PLANNING COMMISSION
CITY OF SONORA

APRIL 8, 2019

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, and Commissioners Gary Anderson, Kevin Anderson and Ron Jensen. Vice-Chair, John Richardson was absent.

PUBLIC APPEARANCES: NONE

MINUTES:

MOTION: Approve the minutes of the February13, 2019 Planning Commission Meeting, as mailed.

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

PUBLIC HEARING:

1) Application for a Use Permit for Indoor Self-Storage and Design Review/Site Plan review for improvements to the properties located at 19 & 27 S. Stewart Street (old bowling alley), in a C, Commercial zone; APN; 001-212-007, 008, and 009.

Planner, Paula Daneluk, presented the staff report for the project. She explained that this was the first project being considered under Ordinance No. 855, Self-Storage, Indoor, adopted by the City Council on March 4, 2019. She stated that under the Ordinance, Indoor Storage requires a Use Permit. She informed the Commissioners that the project does not include any changes to the exterior of the building and that the parking credits for the previous use, a bowling alley, exceeds the number of spaces required for the project. She discussed project comments received and proposed conditions of approval.

Commissioner, Gary Anderson, questioned the need for the proposed modifications to the City sidewalk at the front of the building. He asked if this was a requirement of the project.

Chairman Garnin, asked how building improvements will be completed.

Applicant, Joe Pluim, stated that they desire to have ADA access to the building at both the side and front entrances. He also explained the construction activities that will occur within the building.

Commissioner, Gary Anderson, asked if the applicant had plans for the remainder of the lot that included the project parking lot. He also asked the height of the proposed cut slope.

Applicant, Joe Pluim, stated that the cut slope was five to ten feet and will include a retaining wall. He stated that they currently do not have any additional plans for the lot.

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

Sharon Marovich, Chair of the Tuolumne Heritage Committee, spoke in support of the project and was pleased with the reuse of the existing building.

Mike Baker stated he did not support a storage building within downtown.

Gabe Thompson stated he was not in support of the project and that there should be a better use for the building.

Chairman Garnin closed the Public Hearing at 5:50 p.m.

Commissioner Jensen stated that the building had been vacant for a long time.

Chairman Garnin stated that several uses had been considered for the building, but none had penciled out.

Commissioner, Kevin Anderson, stated that the proposed modular construction for the interior of the building would allow it to be used for another purpose in the future.

MOTION: To approve a Use Permit for Indoor Self-Storage and Design Review/Site Plan review for improvements, subject to the following conditions and findings:

MOTION: Jensen **SECOND:** Gary Anderson

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

Findings for Use Permit:

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 and is a good reuse of the building;

3. Features found on the original building will be preserved;

4. No changes are proposed and therefore, the exterior reflects the architectural characteristics of the surrounding 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 – Use Permit
19 & 27 S. Stewart Street

General:

1. This Use Permit with associated design review is issued for the use of an Indoor Self-Storage facility in the existing building. All alterations shall be in accordance with plans approved by the Sonora Planning Commission on April 8, 2019. 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 existing fuel tank on the site shall be removed.

3. Applicant shall coordinate with the Fire Department and TUD to ensure that adequate fire flow and capacity is available at the site as per the Fire Code.

4. Applicant shall provide documentation from TUD that all items in the TUD comment letter dated February 25, 2019 have been addressed.

5. Applicant shall coordinate with the Fire Department and the Building Department to ensure the fire access to the front door area through the ADA railings.

6. Applicant shall submit a grading/civil plan that includes all grading and improvements for the parking lot and driveway.

7. Applicant shall submit engineered plans for the proposed encroachment permit showing all sidewalk improvements.

8. 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)].

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

DISCUSSION ITEMS

1) Application by Erik Witt, for a Design Review Permit for exterior improvements including replacement of the existing windows on two downstairs units with new sliding glass doors and a fence along the frontage of the property, located at 304 W. Stockton Street, in a C, Commercial zone; APN; 001-241-015.

Planner, Paula Daneluk, presented the staff report. She stated that renovations have been made to the property without City approval or permits. She advised that the property is zoned Commercial and Design Review approval is required for any exterior changes to the building. She also informed Commissioners that the changes to the building has resulted in its use going from legal non-conforming to non-conforming. She stated that the applicant could apply for a Use Permit under a hardship to restore the use. She also discussed issues related to the historic nature of the building and comments received from the Tuolumne Heritage Committee. She advised that a Historic Inventory Report would need to be completed for the building prior to the City's consideration of a Design Review approval. She said that staff is seeking direction from the Commissioners before moving forward with any entitlement application due to the complexity of the situation.

Chairman Garnin asked if Multi-family is a use allowed by right in the Commercial zone.

Planner, Paula Daneluk, stated that it must be located above or behind commercial.

Chairman Garnin asked if there was any process to get Multi-family approved in the Commercial zone.

Planner, Paula Daneluk, stated that there was not but for this property the applicant could apply for a hardship as it was pre-existing.

Commissioner Jensen expressed concerns over the exterior changes made to the building and he indicated that he did not like the fence.

Chairman Garnin also expressed concerns over the changes that were made without any permits or approvals. He stated that he liked the original look of the building.

Commissioner, Gary Anderson, stated that the sliding doors provide a secondary access for the units and the fence does provide tenants with privacy. He also stated that there should be some compromise in the requirements for the applicant.

Commissioner Jensen questioned the cost of completing a historic review of the property.

Planner, Paula Daneluk, stated that she has seen them cost from $1,500 to $2,500 on past projects.

Commissioner Gary Anderson, asked why the City delayed in notifying Mr. Witt that he was not in compliance.

Planner, Paula Daneluk, stated that once the City became aware of the situation he was notified. She also advised if he had come into the office to apply for a building permit, staff would have advised him of the entitlement requirements.

Applicant, Erik Witt, stated that after buying the building he moved the tenants out and started renovating the building. He said that the building condition was very poor at the time he purchased it. He stated that he was a contractor and had been working on the building for over a year. He advised that he had invested a lot of money into the improvements and that he had to also replace the plumbing and electrical throughout the building. He apologized for not obtaining the proper permits and the necessary approvals.

Commissioner Jensen stated he did not like the look of the sliding doors and asked if access could be provided without them.

Applicant, Erik Witt, stated that he has seen old pictures of the building and that he believed that there were doors in those locations. He also stated that he feels that the fence is too large and he wants to reduce the height. He stated that City staff told him to not make any additional changes until he went through the City's approval process. He also stated that he wants to work with the City to make it right.

Chairman Garnin stated that he liked the original exterior of the building and he commended the applicant for all of the work he had done to improve the building. He stated that the applicant should have gone through the City's approval process. He also felt that the fence changed the property dramatically and he did not like it.

Commissioner, Gary Anderson, asked if completing a historic review of the property would then add additional requirements or require the applicants to restore the building. He also asked how it would affect Design Review.

Planner, Paula Daneluk, stated that staff would make a recommendation based on the report findings and as to whether or not it is considered a historic resource.

Sharon Marovich, Chair of the Tuolumne Heritage Committee, addressed her comments submitted in her letter to the Planning Commission. She stated that she was not pleased with changes made to the building and that a Cultural Resources Study needs to be conducted.

Member of the public, spoke in favor of the improvements and commended the applicant for the work that had been done on the building.

Member of the public, spoke in favor of the applicant's efforts to clean-up the building. He stated that he understood the need for a fence to provide security for the tenants, however he did not like the fence that was installed. He urged the City to allow the residential use to continue and to compromise with the applicant on improvements to the building.

Commissioners provided the following direction to staff:

1. The building should retain its residential use and a Use Permit should be applied for.
2. A Cultural Resources Study should be completed for the property.
3. Exterior renovations must be approved through the Design Review process.
4. Commissioners have concerns with the new fence design and the sliding doors that were installed.
5. Applicant will obtain all required permits.

2) Community Development Director's Report

Community Development Director, Rachelle Kellogg, informed Commissioners that Kevin Anderson's term will expire in July, 2019. She reviewed the appointment process and encouraged him to apply for a re-appointment to the Planning Commission.

There being no further business to come before the Commission, the meeting was adjourned at 6:50 p.m. to the next Planning Commission Meeting on Monday, May 13, 2019.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director