PLANNING COMMISSION
CITY OF SONORA

SEPTEMBER 10, 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.

PUBLIC APPEARANCES:

MINUTES:

MOTION: Approve the minutes of the August 13, 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)		

DESIGN REVIEW:

1) Continuation of an application by Harmon Management Corp. (KFC) for a Design Review Permit to replace the existing building and construct a new building for a KFC Restaurant with a drive-thru, located at 1001 Mono Way; APN: 056-180-010, in a C, Commercial zone.

Planner, Paula Daneluk, presented the staff report for the project. She explained that at the September 11, 2017 meeting, the Planning Commission requested that two items be brought back to them for further consideration. The first being revised building elevations and the second being a traffic analysis related to the proposed drive-thru window. She stated that the applicant has revised the elevation drawings to reflect the design elements within the shopping center. She also informed Commissioners that a traffic analysis was completed by KD Anderson and Associates which determined that the project would not generate traffic in excess of the City's acceptable level of service.

Chairman Garnin questioned staff's comment related to new site plan provisions not being applicable to the project.

Planner, Paula Daneluk, explained that because the applicant submitted the project for review prior to the new site plan requirements going into effect, the project was not subject to them.

Applicant, Clifton Sorrell, stated he was available to answer any questions.

Commissioner Richardson asked what the hours of operation would be for the restaurant.

Applicant Sorrell stated that the hours will be 10:00 a.m. to 10:00 p.m. seven days a week.

Commissioner Kevin Anderson asked for clarification on the size of the dining area and if they would be removing parking spaces.

Applicant Sorrell provided information about the proposed dining area and confirmed the no parking spaces are planned for removal.

Chairman Garnin expressed concerns regarding conflicts between vehicles exiting the drive-thru and pedestrians.

Applicant Sorrell stated that there would be a stop sign in that location.

Travis Gutke, Director of Real Estate, introduced himself and provided Commissioners with the proposed development dates for the project.

MOTION: To approve a Design Review Permit to replace the existing building with a new Kentucky Fried Chicken Restaurant (KFC), 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 KFC Design Review Permit – 1001 Mono Way

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 proposed building as conditioned below conforms with features found on those typical of the surrounding shopping center;

4. The proposed building as conditioned, incorporates traditional 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 Approval for KFC Design Review Permit -1001 Mono Way

General:

1. This Design Review Permit is issued for the proposed new Kentucky Fried Chicken drive-thru restaurant. All exterior elevations and site details shall be in accordance with plans approved by the Sonora Planning Commission on September 10, 2018. The Community Development Director may approve minor changes to the design that are in substantial compliance with the plans approved by the Planning Commission.

2. The parking lot shall be revised to provide for additional open/green space and to accommodate native trees to provide shade to the parking lot.

3. The applicant shall provide documentation from TUD that the items discussed in the August 29, 2017 letter have been addressed to the District's satisfaction.

4. A ten-foot clearance around the propane tank from all vegetation and combustible materials shall be maintained.

5. An encroachment permit is required with the building permit for the access and landscaping on the City right-of-way.

6. Plans will be reviewed by the City with respect to the access ramp and ADA requirements on the City sidewalk. The applicant is responsible for making any necessary improvements to accommodate this new pedestrian entrance. The plans shall show the proper notation of the right-of-way and public utility easement along Mono Way.

7. 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)]

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

PUBLIC HEARINGS:

1) Application by Harmon Management Corp. (KFC) for a Sign Exception to locate one additional wall sign on the western side of the building, located at 1001 Mono Way; APN: 056-180-010, in a C, Commercial zone;

Planner, Paula Daneluk, presented the staff report for the project. She stated that the request would not overburden the building façade with signage and it would enhance vehicle safety by providing advanced notification of the business location.
Applicant, Clifton Sorrell, stated that the requested signage will provide better visibility for vehicles traveling in the easterly direction on Mono Way as the remaining signage will not be visible until they are immediately in front of the building and at the driveway entrance to the shopping center.

Chairman Garnin opened the Public Hearing at 5:45 p.m.

The Public Hearing closed at 5:46 p.m.

Commissioners Richardson and Gary Anderson agreed that seeing the signage in advance of the driveway entrance is much safer and they felt the request was justified.

MOTION: To approve a Sign Exception for KFC, to locate one additional wall sign on the western side of the building, located at 1001 Mono Way, subject to the following conditions and findings:

MOTION: Jensen **SECOND:** Kevin Anderson

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

Findings for KFC Sign Exception, 1001 Mono Way:

1. The exception does not constitute a special privilege inconsistent with other properties in the vicinity and the same zone;

2. The exception is not injurious to the neighborhood and is consistent with the intent of this chapter.

Conditions of Approval for KFC Sign Exception - 1001 Mono Way

General:

1. 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)]

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

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

Planner, Paula Daneluk, presented the staff report for the project. She stated that at the August Planning Commission Meeting, staff was directed to review two issues, a possible fire stand- pipe and site distance at the northerly driveway entrance. She explained the reasons for not requiring a fire standpipe as a project condition. She also informed Commissioners that with the removal of the large boulder located within the City's Right of Way, project occupants will be able to turn left out of the northerly driveway.

Community Development Director, Rachelle Kellogg, provided Commissioners with an aerial picture of the area that showed the location of the boulder and driveway locations.

Commissioner Richardson asked if the driveway is to be privately maintained.

Planner, Paula Daneluk, stated that there will be a recorded maintenance agreement and access easement.

Commissioner Jensen stated that he felt that the applicant did a good job on addressing the Commissioner's concerns.

Applicant, Ron Palhegyi, informed Commissioners that he was available for questions.

Chairman Garnin opened the Public Hearing at 5:56 p.m.

Steve Campbell spoke in favor of the project.

The Public Hearing closed at 5:58 p.m.

MOTION: To approve a Tentative Parcel Map, located at 1130 S. Washington Street, subject to the following conditions and findings:

MOTION: Richardson **SECOND**: Jensen

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

Findings for a Tentative Parcel Map – 1130 S. Washington Street

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

2. The project is consistent with Sonora General Plan 2020.

3. The project is consistent with the State Subdivision Map Act.

4. The project is exempt from further review pursuant to the California Environmental Quality Act.

Conditions of Approval – Tentative Parcel Map – 1130 S. Washington Street

1. Prior to the consideration of a Final Map:
    a. The project proponent is required to construct separate water and sanitary sewer services for domestic use to Proposed Parcels 3 and 4. An easement for private water and sewer lines is required.
    b. Install a bi-directional cleanout and a sewer backflow device at the property line if one is not currently installed.
    c. Improvement Plans for the road easement and encroachment from South Washington Street 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 boulder on the southern side of the driveway shall be removed. Encroachment to South Washington shall be paved as a standard common driveway and include both left and right turning movements.
    d. Address future maintenance of the common roadways and encroachment to South Washington, as a note on the final map, or with reference to a recorded access and maintenance agreement or covenant.
    e. All common driveway road construction shall be done under a City issued Grading Permit and Encroachment Permit.
    f. Fire Access Roads shall be 20 feet wide with a 13'6" vertical clearance; all weather hard-surface.
    g. A fire flow test must be completed to ensure a minimum 500 gpm for ½ hour to allow for firefighting activities and residential sprinklers. If fire flow is not adequate, additional fire hydrants or fire suppression systems may be required by the Fire Chief.
    h. After obtaining information from the Fire Department regarding the required fire flow and duration, contact Tuolumne Utilities District to finalize the determination regarding if the existing distribution system has capacity. The City must receive

correspondence from Tuolumne Utilities District with regard to availability of water and sewer service to the project and conditions to serve the individual parcels.

i. 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.

j. A maintenance agreement for the shared maintenance of the access road shall be recorded. Said agreement shall clearly spell out the equal responsibility of the newly created parcels for maintenance of the access road. Said agreement shall be reviewed and approved by the City Engineer prior to recordation.

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 Parcels 3 and 4 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.

DISCUSSION ITEM

1) Community Development Director, Rachelle Kellogg, provided Commissioners with information about items proposed for the October Planning Commission Meeting.

There being no further business to come before the Commission, the meeting was adjourned at 6:02 p.m.to the next Planning Commission Meeting on Tuesday, October 9, 2018, as Monday is a holiday.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director