's potential impacts and for the HDC to make a fully informed decision about the Project." Since my appeal is in opposition to the information and recommendations Mr. Banks provided to the HDC, it is reasonable to assume that Mr. Banks disagrees with the factors of my appeal. The potential for even unintended, unconscious bias of Mr. Banks against factors of my appeal is sufficiently high to warrant the

⁴ The hearing notice also discusses that the appeals include appeal of the HDC's determination that the Project is exempt from CEQA. That portion of the hearing notice is accurate and appropriate for the notice. It is the subsequent statement in the notice that "[t]he project is categorically exempt..." that contradicts my appeal and lacks objectivity.

December 30, 2021

City Manager's designation of alternative planning staff to facilitate an objective quasi-judicial appeal hearing process.

Conclusion

Thank you for considering my concerns regarding staff's proposed hearing protocol and interest in a fair and impartial appeal hearing. I hope that you will take appropriate measures to ensure the City Council's formally adopted hearing procedures are followed and that a fair and impartial appeal hearing is accomplished.

As a final point, I would like to note that if the Project was being taken to the City Council for a de novo hearing (see footnote 2), my due process concerns expressed here would be substantially alleviated.

Sincerely,



Bob Delp
612 Mormon Street
Folsom, CA 95630
bdelp@live.com
916-812-8122

Attachments:

- A. Resolution No. 9689 - A Resolution of the City Council of the City of Folsom Relating to City Council Meetings, Proceedings; and Business (December 8, 2015)
- B. "Updated Protocol for the Barley Barn Tap House Appeal" email and attachment from Steve Banks (December 20, 2021)

December 30, 2021

Attachment A

**Resolution No. 9689 - A Resolution of the City Council of the City of Folsom Relating to
City Council Meetings, Proceedings; and Business (December 8, 2015)**

RESOLUTION NO. 9689

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
RELATING TO CITY COUNCIL MEETINGS, PROCEEDINGS, AND BUSINESS**

WHEREAS, the City Council conducts its meetings in public, consistent with state law and according to a long established agenda process;

WHEREAS, the Council desires to formalize the agenda process and meeting protocol by Resolution and to adopt formal procedures for appeals and public hearings to encourage greater public participation and to process information to the public for the betterment of City operations; and

WHEREAS, the Council desires to establish rules to govern its meetings and declare its rules of procedure to the public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom does hereby establish the following rules for the conduct of its meetings, proceedings, and business.

Rule 1. Presiding Officer. The Mayor, or in the absence of the Mayor, the Vice Mayor shall take the chair at the hour set for the meeting and shall call the Council to order. In the absence of the Mayor and Vice Mayor, the Council may designate a senior member of the Council to serve as temporary Presiding Officer to facilitate the conduct of the meeting. Upon the arrival of the Mayor or the Vice Mayor, the temporary Presiding Officer shall relinquish the chair at the conclusion of the business item then before the Council.

Rule 2. Quorum. A majority of the Council constitutes a quorum for the transaction of business, but a lesser number may adjourn from time to time, and may continue any hearing scheduled for the approximate time and place of any meeting adjourned for lack of a quorum. If all Councilmembers are absent from any regular meeting, the City Clerk shall declare the meeting adjourned to a stated day, hour and place.

Rule 3. Business Matters. The business of the Council, at its meetings, may include the following major categories and shall be organized into an agenda to facilitate the conclusion of business within a reasonable period of time following public inquiries and comments on said items.

The agenda may consist of the following sections and be presented in this order, however, the Presiding Officer may in his or her discretion, rearrange the order:

A. **Pledge of Allegiance to the Flag**

B. **Roll Call.** The roll call shall be made by the City Clerk.

- C. Scheduled Presentations. This category shall include such items as ceremonial presentations, proclamations, introductions, and informational presentations.
- D. Business from the Floor. This item relates to matters within the jurisdiction of the City Council and for matters not on the regular agenda. No action is taken on business from the floor and limited discussion of these items shall occur.
1. The person wishing to address the Council shall stand to be recognized by the Presiding Officer and then proceed to the podium. The person addressing the Council shall be requested to complete a "blue card" and state his/her name and address for the record.
 2. The speaker shall be requested to address the Council for not more than three minutes, unless the Presiding Officer rules otherwise.
 3. Any such matter heard under this category also may be referred to the City Manager for investigation and either of disposition or report. No action or discussion occurs on a Business from the Floor item, however, requests to staff to follow up on an item may be provided by the City Council.
- E. Consent Calendar. This agenda category shall include items that are considered to be routine and ministerial business matters only. Such items may include, but are not limited to, approval of minutes, award of bids, award of contracts, approval of resolutions, second reading of ordinances, and other generally non-controversial matters.
1. One motion, duly seconded, will be considered adoption of all matters listed under the consent calendar, unless a member of the Council or the public specifically requests a specific item be removed from the consent calendar vote.
 2. Following the vote on the consent calendar, the business matter(s) removed from the consent calendar shall be considered and disposed of by motion and vote of the Council.
- F. Public Hearings. This category shall include advertised public hearings, which shall be commenced at the time specified for each said hearing, or as soon thereafter as is reasonably possible.
- G. Old Business. This category may include, but is not limited to such items as status reports, continued business matters, and other matters previously addressed by the City Council.
- H. New Business. This category may include, but is not limited to such items as written communications from the public or specific written request made of the Council, ordinances, and resolutions.

- I. City Manager Reports. This agenda category shall contain reports from the City Manager.
- J. Council Comments. This agenda category is set aside as a specific opportunity for each of the Councilmembers to address items of information for all, or requesting matters to be addressed by the City Manager or City staff members regarding items of public interest or of significance to the Councilmember. City Councilmembers will also address any travel at the public expense as required by law.
- K. Adjournment. This item may include adjournment of a meeting, adjournment to a Closed Session regarding personnel, litigation, labor relations, or instructions to negotiators, or adjournment to a specific future date and time.

Rule 4. Speakers Time and Spokesperson for a Group. Generally, a speaker on an item is afforded three (3) minutes for his/her presentation. The Presiding Officer may adjust a speaker's time in his/her discretion based on the item presented, number of speakers and other factors consistent with an orderly and efficient meeting. Whenever any group of persons wishes to address the Council on the same subject matter, the Presiding Officer may request that a spokesperson be chosen by the group to address the Council, and in case additional data or argument is to be presented at the time by any other member of said group, to limit the number of persons so addressing the Council and the scope of their remarks so as to avoid unnecessary repetitions before the Council. Speakers may not transfer any time remaining to another speaker.

Rule 5. Public Hearings. The following is the procedure for a Public Hearing before the City Council; however, the Presiding Officer may alter the order or procedure depending on the nature of the public hearing:

- a. Open the public hearing;
- b. Staff Report;
- c. Applicant's statement;
- d. Statements from the public;
- e. Close the public hearing;
- f. If determined by the Presiding Officer to be necessary, invite the applicant to address questions and/or issues raised during public hearing;
- g. City Council discussion;
- h. City Council action on the matter or continue the matter to another date or time certain or indefinitely.

Rule 6. Appeals. Where the City Council is the hearing body on an appeal, the following procedure shall apply.

The sequence of the hearing on matters appealed to the City Council shall be as follows:

- a. Open the Public Hearing;

- b. Staff Report;
- c. Appellant's Presentation. Time limit – 10 minutes;
- d. Statements from the public. Time limit – 3 minutes per speaker;
- e. Appellant make closing remarks to the City Council. Time limit – 5 minutes;
- f. Appellant and City staff may respond to questions from the City Council;
- g. Close public hearing;
- h. City Council discussion;
- i. City Council action on the matter or continue the matter to another date or time certain.

The sequence of and speaker's time during the hearing on matters appealed to the City Council may be adjusted by the Presiding Officer in order to preserve an orderly and efficient hearing on the matter.

Rule 7. Documents and Material Presented to the City Council.

Documentary Evidence. Any documents, writings, pictures, exhibits or other forms of tangible expression should be submitted to the City Council at the earliest opportunity. Once submitted to the City Council, submitted materials shall become the property of the City and part of the public record.

Persons desiring to submit documents or other information to the City Council shall submit the information to the City Clerk for the record and dissemination. Any person desiring to present information electronically by PowerPoint or other electronic means must present the information to the department responsible for the City Council item in the proper electronic format for City equipment at least 24 hours in advance of the City Council meeting so the City shall assure that it can safely be processed through the City's computer system and relates to the subject of the matter. The City may determine that some electronic information is not safe for the City's system and therefore, not permit access. The person requesting submittal may then present the information in paper copy.

Rule 8. Decorum. The Presiding Officer shall preserve decorum before the City Council.

- A. By Council. While the Council is in session, the members shall preserve order and decorum consistent with its adopted Ethics Policy.
- B. By Other Persons. The Presiding Officer may take appropriate action to prevent actions that pose a safety hazard to attendees, including limiting items that may be brought into the City Council Chambers.
- C. Disorderly Conduct. The Presiding Officer shall have the authority to preserve order at all meetings of the City Council, to request the City Manager to direct appropriate staff remove or cause the removal of any person from any meeting of the Council for conduct as hereinabove, to enforce the rules of the Council, and to restore order at the City Council meeting.

Rule 9. Council Voting. All votes taken by the City Council shall be taken as set out herein.

- A. **General.** A roll call vote shall be taken on the adoption of all items before the City Council, the results of which shall be entered in the minutes of the proceedings of the Council.
- B. **Name Rotation.** The Council may direct the City Clerk to rotate the order of Council names each meeting so that the position of each member of the Council, other than the Mayor, shall vary each meeting. The Mayor shall vote last in all votes.
- C. **Tie Vote.** In case of a tie vote on any motion, the motion shall be considered lost.

Rule 10. Rules of Order. As provided in Folsom Municipal Code Section 2.06.070(C) the Council shall be governed by the current edition of "Robert's Rules of Order".

Rule 11. Conflicts with Other Statutes or Ordinances. In the event of a conflict with state statutes governing the City of Folsom or ordinances adopted by the City Council, such statutes and ordinances shall be controlling over the Rules in this Resolution.

Any prior Resolutions relating to procedures and protocols governing meetings of the City Council are hereby repealed and all other Resolutions inconsistent herewith are hereby superseded.

PASSED AND ADOPTED on this 8th day of December 2015, by the following roll-call vote:

AYES: Council Member(s): Starsky, Howell, Miklos, Sheldon, Morin
NOES: Council Member(s): None
ABSENT: Council Member(s): None
ABSTAIN: Council Member(s): None



Andrew J. Morin, MAYOR

ATTEST:



Christa Saunders, CITY CLERK

December 30, 2021

Attachment B

“Updated Protocol for the Barley Barn Tap House Appeal” email and attachment from Steve Banks (December 20, 2021)

Updated Protocol for the Barley Barn Tap House Appeal

Steven Banks <sbanks@folsom.ca.us>

Mon 12/20/2021 9:53 AM

To: Bob Delp <bdelp@live.com>

 1 attachments (74 KB)

Appeal Hearing Protocol (Updated 122021).doc;

Good morning Mr. Delp,

Please find the attached document outlining the updated protocol for the Barley Barn Tap House project.

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

APPEAL HEARING PROTOCOL

1. MAYOR to OPEN Hearing on Appeal
2. CITY STAFF makes presentation to City Council
3. APPELLANT 1 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 1 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
4. APPELLANT 2 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 2 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
5. APPELLANT 3 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 3 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
6. PROJECT APPLICANT makes presentation to City Council
 - a. Time limit – 30 minutes.
 - b. Project Applicant may divide speaking time between various speakers, but cumulative total speaking time is 30 minutes
7. Members of the public may address the City Council:
 - a. Time limit – 3 minutes per member of the public

8. APPELLANTS may make closing remarks to City Council
 - a. Time limit – 5 minutes for each Appellant
9. PROJECT APPLICANT may make closing remarks to City Council
 - a. Time limit – 15 minutes
10. CITY STAFF respond to questions from the City Council
11. MAYOR to CLOSE Appeal Hearing
12. City Council to deliberate and make decision on the appeal

Attachment 12

Additional Public Comment Letters

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:15 PM
To: Steven Banks
Subject: Fwd: Barley Barn Tap House Support letter #11 Spiegelman/ Historic district resident

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 1:22 pm
Subject: Fwd: Barley Barn Tap House Support letter #11 Spiegelman/ Historic district resident

To whom it may concern:

My name is Scott Spiegelman and I am a long time resident of Historic Folsom and own and live at 610 Sibley Street. I also have my corporation located in the historic district for the last 12 years.

It was brought to my attention the proposed development in the barn next to Powerhouse Pub. I wanted to express my support for a project like this. I love entertaining friends and family in the Historic District. A local tap house would be a great fit and I am sure it will be a great addition to our community. I am 60 years old and enjoy supporting local business owners that support the community and I am sure this will be a fun casual place to enjoy. I am confident that the owner will only add value to our district and will be a responsible owner / operator.

Please contact me with any questions, comments, or concerns at 916-798-0946

Sent from my iPad
Scott Spiegelman

916-868-6960 Office
916-798-0946 Cell

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:20 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support letter 13 Sutter Street bussiness/ Fire and Rain

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Fri, Dec 10, 2021 10:57 am
Subject: Barley Barn Support letter 13 Sutter Street bussiness/ Fire and Rain

-----Original Message-----

From: Judy Smith <judy@fireandraingalleries.com>
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 3:07 pm
Subject: Barley Barn Tap House

To Whom It May Concern,

After reviewing all of the requirements and limitations associated with the Barley Barn Tap House, I am in favor of approval of this establishment.

Sutter Street needs additional venues that provide reasons for the public to remain on the street, ESPECIALLY DURING DAYTIME HOURS. This helps retail shops on Sutter Street and provides additional options in addition to the restaurants already established on the street.

"Feet on the Street" has always been the main goal for Sutter Street shops over the many years Fire and Rain has been here. It can only help!!

Judy Smith
Fire and Rain Gallery

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:19 PM
To: Steven Banks
Subject: Fwd: Barley Barn Tap House, Support letter #12 Felts/ Historic district resident

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 1:30 pm
Subject: Fwd: Barley Barn Tap House, Support letter #12 Felts/ Historic district resident

Hi Murray,

As a resident of Historic Folsom, I support the Barley Barn Tap House with the changes you have made. Parking will always be an issue here. But I don't see your new business as a place that will bring in a bunch of NEW people to the area. I see it as adding an additional place for those of us already here, especially when wait times to get a table at nearby restaurants are long.

I'll let John speak for himself but I think as a HDC commissioner, he is not able to comment on the project.

Thank You,

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography.com>

m: 916.804.8578 (text ok)

a: 805 Sutter Street, STE 220 & 240, Folsom, CA 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:21 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support Pizzeria Classico #14

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all concerned,

We have owned and operated Pizzeria Classico on Sutter St. since 1985. We think the proposed Barley Barn would be a nice addition to the area. It would be an additional draw to the area that has become a destination area for food and beverage. The design and patio is definitely an upgrade for the community. Murray and his staff has been a strong supporter of the Historic District and we would like to support him in his endeavors. Please give me a call if you have any questions for me 916-224-0651. Thank you,

Cheers!
Scott Litteral
Pizzeria Classico
Historic Folsom
www.pizzeriaclassico.com
Il Forno Classico
Gold River
www.ilfornoclassico.com
ilforno@sbcglobal.net

On Friday, December 10, 2021, 11:29:29 AM PST, <powerhousepub@aol.com> wrote:

-----Original Message-----

From: powerhousepub@aol.com
To: ilforno@sbcglobal.net <ilforno@sbcglobal.net>
Sent: Mon, Dec 6, 2021 3:21 pm
Subject: Fwd: Barley Barn Tap House, Murray

Hi Scott,

So pls have a look at our proposed TAP house. It will be Beer only and serve no food so it should assist nearby restaurants. The patio(s) will be a fun draw to the district as well.

If you like the project which has been approved by HDC but being appealed by some of the eternal hard line residents. It would be much appreciated if you could send a letter of support addressing:

It would benefit the historic district

As a long long time business owner on Sutter St and close neighbor you are not alarmed with concerns of parking because this protect is already surrounded by public and my private parking at PowerHouse including my new lease of the Eagles lot and small size of the space .(2500 Sq Feet)

Thanks for your support, Murray

The FireHouse Gift and Clothing Boutique has been on Sutter St. for over 30 years. We have seen many changes and believe the addition of the Barley Barn Tap House will be a great addition to the historic district. We are especially appreciative of the additional parking this project will provide for its customers.

Diana Appel

Owner – FireHouse 710 Sutter St. Folsom Ca, 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:22 PM
To: Steven Banks
Subject: Fwd: Barley Barn support letter #15/ Sutter St biz-Rainbow Bridge Jewelers

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Mon, Dec 13, 2021 1:34 pm
Subject: Re: Barley Barn support letter #15/ Sutter St biz-Rainbow Bridge Jewler

To whom it may concern:

We are writing in support of the proposal for the development of the site adjacent to the Powerhouse Pub on Sutter St. We have seen the rendering of the proposed building and surrounding grounds and are in favor of the improvements. The site has high visibility at the eastern entrance to the Historic District and would provide a more welcoming view than the existing one.

Aside from the upgrade of the building itself, the idea of family-focused indoor and outdoor seating areas during the day seems to be a real asset to the Historic District. With the additional parking provided by the lease of a nearby parking lot, the residential neighborhood should not be impacted by overflow parking.

We are longtime business owners and residents in the Historic District and have found the owner, Murray Weaver, to be a good neighbor and a very generous supporter of Folsom's historic district.

Dorothy Cormack
Jim Kelly

Rainbow Bridge Jewelers

721 Sutter Street
Folsom, CA 95630
916.985.7618

rainbowbridgejewelers.com



To Whom it May Concern:

After looking over the proposal for the Barley Barn, I am excited about this project. The patio will be such an asset to the historic District and the fact there is no food will help all the restaurants in old town. It was also great that they had a great solution for parking and I have always appreciated the golf cart that the Powerhouse uses to get people to park in the parking garage. I always see people utilizing it. Overall, this Barley Barn Tap house can only improve our downtown area and benefit all other businesses and patrons. Not to mention another wonderful asset to offer to my guests at hotel.

Feel free to call me at 916-716-5555.

Thank you!

Enid Baldock

Hampton Inn & Suites

155 Placerville Rd

Folsom, CA 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:28 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support letter #18 Plank Restaurant, Historic District

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Murry

Great conversation this week. Thank you for sharing your revised vision for your space. Although I generally have concerns about parking, those concerns are generalized and are reflective of any given situation in the historic district. With that said, I believe your revised, beer only, taphouse will be a welcome addition to the district.

Sincerely,

Michael Sanson
Owner- Plank Craft Kitchen + Bar
608 Sutter Street
Folsom CA 95630

Owner- Rock-N-Fire Restaurant
1010 Riley Street #4
Folsom CA 95630

From: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Wednesday, December 22, 2021 11:36 AM
To: Michael Sanson <mike@plankfolsom.com>
Cc: moehirani@hotmail.com
Subject: Fwd: Barley Barn Tap House, Murray

Mike,

Enjoyed our visit and look forward to a mutually beneficial relationship. Let me know if you have any questions or concerns as a next door neighbor.

Thanks a bunch for any word of support for the Tap House project.

Happy Holidays, Murray 916 662 1327

Attachment 13

**Barley Barn Tap House Economic Snapshot
Received December 20, 2021**

Folsom Barley Barn – Economic Impacts Snapshot

Taxable Sales¹



Estimated Annual Taxable Sales		
Existing	Proposed	Difference
\$0.1M	\$1.2M	\$1.0M
% Increase		858%

Project Assessed Value



Estimated Property Assessed Value		
Existing	Proposed	Difference
\$788,400	\$1,588,400	\$800,000
% Increase		101%

Annual Payroll⁴



Estimated Annual Payroll		
Existing	Proposed	Difference
\$24,000	\$400,000	\$376,000
% Increase		1567%

Sales Taxes (City)²



Estimated Annual Sales Tax to City		
Existing	Proposed	Difference
\$1,200	\$11,500	\$10,300
% Increase		858%

Property Taxes (City)³



Estimated Annual Property Tax to City		
Existing	Proposed	Difference
\$1,700	\$3,400	\$1,700
% Increase		100%

Total Income⁵



Estimated Total Income		
Existing	Proposed	Difference
\$36,000	\$607,000	\$571,000
% Increase		1586%

1. Includes direct sales plus approximately \$350,000 in sales from partnering local food service establishments.

2. City sales tax rate is 1%.

3. The City of Folsom receives approximately 21 percent of the 1 percent ad valorem property tax.

4. Reflects increase of 9 full time equivalent positions as compared to existing establishment.

5. Total income reflects a multiplier of an additional 0.51 of income within Sacramento County on top of annual payroll.

Sources: Barley Barn proponent, City of Folsom, Sacramento County, IMPLAN and EPS.

**Table 2
Folsom Barley Barn
Economic Impact Analysis
Detailed Annual Economic Impacts of the Ongoing Project Operations (Rounded 2021\$)**

Activity/Impact Categories	Source	Impact Type			Total Annual Income Impacts
		Direct	Indirect	Induced	
Key Input					
Ongoing Project Full Time Equivalent (FTE) Employees	Table A-3	9			
Annual Ongoing Operating Impacts					
Sacramento County Income [1]					
Income [2]		\$400,000	\$110,000	\$97,000	\$607,000
Total Sacramento County Income		\$400,000	\$110,000	\$97,000	\$607,000
Sacramento County Employment (Annual Average) [3]					
		9	1	1	11

summary2

Source: IMPLAN, 2019 Dataset; Barley Barn; EPS.

[1] Analysis based on Sacramento County data. Output is the amount of business expenditures on goods and services retained within the local economy.

[2] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).

[3] Reflects stabilized operational employment Project. Employment includes both full-time and part-time workers.

**Table 1
Folsom Barley Barn
Economic Impact Analysis
Summary of One-Time and Ongoing Impacts (Rounded 2021\$)**

Activity/Impact Categories	Amount
One-Time Economic Impacts	
One-Time Economic Activity from Construction [1]	\$1.0M
One-Time Construction Jobs (Job Years) [2]	7
Increased Annual Ongoing Economic Impacts	
Increase in Annual Total Income from Stabilized Operations [3]	\$0.6M
Increase in Annual Ongoing Operational Jobs (Annual Average) [4]	11
Increased Annual Ongoing City Municipal Tax Revenues	
Increase in Total Annual Public Sector Tax Revenue [5]	\$12,000

all

Source: IMPLAN, 2019 Dataset; Barley Barn; EPS.

[1] Includes direct and indirect impacts.

[2] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire construction period of the Project.

[3] Includes direct, indirect, and induced impacts of the anticipated land uses in the Project.

[4] Reflects Stabilized Operational employment for the Project. Refer to Table A-1 for details. Employment includes both full-time and part-time workers.