PLANNING COMMISSION
CITY OF SONORA

AUGUST 12, 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, Vice-Chair, John Richardson and Commissioners Gary Anderson, Kevin Anderson and Ron Jensen.

RE-APPOINTMENT OF PLANNING COMMISSIONER – Newly appointed Commissioner, Kevin Anderson, was sworn in and given an oath by Kim Campbell, Notary Public.

PUBLIC APPEARANCES: None

MINUTES: None

PUBLIC HEARING:

1) Application by Diem Crocitto, for a Use Permit to allow the property at 495 S. Washington Street to be returned to a residential use. The property is located in a C, Commercial zone; APN: 002-181-020.

Planner, Paula Daneluk, presented the staff report.

Applicant, Diem Crocitto, stated she was available to answer any questions.

Chairman Garnin opened the public hearing at 5:37 p.m. There being no comments from the public, the public hearing was closed at 5:38 p.m.

MOTION: To approve a Use Permit to allow the property at 495 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:** K. Anderson

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

Findings for Use Permit – 480 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

495 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).

DESIGN REVIEW:

1) Application by Thomas Silva of Sonora Brewing Company, for a Design Review Permit for placement of a mural on the south side of the building, located at 28 S. Washington Street, in a C, Commercial zone; APN: 001-192-005.

Commissioner Kevin Anderson recused himself stating he had a conflict of interest and left the meeting room at 5:40 p.m.

Planner, Paula Daneluk, presented the staff report.

Applicant, Thomas Silva explained his vision for the mural and introduced the artist, Edward Warzy, who was in attendance at the meeting. He stated that he felt the mural would bring more attention to downtown Sonora.

Lisette Sweetland, Executive Director of Tuolumne County Arts, spoke in favor of the mural and public art in general.

Member of the public, stated that they were co-owners of a business in Sonora and the rules can be confusing. They spoke in favor of the project.

Frank Uzzardo, owner of the Diamondback Grill, spoke in support of the project.

Marianne Wright, owner of Servente's Saloon, stated that historically murals were used to showcase businesses and that paint can be painted over it does not affect the historic integrity of the building. She spoke in favor of the project.

Ron Kopf, of the Tuolumne County Business Council, stated that the mural was a good blend between advertising and art. He stated that it was a great addition for downtown.

Dave Collbrig, spoke in favor of the project.

Laurie Lehmann, stated that she supports the mural and that the City's Ordinance should be modified so it grows with the current times.

Member of the public, spoke in favor of the mural.

Ken Hedges, owner of Little Roots Toy Shop, spoke in favor of the project.

Sharon Marovich of the Tuolumne Heritage Committee, spoke against the project. She stated that the mural should be in conformance with the City's ordinance and disagreed with staff's findings. She stated that the mural was modern, not historic, and set a precedence by approving advertising which should be done under the Sign Ordinance.

Steve Leontie, owner of the Candy Vault, spoke in favor of the mural.

Member of the public, spoke in favor of the mural.

Jay Green, Attorney for the applicant, spoke in favor of the mural.

Adam Wilson, spoke in support of the mural.

Linda Emerson, stated while she appreciates both positions she felt that bringing youth to downtown was important and supported the mural.

Ryan Rogers, spoke in favor of the mural.

Judy Grossman, spoke in favor of the project, stating that we need to change and grow to help downtown areas while loving our history.

Edward Warzee, mural artist, spoke in favor of the project.

Commissioner Richardson expressed concern over approving a mural that was painted prior to obtaining approval from the City and the precedence it could set.

Commissioner Gary Anderson stated it was common in the past to see advertisement for products and businesses painted on the sides of buildings. He expressed concern over regulating a period when they did not have regulations.

Chairman Garnin stated that even though the applicant was remiss in not going through the mural approval process, he did like the mural.

Commissioner Jensen stated that the approval process does need to be done but he does like the mural and murals are a draw for tourism. He said he does like the idea of putting a small sign on that wall.

Commissioner Richardson agreed that the applicant should consider putting a sign along-side of the mural.

MOTION: To approve a Design Review Permit for placement of a mural on the south side of the building, located at 28 S. Washington Street, in a C, Commercial zone, subject to the following conditions and findings:

MOTION: Richardson **SECOND:** Jensen

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

Findings for Design Review Permit – 28 S. Washington Street

1. The proposed changes reflect the 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 Design Review Permit – 28 S. Washington Street

General:

l. This Design Review Permit is issued for the mural as shown in the August 12, 2019 staff report. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on August 12, 2019 and shall be maintained in good

condition. 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 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 and shall obtain necessary building permits. (SMC Section 17.32.090).

Chairman Garnin called for a 5-minute break to provide time for those wishing to leave the meeting.

Commissioner Kevin Anderson re-joined the meeting at 6:35 p.m.

DISCUSSION ITEMS

1) Housing Element Update

Planner, Paula Daneluk, provided Commissioners with information related to state regulations and statutes pertaining to the Housing Element Law. She explained the Housing Element process and where staff is in that process. She informed them that the Draft Housing Element must be approved by the State Housing and Community Development Department, prior to its adoption by the City.

Community Development Director, Rachelle Kellogg, presented the information collected through the Housing Condition Survey and Multi-Family Survey.

Planner, Paula Daneluk, provided Commissioners with the Goals, Policies and Programs included within the 2014-2019 Housing Element. She discussed Goal and Policy areas that staff is currently considering based on the information collected through the survey process. She asked Commissioners to contact staff if they have any particular programs of interest.

City staff addressed Commissioners questions and comments and informed them that the Draft Housing Element should be presented at the October Planning Commission Meeting.

2) Community Development Director's Report

Community Development director, Rachelle Kellogg, provided a brief update on Department projects.

There being no further business to come before the Commission, the meeting was adjourned at 7:31 p.m. to the next Planning Commission Meeting on Monday, September 9, 2019.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director