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Planning Commission Staff Report

Meeting Date: March 3, 2026

Prepared By: Carole Kendrick, Director of Development Services

PROJECT INFORMATION SUMMARY

Case File: Site Plan Review (SPR) 83-05R (Taco Bell)

Request: Consideration of request to: (1) remodel of the existing fast-food restaurant and drive-through at 1240 Broadway (APN 004-261-022) in the Hangtown Village Square shopping center to reduce indoor seating from 50 to 25 seats, maintain the existing drive-through lane redesigned for a minimum 9-car onsite stack, reduce onsite parking stalls from 9 to 6, and implement site improvements including new ADA-compliant ramps with guardrails, sidewalks, curbs, bollards, menu board relocation and new speaker/OCB pedestal, clearance bar, repainted directional arrows and 4"-wide parking stall lines, refaced pylon sign, and landscaping to match existing planting in the Highway Commercial zone.

Summary Recommendation: Staff recommends that the Planning Commission open the public hearing, take testimony, and either (1) Deny Site Plan Review (SPR) 83-05R (2) Direct staff to prepare conditions of approval to present at the next meeting; or (3) Direct the applicant to work with staff with a mutually agreed upon extension, in writing, no less than 90 days.

<u>Property Owner:</u>	Thomas Concord CA LLC
<u>Applicant:</u>	VMI Architecture – Philip Moss
<u>Address:</u>	1240 Broadway
<u>APN:</u>	004-261-022
<u>Lot Area:</u>	0.29 acres
<u>General Plan Designation:</u>	Highway Commercial (HWC)
<u>Zoning:</u>	Highway Commercial (HWC)
<u>Existing Use:</u>	Quick Service Restaurant with a drive-thru
<u>Environmental Document:</u>	Categorically Exempt per §15031
<u>Decision Making</u>	Placerville Zoning Ordinance §10-4-9(G)

BACKGROUND

The Taco Bell site has a long history of approvals and amendments:

- **1983 Original Approval (CUP 83-07 / SPR 83-05):** On July 5, 1983, the Planning Commission discussed the proposal for a 1,688 square foot fast-food restaurant with drive-through. Major concerns included signage compliance with the shopping center's master sign plan and drive-through stacking to prevent backups onto Broadway. The Commission expressed concerns about circulation changes in the shopping center due to multiple developments (e.g., McDonald's, Arco/Exxon, World Savings). A motion to revise the site plan for rear access entry to stack into the center failed (3-4 vote). A second motion passed (7-0) directing resubmittal using staff's alternative plan, showing integration with adjacent lots and Broadway frontage. Subsequent approvals incorporated conditions, including: "If the drive through becomes associated with traffic problems, onsite or on Broadway, the City shall call for a hearing to consider alternatives to the existing site plan or to consider closure of the drive through."
- **1992 Modification Denial:** On September 15, 1992, the Planning Commission denied a request to modify building elevations for Taco Bell, finding the design and colors inconsistent with the site and surrounding area (4-0 vote).
- **2003 Major Amendment (SPR 83-05):** On October 21, 2003, the Planning Commission approved a major amendment for building remodel, wall signage, and landscape alterations, with 14 conditions (e.g., grided windows, pole sign adornment, no temporary signs, red curbs for fire lanes, landscaping maintenance agreement). A separate motion approved the master sign plan conformance (3-1 vote). On November 25, 2003, the City Council upheld the Commission's decision on grided windows (3-2 vote) but modified the sign package to accept the presented elevations with deletions and allowances (3-2 vote).
- **2004 Final Landscaping Plan Approval:** On March 2, 2004, the Planning Commission approved the final landscaping plan, requiring consultation with an arborist and Fire District for an evergreen tree planting (5-0 vote). A Covenant and Agreement for Landscaping was recorded on December 2, 2004, binding the owner (Puba Properties) and tenant (Richard Ahart) to install and maintain landscaping per the approved plan dated February 3, 2004.

The current revision addresses a remodel to update the facility but raises ongoing concerns about drive-through operations, traffic impacts and reduction of parking, as identified in the Engineering Department's January 12, 2026, review memo (see Attachment I) and the Planning Department email dated January 13, 2026 (see Attachment H).

PROJECT DESCRIPTION

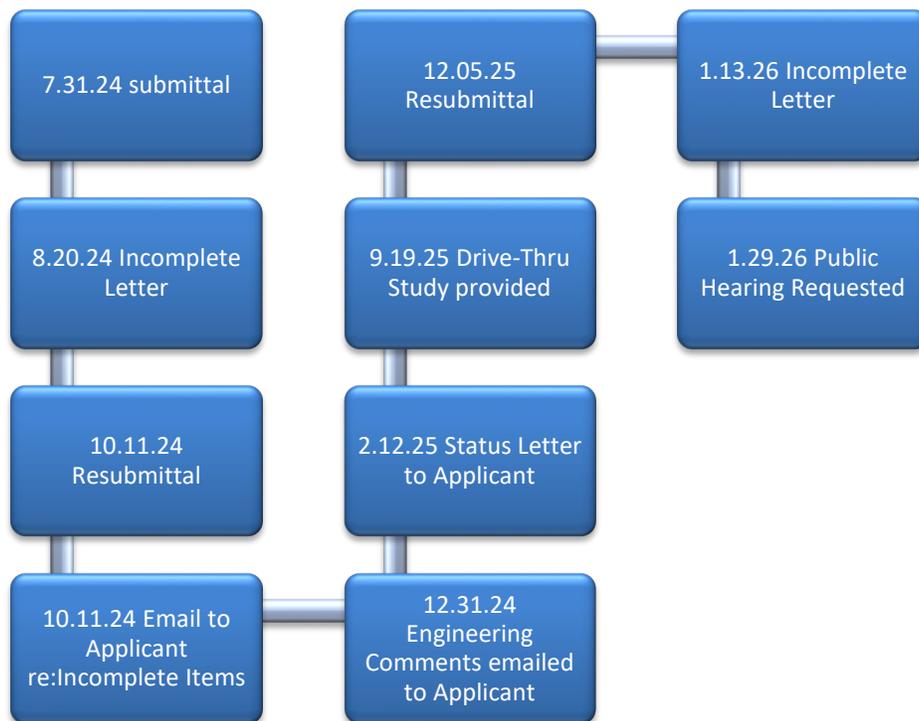
The applicant, Philip Moss with VMI Architecture representing Thomas Concord CA LLC, submitted an application proposes a remodel of the existing Taco Bell restaurant located at 1240 Broadway within the Hangtown Village Square shopping center. The remodel includes:

- Reducing indoor seating capacity from 50 seats to 25 seats.
- Maintaining the existing drive-through lane, designed to accommodate a minimum stack of 9 vehicles within the contained drive-through area.

- Reducing onsite parking stalls from 9 to 6, with a reciprocal parking agreement with the adjacent shopping center.
- Site improvements including new ADA ramps, sidewalks, curbs, bollards, menu board relocation, clearance bar, and landscaping to match existing planting.

The drive-through lane exceeds Taco Bell's minimum requirement of space for 5 cars between the order point and pick-up window, providing efficient operation. The applicant has submitted a Queue Management Program narrative outlining operational mitigations for queue overflow, including adding equipment, employees, curbside mobile pick-up, and promoting pre-order online usage.

The project is a revision to the approved Site Plan Review (SPR) 83-05, originally granted in 1983 alongside Conditional Use Permit (CUP) 83-07 for the construction of a fast-food restaurant with drive-through. This revision was submitted on July 31, 2024, and has followed the timeline provided below:



The applicant has requested a public hearing due to the City's failure to meet timelines under the Permit Streamlining Act (Government Code § 65920 et seq.).

PERMIT STREAMLINING ACT

The Permit Streamlining Act (PSA), codified in California Government Code sections 65920 et seq., is a 1977 state law (with ongoing amendments) designed to expedite and standardize the review and approval process for discretionary development project permits by local and state agencies, reducing delays in land use and housing decisions while ensuring transparency and efficiency.

Key features include:

- **Application Completeness Review (§ 65943):** Agencies must determine within 30 calendar days if a submitted application is complete (or deemed complete if no response), provide a detailed written list of any missing items, and generally limit future requests to those items (with some flexibility for housing projects).
- **Approval/Disapproval Timelines (§§ 65950–65952):** After the application is deemed complete and CEQA environmental review is finished, agencies must act within set periods (e.g., 60 days for categorically exempt or Negative Declaration projects, 180 days for EIR projects), with one possible mutual extension.
- **Deemed Approval (§ 65956):** If an agency fails to act within the timelines (after required public notice/hearing opportunities), the permit is deemed approved by operation of law, granting the same rights as a formal approval (though recent changes like AB 130 in 2025 removed some public notice hurdles for certain cases to make this more automatic).
- **Scope and Limits:** Applies to most discretionary "development projects" (e.g., site plan reviews, use permits, subdivisions), but excludes ministerial permits (like building permits), legislative actions (e.g., zoning/general plan amendments), and certain other categories.

In practice, the PSA balances applicant rights (e.g., clear checklists, no endless revisions) with public interests (e.g., CEQA compliance, hearings), and violations can lead to court challenges or deemed approvals. For the most current details, refer to the full Government Code text or recent legislative summaries, as housing-focused changes continue to evolve.

SITE DESCRIPTION

The 0.29-acre (12,632 square foot) site is located at 1240 Broadway in the Hangtown Village Square shopping center, adjacent to businesses such as McDonald's, Starbucks, and other retail uses. The site is developed with an existing Taco Bell restaurant and drive-through, with access from Broadway (ingress only) and shared circulation with the shopping center. The site is relatively flat, with existing utilities (sewer manhole, gas meter, water meter, electrical switchgear, trash enclosure, fire hydrant, storm drain inlet) to remain.

PROJECT SETTING

The subject property is zoned Highway Commercial (HWC) with a General Plan designation of Highway Commercial (HWC). Surrounding properties have the same zoning and land use

designations as the subject property. The site features include the existing quick service restaurant with a drive-thru, parking areas, and landscaping.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment D)
- Zoning Map (Attachment E)
- Aerial Photograph (Attachment F)

The land uses, zoning, and Placerville General Plan Land Use Element designations of the project site and surrounding area are shown in the following Table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Quick Service Restaurant with drive-thru (Taco Bell)	Highway Commercial (HWC)	Highway Commercial (HWC)
NORTH	Broadway and US 50	N/A	N/A
SOUTH	Retail Shopping Center (Hangtown Village Square)	Highway Commercial (HWC)	Highway Commercial (HWC)
EAST	Commercial (Wells Fargo)	Highway Commercial (HWC)	Highway Commercial (HWC)
WEST	Quick Service Coffee Shop with drive-thru (Starbucks)	Highway Commercial (HWC)	Highway Commercial (HWC)

PROJECT ANALYSIS

General Plan Consistency: The General Plan designates the site as Highway Commercial, emphasizing efficient circulation, minimal traffic impacts, and compatibility with adjacent uses. Policies in the Circulation Element require developments to mitigate traffic congestion, and the Community Design Element promotes harmonious site improvements

Zoning Consistency: The project is located in the HWC (Highway Commercial) zone, where fast-food restaurants with drive-throughs are permitted subject to CUP and SPR. The proposal conforms with density, setbacks, and height standards but requires evaluation for traffic, parking, and site design.

KEY ISSUES

Drive-Through Queuing and Traffic: The proposed drive-through accommodates 9 vehicles, an increase from the original 4-car stack discussed in 1983. However, a traffic study observed up to 12 vehicles during peak periods. The Engineering Department notes:

- Revised plans include 20-foot-wide ingress with "in only" arrows and "do not block intersection" hatching but lack a note for "keep clear" signing/stripping.
- Without committed procedures for queues exceeding 9 vehicles, the project could cause backups onto Broadway, violating the original 1983 condition.
- Engineering does not support approval and recommends a City Council hearing to consider alternatives or drive-through closure.

The Engineering Department has mapping of police accident reports and is compiling data that was not available at the preparation of this staff report, but will be provided to the Planning Commission at the time that it becomes available.

The applicant's Queue Management Program includes:

- Exceeding minimum 5-car space between order and pick-up.
- Increasing stacking to 9 cars.
- Operational mitigations (e.g., second order line, additional staff, curbside pick-up, pre-order promotion).

However, these measures are deemed insufficient by Engineering without enforceable commitments or demonstrated effectiveness.

Parking and Variance: The site reduces onsite stalls from 9 to 6, relying on a reciprocal agreement with the shopping center. The parking analysis provided shows:

USE	AREA SF	REQUIRED PARKING	PARKING #	PER 200 SF	PROVIDE
Shopping	31,600	1 per 200 sf	158	158	98
McDonalds	4,200	1 per 50 sf + 1 per 4 seats	96	21	34
Starbuck's	2,000	1 per 50 sf + 1 per 4 seats	48	10	26
Taco Bell	2,215	1 per 50 sf + 1 per 4 seats	57	11	10
Shopping 2	5,200	1 per 200 sf	26	26	74
Shopping 3	4,000	1 per 200 sf	20	20	25
Parking Needed:			405	246	267

Total parking at the center is approximately 267 spaces but would be required based on the uses to provide 405, indicating a potential deficiency. While reciprocal agreements identified in the property agreement (see Attachment K) allow shared parking, the reduction may exacerbate peak-hour issues, especially with reduced seating shifting emphasis to drive-through.

ENVIRONMENTAL REVIEW

The Taco Bell remodel project qualifies for a Class 1 Categorical Exemption under CEQA Guidelines §15301 (Existing Facilities), as it involves minor alterations to an existing restaurant structure with no net expansion of use (building footprint remains the same at 2,215 sq ft exterior face of stud of habitable space, indoor seating reduced from 50 to 25, and drive-through lane maintained with operational enhancements). This exemption presumes no significant environmental effect and requires no further CEQA review (e.g., Negative Declaration or EIR) unless an exception under §15300.2 applies.

Post-SB 743 (effective 2020), transportation impacts under CEQA are evaluated primarily using Vehicle Miles Traveled (VMT) rather than automobile delay, congestion, or Level of Service (LOS); pure traffic backups or drive-through queue overflows causing congestion on Broadway do not constitute a significant impact solely on that basis, as SB 743 explicitly removes LOS/delay as a CEQA metric (CEQA Guidelines §15064.3). The project's redesign (9-car onsite stacking exceeding Taco Bell's 5-car minimum between order and pick-up, plus Queue Management Program measures like added staff/equipment, curbside mobile pick-up, and pre-order promotion) likely maintains or reduces VMT by improving efficiency and shifting reliance from drive-through to other channels, with no substantial increase in total vehicle travel anticipated from this remodel.

The unusual circumstances exception (§15300.2(c)) could theoretically apply if substantial evidence shows a reasonable possibility of significant effects due to site-specific factors (e.g., the site's history of circulation concerns from 1983 approvals or potential secondary safety hazards from queues), but post-SB 743 case law and guidance emphasize that congestion alone is insufficient to trigger this or disqualify the exemption—impacts must tie to VMT, air quality, GHG emissions, or other non-delay effects (e.g., safety risks supported by data like accident rates). Cumulative impacts (§15300.2(b)) or location-based exceptions (§15300.2(a)) are unlikely here, as the site is in a developed commercial area without apparent sensitive resources.

Overall, the project does not trigger full CEQA review beyond the proposed categorical exemption, as circulation/queuing issues are addressed operationally and do not rise to significant environmental effects under current law; any remaining concerns (e.g., peak queues up to 12 vehicles per the traffic study) fall under local permitting authority (e.g., the 1983 condition for potential hearing on alternatives or closure) rather than CEQA mandates. If new evidence emerges (e.g., VMT increase or documented safety hazards), the exemption could be reevaluated, but based on available information, it remains appropriate.

PUBLIC COMMUNICATIONS

Property owners located within a 300-foot radius of the project site were notified of the public hearing on February 20, 2026, with a 10-day hearing notice in addition to a public notice in the Mountain Democrat (see Attachment G).

At the time of report preparation, the Planning Department received one email from Steve Puthutt requesting a continuation (see Attachment J). Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

DECISION MAKING AUTHORITY

The Planning Commission is authorized under Zoning Ordinance Section 10-4-9(G) to act upon all applications within the City.

The planning commission may approve, approve with conditions, or disapprove the application for a building permit or other required approval in any matter subject to its scope of authority after considering whether the following criteria are met. These criteria are not intended to supersede any requirements in the city's construction regulations, restricting imagination, innovation, or variety, but rather to assist in focusing on design principles which can result in creative solutions to assist in promoting the purpose of this title.

RECOMMENDED PLANNING COMMISSION ACTION

Hold a public hearing and take public testimony; and,

Option 1:

1. Deny Site Plan Review (SPR) 83-05R based on the following findings:
 - i. The project is inconsistent with the original 1983 approval conditions, as the proposed 9-vehicle stacking does not adequately mitigate observed peak queues of up to 12 vehicles, potentially causing traffic backups onto Broadway and onsite congestion.
 - ii. The proposal does not conform to General Plan Circulation Element policies requiring developments to avoid adverse traffic impacts on public streets.
 - iii. The Engineering Department has determined the Queue Management Program insufficient without enforceable procedures, warranting consideration of alternatives or drive-through closure per the original condition.
 - iv. Parking reductions, even with reciprocal agreements, may not accommodate demand, exacerbating circulation issues.

Option 2:

1. Direct staff to return with conditions of approval for the project on April 7, 2026,

Option 3:

1. Direct the applicant to work with City Staff to resolve project concerns, noting that do not automatically extend the strict Permit Streamlining Act timelines unless mutually agreed in writing (limited to 90 days).

ATTACHMENTS

- A. Development Plan
- B. Narrative
- C. Parking Analysis
- D. General Plan Land Use Designation Map
- E. Zoning Map
- F. Aerial Photograph
- G. Proof of Publication
- H. Planning Department email to project team on January 13, 2026
- I. Engineering Department's review memo dated January 12, 2026
- J. Steve Puthutt email dated February 26, 2026
- K. Property Agreement

INCORPORATED BY REFERENCE

City of Placerville General Plan
City of Placerville Zoning Ordinance
Contents of City of Placerville Planning Department Project File SPR83-05, SPR83-05R and CUP83-07