



**OROVILLE PLANNING COMMISSION/
HISTORICAL ADVISORY COMMITTEE**

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**June 25, 2020
REGULAR MEETING
OPEN SESSION 6:00 PM
AGENDA**

CITY OF OROVILLE PLANNING COMMISSION

CHAIR: Carl Durling
VICE-CHAIR: Wyatt Jenkins
MEMBERS: Randy Chapman; Michael Britton, Tammy Flicker, Susan Sears

ALL MEETINGS ARE RECORDED AND BROADCAST LIVE

*This meeting may be broadcast remotely via audio and/or video conference at the following address:
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.
Meeting is streamed live at cityoforoville.org and on YouTube*

CALL TO ORDER

ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Randy Chapman, Susan Sears, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling,

PLEDGE OF ALLEGIANCE

INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK

If you would like to address the commission at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. The Commission has established time limitations of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to two minutes per speaker. If more than 15 speaker cards are submitted for non-agenda items, the first 15 speakers will be randomly selected to speak at the beginning of the meeting, with the remaining speakers given an opportunity at the end. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the commission is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item.

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Planning Commission on any subject not on the agenda related to the Planning Commission.

CORRESPONDENCE

1. Letter - Protection and Restoration of Bird and Downer Street Signs

APPROVAL OF MINUTES

1. The Planning Commission may approve the minutes of the meeting on May 28, 2020.

REGULAR BUSINESS

2. RESTAURANT RENAMING AND NEW SIGNAGE AT THE SITE OF THE HISTORIC UNION HOTEL

Landmark Modification Permit to rename the former “Miner’s Alley Brewing Company” restaurant to the “Union”, and to create a new façade and sign that pays homage to the Historic Union Hotel on that site, 2053 Montgomery Street, Oroville, CA.

RECOMMENDATION

Adopt the Class 1 Categorical exemption for Existing Facilities (CCR, Title 14, Sec. 15301) as the appropriate level of environmental review in accordance with the California Environmental Quality Act; and

Approve a Landmark Modification Permit for a new façade and signage for the Union Patio Bar and Grill, 2053 Montgomery Street, Oroville, CA; and

ADOPT RESOLUTION P2020-07 APPROVING THE LANDMARK MODIFICATION PERMIT TO ALTER THE FAÇADE AND ERECT NEW SIGNAGE TO COMMEMORATE THE HISTORIC UNION HOTEL AT 2053 MONTGOMERY STREET, OROVILLE, CA

DIRECTOR’S REPORT

The Director shall report on information pertinent to the Planning Commission.

COMMISSION REPORTS

Reports by commission members on information pertinent to the Planning Commission.

ADJOURNMENT

Adjourn to Thursday, July 23, 2020 at 6:00 P.M. in the Oroville City Council Chambers

***** NOTICE *****

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

***** NOTICE *****

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.

Natalie Sheard
1580 Bird St.
Oroville, CA 95965

CITY OF OROVILLE
BUILDING DEPARTMENT
JUN 1 2020
RECEIVED

June 11, 2020

City of Oroville
1735 Montgomery St.
Oroville, CA 95965

Re: Protection and Restoration of Bird and Downer Street Signs

To Whom It May Concern,

The two antique street signs remaining in downtown at the corner of Bird and Downer Street are small yet powerful resources that enhance our historic Oroville character. This letter is a request that these two signs be considered for immediate protection in order to do further research for their restoration and preservation.

The sign design is unique among street signs even when compared with others of similar age (approximately 1940's or 50's). These simple signs offer a number of ornate details which give them a charming and functional shape. Sign features include; rounded corners, a raised continuous border followed by a relief, a center panel with embossed lettering, a crown to support a decorative finial, and a lower curve to afford room for the block number (featured in smaller characters). These delightful visual details strongly compliment the other historic resources in the downtown core.

I ask that in keeping with the Historic District Overlay, and the purpose of preserving the diverse architectural styles reflecting various phases of the City's history, that this sign be immediately protected from removal and considered for preservation to continue its purpose as an identification street sign in our charming city.

Sincerely,



Natalie Sheard
nataliemsheard@gmail.com
(206) 406-4229



Item 1.



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**May 28, 2020
MEETING MINUTES**

This agenda was posted on May 23, 2020 at 12:14pm. This meeting was recorded and may be viewed at cityoforoville.org or on YouTube.

CALL TO ORDER – Chairperson Durling Called the Meeting to order at 6:00pm

ROLL CALL

PRESENT IN PERSON: Commissioners: Tammy Flicker, Michael Britton, Susan Sears, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

PRESENT VIA ELECTRONIC COMMUNICATION: Commissioner Randy Chapman

STAFF PRESENT: Principal Planner Wes Ervin, Assistant Community Development Director Dawn Nevers, Intern Conner Musler, Assistant City Clerk Jackie Glover

PLEDGE OF ALLEGIANCE – Led by Chairperson Durling

PUBLIC COMMENTS - There were zero public comments at this meeting.

APPROVAL OF MINUTES

1. The planning Commission approved the minutes of February 27, 2020 and April 23, 2020 Meetings.

Motion by Commissioner Sears and second by Commissioner Flicker to approve the minutes of February 27, 2020 and April 23, 2020. Motion passed by roll call vote.

AYES: Sears, Flicker, Britton, Chapman, Jenkins, Durling
NOES: None
ABSTAIN: None
ABSENT: None

REGULAR BUSINESS

2. **DEVELOPMENT REVIEW FOR 48-UNIT SENIOR AFFORDABLE HOUSING PROJECT AT 300 HILLVIEW RIDGE LANE, OROVILLE, CA.**

The Oroville Planning Commission reviewed and provided comments on the construction of a new 48-unit apartment complex at 300 Hillview Ridge Lane (APNs: 013-290-048). The subject property has a zoning designation of Commercial Mixed Use (MXC) and a General Plan land use designation of Mixed Use (MU).

Motion by Commissioner Flicker and second by Commissioner Britton to accept the recommendations of the Development Review Committee with regard to design, safety,

engineering, housing and other aspects of the project; and approve the project with recommended conditions. Motion passed by roll call vote.

AYES: Sears, Flicker, Britton, Chapman, Jenkins, Durling
NOES: None
ABSTAIN: None
ABSENT: None

3. TENTATIVE PARCEL MAP 20-02

The Oroville Planning Commission reviewed and considered approving Tentative Parcel Map 20-02 (TPM 20-02) for a lot split to facilitate Phase 2 of the Sierra Heights Senior Housing development at 300 Hillview Ridge Lane. The map will split one lot into two lots.

Motion by Commissioner Britton and second by Commissioner Sears to **approve** the recommended findings for Tentative Parcel Map 20-02 and recommended Conditions of Approval; and **adopt** Resolution No. P2020-06

AYES: Sears, Flicker, Britton, Chapman, Jenkins, Durling
NOES: None
ABSTAIN: None
ABSENT: None

DIRECTOR’S REPORT

Assistant Community Development Director Dawn Nevers – Updated the commission on several projects that the department is actively working on including a few senior housing projects, Reddy Creek and a new sign for the Union.

COMMISSION REPORTS

Commissioner Flicker – Mentioned the fireworks at the airport

Commissioner Sears – Spoke about the construction at the Hospital

ADJOURNMENT

Chairperson Durling adjourned the meeting at 6:41pm.

APPROVED:

ATTESTED:

Chairperson Carl Durling

Assistant City Clerk Jackie Glover



City of Oroville

Leonardo DePaola
DIRECTOR

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT

Thursday, June 25, 2020

RE: RESTAURANT RENAMING AND NEW SIGNAGE AT THE SITE OF THE HISTORIC UNION HOTEL

SUMMARY: Landmark Modification Permit to rename the former “Miner’s Alley Brewing Company” restaurant to the “Union”, and to create a new façade and sign that pays homage to the Historic Union Hotel on that site, 2053 Montgomery Street, Oroville, CA.

RECOMMENDATION:

1. Adopt the Class 1 Categorical exemption for Existing Facilities (CCR, Title 14, Sec. 15301) as the appropriate level of environmental review in accordance with the California Environmental Quality Act.
2. Approve a Landmark Modification Permit for a new façade and signage for the Union Patio Bar and Grill, 2053 Montgomery Street, Oroville, CA.
3. ADOPT RESOLUTION P2020-07 APPROVING THE LANDMARK MODIFICATION PERMIT TO ALTER THE FAÇADE AND ERECT NEW SIGNAGE TO COMMEMORATE THE HISTORIC UNION HOTEL AT 2053 MONTGOMERY STREET, OROVILLE, CA

APPLICANTS: Brian Wong, Owner

LOCATION:

2053 Montgomery Street
Oroville, CA 95965

GENERAL PLAN: MU – Mixed Use
ZONING: MXD-DHO-ACE -- Downtown Mixed Use with Downtown Historic Overlay and Arts Culture and Entertainment Overlay
FLOOD ZONE: X

ENVIRONMENTAL DETERMINATION: CEQA Exempt per §15301

REPORT PREPARED BY:

Wes Ervin, Contract Planner
Community Development Department

REVIEWED BY:

Dawn Nevers
Assistant Community Development Director

DISCUSSION

The new owner of the former Miner's Alley Brewing Company (Miner's Alley) restaurant at 2053 Montgomery Street seeks to continue the patio improvements started by the previous owner, and to rebrand the restaurant as the "Union Patio Bar and Grill". The new name commemorates the former Union Hotel that stood on the site until it burned down on May 12, 1944. One wall of the former hotel is the outside wall of the restaurant. The project also includes a new set of internally lighted LED signs.

The project is in the Downtown Historic District Overlay and the Arts, Culture and Entertainment District Overlay (ACE-O). The project appears to advance the purpose of the Downtown Historic District (OMC 17.44.040 A) in several ways, including by protecting significant elements of its history, and fostering civic pride based on an appreciation of the city's past.

The project appears to advance the purpose of the ACE-O overlay by revitalizing the historic downtown as a recreational, community and tourist destination, especially through the anticipated use of the patio area as an entertainment venue.

The building is not listed on the State or National Historic register but is a designated Landmark by the City. As such, any modification of the façade or signage requires approval of the Historic Advisory Commission.

The Development Review Committee reviewed the application on June 11, 2020 and made no specific comments.

If the Planning Commission as the Historic Advisory Commission approves this discretionary action, it will include the following approvals:

1. Landmark Modification approval;
2. Approval of an internally lighted sign per OMC 17.20.150B;
3. Sign Permit approval as a contributing historic feature (as the de facto Historic Advisory Commission)
4. Retroactive approval of the façade and patio changes begun by the former owner, which were mistakenly approved by staff in June 2019 without bringing those changes to the Historic Advisory Commission for the required review. Those improvements are reflected in the drawings provided for this application.

ANALYSIS

This application appears to meet all requirements of the Landmark Modification Permit, the Downtown Historic Overlay District, the Arts, Culture and Entertainment Overlay District.

Landmark Modification Permit

City Code 17.48.050 E specifies that the process for landmark modification permits shall be the same as Development review, and includes the following criteria, all of which appear to be met:

- a. Whether the proposed change, including its design and materials, is consistent with the historic period of the landmark.
- b. Whether the proposed change is compatible with any adjacent or nearby landmarks.
- c. Whether the proposed change destroys or diminishes an important feature of the landmark.
- d. Whether the proposed change conforms to the most recent edition of the Secretary of the Interior's Standards for the Treatment of Historic Properties, published by the United States Department of the Interior.

Downtown Historic Overlay District

If a building or structure is listed in a City of Oroville historic survey for a DH-O district, Section 17.44.40 requires a Landmark Modification Permit before making changes. In addition, the project must be reviewed by the applicable historic advisory commission:

“The historic advisory commission shall make its determination based upon whether the subject building, structure, site or improvement meets the criteria for designation as a landmark, as specified in Section 17.48.040 (Landmarks). If the criteria for landmark designation are met, the subject building, structure, site or improvement shall be deemed a contributing feature of the DH-O district.”

ACE – Arts, Culture and Entertainment Overlay District

There is no change to the existing permitted use.

Sign Regulations

Per City Code 17.20.040 B, this project is exempt from a separate sign permit because it is undergoing Landmark Modification Permit Development Review.

Per City Code 17.20.150 C, any sign that is a contributing feature of a DH-O district, as determined by the Historic Advisory Commission,shall not be counted towards the allowable sign area or number of signs for a building or use.

Staff notes that the signage compares to the following current City sign requirements as follows:

- For a maximum of 148 square feet of area based on the 148 feet of street frontage. All signs combined total 83 square feet.
- Maximum height of 20 feet per projecting sign. The blade fork sign is 22 feet high;
- The top of the LED-lit “Union” wall sign does not project more than 1/3 of the sign height or 8 feet, whichever is less, above the adjacent building façade;

PROPOSED CONDITIONS

1. Obtain a building permit prior to operating the signs;
2. If lighting becomes an issue for any neighbor or impedes traffic, applicant will work with the Building Official to modify the lighting and/or density as appropriate;
3. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for

any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.

- 4. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
- 5. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
 - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - b. Any of the terms or conditions of the permit have been violated.
 - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
 - d. The permit was obtained by fraud.
- 6. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

ENVIRONMENTAL IMPACT

This project is Categoricaly exempt per CEQA Guidelines 15301, which exempts existing uses with negligible or no expansion of use. Nor is there a substantial adverse change in the significance of a historical resource.

FISCAL IMPACT

None.

ATTACHMENTS

- Attachment A: Application, description and images of the proposed sign
- Attachment B: Resolution P2020-07 Approving Landmark Modification Permit
- Attachment C: Development Review comments
- Attachment D: Notice of Exemption



City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#: PL2006 002

LANDMARK MODIFICATION PERMIT

(Please print clearly and fill in/provide all that apply)

Refer to Permit # B2005-034

REQUIRED FOR A COMPLETE APPLICATION

- Completed and signed Application Forms
- Development Review (\$225.00) + 6% Tech Fee = \$238.50

IDENTIFICATION DATA

Name of Property: Miner's Alley Restaurant
 Address: 2053 Montgomery St, Oroville, CA 95965
 Construction Date: Sept, 2019 to Sept, 2020
 Architect/Designer: Location Arts (Design) RGA (Architect & Engineers)
 Builder: Owner with Sub - Contractors
Present Ownership
 Name: Oro Union, Corp Address: 2053 Montgomery St Phone #: _____
Form Prepared By (Applicant)
 Name: Brian Wong Address: 2051 Robinson St Phone #: (530) 5060 ⁸²⁸

Any determination regarding a landmark modification permit shall be considered a discretionary action and shall be subject to all applicable provisions of the California Environmental Quality Act (CEQA).

APPLICABILITY

Please check all that apply. A landmark modification permit shall be required for any restoration, rehabilitation or alteration that would change the exterior appearance or otherwise affect the historic significance of any of the following:

- 1. Structure or site is designated as a California Historical Landmark, or is listed on the National Register of Historic Places.
- 2. Structure, building or site has an existing landmark designation through the City of Oroville.
- 3. Buildings, structures or improvements are identified in the City of Oroville historic survey for the Downtown Historic Overlay (DH-O) district.

* If the subject improvement has not previously been evaluated to determine whether it is a contributing feature of the DH-O district, the Historic Advisory Commission shall make this determination.

**A landmark modification permit shall be required only for contributing features of the DH-O district.

RIGHTS GRANTED

A landmark modification permit authorizes its holder to apply for any building permits or other permits that are necessary to modify a specified building, structure or significant feature. A landmark modification permit shall not be construed to grant the rights that are provided by a building permit, grading permit or any other permit.

VIOLATION AND PENALTIES

Any person or entity that alters any landmark or landmark site for which a landmark modification permit is required without first obtaining that permit shall be deemed guilty of an infraction, and upon conviction shall be punished by a fine not to exceed \$1,000. Each day on which the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under the provisions of this section.

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Applicant's Signature: *Brian Wong* Date: 6-1-2020

OFFICE USE ONLY

APPROVED BY: _____ DATE: _____
 Credit Card #: _____ Debit Card #: _____ Money Order Cash Check # _____

ADDITIONAL INFORMATION

Lined area for providing additional information.

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable

UNION

PATIO BAR & GRILL

Dear Planning Commission.

We present for you review and approval the Identity for the Corner of Montgomery and Myers. The Main structure and store front leverage the existing façade at 2053 Montgomery st. Our design respects the original cast iron column pilasters and reimagines the millwork frieze positioned above the column pilasters. Removal of the corrugated metal awning and installing a metal entry canopy. The stucco will be returned to a smooth plaster finish.

The Union is named from the old Hotel that was once stood on the corner of Montgomery and Myers. You can see the remnants of the Hotel on the west facing exterior wall and at the right side of the existing 2053 façade. Standing in front of the building, it is the fluted segment of wall that sticks above the façade. The Union sign was scaled to sit just below the top of the remnant facades highest point. The sign letters stand at 46" high and the fork rises above the letters about 15". The sign is made as independent 4" deep channel letters with acrylic lens and internal LED lighted. The intensity of light will be adjusted to a warm glow.

The restaurant concept is guided by the idea that providing locals with a great place for families and friends with abundant outdoor seating and entertainment. Our design consultant tells us to focus on the locals and the visitors will come. The Union has taken extraordinary measures to create community and lasting memories that we think will keep people young and old coming downtown for years to come. The Union follows in the footsteps of others who have invested, preserved and strengthened the character of downtown. Our application and request for oversized signage is to adequately sign the entire venue and make a lasting Impression of a vibrant place downtown.

Please see attached Copies of the old Union Hotel

Sign letters are supported by a low metal frame attached to the back of each letter and connected to a roof mounted metal frame.

The Lettering on the frieze is raised ½" surface applied and painted

The canopy is under lighted for entry light.

Sincerely

Bin Wang
6-1-2020

FIELD SET

CITY OF GROVILLE
BUILDING DEPARTMENT

MAY 15 2023

RECEIVED



CITY OF OROVILLE
BUILDING DEPARTMENT

MAY 10 2020

RECEIVED

Permit Number
B2005-034

RECEIVED
For compliance with City of Oroville Building
Regulation Ordinance and current California
Code. The acceptor of this plan and
responsible party shall be held to permit
and to any approval or violation of any city
ordinance or state law.

City of Oroville
Building Inspection Division

Authorized Signature _____ Date _____

These plans must be kept on premises
and accessible to the inspector at all times.

UNION

PATIO BAR GRILL



**FIELD SET
SUBJECT TO FIELD INSPECTION**

SIGNAGE AREAS	
UNION:	72 S.F.
PATIO BAR GRILL:	5 S.F.
FORK BLADE:	6 S.F.

**PROPOSED STOREFRONT & SIGNAGE
UNION
PATIO, BAR & GRILL**

DECEMBER 9, 2019

LOCATIONarts



PROPOSED STOREFRONT & SIGNAGE

**UNION
PATIO, BAR & GRILL**

DECEMBER 9, 2019

LOCATIONarts

MONTGOMERY ST

MYERS ST

LOCATION OF
SIGN ABOVE

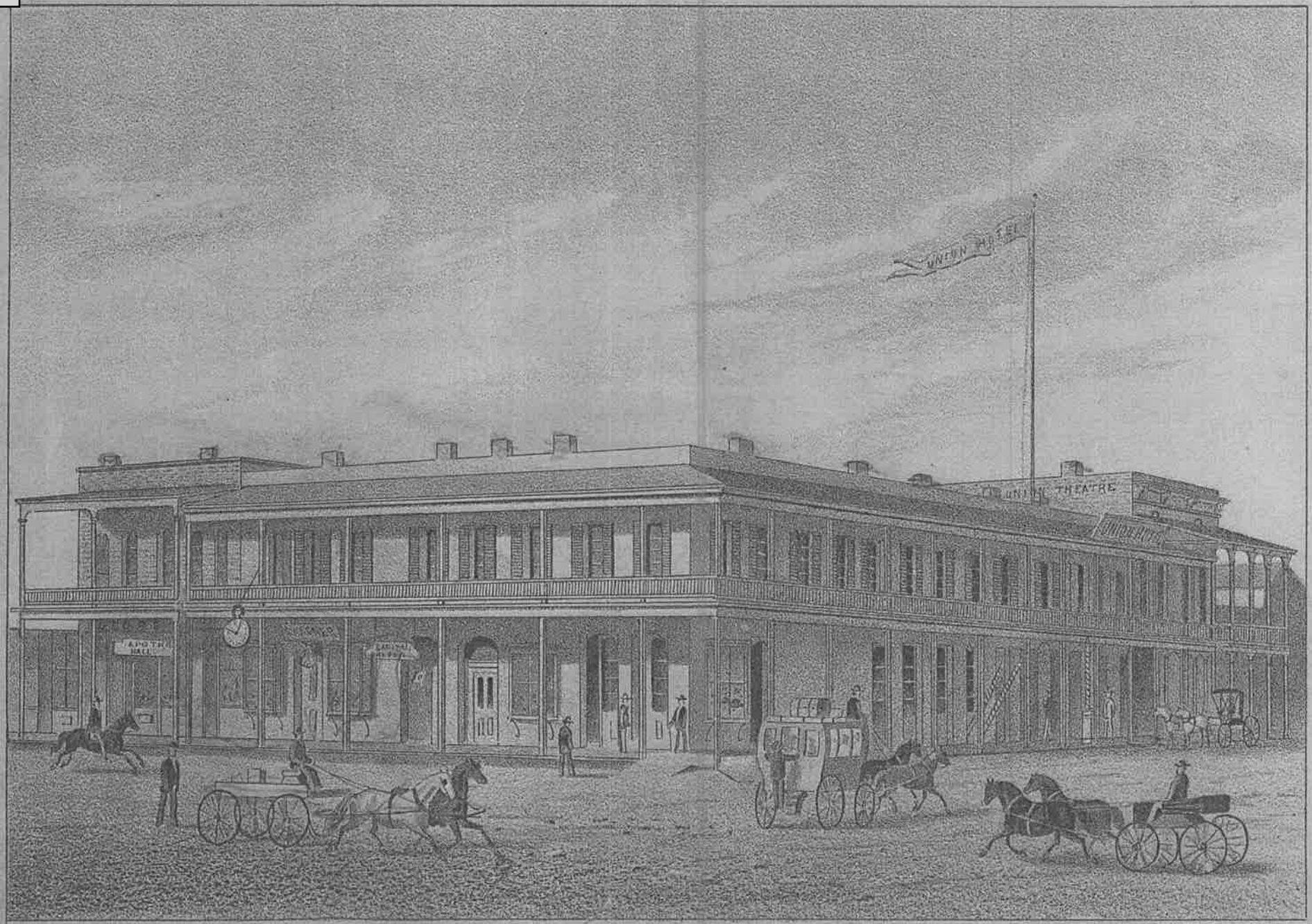
CREATIVE
IMAGING
CENTER

F.R.S.C.A. CENTER

ALLEY



SITE PLAN
UNION
PATIO, BAR & GRILL



G. E. O'P.S. APOTHECARIES HALL PALACE JEWELRY STORE. CAPITAL SALOON
 G. C. MATHEWS & CO D. F. FRYER. S. WARNER NEWHARD & HEITZ
 GOODS etc

UNION HOTEL BARBER SHOP
 ANTHONY BROS

UNION HOTEL, COR MONTGOMERY & MYERS STS. OROVILLE CAL. D. N. FRIESLEBEN. PROP.

Item 2.

LES
VERY
ABLE.



Item 2.

RESOLUTION NO. P2020-07

1. A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING THE LANDMARK MODIFICATION PERMIT TO ALTER THE FAÇADE AND ERECT NEW SIGNAGE TO COMMEMORATE THE HISTORIC UNION HOTEL AT 2053 MONTGOMERY STREET, OROVILLE, CA

WHEREAS, the City of Oroville has received a landmark modification permit application from Brian Wong for façade improvements and a sign project at 2053 Montgomery Street, Oroville, CA;

WHEREAS, the proposed façade and sign commemorate the historic Union Hotel that stood on that site until it burned on May 12, 1944; and

WHEREAS, City fully supports commemorating Oroville’s downtown history;

WHEREAS, the subject property has a zoning designation of Downtown Mixed Use with a Downtown Historic Overlay and an Arts, Culture and Entertainment Overlay; and

WHEREAS, per the City of Oroville Municipal Code, this project is required to obtain a Landmark Alteration Permit from the Planning Commission, and project approval and sign approval from the Historic Advisory Commission; and

WHEREAS, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the permit described herein, and also considered the City’s staff report regarding the project.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION as follows:

1. The Planning Commission finds that this action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15301 “existing uses with negligible or no expansion.”
2. The Planning Commission finds that:
 - A. The proposed change, including its design and materials, is consistent with the historic period of the landmark;
 - B. The proposed change is compatible with any adjacent or nearby landmarks;
 - C. The proposed change enhances and does not destroy or diminish an important feature of the landmark.

The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code, promote the general health, safety and public welfare of the City.

CONDITIONS OF APPROVAL

Approved project: The Planning Commission hereby approves Project No. PL2006-002 in accordance with the plans received June 3, 2020, subject to the following:

1. Obtain a building permit prior to operating the signs;
2. If lighting becomes an issue for any neighbor, or impedes traffic, applicant will work with the Building Official to modify the lighting and/or density as appropriate;
3. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
4. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
5. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
 - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
 - b. Any of the terms or conditions of the permit have been violated.
 - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
 - d. The permit was obtained by fraud.
6. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

--- End of Conditions ---

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 25th of June, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, SECRETARY

CARL DURLING, CHAIRPERSON



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

Item 2.

Leo DePaola
DIRECTOR

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DEVELOPMENT REVIEW COMMITTEE PROJECT REVIEW COMMENTS

PROJECT: Miners Alley Brewing Company Rename to "The Union"

FILE: PL2006-002

DEPARTMENTS IN ATTENDANCE:

DATE: 6/11/2020

- | | | | |
|--------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> BUILDING DIVISION | <input checked="" type="checkbox"/> BUSINESS ASSISTANCE & HOUSING DEPARTMENT | <input checked="" type="checkbox"/> OROVILLE FIRE DEPARTMENT | <input type="checkbox"/> OROVILLE POLICE DEPARTMENT |
| <input checked="" type="checkbox"/> PUBLIC WORKS | <input type="checkbox"/> _____
WATER DISTRICT | <input type="checkbox"/> LAFCO | <input checked="" type="checkbox"/> <u>Parks and Trees</u> |
| <input checked="" type="checkbox"/> PLANNING | <input type="checkbox"/> BUTTE COUNTY ENVIRONMENTAL HEALTH | <input type="checkbox"/> ECONOMIC DEVELOPMENT | <input type="checkbox"/> _____ |

DEPARTMENT

COMMENTS

Brian Wong gave some background to the project and the old Union Hotel that used to stand at the corner. A lot of thought and time went into designing and naming the project. The applicant wants the restaurant to honor the past while symbolizing community.

No additional comments or conditions were raised by staff. The Historic Advisory Committee will make findings prior to approving the landmark modification permit.

Overall, we appreciate the applicant working hard on this project. So far everything looks very nice and are looking forward to the final product.

Next Steps

Will go before the Historic Advisory Commission at their June 25th meeting.



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

LEONARDO DEPAOLA
DIRECTOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

NOTICE OF EXEMPTION

:	TO	Butte County Clerk	:	FROM	City of Oroville
		25 County Center Drive			1735 Montgomery Street
		Oroville, CA 95965			Oroville, CA 95965

Project Title: PL2006-002 Union Patio Bar and Grill Landmark Modification Permit

Project Location – Specific: 2053 Montgomery Street

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Brian Wong, has applied for a Landmark Modification Permit per Section 17.48.050 of the Oroville Municipal Code (OMC). The subject property has a zoning designation of Downtown Mixed Use (MXD) and a General Plan land use designation of Mixed use. The building is not on either the Federal or State Historic registry, but is listed by the City of Oroville as a local landmark. The applicant is proposing to re-brand the current restaurant in honor of the former Union Hotel, which stood at the site until it burned down in May 1944. The site is in the Downtown Historic Overlay District and the Arts, Culture and Entertainment overly. The project is categorically exempt.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Brian Wong

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
 - General Rule Exemption; Title 14, CCR, §15061(b)(3)
 - Existing Facilities, Title 14, CCR, §15301
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the variance request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

Existing Facilities, Title 14, CCR, §15301

Class 1 categorical exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, Included in this category are restoration or rehabilitation of deteriorated or damaged structures, and also additions to existing structures of less than 50% of the floor area or 2,500 square feet whichever is less. This project involves only signage and exterior modifications to an existing building, and is thus exempt.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Lead Agency Contact Person: Wes Ervin

Telephone: (530) 538-2408

Signature: _____

Date: _____

- Signed by Lead Agency
- Signed by Applicant