PLANNING COMMISSION
CITY OF SONORA

DECEMBER 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: None

PUBLIC HEARINGS:

> **1)** Continuance of an application by Lisa Spangler, for a Use Permit to allow the property at 530 S. Washington Street to be returned to a residential use, in a C, Commercial zone; APN: 002-182-041.

Planner, Paula Daneluk, presented the staff report.

Commissioner Gary Anderson asked why this approval could not have been done at the staff level.

Planner Paula Daneluk, explained that the recently adopted Ordinance requires the applicant to go through a Use Permit process because the property is located in a Commercial zone.

Commissioners Gary Anderson and John Richardson questioned why a Use Permit was required or why the properties could not be re-zoned from Commercial to residential.

Community Development Director, Rachelle Kellogg, explained that the Use Permit process provides for notification of the property owners adjoining the project. This would provide them the ability to express any concerns about a return to residential use within a commercial zone. She also stated that most properties along South Washington Street, south of Church Street, had converted to a commercial use so it would not be appropriate to rezone the area to residential.

Applicant, Lisa Spangler, stated she was available to answer any questions and asked if there would be a fee to convert the property back to commercial, if a future owner wanted to resend the Use Permit.

Community Development Director, Rachelle Kellogg, stated no and that it can be approved at the staff level.

Chairman, Chris Garnin, opened the Public Hearing at 5:43 p.m.

There being no comments, the Public Hearing was closed at 5:45 p.m.

MOTION: To approve an application by Lisa Spangler, for a Use Permit to allow the property at 530 S. Washington Street to be returned to a residential use, in a C, Commercial zone, subject to the following conditions and findings:

MOTION: Jensen **SECOND:** Richardson

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

Conditions of approval for a Use Permit at 530 S. 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).

Findings for a Use Permit at 530 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.

2) Continuance of an application by Thomas Silva, of Type One Brewing Company, for a Use Permit for small craft microbrewery to include breweries as a use permitted in a C, Commercial zoning designation, located at 28 S. Washington Street; APN: 001-192-005.

Commissioner Kevin Anderson, stated that he was a personal friend of the applicant and recused himself from the meeting. He left the meeting room at 5:46 p.m.

Planner, Paula Daneluk, presented the staff report. She advised Commissioners that the City Council had held the Public Hearing, introduced the Ordinance and waived the first reading for the Microbrewery Ordinance at their meeting on December 3, 2018.

Community Development Director, Rachelle Kellogg, advised that the City Council will be considering the Microbrewery Ordinance for adoption at their December 17th meeting.

Commissioner Gary Anderson, asked the applicant if they would be using the existing doors as he was confused by the site plan that was provided in the packet.

Applicant, Thomas Silva, stated that they plan on using the existing doors.

Commissioner Richardson asked if the applicant will be using the existing doors on the corner of Bradford and Washington Streets.

Applicant, Thomas Silva, stated that until they can expand into this location, they are not sure on exactly how it will be configured.

Commissioner Richardson asked if they will be using the same opening as used previously by the restaurant when they expand into the new location.

Applicant, Thomas Silva, stated that they would.

Chairman Chris Garnin, opened the Public Hearing at 5:55 p.m.

There being no comments from the public, Chairman Chris Garnin, closed the Public Hearing at 5:56 p.m.

Commissioner Richardson asked if the applicant decided to make changes in the future would it only require a staff level approval.

Planner, Paula Daneluk, stated most changes would be handled through the permit process, however if they make changes to the exterior it would require Design Review Approval by the Planning Commission.

MOTION: To approve for Thomas Silva, a request for a Use Permit to include microbreweries as a use permitted in a C, Commercial zone; located at 28 S. Washington Street, subject to the following conditions and findings:

MOTION: G. Anderson **SECOND:** Jenson

VOTE: **AYES:** G. Anderson, Jensen, Richardson, and Garnin (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: K. Anderson (1)

CONDITIONS OF APPROVAL -Use Permit for Micro-Brewery at 28 S. Washington Street:

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. This Use Permit is issued for a Micro-Brewery. All activities shall be in accordance with plans approved by the Sonora Planning Commission on December 10, 2018.

3. The Use Permit is issued to allow for a Micro-Brewery with the following conditions:

   a. The beverages created in the Micro-Brewery are for on-site sale.
   b. Water Service(s): The project proponent would be required to cover any costs associated with adding, relocating and/or upsizing water facilities/services required to serve to the development including abandonment of water facilities/services not utilized by the project.
   c. Backflow Devices: The project proponent would be required to construct a back-flow device at each water service and/or verify the existing back-flow devices meet current District standards. It is the property owner's responsibility to maintain and conduct annual testing of these devices.
   d. Sewer Service(s): The project proponent would be required to cover any costs associated with adding, relocating and/or upsizing sewer facilities/services required

to serve the development including abandonment of sewer facilities/services not utilized by the project.

e. Fats, Oils, and Grease Control: As determined by the District, the project proponent would be required to install a grease interceptor to remove fats, oils, and grease from the waste stream before it enters the District's sewer collection system.
f. Water and Sewer Change of Use Fees and Capacity Charges: Prior to service by the District, 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. The project proponent is advised to contact the District at the early stages of project development for an estimate of these fees and/or charges. Fees and/or charges are subject to increases on July 1st annually.

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

Findings for Use Permit at 28 S. Washington Street:

1. The use is desirable at the specific location;
2. The use is consistent with the City of Sonora General Plan;
3. The use is consistent with the intent of Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located.

Commissioner Kevin Anderson rejoined the meeting at 5:47 p.m.

DISCUSSION ITEM

Community Development Director, Rachelle Kellogg, provided project updates.

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 Monday, January 14, 2019.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director