PLANNING COMMISSION
CITY OF SONORA

AUGUST 13, 2018

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, Kevin Anderson and Ron Jensen.

ELECTION OF OFFICERS – Gary Anderson nominated Chris Garnin as Chairman. The motion was seconded by Ron Jensen.

Ron Jensen nominated John Richardson as Vice-Chairman. The motion was seconded by Kevin Anderson.

MOTION: Chris Garnin was nominated for Chairman of the Planning Commission.

MOTION:		Gary Anderson	**SECOND:**	Ron Jensen
VOTE:	**AYES:**	G. Anderson, Jensen, K. Anderson, Garnin, and Richardson (5)		
	NOES:	None (0)		
	ABSTAIN:	None (0)		
	ABSENT:	None (0)		

MOTION: John Richardson was nominated as Vice-Chairman of the Planning Commission.

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

PUBLIC APPEARANCES: A member of the public expressed concerns over the number of cigarette butts in downtown Sonora and that doggie waste stations have not been installed.

Commissioner Jensen also expressed concerns over discarded cigarette butts and stated this issue should fall under littering laws.

Commissioner Richardson also expressed concerns and asked staff what Commissioners could do to express these concerns to the City Council.

Commissioner G. Anderson stated that WATCH Resources is already cleaning up weekly in downtown Sonora.

Community Development Director, Rachelle Kellogg, recommended that, as City residents, if they have a concern they can attend a City Council meeting as individuals and express their concerns at the meeting.

MINUTES:

MOTION: Approve the minutes of the June 11, 2018 Planning Commission Meeting, as mailed.

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

PUBLIC HEARINGS:

1) Application by Joe and Ann Walton, for a Use Permit to allow the property at 518 S. Washington Street to be returned to a residential use in a C, Commercial zone; APN: 002-182-038.

Planner, Paula Daneluk, presented the staff report and explained that this is the first application that the City has received to obtain a Use Permit restoring residential use in a Commercial zone since the adoption of Ordinance No. 844.

Applicant, Ann Walton, stated that they resided in the home prior to its conversion to a commercial use as the administrative offices for a charter school. She stated that she did not understand why the property was zoned Commercial when it was in a residential area. She also stated that they were not aware that, if the property was used for Commercial purposes for over one year, it could not convert back to a residential use.

Community Development Director, Rachelle Kellogg, stated that the property was zoned Commercial in 1967. She stated that during this time the City zoned both sides of Washington Street as Commercial, from Elkin Street to Hospital Road. She also stated that she did not know if the staff at the time of the conversion to a commercial use explained that the property could not convert back to a residential use if they exceeded the time period. Additionally, she explained that to help address this issue for those structures originally built as a residence, the City adopted Ordinance No. 844, which provides for the Use Permit process to restore the use. She stated without this option, the property would have been required to continue with a use allowed under the Commercial zoning district.

Chairman Chris Garnin opened the Public Hearing at 5:45 p.m. He closed the hearing at 5:46 p.m.

MOTION: To approve a Use Permit Application for Joe and Ann Walton to allow the property at 518 S. Washington Street to be returned to a residential use in a C, Commercial zone, subject to the following conditions and findings:

MOTION: Richardson **SECOND:** Gary Anderson

VOTE:	**AYES:**	Richardson, G. Anderson, K. Anderson, Garnin and Jensen (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

Findings for Use Permit – 518 S. Washington Street

1. The use is consistent with Title 17 of the Sonora Municipal Code;

2. The property was constructed as a residential structure and has been used as such in the past;

3. The structure is historic in nature and the return of residential use to the property will assist in the conservation of the structure.

Conditions of Approval for Use Permit -518 South Washington Street

General:

1. This Use Permit is issued for residential use in the existing structure. Any expansion of the structure shall require modification of the use permit.

2. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:

    a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or

    b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]

3. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

2) Application by Ron Palhegyi, for a Tentative Parcel Map to create four parcels, located along S. Washington Street, bordered at the rear by the railroad tracks; APN'S: 056-108-013 & 014, in a Tourist and Administrative zone.

Planner, Paula Daneluk, presented the staff report and fully explained project conditions related to TUD requirements, Fire Department requirements and access.

Commissioner Jensen asked if there has been a residence constructed on parcel 1.

Planner, Paula Daneluk, stated that they have constructed a home on parcel 1. She explained that with their current parcel configuration, they can construct two homes. With the proposed parcel map, they would be allowed to construct an additional 2 residential structures.

Commissioner Gary Anderson questioned why the current residences were allowed to be built in this area, as he felt a more appropriate zoning would be ML, Limited Manufacturing.

Community Development Director, Rachelle Kellogg, stated that the subject parcels and those to the south were originally zoned CG, General Commercial. She explained that in 2012 the parcels were rezoned to CO, Tourist and Administrative, to address the residential use that had been allowed.

Applicant, Ron Palhegyi, further explained the project and the reason for his request.

Commissioner Chris Garnin stated the Fire Department's desire to have a fire hydrant on the same side of Washington Street as the proposed homes. He asked if the applicant would consider adding this to the project even though it may not be a project condition.

Applicant, Ron Palhegyi, stated that the cost would be prohibitive and he did not feel it would be necessary as the homes must be built with residential fire sprinklers and that there should be enough fire flow from the existing hydrant. He also said that Washington Street would have to be closed if there was a fire no matter where the hydrant was located.

Commissioner Garnin asked if the parcels are benched for housing.

Applicant, Ron Palhegyi, stated that they were.

Commissioner Gary Anderson asked if the houses that would be built on parcels 3 and 4 would be the same size as the one constructed on parcel 1.

Applicant, Ron Palhegyi, stated they would be smaller and they would have a garage.

Commissioner Jensen asked for clarification related to access for parcel 4 and the location of the sewer line. Planner, Paula Daneluk, explained that access would be via an access easement along the Washington Street frontage and up the southern parcel line. There is a public utility easement between parcel 1 and 2 for the utilities.

Applicant, Ron Palhegyi, stated that with new building code requirements and building materials he does not feel there is a need for a new hydrant or standpipe.

He also stated that there is an existing berm between the railroad tracks and building location for the homes on parcels 3 and 4 that will help with the noise generated by any train traffic.

Matt Madden stated that the train does impact his home but the train usually operates during the day.

Applicant, Ron Palhegyi, stated that Matt's house is not separated from the railroad tracks with a berm.

Commissioner Kevin Anderson asked if the applicant would consider including a standpipe for fire protection instead of a fire hydrant as it should be less expensive but still provide fire protection.

Chairman Garnin opened the Public Hearing at 6:01 p.m.

Adjoining property owner Matt Madden, expressed concerns over the lack of site distance turning left onto South Washington Street from either of the existing driveways. He expressed concern over adding additional traffic exiting onto South Washington Street.

Chairman Garnin closed the Public Hearing at 6:07 p.m.

Commissioner Anderson asked if any traffic analysis had been completed for the project.

Planner, Paula Daneluk, provided information about the traffic impacts and project conditions.

Chairman Garnin expressed concerns over site distance issues and the need for a fire hydrant on the same side of Washington Street as the proposed project.

Commissioner G. Anderson stated that he felt that this was not a good location for additional residences due to the proximity to the railroad tracks and bulk propane tanks on the adjoining property.

Commissioners Jensen and Richardson asked if there was a way to improve site distance for traffic turning left onto South Washington Street.

Applicant Ron Palhegyi, stated that removing an existing boulder may help.

Commissioners discussed adding or modifying project conditions related to access and fire protection.

Community Development director, Rachelle Kellogg, recommended that the item be continued to a future Planning Commission Meeting to allow staff and the applicant time to provide additional information and clarification related to these two items.

MOTION: To postpone the item to a future Planning Commission Meeting.

MOTION: Richardson **SECOND:** Kevin Anderson

VOTE:	**AYES:**	Richardson, K. Anderson, G. Anderson, Garnin and Jensen (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

DESIGN REVIEW

1) Application by Benites Enterprises LP, for a Design Review Permit to add rock veneer to the bottom 3 feet of the Day'O Coffee Hut, located at 385 S. Washington St., in a C, Commercial zone; APN: 002-153-015.

Planner, Paula Daneluk, presented the staff report. She explained the improvements had been completed prior to the Planning Commission's approval.

Chairman, Chris Garnin, asked if staff had any concerns about the improvements.

Community Development Director, Rachelle Kellogg, stated that staff did not and it was a nice improvement. She stated that when the applicant was made aware that they neglected to get approval prior to doing the work, they stated that they did not know it was subject to Design Review and promptly submitted their application.

All Commissioners felt the rock design feature was a nice improvement to the structure.

MOTION: To approve a Design Review Permit for the addition of rock veneer at the bottom of the Day'O Coffee Hut, located at 385 S. Washington Street, subject to the following conditions and findings:

MOTION: Richardson **SECOND:** Gary Anderson

VOTE:	**AYES:**	Richardson, G. Anderson, K. Anderson, Garnin and Jensen (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

Findings for Design Review Permit – 385 S. Washington Street:

1. The use is consistent with the City of Sonora General Plan;

2. The use is consistent with Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;

3. The stacked rock along the bottom of the structure adds to the aesthetics of the building;

4. The addition of the stacked rock reflects the architectural characteristics of the community, blends with the adjacent neighborhood, and is consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

CONDITIONS OF PROJECT APPROVAL
385 S. WASHINGTON STREET
DESIGN REVIEW PERMIT

General:

1. This Design Review Permit is issued for the installation of rock along the bottom three feet of the exterior of the building. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on August 13, 2018. [Project Description, SMC Section 17.32.090]

2. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:

    a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or

    b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application.

    [SMC Section 17.69.010 (Ordinance 776)]

3. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

DISCUSSION ITEM

1) Community Development Director, Rachelle Kellogg, advised the Planning Commissioners about upcoming agenda items.

There being no further business to come before the Commission, the meeting was adjourned at 6:35 p.m.to the next Planning Commission Meeting on Monday, September 10, 2018.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director