PLANNING COMMISSION
CITY OF SONORA

OCTOBER 15, 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: Vice-Chair, John Richardson and Commissioners Gary Anderson, Kevin Anderson and Ron Jensen. Absent was Chair, Chris Garnin.

PUBLIC APPEARANCES: Councilmember Connie Williams thanked Planning Commissioner, Kevin Anderson for his assistance in preparing the Dragoon Gulch Trail for the V-O-CAL Dragoon Gulch Trail Project.

MINUTES:

MOTION: Approve the minutes of the September 9, 2019 Planning Commission Meeting, as mailed.

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

DESIGN REVIEW:

1) Application by Baysinger Partners Architecture for Sonora Plaza I, LLC, for a Design Review Permit for new facades in the Sonora Plaza Shopping Center, in the former Orchard Supply tenant space, located at 750 Mono Way, in a C, Commercial zone; APN: 056-130-015.

Planner, Paula Daneluk, presented the staff report.

Commissioner Gary Anderson, asked why the overhang had been changed on the former Orchard Supply Hardware building.

Planner, Paula Daneluk, stated that the overhang had been modified to accommodate the changes in the access to the building.

Vice Chairman Richardson expressed concern over the inconvenience to the existing tenants which may be caused by the project.

Planner, Paula Daneluk, explained that the applicant will coordinate the construction activities with tenants within the occupied spaces.

Applicant, Matthew Lillard of Baysinger Partners Architecture, explained that the proposed metal awning will cover most of the same area as the existing awning. He stated that the project will be completed in phases with the former Orchard Supply Hardware and the 99¢ Store buildings in Phase 1 and the remaining buildings in Phase 2.

Commissioner Gary Anderson asked what the timing would be between the phases.

Applicant, Matthew Lillard of Baysinger Partners Architecture, stated that the timing will depend on the new tenant for the former Orchard Supply building.

Commissioner Kevin Anderson stated that he liked the proposed façade improvements finding them clean and non-obstructive.

MOTION: To approve Design Review for Baysinger Partners Architecture for Sonora Plaza I, LLC, for new facades in the former Orchard Supply Hardware tenant space, located at 750 Mono Way, subject to the following conditions and findings:

MOTION: K. Anderson **SECOND:** Jensen

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

Findings for Design Review Permit for new facades, located at 750 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 elevation changes conform with features found on the original building;

4. The proposed exterior 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 Approval of a Design Review Permit
750 Mono Way

General:

1. This Design Review Permit is issued for the exterior changes to the shopping center. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on October 15, 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 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).

PUBLIC HEARINGS

1) Application by Andy Singh of Sonora DQ Inc., for a revision to the previously approved Site Plan to construct a new Dairy Queen Restaurant, located at 17 Pesce Way, in a C, Commercial zone; APN: 035-230-041 and 035-230-040.

Planner, Paula Daneluk, presented the staff report for the revised Site Plan. She described the proposed revisions to the previously approved Site Plan. She advised that the previously approved project conditions and mitigation measures were unchanged.

Vice-Chairman Richardson asked if staff had received any new concerns from the neighbors.

Planner, Paula Daneluk, stated that staff received no comments.

Applicant representative, Bill Canning, stated that the revised Site Plan eliminates the employee parking lot and the very large retaining wall. He stated the changes will reduce the cost of the project and that the new layout will improve the traffic/pedestrian circulation. He also advised that it will allow the retention of more of the native vegetation on the site, which he felt would provide an additional buffer for the neighbors.

Vice-Chairman Richardson opened the public hearing at 5:59 p.m. There being no public comment, he closed the public hearing at 6:00 p.m.

Commissioner Gary Anderson stated that the proposed Site Plan flows better than the previously approved plan.

Commissioner Kevin Anderson stated that the parcel appears large enough to accommodate the improvements as proposed.

Vice-Chairman Richardson feels that the project will provide a food location for those north of the City who currently are underserved.

MOTION: To approve a revised Site Plan to construct a new Dairy Queen Restaurant, located at 17 Pesce Way, subject to the following conditions and findings:

MOTION: Jensen **SECOND:** G. Anderson

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

Findings for Site Plan approval for revisions to the previously approved Site Plan for a new Dairy Queen Restaurant, located at 17 Pesce Way:

1. The proposed project is consistent with all applicable provisions of the Sonora Municipal Code and other local, state and federal laws; and

2. The proposed project is consistent with the Sonora General Plan; and

3. The proposed project is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there will be no potentially significant adverse effects upon environmental quality and natural resources that cannot be properly mitigated and monitored; and

4. There are adequate provisions for public and emergency vehicle access, fire and police protection, sanitation, water, and public utilities and services to ensure that the proposed development will not be detrimental to public health and safety; and

5. The subject site is adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards and other features required by the Sonora Municipal Code; and

6. The subject site is served by streets adequate in width and surfacing type to carry the quantity and type of traffic generated by the proposed development; and

The use will not produce odors, gas, fumes, dust, smoke, noise, vibrations, glare, heat, electrical interference, hazardous or waste materials beyond the confines of the property onto contiguous properties or into the air or watercourses to an extent constituting a nuisance and does not constitute a physical hazard to persons or properties beyond the confines of the property by reason of fire, explosion or similar cause.

Conditions of Approval of Site Plan
17 Pesce Way

GENERAL:

1. This Site Plan approval is issued for constructing a new commercial building. All site alterations shall be in accordance with plans approved by the Sonora Planning Commission on October 10, 2019.

2. Applicant shall install and maintain bicycle racks near entrances for employees and customers.

3. Prior to issuance of a building permit, the final map for the Lot Line Adjustment for the project area shall be recorded.

4. Provide landscape buffer of parking and drive aisle from adjacent residential uses. Buffer shall include a 4-foot hedge and / or other understory shrubs and bushes to create a visual buffer.

5. Provide a visual buffer between the travel lanes of Highway 49 and the drive aisle. Buffer shall be a minimum 4 feet of landscaping such as a hedge or dense bushes.

6. Prior to issuance of a building permit, the applicant shall obtain encroachment permits for the work within the right-of-way as shown on the site plan including landscaping, sidewalks and driveways.

7. Prior to building permit, the applicant shall coordinate with TUD regarding the water and sewer capacity at the site and in the surrounding lines. TUD engineers shall approve the utility plan including:

    a. Construct separate water services for domestic and irrigation use and abandon the existing water service on Elk Drive.
    b. Construct a back-flow device at each water service and / or verify the existing back-flow devices meet current district standards. The property shall maintain and conduct annual testing of these devices.
    c. Abandon the private sewer line located across APN: 035-230-042.
    d. Install a grease interceptor to remove fats, oils, and grease from the waste stream before it enters the District's sewer collection system.
    e. Pay all applicable fees and charges for water and sewer change of use and capacity charges.

8. Applicant shall complete and submit a full lighting analysis as part of the Building Permit Applicant.

9. A revised landscape plan that incorporates the changes in the revised site plan shall be submitted for review and approval to the City's Parks, Recreation and Beautification Committee as per SMC Section 12.20.130 prior to building permit issuance. The landscaping plan shall include trees over 6 inches in diameter to be noted on the plan and indicated whether they are to remain or be removed. Any oak trees removed shall be replaced with a 3:1 ratio.

10. 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)]

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

2) Updates to the Housing and Public Safety Elements of the General Plan, to address State Law requirements

Planner, Paula Daneluk, presented the draft Housing Element and Safety Element for the City. She explained the review and approval process.

Vice Chairman Richardson opened the Public Hearing for the Housing Element at 6:24 pm. There being no public comments, he closed the public hearing at 6:25 p.m.

Planner, Paula Daneluk, explained that the Safety Element was updated in coordination with the Fire Chief and Police Chief.

Commissioner Jensen and Vice Chairman Richardson expressed concerns over flooding within the City.

Planner, Paula Daneluk, explained that the policies included within the element are designed to be broad and the implementation programs are more specific. She stated that the Element includes both policies and programs related to flooding.

Vice Chairman Richardson opened the public hearing for the Safety Element at 6:34 p.m. There being no public comments, he closed the public hearing at 6:35 p.m.

Planner, Paula Daneluk, discussed the CEQA determinations for the Elements.

MOTION: To recommend approval of a Resolution for state mandated updates to the Housing and Public Safety Elements of the General Plan.
MOTION: K. Anderson **SECOND:** Jensen

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

DISCUSSION ITEMS

1) Community Development Director's Report

Community Development Director, Rachelle Kellogg, advised Commissioners that Tim Miller had retired and that Planner, Paula Daneluk, had taken a job with Butte County as the new Director of Development Services. She also thanked Kevin Anderson for his assistance with the trails project.

There being no further business to come before the Commission, the meeting was adjourned at 6:45 p.m. to the next Planning Commission Meeting on Tuesday, November 12, 2019, as Monday is a holiday.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director