

**FROM THE PLANNING COMMISSION MINUTES OF MARCH 11, 2010**

**8. REZONE/SPECIAL USE PERMIT**

**Z09-0004/S09-0011/Brookshire Gardens Events Center and Bed & Breakfast** submitted by KURT SOMMERDYKE to rezone from Estate Residential 10-Acre (RE-10) to Planned Commercial (CP) and special use permit to authorize an events center for up to 50 events per year with up to 150 guests per event. A three room bed and breakfast facility and commercial kitchen is proposed in a future phase. An off-site overflow parking agreement is proposed with a nearby trade school (Assessor's Parcel Number 331-112-12). The property, identified by Assessor's Parcel Number 331-111-05, consisting of 1.55 acres, is located on the north side of North Street, approximately 300 feet east of the intersection with Oriental Street, in the El Dorado area, Supervisorial District III. [*Project Planner: Jason Hade*] (Mitigated negative declaration prepared)\*

Jason Hade presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that in an email dated March 4, 2010, the applicant was requesting a portion of graveled parking and a graveled secondary access in lieu of asphalt (this was shown on a revised Site Plan date stamped March 10, 2010) and to defer lighting installation requirements to a later date. Mr. Hade also stated that one public comment had been received in regards to the zone change to Commercial and noise/parking issues.

Commissioner Heflin voiced concern with the hours of operation ending at 10:00 p.m., particularly when the request was to have up to 50 events per year.

Kurt Sommerdyke/applicant provided a history of the parcel and how the weddings started on his property. He stated that he was before the Commission to obtain the proper permits in order to increase these types of events. Mr. Sommerdyke provided the following comments on his project:

- Other businesses will benefit from him bringing the public into the County;
- A good use for the property;
- The trade school located across the street would be used for overflow parking;
- Request for graveling is primarily for cost-savings;
- Closest home is located to the west and a fence would block noise and provide privacy;
- Not his intention on having big events during the week;
- Although he requested 10:00 p.m. as an ending time, most weddings he has had are ending at dusk; and
- Already has lighting around the barn, reception area and dance floor.

County Counsel Paula Frantz stated that the Commission can limit the hours of operation to dusk until lighting conditions are met.

Pierre Rivas said that the lighting is not a requirement by the County, but any proposed lighting by the applicant must meet standards.

Renee Hargrove supported the project and provided the following comments:

- Provides increase in County revenue;
- Preservation of historic site;
- Beautiful grounds and is visually pleasing;
- Applicant is responsible neighbor;
- Gardens promote healthy environment; and
- Fosters small businesses.

Don Wesley/neighbor has been in the area since 1984 and has not been disturbed by past events held at the property and noise, lights or traffic has never been a problem. He supports the project and indicated that the applicant maintains the property very well.

Donna Aguiar, business owner in El Dorado, purchased the old fire station 15 years ago and has seen the development of this property, particularly the aesthetic enhancements to historic El Dorado. She supports the project and indicated that the applicant's past events have been very successful and they provide additional revenue to the community.

Gail Hartwick, owner of Hartwick House, supports the project and stated that the applicant is a good neighbor.

Commissioner Tolhurst said that he was in favor of the project but wanted to ensure that there would be no issues regarding the presence of alcohol and the proximity of schools to the location. He felt that there was a distinction between serving and selling alcohol.

Mr. Rivas stated in response to Commissioner Pratt's inquiry that the rezone request was to bring the zoning into compliance with the General Plan designation. In addition, Mr. Hade stated that a Special Use Permit was being required because the project was more of an events center instead of a Bed and Breakfast.

County Counsel Frantz provided more detail as to what is allowed with the current zoning and stated that she did not find any reference in County code regarding alcohol and the proximity of schools, so it would be an ABC issue if there was a concern.

Commissioner Mathews indicated that he preferred gravel to hardscapes.

No further discussion was presented.

**Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (5-0), to recommend that the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures as presented; 3. Approve rezone Z09-0004 based on the Findings proposed by staff; and 4. Conditionally approve special use permit S09-0011, based on the Findings proposed by staff and subject**

**to the Conditions as presented with the inclusion of the revised site plan dated stamped  
March 10, 2010.**

**AYES: Heflin, Tolhurst, Pratt, Mathews, Rain**  
**NOES: None**