## AGENDA CITY OF PLYMOUTH

#### **PLANNING COMMISSION**

**SPECIAL MEETING** 

**TUESDAY, DECEMBER 9, 2025** 

Council Chambers 9426 Main Street, Plymouth, California



#### Michael Sullivan, Chair

William Klaproth, Vice Chair Vacant Seat, Planning Commissioner

Thomas Mikkelsen, Planning Commissioner Vacant Seat, Planning Commissioner

<u>PLEASE NOTE:</u> The Planning Commissioners may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. **Members of the public who wish to speak may be subject to a three (3) minute maximum time limit when addressing the Council, and/or the City may require speaker identification sheets be submitted to the City Clerk prior to being called upon by the Mayor to provide public comment.** 



### CITY OF PLYMOUTH PLANNING COMMISSION

#### SPECIAL MEETING AGENDA

Tuesday, December 9, 2025, at 6:30 PM

#### Plymouth City Hall - 9426 Main Street Plymouth, California

Members of the public not attending in person may submit written public comment prior to the meeting by emailing your comment to the City Clerk at <a href="maileo-vmchenry@cityofplymouth.org">vmchenry@cityofplymouth.org</a> before 3:30 PM on the day of the meeting. Emailed public comments will be distributed to the Commission and made part of the official record.

Meeting ID: 956 8598 6982 Passcode:830313

https://zoom.us/j/95685986982?pwd=LwfLz6hJkavocRKi74mv6GlRmNyEHo.1

#### Michael Sullivan, Chair

William Klaproth, Vice Chair Thomas Mikkelsen, Commissioner

Vacant Commissioner Seat Vacant Commissioner Seat

This meeting will be recorded. Council Chambers are wheelchair accessible. Special accommodations may be requested by contacting the Planning Clerk 72 hours in advance of the meeting.

#### Please silence all cell phones or similar devices.

- CALL TO ORDER / ROLL CALL:
  - Roll Call
  - Flag Salute
- 2. APPROVAL OF PLANNING COMMISSION SPECIAL MEETING AGENDA FOR DECEMBER 9, 2025

#### 3. PUBLIC COMMENT:

Under provisions of the Government Code, citizens wishing to address the Commission for any matter on the agenda may do so at this time by completing and submitting a Speaker Submittal Form to the City Clerk or following the instructions noted on this agenda. Speakers will be called by the Chair at the point on the agenda when the item will be heard. Speakers should keep comments to three minutes or less and state their name and community of residence. Under provisions of the California Government Code, the Commission is prohibited from materially discussing or taking action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or an urgent need to take immediate action arose after the posting of the agenda.

#### 4. PUBLIC HEARINGS:

4.1 RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH APPROVING A MAJOR DESIGN REVIEW FOR EXTERIOR MODIFICATIONS AND A CONDITIONAL USE PERMIT OF A BAR (WITH ALCOHOL SALES) AND LIVE ENTERTAINMENT (PA 2025-10) FOR DRINK BAR AND RESTAURANT LOCATED AT 9451 MAIN STREET (APN 010-031-012).

**RECOMMENDATION:** Hold a Public Hearing, receive public testimony, review, discuss and adopt Resolution 2025-11 and Resolution 2025-12.

#### 5. ADJOURNMENT

#### **ADDITIONAL INFORMATION**

Public documents related to items on the open session portion of this agenda, which are distributed to the Planning Commission no less than 72 hours prior to the meeting, shall be available for public inspection at the City Clerk's office located at Plymouth City Hall and at the time of the meeting.

#### **NOTICE:**

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk at (209) 245-6941 Ext. 256 at least 48 hours prior to the meeting.

#### **CERTIFICATION OF POSTING OF AGENDA**

I, Victoria McHenry, City Clerk for the City of Plymouth, declare that the foregoing agenda for the December 9, 2025, Regular Meeting of the Plymouth Planning Commission was posted and available for review on December 2, 2025 at the City Hall of the City of Plymouth, 9426 Main Street, Plymouth, California, 95669. The agenda is also available on the city website at <a href="https://www.cityofplymouth.org">www.cityofplymouth.org</a>.

Signed at Plymouth, California //s// Victoria McHenry City Clerk

# 4.1 PUBLIC HEARING



SUBJECT: Drink Bar and Restaurant (9451 Main Street) Major Design

Review and Conditional Use Permit (PA 2025-10)

**DEPARTMENT**: Planning Department

**STAFF:** Erica Fraser, AICP, Planning Director

#### TITLE

Resolutions approving a Major Design Review for exterior modifications and a Conditional Use Permit for a bar (with alcohol sales) and live entertainment.

#### **BACKGROUND**

The applicant is proposing to modify the existing property located at 9451 Main Street to include new restrooms, a trellis, landscaping, a sign, outdoor seating and related site improvements. The applicant is also proposing to operate a restaurant and bar with indoor and outdoor alcohol sales and live entertainment.

#### Site and Existing Conditions

The project site is a developed parcel located at 9451 Main Street. The property is approximately .31 acres. The site is partially developed with an existing building, and the remainder of the site is undeveloped.

The following figure shows the project location. The site is surrounded by the Post Office to the east, the City's Park to the west, and a single-family residence to the north.



Figure 1: Project Location



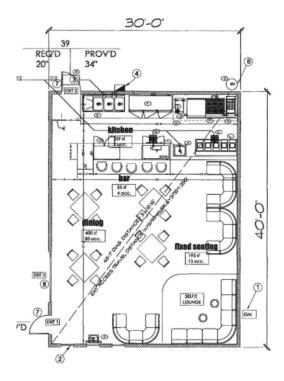
#### **ANALYSIS**

The proposed project includes a request for a Major Design Review for exterior modifications to the site including new restrooms, a trellis, outdoor seating, landscaping, and related improvements. The Applicant has also requested approval of a Conditional Use Permit for the bar with alcohol sales and on-site consumption (indoor and outdoor) as well as live entertainment.

The interior of the existing 1,200 square foot building will be modified to include a new kitchen, bar, lounge and fixed seating as shown on the floor plan below.



Figure 2: Floor Plan



#### **Major Design Review**

Major Design Review is required for the exterior improvements.

#### Existing Building

Minimal exterior changes are proposed to the existing building. Two new restrooms are proposed to be constricted next to the existing building (please see Site Plan sp1 for location). No other modifications are proposed.

#### **Site Modifications**

The Applicant is proposing to modify the existing vacant portion of the lot for outdoor dining. The lot will be landscaped, and seating will be added. The outdoor dining area will have 21 tables with 4 seats for each.

At the rear of the property, the applicant proposes to install a ten-foot trellis. The trellis will be set back 13 feet 3 inches from the rear property line. A stage for live entertainment will be located under the trellis and located closer to the west (side) property line.

New landscaping will be planted throughout. New trees will be planted in the outdoor seating area and at the rear of the property. The rear property line trees are intended



to provide sound attenuation to reduce impacts on the adjacent property. The proposed trees Prosopis 'Leslie Roy' are fast growing and will grow to 25 – 30 feet tall and wide and will provide a nice buffer between the two uses. Existing trees on the City's property provide a visual buffer between the site and the park.

The location of the new trees as well as the trellis and outdoor seating are shown on the site plan below.

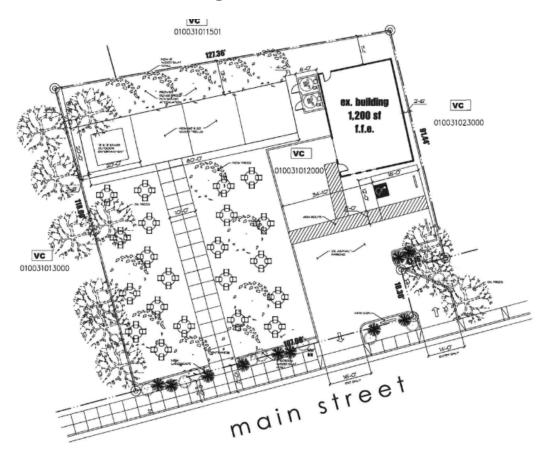


Figure 3: Site Plan

Parking is not required for sites which are located within the City's downtown (Section 19.76.055). The applicant is proposing to install two parking stalls (including one ADA space) on-site.

#### Frontage Improvements

At Main Street, the Applicant proposes to install a low fence and plant materials (shrubbery) to screen views of the site. As a condition of approval, the Applicant will be required to repair the cracked or broken concrete at the driveway.



A new 5-foot-tall monument sign advertising the name of the establishment is proposed on the property at Main Street (please refer to Sheet a2).

#### **Conditional Use Permit**

Approval of a Conditional Use Permit is required for alcohol sales with a bar and live entertainment.

#### Operation Characteristics

Drink Bar and Restaurant will be open from breakfast through dinner. Patrons can be served both indoors and outdoors. Full liquor service is proposed.

The restaurant and bar will be open Monday through Sunday from 7:00 AM – 10:00 PM. Live entertainment will occur on Friday through Sunday starting at 6:00 PM. This Conditional Use Permit will not require food sales to occur during evening hours if the Applicant wishes to close the restaurant early.

The City's Noise Ordinance (Chapter 9.01) prohibits amplified noise which is audible more than 50 feet from the location of the property from 9:00 PM to 8:00 AM. This means that live entertainment is required to end by 9:00 PM.

The property is surrounded by the City's Park, Post Office and Main Street. To the rear of the property, there is a single-family residence which is separated by an proposed 6-foot-tall fence. The Applicant is also proposing to install trees along this property line for sound attenuation. Section 19.82.040(C)(2) requires a 6-foot-tall solid masonry fence between the two uses, unless otherwise approved by the Planning Commission. It is likely that there will be some noise impacts to this adjacent neighbor. While the fence will provide some sound attenuation, Staff is requesting that the Planning Commission require the Applicant to increase the height of the fence to 8 feet to provide a taller sound and visual buffer to allow the proposed trees to eventually grow to an adequate size.

Staff has included several conditions of approval related to live entertainment in the draft Conditions of Approval which includes:

- Limit on the hours of operation to conform to the City's Noise Ordinance.
- Requirements for noise control.
- Requirement that the trees at the rear of the property be planted in a 24-inch box size so that the trees can mature quickly in order to provide noise attenuation.
- Increase in the height of the fence to 8 feet.



Security

The Applicant is proposing to have off-duty or security personnel during evening hours and on weekends when crowds are expected to be larger. Staff will be trained on managing patrons and ensuring there is adequate safety for all.

All Staff will be trained in responsible service, to identify intoxicated individuals, and to ensure that no one under 21 will be served alcohol.

Staff has included several Conditions of Approval to ensure that the bar and restaurant will not negatively impact the surrounding area. These conditions include:

- The operator will be required to maintain peace and order.
- The operator will be required to prevent patrons from loitering on the sidewalk or adjacent areas.
- Signage which advertises any alcohol is prohibited.
- Security measures shall be provided as discussed in the Applicant's security plan.

#### Departmental Review

All relevant City departments (Public Works, Engineering, Fire, Police, Building) have reviewed the application. No objections were raised.

#### CONCLUSION

The proposed project will enhance the existing site and will provide additional eating and entertainment options in the City's downtown. The proposed improvements will significantly enhance the vacant portion of the project by providing a nice outdoor dining area and landscaping.

Conditions of approval have been included to ensure that the live entertainment and alcohol uses will not have a significant impact on the surrounding area.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed project is exempt from the California Environmental Quality Act (CEQA) due to Section 15301, Class 1, Existing Facilities, because the site is located within the City's downtown, is developed with a building, and the site has been used for commercial purposes for several years. The proposed project includes the use of the site for commercial purposes, which is allowed in the downtown, and the proposed exterior modifications are minor and do not significantly increase the use of the site.



#### PLANNING COMMISSION OPTIONS

The Planning Commission has several options, which are listed below:

- 1. Adopt a Resolution approving:
  - a. A Resolution approving a Minor Design Review; and
  - b. A Resolution approving a Conditional Use Permit.
- 2. Adopt the draft Resolutions with modifications to the conditions of approval or project by the Planning Commission.
- 3. Continue the public hearing to a certain date and direct staff and/or the applicant to return with additional information, revised plans, or alternative conditions the Commission believes are necessary to support the findings.
- 4. Deny the proposed project.

Staff recommends option 1.

#### **ATTACHMENTS**

- 1. Planning Commission Resolution 2025-11 approving a Minor Design Review with the project plans included as Exhibit A.
- 2. Planning Commission Resolution 2025-12 approving a Conditional Use Permit with the written statement included as Exhibit A.
- 3. Applicant's written statement.

#### PLANNING COMMISSION RESOLUTION NO. 2025-11

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH APPROVING A MAJOR DESIGN REVIEW FOR THE DRINK BAR AND RESTAURANT LOCATED AT 9451 MAIN STREET, PLYMOUTH (APN 010-031-012)

- **WHEREAS**, the Applicant, Isy Borjon, on behalf of Drink Bar and Restaurant, has submitted a Minor Design Review application for exterior improvements located at 9451 Main Street in the Village Commercial (VC) zoning district; and
- **WHEREAS**, the proposed improvements include landscaping, fencing, signage, site layout modifications, a trellis, and new exterior restrooms; and
- **WHEREAS**, pursuant to Plymouth Municipal Code § 19.18.040, a Major Design Review approval is required for these improvements; and
- **WHEREAS**, the Applicant concurrently seeks a Conditional Use Permit for live entertainment and alcohol sales (Resolution 2025-12); and
- **WHEREAS**, on December 9, 2025, the Planning Commission held a duly noticed public hearing to consider PA 2025-10 for the proposed exterior modifications, at which time all interested persons were given an opportunity to appear and be heard on the matter; and
- **WHEREAS**, the Planning Commission has reviewed the staff report and supporting documents, including the Applicant's project description, proposed floor plans, security plan and information, and has determined that the project, as conditioned, will be compatible with the Village Commercial zoning district and not detrimental to the public health, safety, or welfare; and
- WHEREAS, the Planning Commission finds the project exempt from the California Environmental Quality Act (CEQA) under the Class 1 (Existing Facilities) Exemption (CEQA Guidelines §15301), because it involves the reuse of an existing commercial building with only minor interior alterations and no significant expansion of previous use, and none of the exceptions in CEQA Guidelines §15300.2 apply; and
- **WHEREAS**, the Planning Commission finds that all required Major Design Review findings can be made in support of the project, including that the use is consistent with the General Plan, consistent with the zoning and development standards, suitable for the site, compatible with the surrounding area, and not detrimental to the public health, safety, or welfare based on the following findings:
  - A. The architectural and general appearance of the structures and grounds shall have architectural unity and be in keeping with the character of the neighborhood so as to not be detrimental to the orderly and harmonious development of the City, or to the desirability of investment or occupation in the neighborhood.

- 1. The proposed site improvements complement the site and the surrounding area. The use of the outdoor space for outdoor dining is compatible with the City's downtown.
- 2. Conditions of Approval have been included which regulate noise, clean-up of the site and surrounding area.
- B. The site plan is consistent with the Title 19, Zoning, and any applicable specific plan, any adopted development standards and design guidelines, and the General Plan because:
  - 1. The project site is exempt from providing off-street parking in accordance with Section 19.76.055).
  - 2. The proposed improvements are consistent with the City's Design Guidelines.
  - 3. The proposed monument sign meets the requirements fo the Zoning Ordinance.
- C. Approved measures for the removal of the use and site restoration have been required to ensure that no change to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code because:
  - 1. Conditions of approval have been included requiring clean-up of the site and restoration.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Plymouth that it hereby approves Conditional Use Permit PA 2025-10 to establish and operate a restaurant with bar (on-sale alcohol service) and live entertainment at 9451 Main Street, subject to the Conditions of Approval attached hereto as Exhibit A (incorporated herein by reference).

**PASSED AND ADOPTED** by the Planning Commission of the City of Plymouth on this 9<sup>th</sup> day of December 2025, by the following vote:

AYES:		
NOES:		
ABSENT:		
ABSTAIN:		

	Michael Sullivan, Chairman
ATTEST:	
 Victoria McHenry, City Clerk	

#### **EXHIBIT A**

#### **CONDITIONS OF APPROVAL**

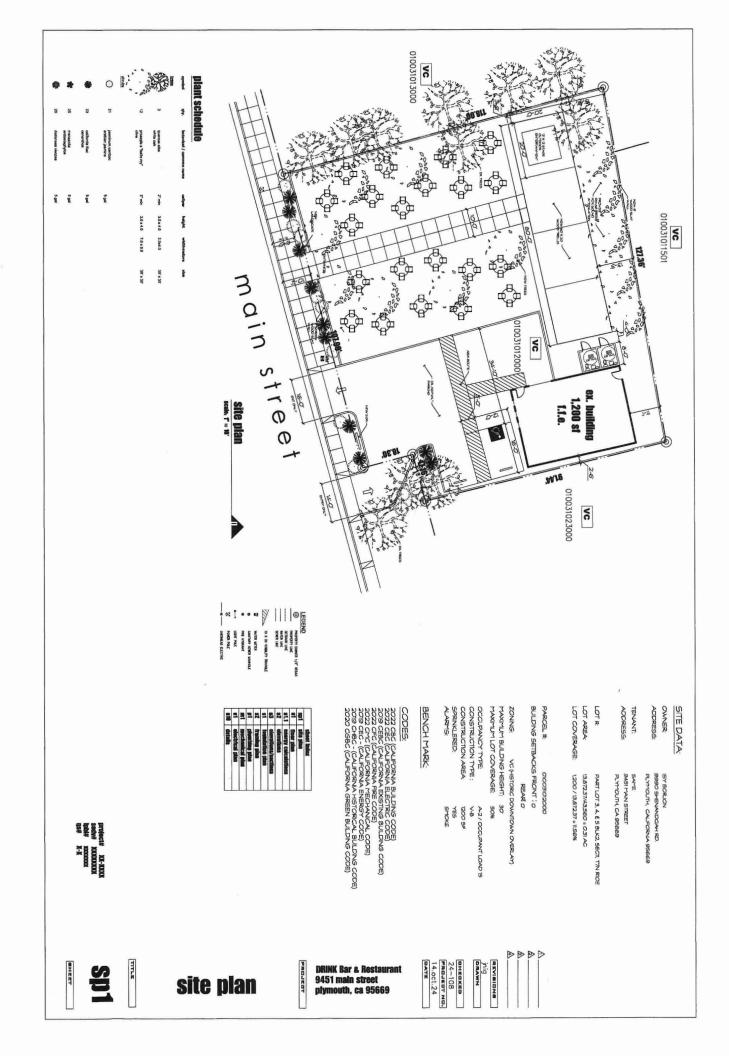
- 1. **Approval.** This approval is for a restaurant ("Drink Bar and Restaurant") with indoor and outdoor alcohol sales (for on-site consumption) and live entertainment located at 9451 Main Street. The use is approved substantially as described in the project plans and staff report dated December 9, 2025, and as discussed at the Planning Commission hearing. Any expansion or substantial modification of the use or operational characteristics (e.g., changing the hours of operation for the live entertainment or bar or eliminating food sales) shall require review and approval by the City (which may necessitate a CUP amendment or new permit). The Planning Director shall determine if any proposed change is substantial enough to require additional Planning Commission review.
- 2. Plans Consistency with Approval. The final building plans and business operation shall be in substantial conformance with the plans and description submitted for PA 2025-010, except as modified by these conditions. Minor modifications may be approved by the Planning Director, but any significant deviation may require Planning Commission approval. Prior to issuance of any building permits for tenant improvements, the Planning Department shall review the plans for compliance with this CUP approval.
- 3. **Building and Fire Codes.** The project shall comply with all applicable Building Code and Fire Code requirements. The Permittee shall secure any necessary building permits for tenant improvements. Prior to occupancy, the Amador County Fire Protection District (or City's fire code official) shall inspect the premises and verify compliance with fire/life safety codes, including occupancy limits, exit signage, fire extinguishers, cooking hood suppression systems (if commercial kitchen installed), and any other requirements. The maximum occupancy (patrons and staff) shall be established by the Building Official/Fire Marshal and shall be posted inside the premises; the Permittee shall not exceed this limit.
- 4. **County Environmental Health Permit.** Prior to commencing operation, the Permittee shall obtain any required approvals from the Amador County Environmental Health Department for the restaurant use (e.g., health permit for food facility, approval of the kitchen design, grease interceptor if required, etc.). All conditions of the County health permit are hereby incorporated by reference as conditions of this CUP. The restaurant shall at all times operate in compliance with County health regulations and maintain its health permit in good standing.
- 5. **Permit Expiration.** In accordance with Section 19.04.070(A) of the Municipal Code, this Major Design Review approval shall expire two (2) years from the date of approval unless a Building Permit is obtained.

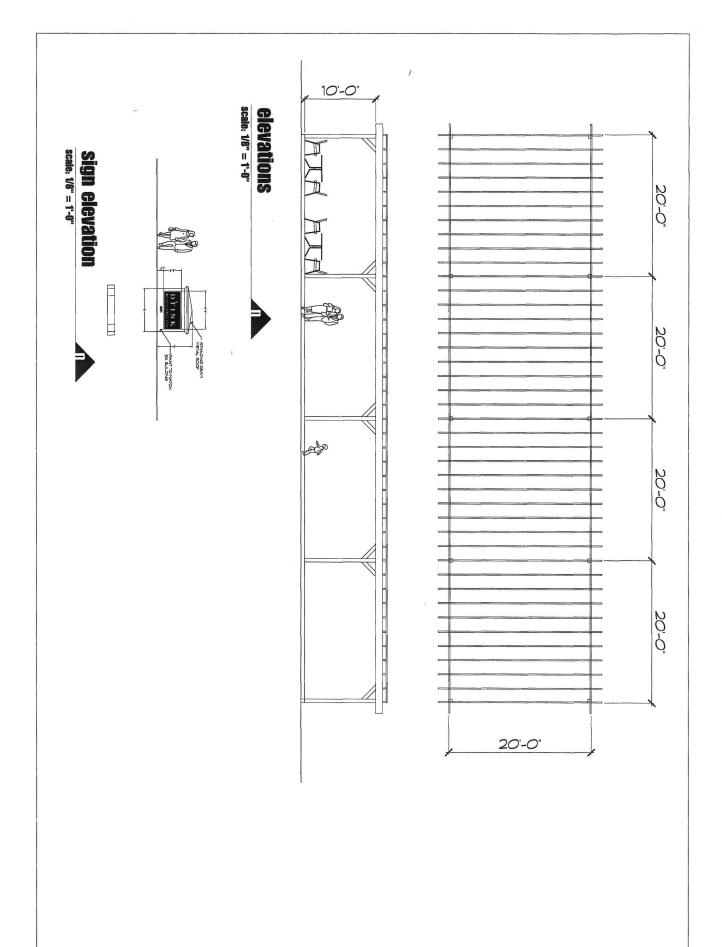
- 6. **Time Extension.** In accordance with Section 19.04.070(C) of the Municipal Code, the Planning Director may extend the time for an approved permit to be exercised upon the Applicant(s) written request for an extension of approval at least 30 (thirty) days prior to expiration of the permit together with the filing fee. If the Director determines that the permittee has proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner, the Director may renew the permit for up to two additional years.
- 7. **Lighting**. Any new exterior lighting installed for the business (such as doorway lights or lighting for the sidewalk dining area) shall be down shielded and directed onto the subject property or seating area only. Lighting shall be designed to avoid glare or light spillover onto neighboring properties or into the eyes of drivers on Main Street. All lighting must comply with the City's lighting standards (e.g., "dark sky" friendly fixtures). Decorative string lighting for the outdoor area, if used, should be subtle and not create glare; it should be turned off when the business is closed.
- 8. **Trash and Waste Management.** The Permittee shall maintain the premises in a clean and sanitary condition. Sufficient trash and recycling receptacles shall be provided for the business. The Permittee shall ensure that no trash or debris originating from the business is left in the public right-of-way. The sidewalk in front of the business (including the outdoor seating area) shall be swept/cleaned daily. Spilled food or liquids on the sidewalk must be promptly cleaned to prevent slips and to avoid attracting pests. All waste generated by the restaurant (including kitchen waste and customer discards) must be disposed of in appropriate containers that are serviced regularly. The Permittee shall participate in any required commercial recycling or organics collection programs mandated by the City or County. Grease and oils from cooking shall be collected and recycled or disposed of properly (not dumped into sewer or storm drains). The City's Public Works Department may inspect the area periodically to ensure compliance with this condition.
- 9. Utilities and Infrastructure. The Permittee shall be responsible for any utility upgrades needed for the restaurant (e.g., if a larger water meter is needed for a fire sprinkler or increased water usage, or a grease trap for sewer). The Permittee shall coordinate with the City Public Works and Finance Departments regarding utility services. All utility bills (water/sewer) must be kept current; non-payment of City utility bills could constitute a violation of the CUP if it results in service disruption affecting health standards.
- 10. **Permit Expiration.** This Major Design Review shall expire automatically two (2) years from its effective date if the project has not applied for and received approval of a building permit. Commencement of use shall be defined as the substantial completion of tenant improvements and the opening of the business to customers. The Planning Director may, upon a written request by the Permittee received at

least 30 days prior to the 2-year expiration, grant a one-time extension of up to one (1) additional year for good cause (e.g., construction or licensing delays), in accordance with the PMC provisions for extending CUPs. If the use is not commenced within this timeframe and no extension is granted, this permit shall become null and void, and a new CUP application will be required to establish any similar use in the future.

- 11. **Appeal of Commission Decision.** The Planning Commission's decision shall become effective 10 days after the date of this Resolution unless an appeal is filed within that 10-day period to the City Council, in accordance with PMC Chapter [19.04.160 or applicable]. If an appeal is filed, this CUP shall not become effective until the appeal is resolved, and a final decision is made by the City Council.
- 12. **Final Landscape and Irrigation Plans**. Final Landscaping and Irrigation Plans shall be submitted to the City for review with an application for a building permit in accordance with the City's Zoning Ordinance and the State's Model Water Efficient Landscape Ordinance if applicable. The Plans shall be prepared and stamped by a State licensed landscape architect or registered engineer shall be submitted for review and approval by the Planning Director. Plans shall be consistent with the requirements of MWELO, the Zoning Ordinance and these conditions of approval. The Plans shall be approved, and all landscaping shall be installed prior to Occupancy.
- 13. **Tree Sizes.** The Final Landscape Plans shall show that the trees located at the rear of the property will be 24" box in size at a minimum. All other new trees shall be a minimum of 15 gallons.
- 14. **Rear Fence.** The Applicant shall submit building permit plans which show that the fence will be increased in height so that it is a maximum of 8 feet.
- 15. **Front Fence.** The fence at the front of the property shall be no taller than 40 inches in height.
- 16. **Signs**. This application includes the approval of one (1) monument sign. Any other permanent sign(s) shall require submittal of a Sign Permit and a Building Permit (if required) prior to installation.
- 17. **Temporary Sigs**. All Temporary Signs shall require approval by the Planning Director prior to installation. No temporary signs shall be displayed which advertises alcohol. No signage shall be affixed to any fence.
- 18. **Maintenance.** The Applicant and/or property owner shall continuously maintain all approved Maintenance includes regular watering and replacing dead or dying trees, shrubs or groundcover with the same species. No trees or other plant materials may be removed without the prior authorization of the Planning Director.

- Trees at the rear of the property are required to be adequately watered and maintained to provide screening to the adjacent property.
- 19. **Maintenance of Irrigation.** The property owner shall be responsible for maintenance of all on-site landscaping and irrigation systems, which shall be kept in a neat, clean and healthy manner and in compliance with the approved plans. The applicant will maintain the approved landscaping in perpetuity.
- 20. **Trash Bins.** The building permit plans shall show the location for the storage of the trash and recycling bins. No bins shall be located so that they are visible from the public right-of-way.
- 21. **Building Occupancy.** Prior to issuance of a Building Permit, Amador County Fire shall verify and approve the allowed occupancy for the building.
- 22. **Grading Plan.** A grading, utility, and improvement plan shall be prepared by a licensed professional for review and approval by the City Engineer.
- 23. **Drainage Study.** A drainage study shall be provided which includes analysis of existing downgradient facilities, proposed conduits, diversion ditches and swales. The drainage study and proposed improvements must conform to City Standards (including onsite detention) and be subject to review and approval of the City Engineer.
- 24. **ADA.** City Building Department shall review and accept the project site for ADA compliance prior to occupancy.
- 25. **Parking**. The onsite parking and access areas shall be paved. The site plan indicates this area is currently paved, but that is incorrect. This existing area is currently made up of gravel.
- 26. **Repairs**. The Applicant shall remove and replace the existing cracked concrete driveways in accordance with City Standards.





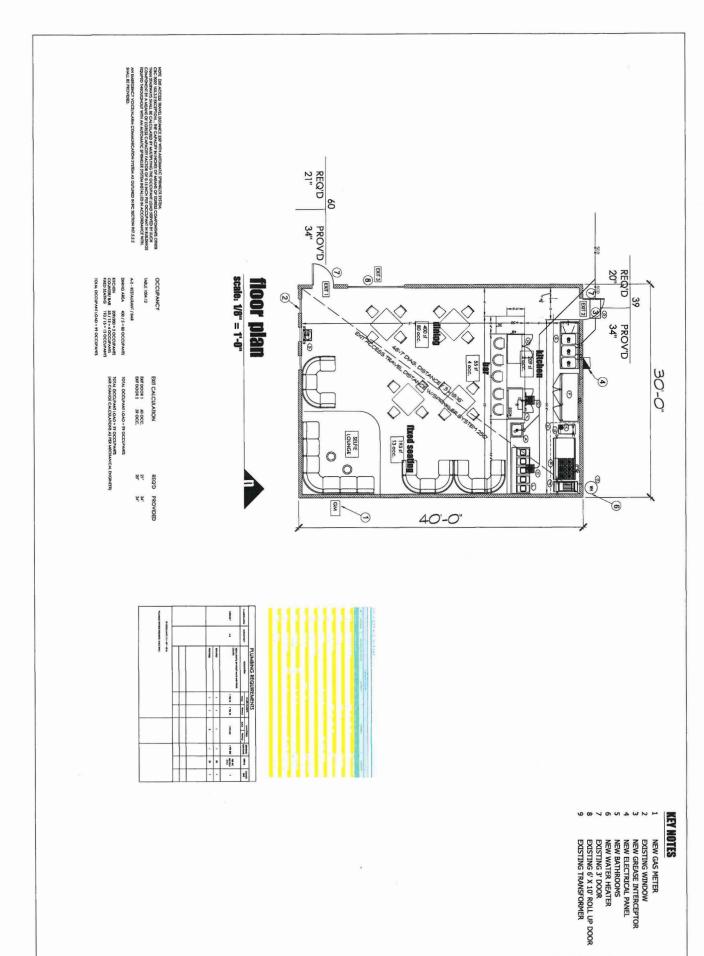
**a2** 

elevations

DRINK Bar & Restaurant 9451 main street plymouth, ca 95669







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floor plan

DRINK Bar & Restaurant 9451 main street plymouth, ca 95669 jnig
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#### PLANNING COMMISSION RESOLUTION NO. 2025-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH APPROVING CONDITIONAL USE PERMIT PA 2025-10 FOR LIVE ENTERTAINMENT AND ALCOHOL SALES FOR THE DRINK BAR AND RESTAURANT LOCATED AT 9451 MAIN STREET, PLYMOUTH (APN 010-031-012)

**WHEREAS**, the Applicant, Isy Borjon, on behalf of Drink Bar and Restaurant, has submitted a Conditional Use Permit application (PA 2025-10) requesting approval to operate a restaurant with a bar (on-site sale/consumption of alcoholic beverages) with indoor and outdoor service and live entertainment located at 9451 Main Street in the Village Commercial (VC) zoning district; and

**WHEREAS**, the existing building at 9451 Main Street is a commercial structure which will be modified to allow for a restaurant and the remainder of the property will be improved and used for outdoor dining and live entertainment; and

**WHEREAS**, pursuant to Plymouth Municipal Code §19.60.030, the proposed bar with alcohol sales and live entertainment are allowed in the Village Commercial zone only upon issuance of a Conditional Use Permit to ensure potential impacts related to alcohol service, noise, and safety are addressed; and

**WHEREAS,** the Applicant concurrently seeks a Major Design Review for site modifications which include outdoor dining, landscaping, signage, site layout modifications, a trellis and new bathrooms, which is addressed by a separate Planning Commission resolution (Resolution 2025-11); and

**WHEREAS**, on December 9, 2025, the Planning Commission held a duly noticed public hearing to consider PA 2025-10 for alcohol sales and live entertainment, at which time all interested persons were given an opportunity to appear and be heard on the matter; and

**WHEREAS**, the Planning Commission has reviewed the staff report and supporting documents, including the Applicant's project description, proposed floor plans, security plan and information, and has determined that the project, as conditioned, will be compatible with the Village Commercial district and not detrimental to the public health, safety, or welfare; and

WHEREAS, the Planning Commission finds the project exempt from the California Environmental Quality Act (CEQA) under the Class 1 (Existing Facilities) Exemption (CEQA Guidelines §15301), because it involves the reuse of an existing commercial building with only minor interior and exterior alterations and the site is located within the City's downtown which is developed with a variety of uses, and none of the exceptions in CEQA Guidelines §15300.2 apply; and

**NOW THEREFORE IT IS RESOLVED** that the Planning Commission of the City of Plymouth does hereby make the following findings and determinations regarding the proposed Conditional Use Permit:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Municipal Code, General Plan, and any applicable specific plans or City regulations/standards because:
  - 1. The proposed bar with alcohol sales and live entertainment is allowed with a Conditional Use Permit in the Village Commercial Zoning District.
  - 2. Conditions of Approval have been included which regulate noise, clean-up of the site and surrounding area.
- B. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards because:
  - 1. The proposed site is adequate in size to accommodate the indoor bar, which will be located within the existing commercial building, and outdoor dining in the large outdoor space on the property.
  - 2. The proposed site is located within the City's downtown area which is developed with a variety of commercial uses and which is intended to encourage a variety of dining and entertainment options for the community.
  - 3. Live entertainment will be located outdoors, in an area designated for such use. Live entertainment will be required to comply with the City's Noise Ordinance.
- C. Granting the permit would not be detrimental to the public interest, health, safety. Convenience, or welfare, or materially injurious to persons, property or improvements in the vicinity in which the project is located because:
  - Conditions of approval have been included which require the site to comply with the City's Noise Ordinance and to require patrons to vacate the premise at closing.
  - 2. As part of the project plans, the applicant has submitted a security plan to ensure that there will be no impacts to the surrounding area.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Plymouth that it hereby approves Conditional Use Permit PA 2025-10 to establish and operate a restaurant with bar (on-sale alcohol service) and live entertainment at 9451

Main	Street,	subject	to	the	Conditions	of	Approval	attached	hereto	as	Exhibit	Α
(incor	porated	herein b	y re	ferer	nce).							

**PASSED AND ADOPTED** by the Planning Commission of the City of Plymouth on this  $9^{\text{th}}$  day of December 2025, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Michael Sullivan, Chairman
ATTEST:	
Victoria McHenry, City Clerk	

#### **EXHIBIT A**

#### **CONDITIONS OF APPROVAL**

- 1. Approved Use. This approval is for a restaurant ("Drink Bar and Restaurant") with indoor and outdoor alcohol sales (for on-site consumption) and live entertainment located at 9451 Main Street. The use is approved substantially as described in the project plans and staff report dated December 9, 2025, and as discussed at the Planning Commission hearing. Any expansion or substantial modification of the use or operational characteristics (e.g., changing the hours of operation for the live entertainment or bar or eliminating food sales) shall require review and approval by the City (which may necessitate a CUP amendment or new permit). The Planning Director shall determine if any proposed change is substantial enough to require additional Planning Commission review.
- 2. Plans Consistency with Approval. The final building plans and business operation shall be in substantial conformance with the plans and description submitted for PA 2025-010, except as modified by these conditions. Minor modifications may be approved by the Planning Director, but any significant deviation may require Planning Commission approval. Prior to issuance of any building permits for tenant improvements, the Planning Department shall review the plans for compliance with this CUP approval.
- 3. Building and Fire Codes. The project shall comply with all applicable Building Code and Fire Code requirements. The Permittee shall secure any necessary building permits for tenant improvements. Prior to occupancy, the Amador County Fire Protection District (or City's fire code official) shall inspect the premises and verify compliance with fire/life safety codes, including occupancy limits, exit signage, fire extinguishers, cooking hood suppression systems (if commercial kitchen installed), and any other requirements. The maximum occupancy (patrons and staff) shall be established by the Building Official/Fire Marshal and shall be posted inside the premises; the Permittee shall not exceed this limit.
- 4. County Environmental Health Permit. Prior to commencing operation, the Permittee shall obtain any required approvals from the Amador County Environmental Health Department for the restaurant use (e.g., health permit for food facility, approval of the kitchen design, grease interceptor if required, etc.). All conditions of the County health permit are hereby incorporated by reference as conditions of this CUP. The restaurant shall at all times operate in compliance with County health regulations and maintain its health permit in good standing.
- 5. **Indemnification**. The Permittee/Property Owner shall defend, indemnify, and hold harmless the City of Plymouth, its officers, agents, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul this Temporary Use Permit approval, or related environmental

review, provided that the City promptly notifies the Permittee of any such claim and fully cooperates in the defense of the City. The Permittee shall reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of any such legal challenge, but the Permittee shall have the right to choose counsel to defend such action (subject to City's approval of the counsel) at Permittee's expense. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the Permittee of its obligations under this condition. This indemnification shall survive the expiration or revocation of the permit.

- 6. Review of Permit. In accordance with the Municipal Code, this CUP may be subject to review by the Planning Commission upon any violation of the conditions or if the City receives significant complaints about the operation. The Planning Commission reserves the right to initiate a public hearing to consider modification or revocation of the permit if warranted. The Planning Director may periodically check on compliance and report any issues to the Commission. It is the intent that so long as the Permittee operates in compliance with these conditions, the use may continue indefinitely.
- 7. **Permit Expiration.** This Conditional Use Permit shall expire automatically two (2) years from its effective date if the approved use has not commenced on the property. Commencement of use shall be defined as the substantial completion of tenant improvements and the opening of the business to customers. The Planning Director may, upon a written request by the Permittee received at least 30 days prior to the 2-year expiration, grant a one-time extension of up to one (1) additional year for good cause (e.g., construction or licensing delays), in accordance with the PMC provisions for extending CUPs. If the use is not commenced within this timeframe and no extension is granted, this permit shall become null and void, and a new CUP application will be required to establish any similar use in the future.
- 8. **Permit Runs with Land.** This Conditional Use Permit shall run with the land, meaning it shall apply to the property at 9451 Main Street and authorizes the described use regardless of ownership, provided that any subsequent owner, operator, or tenant of the business agrees to the terms of this permit. To ensure awareness and acceptance of the conditions, any new owner or operator shall sign an acknowledgment of the CUP conditions with the City prior to taking over operations. The City reserves the right to review the CUP if a new operator significantly changes the mode or character of operations as noted in Condition 1.
- 9. **Appeal of Commission Decision.** The Planning Commission's decision shall become effective 10 days after the date of this Resolution unless an appeal is filed within that 10-day period to the City Council, in accordance with PMC Chapter [19.04.160 or applicable]. If an appeal is filed, this CUP shall not become effective until the appeal is resolved, and a final decision is made by the City Council.
- 10. **Major Design Review.** The proposed project shall also be operated in accordance with the Conditions of Approval for the Major Design Review.

#### **Project Specific Conditions of Approval**

- 11. Alcoholic Beverage Control (ABC) License. The Permittee shall secure and maintain in effect a valid license from the California Department of Alcoholic Beverage Control (ABC) for the on-site sale and consumption of alcoholic beverages (beer, wine, and spirits as applicable). The type of license (e.g., Type 47 On Sale General Eating Place) shall correspond to the business operation (food must be sold on-site to comply with ABC rules for restaurants). All conditions of the ABC license are hereby incorporated as requirements of this CUP. Notably: (a) The sale of alcoholic beverages for consumption off-premises is prohibited, except in compliance with ABC regulations (e.g., sealed wine bottles to go, if allowed by ABC, must still comply with open container laws); (b) No alcohol shall be served to any obviously intoxicated person or minor, per state law. The Permittee and all employees serving alcohol must complete Responsible Beverage Service (RBS) training and certification as required by AB 1221 (2017) and any other applicable laws. Records of employee RBS certification shall be maintained on-site.
- 12. **Hours of Operation.** The hours of operation for the restaurant and bar shall be limited as follows: Monday through Sunday from 7:00 am until 10:00 pm (for the outside portion) and live entertainment must meet the requirements of Chapter 9.01, Noise Amplification for hours of operation. Indoor operations shall also conform to the City's Noise Ordinance. The premises (including all patrons) shall be vacated promptly after closing. Any proposal to extend hours beyond these limits (for example, if the business later wants to operate as a late-night bar or entertainment venue) shall require an amendment to this CUP.
- 13. **Noise Control.** The operator shall conduct the business in a manner that minimizes noise impacts to surrounding properties. The operator shall comply with the City of Plymouth's Noise regulations (e.g., Municipal Code and General Plan Noise Element standards). Specific noise-control requirements include:
  - Noise Limit. No amplified sound shall be audible 50 feet from the location of said sound from the hours of 9:00 PM until 8:00 AM or as required by the City's Noise Ordinance in effect at the time. Noise shall be controlled at all other times of day so that noise does not extend beyond the property line.
  - Patrons. The operator shall strictly enforce noise after 9:00 PM or as defined by the City's Noise Ordinance. The operator shall employ personnel to ensure patrons do not loiter on the site, parking areas, or the public right-of-way to ensure noise in the surrounding area is minimal.
  - Noise Complaints: In the event that verified noise complaints are received by the City, the Planning Director may require the Permittee to implement further noise mitigation, and/or may refer the permit back to the Planning Commission for possible amendment or revocation if noise issues are not resolved.

- 14. **Public Peace and Order.** The Permittee shall take all reasonable steps to ensure that patrons do not disturb the peace or create safety hazards in the vicinity. This includes prohibiting patrons from taking alcoholic beverages off the property. The Permittee's staff shall routinely monitor the outdoor space and surrounding area to prevent loitering, loud conduct, or other nuisance behavior. If issues arise with loitering or nuisance outside, the Permittee shall work with the City and the Amador County Sheriff to resolve them, which may include hiring additional security personnel for busy nights, reducing hours of operation, or reducing the allowed occupancy. If problems continue, the Applicant will be held liable for paying any additional costs related to Police services to this establishment.
- 15. **Security.** The Applicant shall provide the following security measures and as stated in the security plan included as Exhibit A):
  - Security personnel shall be provided to ensure safety of patrons.
  - All Staff shall be trained on how to serve responsibly and how to verify the age of the patron.
  - All Staff shall be trained on emergency procedures including natural disasters, medical, security, etc.
  - The surrounding area shall be checked regularly to ensure that there is no loitering.
- 16. **Signage**. All signage shall conform to the City's requirements for signs. No signs which advertise the sale or type of alcohol shall be permitted.
- 17. **Loitering**. The operator shall regularly surveil the surrounding area and shall prevent patrons from loitering on the sidewalk and adjoining properties.
- 18. **Trash Clean-up.** The operator shall regularly clean the site as well as the sidewalk and surrounding area to ensure that there is no trash or debris related to this use/



#### Security Plan for DRINK Bar & Restaurant

#### 1. Security Staffing

- Off-Duty Police Officers: During live entertainment (Friday-Sunday, 6:00 PM –12:00 PM), off-duty police officers will be stationed at key locations, including entrances, near the bar, and around the shaded outdoor dining area.
- Trained Security Personnel: Additional security staff will be present during peak hours to assist with crowd control, patron safety, and conflict resolution.
- **Staff Training:** All staff members will be trained in identifying and managing potential security risks, including alcohol-related incidents, medical emergencies, and evacuation protocols.

#### 2. Access Control

- Entry Management: Security will monitor entrances to prevent unauthorized access and enforce age restrictions for alcohol service.
- **Guest Screening:** Bag checks may be conducted during entertainment events to prevent prohibited items from entering the venue.
- **Surveillance System:** High-definition security cameras will be placed at entry points, exits, the bar, shaded area, and key dining sections.

#### 3. Alcohol & Patron Safety

- Responsible Beverage Service: Bartenders will be trained in responsible alcohol service to identify intoxicated patrons and prevent over-service.
- Intoxication Monitoring: Security staff will be trained to identify and manage intoxicated individuals.

 Incident Documentation: Any security incidents will be logged for review and potential legal purposes.

#### 4. Emergency & Evacuation Plan

- Fire Safety Compliance: The venue will adhere to fire safety regulations, with clearly marked exits and emergency lighting.
- Medical Response: A first-aid kit and AED (automated external defibrillator) will be available, with staff trained in CPR and basic medical response.
- Evacuation Drills: Routine emergency evacuation drills will be conducted to ensure smooth execution in case of fire, severe weather, or other emergencies.

#### 5. Crowd Control During Live Entertainment

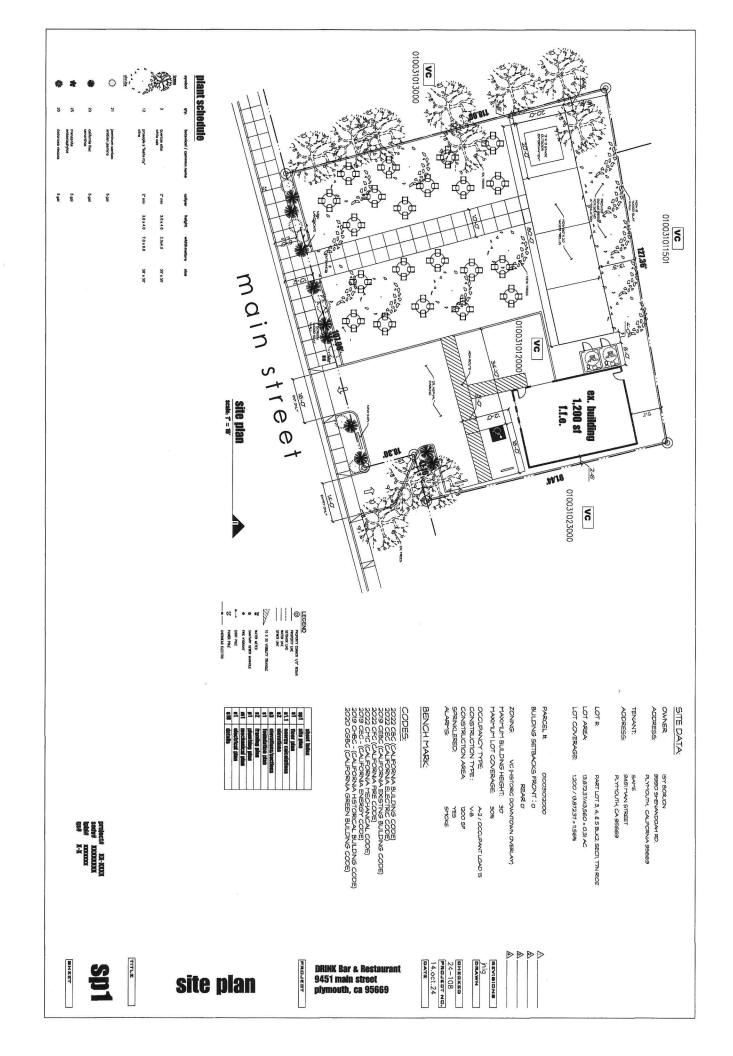
- Capacity Limits: The venue will enforce strict occupancy limits to ensure guest safety.
- Controlled Seating & Standing Areas: Guests will be guided to appropriate sections to avoid congestion near stage areas.
- Conflict Resolution Protocols: Security officers will intervene if disturbances arise among patrons.

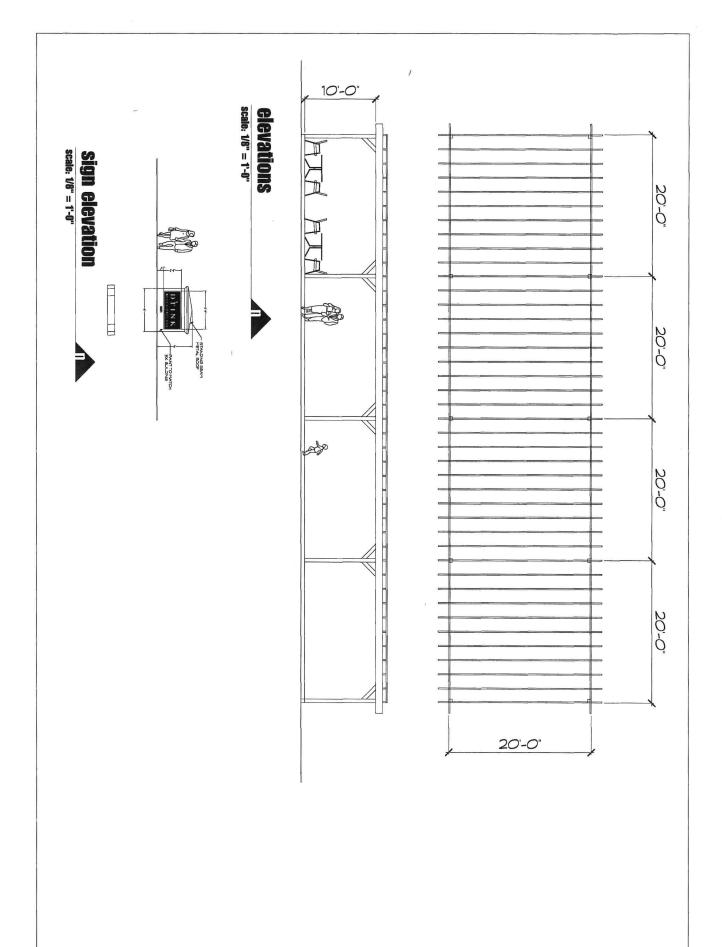
#### 6. Cybersecurity Measures

- POS System Protection: Payment systems will be secured against fraud and hacking attempts.
- Data Privacy Training: Staff will be trained in protecting customer data, especially for online reservations and payment processing.

#### 7. Community & Law Enforcement Collaboration

- Local Law Enforcement Coordination: Establish direct communication with Plymouth law enforcement for immediate support if necessary.
- Neighborhood Relations: Work with neighboring businesses and residents to address any concerns about noise levels or security presence.





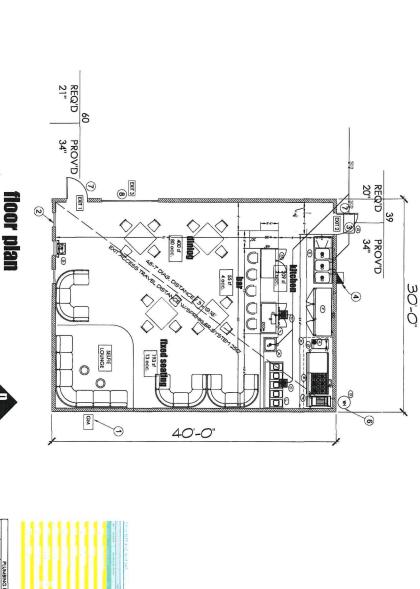
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DRINK Bar & Restaurant 9451 main street plymouth, ca 95669







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EXIT CALCULATION

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209/200 = 2 OCCUPANTS

55 / 15 = 4 OCCUPANTS

193 / 15 = 13 OCCUPANTS

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PROJECT

DRINK Bar & Restaurant 9451 main street plymouth, ca 95669



MEVIBIONS



**KEY NOTES** 



**Business Plan: DRINK Bar & Restaurant** 

#### **Executive Summary**

Drink Bar & Restaurant will be a premier entertainment venue offering a 1,200-square-foot bar/restaurant, a 20 x 80 shaded outdoor dining area, and live entertainment every Friday through Sunday from 6:00 PM to 12:00 PM. The restaurant/Bar will be open from Monday through Sunday from 7:00 AM to 10:00 PM. Nestled in Plymouth, California, in the heart of Amador County's wine country, our venue will provide a vibrant yet relaxed atmosphere for locals and tourists alike. Guests will enjoy breakfast, lunch, and dinner menus, complemented by local wines, craft cocktails, and local beers. To ensure a safe and enjoyable experience, off-duty police officers will be present during live entertainment nights.

#### **Business Description**

- Business Name: DRINK Bar & Restaurant
- Location: Plymouth, California (strategically placed near wineries and tourist attractions)
- Business Structure: LLC
- Mission Statement: To create a lively, safe, and engaging entertainment experience with exceptional food, drinks, and performances in the heart of wine country.

#### **Venue Layout**

- Indoor Space: A stylish 1,200-square-foot bar/restaurant with a full-service kitchen, dining tables, and a stage area.
- Outdoor Dining: A 20x80 shaded patio, designed for guests who prefer an open-air experience.
- Entertainment Setup: A dedicated stage to host live bands, DJs, and performances. No fixed amplification will be provided.
- Safety Measures: Off-duty police officers on-site during entertainment nights for security and crowd management.

#### Menu & Offerings

Breakfast: Farm-to-table options, fresh pastries, locally roasted coffee.

- Lunch: Gourmet sandwiches, salads, charcuterie boards featuring local cheeses.
- Dinner: Elevated dining with steak, seafood, and wine-paired entrees.
- Beverages: Local wines, craft cocktails, premium beers, and non-alcoholic drinks.

#### Live Entertainment Schedule

 Friday – Sunday: Live performances from 6 PM to 10 PM, featuring local bands, acoustic sets, jazz nights, and themed events. Special events as permitted by the jurisdiction.

#### **Target Market**

- Wine tourists, locals, and weekend visitors.
- Music enthusiasts and food lovers seeking a unique experience.
- Private event bookings for corporate gatherings, birthdays, and celebrations.

#### **Revenue Streams**

- 1. Food & Beverage Sales (Primary source)
- 2. Ticketed Live Events (Occasional special performances)
- 3. Private Event Rentals (Weddings, corporate events)
- 4. Merchandise Sales (Branded apparel and souvenirs)
- 5. Sponsorships & Partnerships (Local wineries and businesses)

#### **Marketing Strategy**

- Social Media Engagement: Active presence on Instagram, Facebook, and TikTok.
- Local Collaborations: Partnerships with wineries, breweries, and food influencers.
- Grand Opening Event: A high-energy launch party with promotions and discounts.
- Email Marketing & Loyalty Programs: Rewarding repeat customers.

#### **Operational Plan**

- Staffing: Experienced chefs, bartenders, servers, and security personnel.
- Suppliers: Partnering with local wineries and food providers.
- Permits & Licensing: Liquor license, food service permit, live entertainment permit.

#### **Financial Projections**

- Estimated Startup Costs: \$250,000 \$500,000 (including venue lease, renovations, inventory, licensing)
- Expected Monthly Revenue: \$50,000 \$80,000 (based on average ticket size)

• Breakeven Point: Within the first 12-18 months.

#### Conclusion

With its unique combination of great food, live music, and wine country ambiance, Wine Country Live is poised to become a local hotspot. The venue will attract a loyal customer base while maintaining a safe and inviting atmosphere for all guests.