

# Uncle Charlie's Firehouse and Brew



CITY OF  
**FOLSOM**

Uncle Charlie's Firehouse and Brew Appeal  
Appeal of Historic District Commission  
Decision Approval a Conditional Use Permit  
and Design Review for a Craft Brewery at  
905 Leidesdorff Street

# Appeal Hearing Protocol



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1. Mayor Opens Hearing
2. City Staff Presentation
3. Appellant Presentation (10 minutes)
4. Project Applicant Presentation (10 minutes)
5. Public Comments (3 minutes per person)
6. Appellant Closing Remarks (5 minutes)
7. Project Applicant Closing Remarks (5 minutes)
8. City Staff Questions from Council
9. Mayor Closes Hearing
10. City Council Deliberation and Decision

# Key Project Details



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- **Conditional Use Permit**
  - Operation of Craft Brewery within an Existing 3,332 S.F. Commercial Building
  - Ten-Barrel On-Site Brewing System
  - Serve Craft Beers and Food (Off-Site Vendors)
  - Interior and Exterior Seating
  - Proposed of Operation
    - Wednesday to Sunday: 12:00 p.m. to 10:00 p.m.
- **Design Review**
  - Exterior/Interior Modifications to Existing Building
    - Replace Existing Door and Windows on South Elevation with Two Bi-Fold Glass Doors
    - Replace Existing Canvas Awning with New Black-Colored Canvas Awnings



# Site Plan



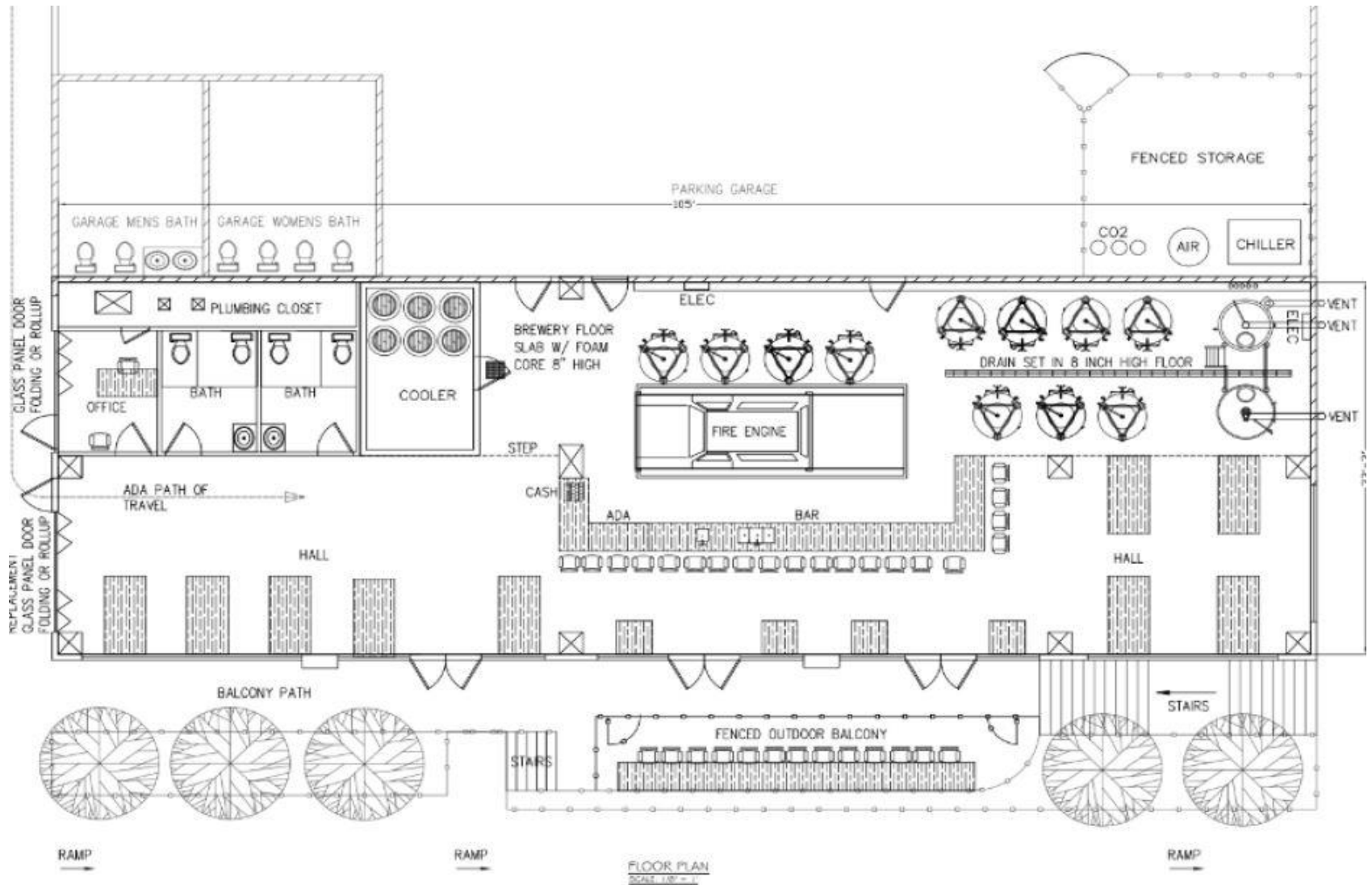
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# Floor Plan/Patio Plan



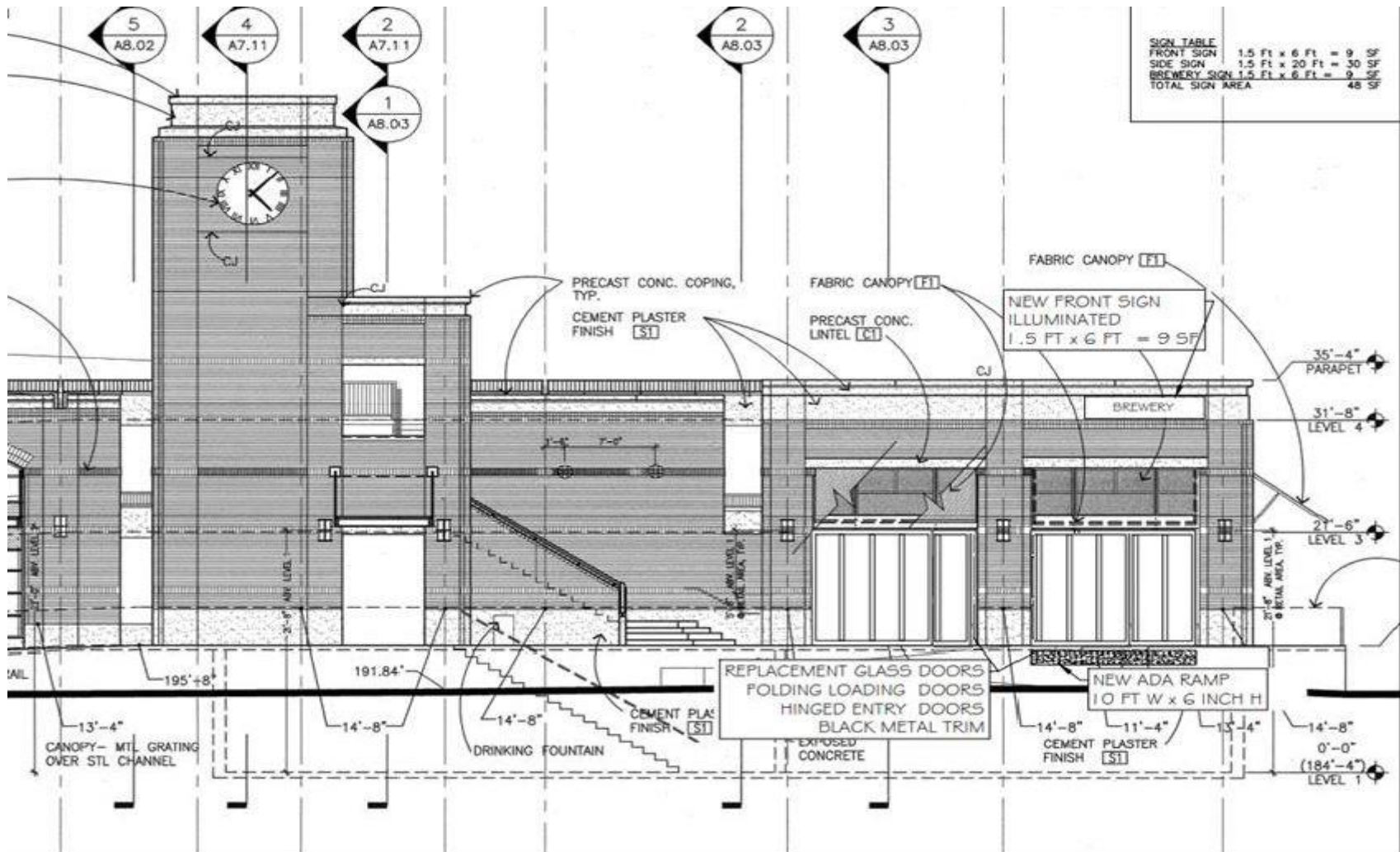
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# Building Elevations (South)



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ELEVATION FRONT  
SCALE: 1/8" = 1'-0"



# Site Photograph



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# Project Analysis



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- General Plan/Zoning Consistency
- Land Use Compatibility (Operational Characteristics)
- Parking
- Noise
- Odor
- Signage
- Architecture/Design
- Public Comments



# Conditional Use Permit



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- Conditional Use Permit

- Land Use Compatibility

- Adjacent and Nearby Land Uses
    - Noise Impacts
    - Odor Impacts
    - Aesthetic Impacts
    - Lighting Impacts

- Historic District Commission Finding

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.”

# Project Analysis



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- Odor
  - Ten Barrel Brewing System in Designated Brewing Area
    - Brewing Activity Limited to Monday and Tuesday from 8:00 a.m. to 6:00 p.m.
    - Production of Craft Beers and Seltzers
    - Installation of Ventilation System to Release Steam and By-Products
    - Odor Released Similar to Smells Associated with a Bakery or Cooking Oatmeal
  - Sacramento Metropolitan Air Quality Management District Recommendations
    - Installing a Ventilation System in the Designated Brewing Area
    - Scheduling Brewing Times on Mondays and Tuesdays only.
    - Limiting Brewing Activity to Daytime Hours for Greater Odor Dispersion.
    - Proper Disposal of Spent Grains.
    - Use of Eco-Friendly Cleaning Agents/Caustics in Brewing/Sanitation Process.
    - Regular Monitoring and Replacement of Air Filters.

# Historic District Commission



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## Historic District Commission Meeting (March 1, 2023):

- 12 Resident Expressed Support for Project
- 2 Residents Voiced Concerns (Odor Impacts/Architecture and Design)
- Numerous Comment Letters Provided to Commission
- Commission Discussed Specific Aspects of Project
  - Odor-Related Impacts (Brewing Process)(SMAQMD Recommendations)
  - Design of Exterior Vents
  - Business Days of Operation
  - Brewing Days of Operation
- Commission Added/Modified Conditions of Approval
  - New Condition No. 28 (Brewing and Ventilation)
  - Modified Condition No. 26-3 (More Flexibility for Vent Height)
  - Modified Condition No. 20 (Increased Days of Operation)
  - Modified Condition No. 25 (Allowed More Flexibility in Brewing Days)
- Commission Voted to Approved Project (6-0-1-0)



# City Council Appeal



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- City Received One Timely Appeal (Appeal by Bob Delp)
- Reasons for Appeal
  1. Various Concerns not Related Directly to the Uncle Charlie's Firehouse and Brew Project or the Determinations made by the Historic District Commission
    - Retail Tenant Selection Process
    - HDC Approvals and Lease Agreement
    - Authority of the Historic District Commission
    - Community Development Department Processes, Accountability, and Transparency
    - Development Application Submittal Requirements
    - Third Party Nuisance Complaint Appeals
    - Barley Barn Project Approval Status
  2. Project Description is not Sufficient
  3. Project not Adequately Analyzed (Aesthetics/Air Quality/Odor/Transportation, Etc.)
  4. Project does not Qualify for CEQA Exemption (Initial Study Required)
  5. Parking Demand and Availability
  6. Potential Odor-Related Impacts Not Fully Evaluated
  7. Traffic Impacts and Increase in Traffic-Related Noise

# Appeal Analysis Item No. 1



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1. Various Concerns not Related Directly to the Uncle Charlie’s Firehouse and Brew Project or the Determinations Made by the Historic District Commission
  - The Folsom Municipal Code limits the focus of project-related appeals to “any determination made by the historic district commission.” (Folsom Municipal Code § 17.52.700(A).) These portions of the appeal are not directed toward any determination made by the Historic District Commission and, as such, they are not a proper subject for appeal.

# Appeal Analysis Item No. 2



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## 2. Project Description is not Sufficient

- Project Described in Full Detail in the Historic District Commission Staff Report
  - Full Set of Architectural Plans Provided by Application (Site Plan, Floor Plan, etc.)
  - Project Narrative Provided by Applicant
  - Operational Details Provided by Applicant



# Appeal Analysis Item No. 3



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## 3. Project not Adequately Analyzed (Aesthetics/Air Quality/Odor/Transportation, Noise, Parking, Etc.)

- Project Impacts Analyzed in the Historic District Commission Staff Report
  - Land Use Compatibility (General Plan and Zoning Consistency)
  - Aesthetics (Historic District Design and Development Guidelines)
  - Noise (Limitation on Entertainment/Music, Hour of Operation)
  - Air Quality/Oder (Air Quality District Recommendations)
  - Transportation (Traffic Study not Required)
  - Parking (Project Exempt from Parking Requirements via AB 2097)
  - Lighting (No Changes Proposed)
  - Trash/Recycling (Existing Facilities)
  - Signage (Signage Program Submitted)

# Appeal Analysis Item No. 4



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## 4. Project does not Qualify for CEQA Exemption (Initial Study Required)

- Project Qualifies for Two CEQA Exemptions
  - CEQA Section 15301 (Existing Facilities)
  - CEQA Section 15303 (New Construction and Conversion of Smaller Structures)
- None of the CEQA Exceptions from Section 15300.2 Apply
  - Location
  - Cumulative Impact
  - Significant Effect
  - Scenic Highway
  - Hazardous Waste Sites
  - Historic Resources

# Appeal Analysis Item No. 5



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## 5. Parking Demand and Availability

- Project Exempt from Parking Requirements
  - AB 2097 (Friedman)
  - Parking Demand Analysis not Required
  - Project Connected to Existing Public Parking Structure



# Appeal Analysis Item No. 6



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## 5. Potential Odor-Related Impacts not Fully Evaluated

- Ten Barrel Brewing System in Designated Brewing Area
  - Brewing Activity Limited to 8:00 a.m. to 6:00 p.m. Daily
  - Brewing Process Takes Approximately 90 Minutes Per Batch
  - Production of Craft Beers and Seltzers
  - Installation of Ventilation System to Release Steam and By-Products
  - Odor Released Similar to Smells Associated with a Bakery or Cooking Oatmeal
- Sacramento Metropolitan Air Quality Management District Recommendations
  - Installing a Ventilation System in the Designated Brewing Area (Additional Condition)
  - Limiting Brewing Activity to Daytime Hours for Greater Odor Dispersion
  - Proper Disposal of Spent Grains
  - Use of Eco-Friendly Cleaning Agents/Caustics in Brewing/Sanitation Process
  - Regular Monitoring and Replacement of Air Filters

# Appeal Analysis Item No. 7



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## 5. Traffic Impacts and Increase in Traffic-Related Noise

- Traffic Study not Required (Existing Building/Low Number of Vehicle Trips)
- No Changes or Modifications to Vehicle, Bicycle, or Pedestrian Circulation
- Traffic-Related Noise Impacts Subject to City's Noise Ordinance and Enforced by the Police Department

# Applicant Response Letter



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- Applicant Response Letter (Attachment 5)
  - Majority of Appeal Letter not related to Project
  - Contradictory Information with Appeal Letter
  - Full Project Description has been Provided for the Project
  - Project Fully Evaluated in Historic District Commission Staff Report
  - Odor Impacts Addressed and Odor Reduction Measures Applied
  - Additional Technical Information Regarding Brewing Process and Venting Details
- Applicant Additional Information
  - Letter from Law Firm of Remy, Moose, and Manly
    - Substantial Evidence Supports Historic District Determination that Project is Exempt from CEQA (Class 1, Class 3, and Class 32 Exemptions)
    - Class 1 Exemption (Existing Facilities)
    - Class 3 Exemption (New Construction or Conversion of Smaller Structures)
    - Class 32 Exemption (Infill Development)

# Additional Comment Letters



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- Additional Comment Letters from Bob Delp
  - Historic District Commission Approval Authority
  - City's Commitment to Enforcement of Nuisance Complaints
  - Lease Agreement
  - Project Parking Demand
  - CEQA Exemption
  - Cultural Resource Impact
- Letter from Sacramento Metropolitan Air Quality Management District

# Staff Recommendation



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Staff Respectfully Recommends  
That the City Council Deny the Appeal by  
Bob Delp of Decisions by the Historic  
District Commission Approving the Uncle  
Charlie's Firehouse and Brew Project



# Project Background



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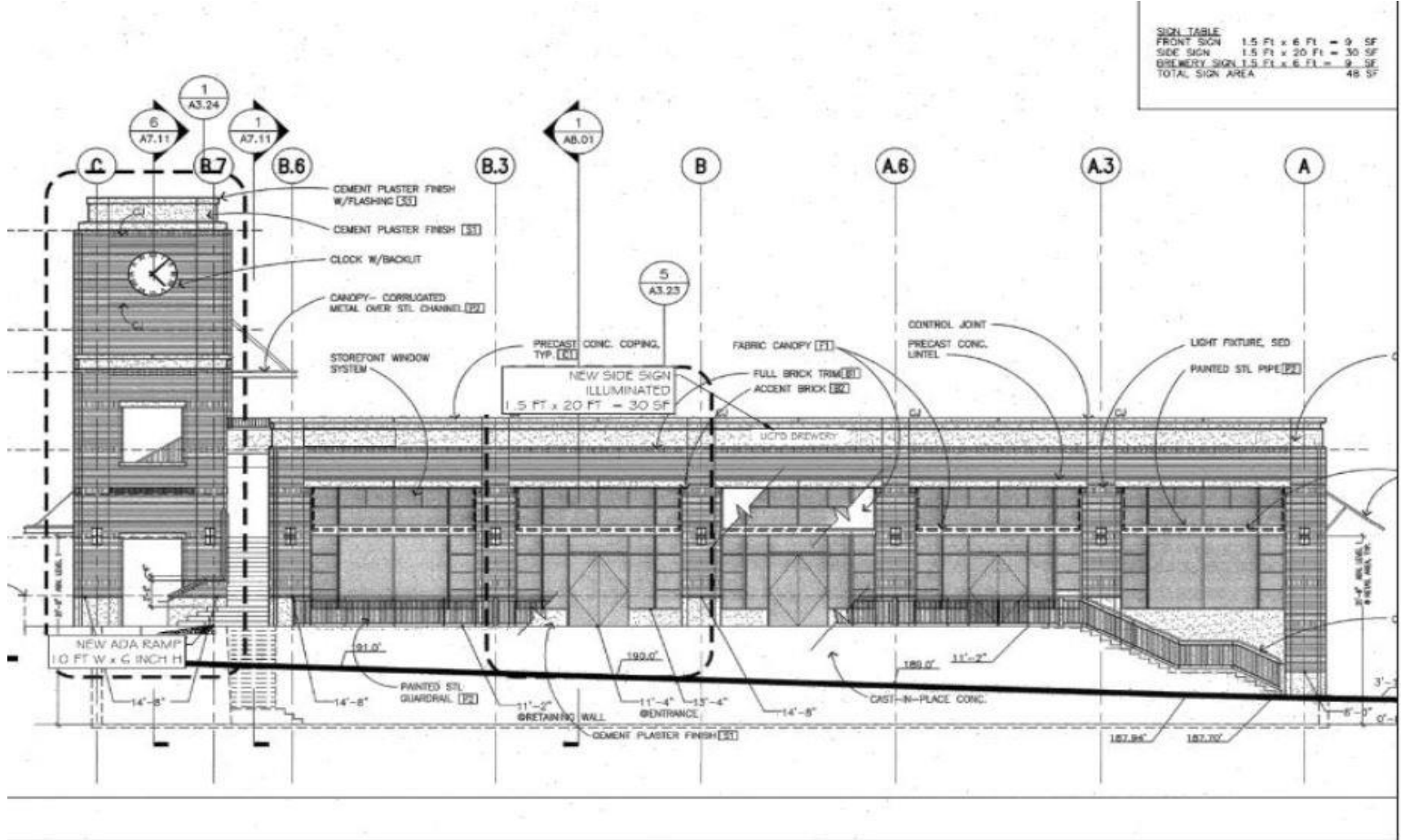
- Historic District Parking Structure and Attached 3,332-Square-Foot Retail Tenant Space Constructed in 2008
- City Council Directs City Staff to Request Proposals for Lease of Retail Tenant Space on March 23, 2021 with Preference for Food Service and Retail Uses
- Uncle Charlie's Firehouse and Brew Selected as Highest Scoring Tenant
- City Council Instructs Uncle Charlie's Firehouse and Brew to Obtain Approval of Conditional Use Permit and Design Review Prior to Lease being Finalized



# Building Elevations (East)



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ELEVATION SIDE  
SCALE: 1/8" = 1'-0"



# Bi-Fold Door Example



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# Vicinity Map



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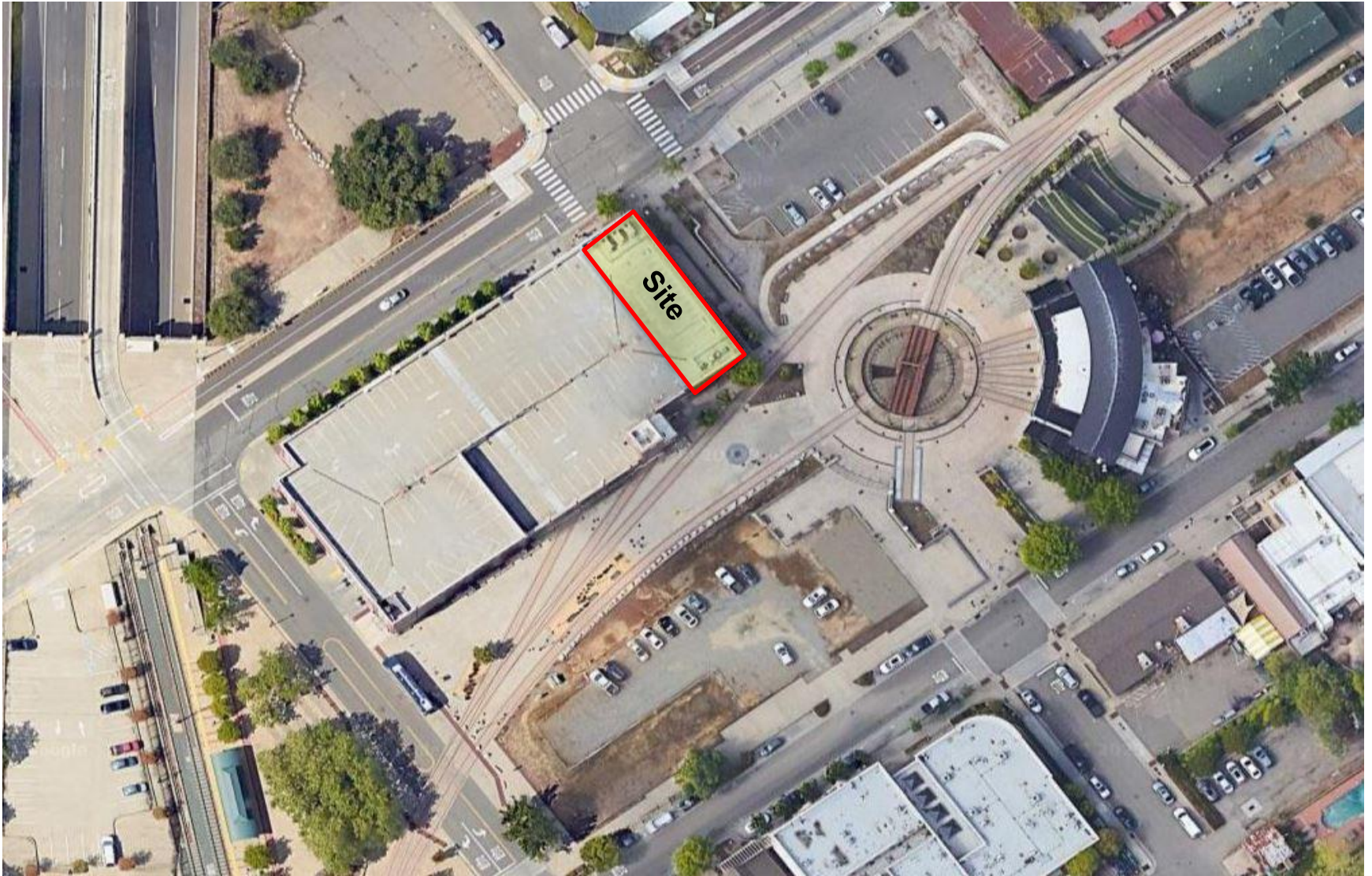




# Aerial View of Project Site



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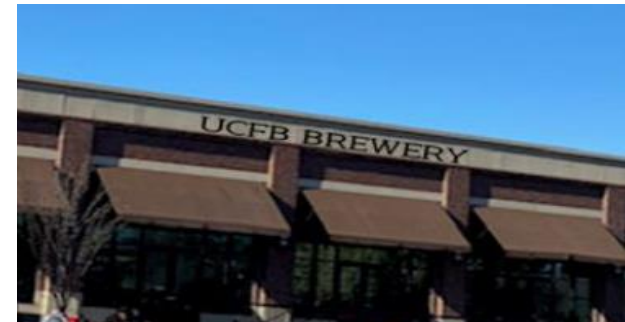


# Building Signage/Identification



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- Building-Attached Signage
  - Three Wall-Mounted Signs (North, South, East Elevations)
    - Individual Stud-Mounted Black Metal Letters (49-Square-Foot Sign Area)
    - Backlit Lighting
    - Copy Reading “UCFB Brewery” and “Brewery”



# Project Analysis



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- **Architecture/Design**
  - **Minor Exterior Modifications to Existing Commercial Building (2008)**
    - Replace Existing Door and Windows on South Elevation with Two Bi-Fold Glass Doors
    - Replace Existing Canvas Awning with New Black-Colored Canvas Awnings
  - **Historic District Design and Development Guidelines**
    - Project is Maintaining Existing Forms and Shapes with Exception of New Doors
    - Existing Canvas Awning Replaced with New Canvas Awnings
    - Design Guidelines Encourage Use of Glass to Increase Transparency
    - Design Guidelines Indicate that Rectangular Window and Door Shapes are Appropriate
    - Proposed Building Materials and Colors are Compatible with Existing Building
  - **Staff has Determined Project is Consistent with Historic District Design and Development Guidelines. Condition No. 26 is Included to Ensure Implementation of the Project in Accordance with Approved Plans**

# General Plan/Zoning Consistency



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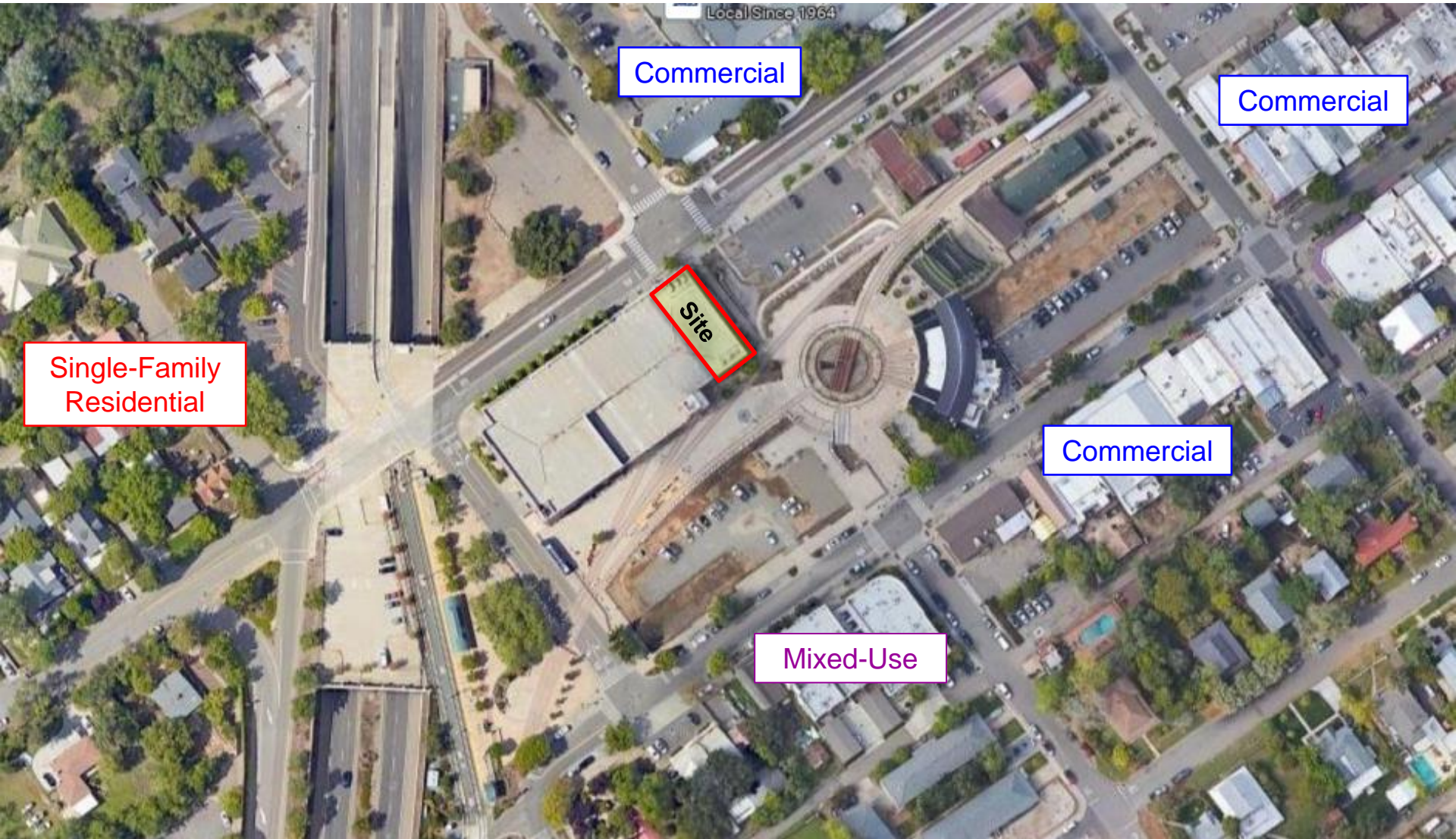
- General Plan/Zoning Designations
  - General Plan Land Use Designation: HF (Historic Folsom)
  - Zoning Designation: HD (Historic District/Sutter Street Subarea)
- Analysis
  - Bars and Similar Uses are Permitted Land Use in in HD Zoning District with Approval of a Conditional Use Permit by the Commission
  - Project Meets Established Development Standards for HD Zoning District
    - Lot Area
    - Lot Width
    - Building Height
    - Building Coverage
    - Building Setbacks
    - Project Exempt from Parking Requirement (AB 2097)



# Land Use Compatibility



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# Project Analysis



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- Parking
  - Project Exempt from Parking Requirement (AB 2097)
    - AB 2097 Prohibits Public Agencies from Imposing Minimum Parking Requirements on Residential, Commercial, and Other Development Projects Located Within ½ Mile of Defined Public Transit
    - Project is Located 300 Feet from Historic Folsom Light Rail Station
  - Existing Parking Options in Project Area
    - Historic District Public Parking Structure (318 Spaces)
    - Railroad Block Public Parking Lot (24 Spaces)
    - On-Street Public Parking Spaces (90 Spaces)



# Project Analysis



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- Noise
  - Construction-Related Noise Impacts
  - Operation-Related Noise Impacts
    - Indoor/Outdoor Noise Sources
  - Proposed Hours of Operation
    - Wednesday to Sunday: 12:00 p.m. to 10:00 p.m.
  - Business Closing Time Comparison Table

	<b>M</b>	<b>TU</b>	<b>W</b>	<b>TH</b>	<b>F</b>	<b>S</b>	<b>SU</b>
<b><i>Uncle Charlie's Firehouse and Brew</i></b>	<i>Closed</i>	<i>Closed</i>	<i>10 pm</i>	<i>10pm</i>	<i>10 pm</i>	<i>10 pm</i>	<i>10 pm</i>
<b>Barley Barn Tap House</b>	10 pm	10 pm	10 pm	12:30 am	12:30 am	12:30 am	10 pm
<b>Powerhouse Pub</b>	2 am	2 am	2 am	2 am	2 am	2 am	2 am
<b>Scarlett's Saloon</b>	2 am	2 am	2 am	2 am	2 am	2 am	2 am
<b>Citizen Vine</b>	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	7 pm
<b>Fat Rabbit</b>	9 pm	9 pm	10 pm	12 am	11 pm	11 pm	9 pm
<b>Willamette Wineworks</b>	Closed	Closed	9 pm	9 pm	9 pm	9 pm	6 pm
<b>Sutter Street Steakhouse</b>	Closed	9 pm	9 pm	9 pm	9 pm	9 pm	9 pm
<b>J. Wilds Livery &amp; Feed</b>	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	9 pm

# Project Analysis



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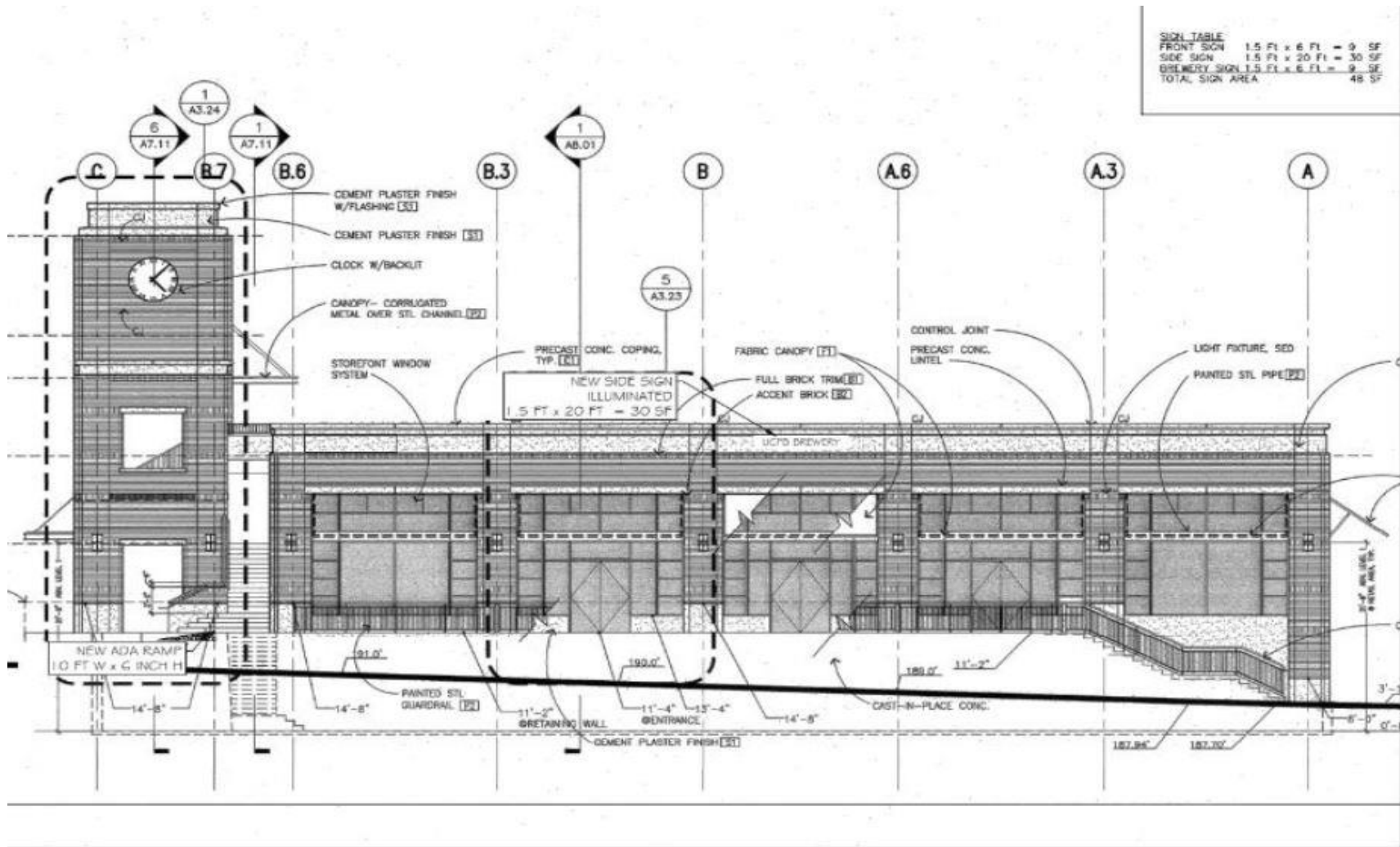
- Operation and Noise-Related Recommendations
  - Hours of Operation are Consistent with Similar Businesses on Sutter Street
  - Posting of Occupancy Required
  - No Intensification of Expansion of Use
  - Compliance with All Applicable State ABC Laws and Ordinances
  - Entertainment Permit Required (No Outdoor Entertainment Permitted)
  - Compliance with City's Noise Control Ordinance
  - No Outdoor Speakers, Music, Televisions, or Screens
  - Doors must be Closed when Interior Music being Played
  - No Dancing is Permitted



# Building Elevations (East)



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ELEVATION SIDE  
SCALE: 1/8" = 1'-0"

# Public Comments



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- Multiple Letters Expressing Support for Project
- Letter Expressing Concern/Questions Regarding Project (Delp)
  - Available of Project Details on City Website
  - Legibility of Submitted Plans
  - Selection Process for Tenant
  - Available Parking
  - Hours of Operation for Brewing
  - Odor Impacts



# Site Photographs



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# Site Photographs



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# Site Photographs



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