PLANNING COMMISSION
CITY OF SONORA

JULY 10, 2017

5:30 P.M.

A regular meeting of the Planning Commission of the City of Sonora was scheduled on this date at 5:30 p.m. in the Sonora City Hall Council Chambers.

The following members were present: Chair, Chris Garnin, Vice-Chair, John Richardson and Commissioners Gary Anderson, Darren Eaton and Ron Jensen.

RE-APPOINTMENT/SWEARING IN: Commissioners Chris Garnin and John Richardson were sworn in and re-appointed to the Planning Commission for an additional 4-year term.

PUBLIC APPEARANCES: None

MINUTES:

MOTION: Approved the minutes of the June 12, 2017 Planning Commission Meeting.

MOTION:	Richardson	**SECOND:**	Jensen
VOTE:	**AYES:**	Richardson, Jensen**,** Eaton and Garnin (4)	
	NOES:	None (0)	
	ABSTAIN:	Anderson (1) – Did not attend June meeting	
	ABSENT:	None (0)	

PUBLIC HEARINGS

1. Application by Evan and Mike Royce, for a Tentative Parcel Map to divide a 9.5 acre parcel into four separate parcels with a remainder; located at 120A Preston Place/Roble Road; APN: 035-110-004, in an RE, Estate Residential zone.

Planner, Paula Daneluk, presented the staff report for the project. She addressed the existing access issues off of Highway 49 and the proposed access from Roble Road for 4 of the proposed parcels. She explained that the parcel map will divide the existing 9+/- acres into 4 parcels ranging in net size from 1.4 acres to 2.12 acres and a remainder parcel of 1 acre which contains the existing residence. The remainder parcel will continue to be accessed from Preston Place through an existing road and utility easement. She explained the CEQA analysis that was completed for the project and related setbacks from the existing ponds.

Planner, Paula Daneluk, provided correspondence received after the staff report was written from Roger Hanlon and Ron Piper.

Chairman, Chris Garnin, asked Planner Daneluk if there was a way for all parcels to access off of Highway 49.

Planner Daneluk stated that the access off of Highway 49 is through a private easement and that the easement serves several homes along Preston Place. It would require improvements for which there is not enough area to develop due to the current configuration and it could possibly be determined to be an overburden of the easement.

Commissioner Anderson stated that he visited the area and felt that any access off of Highway 49 would require eliminating or moving houses along Preston Place.

Commissioner Jensen asked if the proposed access to Roble Road through the adjacent parcel would require an agreement between the property owners.

Planner, Paula Daneluk, stated that the applicant and owner of the tank lot would need to have an agreement to gain access.

Commissioner Jensen asked if the propane tanks could be moved to allow the street to be moved further away from the southerly property line.

Planner, Paula Daneluk, stated that the tanks could be placed underground which would lessen setback requirements. She suggested that he discuss this further with the applicant.

Applicant, Evan Royce, provided an overview of the proposed project and discussed access constraints affecting the parcel. He stated that he has an agreement with the owner of the tank lot to use it for access. He stated that he was not opposed to burying the propane tanks and will move the private street entrance onto Roble Road as far to the north as possible.

Chairman Garnin, requested verification that the applicant did not own the tank lot and he would need to obtain an agreement with the property owner to use it for access.

Applicant, Evan Royce, stated that he did not own the lot but has reached an agreement to use it.

Commissioner Richardson asked the applicant if burying the tanks will allow the private street access to shift further north from the property line.

Applicant, Evan Royce, stated that he will move it as far as possible to comply with fire setbacks and existing topography of Roble Road. He also stated that the proposed parcel map is well under the density allowed for the existing parcel and he will be building custom homes. He stated that access off of Preston Place for all 5 parcels is not feasible.

Commissioner Anderson asked if a wall, fence or landscaping buffer could be added along the southerly property line of the tank lot.

Applicant, Evan Royce, stated he was not opposed to including a wall a long as it did not interfere with site distance coming onto Roble Road.

Commissioner Jensen asked if the private road would be for public access and if it would be privately maintained.

Applicant, Evan Royce, stated that it would be a privately maintained public road.

Project Engineer, Dave Ragland, clarified that the access to Roble Road will be moved to north as much as possible however, there is a conflict with the slopes. He felt it may be able to shift 10 feet.

Commissioner Anderson asked if the tanks could be moved onto the applicant's property to provide more room.

Applicant, Evan Royce, stated that it would require a lot line adjustment and a rezoning of the area moving to the tank lot.

Commissioner Richardson stated that he wants a stop sign at the intersection of the private street and Roble Road to require drivers to stop before driving onto Roble Road.

Chairman Chris Garnin opened the public hearing at 6:11 p.m.

Barbara Farkas, President of Tuolumne County Citizens for Responsible Growth, Inc., presented a letter to the Commissioners and asked that the road be shifted to the north as much as possible and that the oak tree be preserved.

Mia Morrison spoke against the project expressing concerns over possible further development and future use of the parcels. She stated that the public hearing notice stated that there are +/- 5 or less parcels but there is actually 5 with the remainder included. She was very concerned over the proposed access off of Roble Road and wanted all access off of Preston Place.

Ron Piper presented a letter in opposition from Jaunita Sue Kersey-Piper and notes from PJ Lam who lives at 24 Roble Road, to the Planning Commissioners.

Ron Piper provided photographs to Commissioners of the proposed access point onto Roble Road. He stated that his property is located at the corner of Roble Road and Corte Del Encino and with the proposed private street he will have streets on 3 sides of his home. He expressed concerns over noise, traffic and safety. He was also concerned that there would be no buffer between his property and the new street. He also expressed concerns over how this would affect his property value.

Peter Lee, who lives at 44 Roble Road, spoke against the project expressing concerns over the access onto Roble Road as well as the effects the project will have on their quality of life and property values. He also stated that the property owners will be allowed to split the 4 parcels even further.

Chairman Garnin asked if the 4 parcels could be split further.

Planner, Paula Daneluk, stated that it would not be allowed under the Subdivision Map Act.

Roger Hanlon, who lives at 37 Corte Del Encino, spoke in opposition against the project due to the proposed access off of Roble Road.

Barbara Davis, who lives at 55 Roble Road, spoke against the project expressing concerns over access onto Roble Road and moving the propane tanks closer to her property north of the tank lot.

A member of the public asked if business could be located on the parcels.

Planner, Paula Daneluk, stated only under a Home Occupation Permit which is allowed in all residential zones.

Clara Marks, who lives at 84 Roble Road, spoke against the project due to the proposed access onto Roble Road.

Joy Avila, who lives at 86 Corte Del Encino, spoke in favor of the project.

Mike Royce, project applicant, expressed to the public their intent to make this a nice project and they were local developers who care about the community.

A member of the public spoke in opposition of the project and did not feel that a tank lot should be converted to allow an access road.

Chairman Garnin closed the public hearing at 7:06 p.m.

Community Development Director, Rachelle Kellogg, explained to the public that the parcel map, if approved by the Planning Commission, will not need to be approved by the City Council once the project conditions are met. The final map can be recorded and he can move forward with the project. She also explained the process to appeal a decision of the Planning Commission to the City Council.

Commissioner Richardson stated that this situation was similar to the Arco project in that all parties involved have valid concerns but he did feel it was a nice project and a good fit for the area.

Chairman Garnin stated he also struggles with his decision. He understands that everyone who bought in the neighborhood saw a tank lot, and did not expect anything else to be done with it, however he stated that the proposed large parcels with custom homes make sense in this location.

Commissioner Eaton stated that he understands the adjacent property owners concerns regarding the proposed access over the tank lot. He stated that the proposed project is in compliance with the General Plan, Zoning Ordinance and CEQA and it is a good clean project. He did not feel there was any way that the 4 parcels could access through Preston Place.

Commissioner Jensen also felt it was a good project. He did feel that the tanks need to be buried and the street entrance shifted as far north as possible.

Commissioner Anderson stated that the project should include some type of fence or vegetation buffer along the southerly property line of the tank lot.

MOTION: To approve an application for a Tentative Parcel Map for Evan and Mike Royce, to divide a 9.5 acre parcel into four separate parcels with a remainder; located at 120A Preston Place/Roble Road; APN: 035-110-004 and subject to the stated conditions, adding conditions 14-18 and subject to the project's findings.

MOTION: Richardson **SECOND:** Eaton

VOTE: **AYES:** Richardson, Eaton, Jensen**,** Anderson and Garnin (5)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

Conditions of approval for the Roble Road Tentative Parcel Map

1. Prior to the consideration of a Final Map:
    a. Correspondence be received from Tuolumne Utilities District with regard to availability of water and sewer service to the project and conditions to serve the individual parcels. Any special use utility easements for water and sewer as well as dry utilities should be shown on the Final Map.
    b. Road Improvement Plans for the private access road and encroachment from Roble Road be prepared by the applicants' engineer and submitted for approval of the City Engineer and City Staff. Plans shall also address drainage from the project and the means of handling it on-site and off-site. The private access road to be consistent with the cross-section shown on the tentative map and meeting Fire Department requirements with a hammerhead turnaround at the end. Any revisions in the access easement for the turnaround should be shown on the final map. Encroachment to Roble Road to widened and paved as a standard common driveway. Road Slope easements should also be shown on the Final Map.
    c. In conjunction with the Road Improvement Plans, water and sewer service plans required by TUD shall be prepared, submitted and approved by TUD.
    d. Address future maintenance of the common driveway and encroachment to Roble Road, as a note on the final map, or with reference to a recorded agreement or covenant.
    e. All common driveway road construction shall be done under a City issued Grading Permit and Encroachment Permit.
2. Prior to construction of the first residence on any parcel:
    a. As a Parcel Map, road, water and sewer and any other utility improvements may be deferred to construction of the first residence on any one of the parcels being created. If construction is to be deferred to after the recording of a Final Map, the requirements to construct the road, water and sewer improvements in accordance with approved plans for all of the parcels being created by this map, shall be noted

on the Final Map as a precedent to issuance of a certificate of occupancy for the first building permit.

3. Fire Access Roads shall be 20 feet wide with a 13'6" vertical clearance; all weather hard-surface with a turn around.
4. Depending on size of LPG tank, minimum separation for underground tank ranges from 10'-50' between containers and buildings, public ways or lot lines of adjoining property. Separation required between multiple containers as per Fire Code.
5. Fire hydrants must be located within 600 feet for R-3 structure type.
6. The project proponent would be required to cover any costs associated with adding, relocating and /or upsizing water facilities / services not utilized by the project.
7. Water and /or Fire service to the proposed project would require extension of a public water main. An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and responsibility to operate and maintain the improvements.
8. Due to the topography of the land, it appears that water pressure to the upper portions of parcels 2 and 3 may be less than adequate. Privately-owned individual booster pumps may be necessary.
9. The project proponent would be required to cover any costs associated with adding, relocating and /or upsizing sewer facilities / services not utilized by the project.
10. Sewer service to the proposed project would require extension of a public sewer main. An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and the District would accept ownership of and responsibility to operate and maintain the improvements.
11. Sewer service to the proposed project would require installation of a bi-directional cleanout at the property line of each parcel.
12. Prior to service by TUD, the project proponent would be required to pay all applicable fees and charges. In cases where it is determined that existing District facilities do not contain sufficient capacity to serve the project, the project proponent would be required to construct or improve District facilities before service can be provided.
13. In addition to public utility easements, TUD would require the project proponent to dedicate water and sewer easements, in a form acceptable to the District, for any public water or sewer water facilities constructed on private property.

    (Added conditions are numbers 14-18)
14. The access road edge of pavement shall be a minimum of ten (10) feet from the southern property line and be approved by the City Engineer as to slope and intersection geometry.
15. A vegetation buffer and/or fence shall be constructed along the Lot 17 to the south of the project property to address sight and noise concerns.
16. The existing gas tanks shall be buried.
17. A maintenance agreement for the shared maintenance of the access road shall be recorded. Said agreement shall be reviewed and approved by the City Engineer prior to recordation.
18. A stop sign shall be placed on the access road prior to entrance onto Roble Road.

2) General Plan Update

Community Development Director, Rachelle Kellogg, presented the staff report and explained the types of changes included within the proposed General Plan Update. She stated that no additional

changes have been made from those presented at the February 13, 2017 Planning Commission Meeting.

Planner, Paula Daneluk, stated that following the February meeting, staff conducted the CEQA analysis and determined that the project is exempt from CEQA. She discussed the assumptions made that lead to the determination.

Planner, Paula Daneluk, presented the revised General Plan Land Use Map and discussed all changes.

Chairman Garnin opened the public hearing at 7:40 p.m.

Ben Cassinetto expressed concerns regarding uses allowed under Special Planning Mixed Use (SPMU) designation that were proposed to be changed that may hinder future development of the properties. He presented a letter to the Planning Commission.

Planner, Paula Daneluk, stated that no changes are proposed that would hinder future development of those parcels currently designated SPMU.

A member of the public asked how this affected historic districts.

Community Development Director, Rachelle Kellogg, stated there are no proposed changes that affect the City's historic district or properties.

Chairman Garnin closed the public hearing at 8:05 p.m.

MOTION: To recommend approval to the City Council, Resolution No. 7-10-2017, amending the General Plan, subject to the following findings:

MOTION:	Jensen	**SECOND:**	Richardson
VOTE:	**AYES:**	Jensen**,** Richardson, Eaton, Anderson and Garnin (5)	
	NOES:	None (0)	
	ABSTAIN:	None (0)	
	ABSENT:	None (0)	

Findings for General Plan amendment:

A. The General Plan Amendment is necessary to prescribe reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other uses;
B. The General Plan amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species;
C. The General Plan identifies standards and policies for use throughout the City; and

D. The General Plan is necessary to protect the general public health, safety, or welfare of the community as a whole; and
E. The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.

DISCUSSION ITEM:

1) Community Development Director's Report

Community Development Director, Rachelle Kellogg stated that there may be an August meeting as staff has one item pending. She also stated that staff will now begin changes to the City's Zoning Ordinance to bring it into compliance with the revised General Plan.

Commissioner Eaton informed Commissioners that he is moving to Jamestown so he will be resigning from the Planning Commission. He stated he will miss serving and enjoyed working with the other Commissioners.

All Commissioners wished him well and stated they will miss him on the Commission.

Community Development Director, Rachelle Kellogg, stated she will begin the process for his replacement.

CORRESPONDENCE: None

ADJOURNMENT: There being no further business to come before the Commission, the meeting was adjourned at 8:20 p.m., to the next regular meeting on August14, 2017.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director