

**PLANNING COMMISSION  
CITY OF SONORA**

**JULY 13, 2020**

**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 Kevin Anderson and Ron Jensen. Absent was Commissioner G. Anderson.

**APPOINTMENT AND SWEARING IN OF NEW COMMISSIONER, PETER GHIORSO**

**PUBLIC APPEARANCES:** None

**MINUTES:**

**MOTION:** Approve the minutes of the meeting of March 9, 2020 Planning Commission, as mailed.

<b>MOTION:</b>	Richardson	<b>SECOND:</b>	K. Anderson
<b>VOTE:</b>	<b>AYES:</b>	Richardson, K. Anderson, Garnin and Jensen (4)	
	<b>NOES:</b>	None (0)	
	<b>ABSTAIN:</b>	Ghiorso (1)	
	<b>ABSENT:</b>	None (0)	

Chairman Garnin welcomed new Commissioner, Peter Ghiorso, who is replacing outgoing Commissioner Gary Anderson.

**PUBLIC HEARING**

1) Application by Argonaut Investments LLC for Wilco Farm Store, for a Use Permit to provide for outdoor sales and storage, located at 750 Mono Way, in a C, Commercial zone; APN: 056-130-015.

Community Development Director, Rachelle Kellogg, presented the staff report for the project. She also discussed project conditions in particular the requirements related to fire access.

Applicant, Jerad Lillegard of Wilco Farm Store, informed Commissioners about the future use of the building and the need for the outdoor storage and sale areas.

Chairman Garnin asked if those areas would be utilized similar to what Tractor Supply does.

Applicant Lillegard stated yes.

Chairman Garnin opened the Public Hearing at 5:45 p.m. and closed the hearing at 5:46 p.m. for lack of any public comment.

MOTION: To approve a Use Permit for outdoor sales and storage, located at 750 Mono Way, subject to the following conditions and findings:

**MOTION:** K. Anderson                      **SECOND:** Richardson

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

**Conditions of Approval – Use Permit – 750 Mono Way**

- 1) This Use Permit is issued for the approval of outdoor sales and storage associated with an existing commercial structure. All alterations shall be in accordance with the plans approved by the Sonora Planning Commission on July 13, 2020. 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) This Use Permit shall become effective and be issued ten days after the date the Commission granted the permit, unless an appeal has been filed, in which case the permit shall not be issued until the granting of the permit is affirmed on appeal. The Use Permit shall expire and become null and void one year after the date of granting such permit, unless the authorized use is carried on or a building permit has been obtained for the structure requiring the Use Permit.
- 3) A minimum of a 5 ft. clear path of travel will be maintained at all times on the sidewalk in front of the building.
- 4) The outdoor sales and storage area will be fully fenced and gated.
- 5) All pallets, refuse, garbage, carts, fixtures, equipment and merchandise are to be stored within the fenced areas at the rear of the building.
- 6) A minimum 20 ft. width and 13 ft. 6 in. overhead clearance must be maintained at all times for all fire lanes and access roads per the California Fire Code.
- 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 with 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 obtain any required permits and comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

### **Findings for Use Permit – Wilco Farm Store; 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 and is a good use of the building;
3. Features found on the original building will be preserved;
4. The proposed changes to the exterior reflect 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.

### **DESIGN REVIEW**

- 1). Application by Foletti Joint Venture, LLC, for a Demolition Permit to demolish the existing residence and outbuildings on a parcel located at 104 Barretta Street, in a split zoned C, Commercial/R-3, Multifamily Residential zone; APN: 001-216-011.

Community Development Director, Rachelle Kellogg, presented the staff report for the project. She explained the requirements under Chapter 17.75, Demolition of Buildings and Structures, and the required findings. She discussed the blighted condition of the building and its nuisance to the neighborhood. She also discussed the cost to restore the existing residence and the proposed use of the property.

Chairman Garnin asked how long they have to demolish it once approved by the Planning Commission.

Community Development Director, Rachelle Kellogg, stated that they are required to secure a demolition permit within one year. She explained that there were provisions for an extension if needed.

Commissioner Kevin Anderson asked if the City required the building materials to be repurposed or salvaged.

Community Development Director Kellogg stated yes, as required under the State Green Building Codes and as required under condition # 8.

Applicant, Ariane Hardin Matschullat, discussed the current condition of the home and the issues that they have had with vagrancy. She stated that the cost to restore the home would be well above what it was worth. She informed Commissioners that she had restored other homes in the City but that the condition of this building did not merit a restoration.

Commissioner Richardson asked what the estimated cost was to restore the residence or rebuild on the property.

Tewelde Berhane, of Addis Construction, stated that the cost to demolish and rebuild a similar structure would be \$317,000 and the cost to restore it would be approximately \$350,000. He added that the estimate did not include costs for engineering as the structure does not have a foundation.

Chairman Garnin opened the Public Hearing at 6:07 p.m.

Sharon Marovich, Tuolumne Heritage Committee, spoke against approving the demolition permit. She stated that the property has been neglected but it could be restored and used for affordable housing. She recommended that the Planning Commission issue a four-week stay of demolition to seek an alternative to demolition.

Sonora Police Chief, Turu Vanderwiel, stated that the abandoned buildings have been and continue to be an issue for the Police Department and neighboring properties. He stated that his Department has responded to numerous calls related to vagrancy and vandalism.

Commissioner Richardson asked if the Fire Department commented on the project.

Community Development Director, Rachelle Kellogg, stated yes and that they were in support of the demolition.

Commissioner Ghiorso asked Sharon Marovich if they had applied for the National Register designation for their property.

Sharon Marovich stated that the City has not moved forward with any historic district designations. She stated that the home could be sold or moved from the site.

Rowena Hardin-Garon, stated the home was in very poor condition and it would be very expensive to restore it.

Chairman Garnin closed the public hearing at 6:20 p.m.

Commissioner Richardson asked if there was a way that the City could guarantee that any new building would blend with the neighborhood.

Community Development Director, Rachelle Kellogg, stated that condition # 12 requires that building plans and elevations be reviewed and approved by the Community Development Director. She also stated that condition # 11 requires any new project to incorporate historic features and attributes found on the existing residential structure and be compatible with neighboring properties.

Commissioner Jensen stated the house was in very poor condition and it would be very costly to restore it.

Chairman Garnin asked if they could build a single family home on the property.

Community Development Director, Rachelle Kellogg, stated that they would be allowed to under the zoning.

Chairman Garnin stated that preservation is important but this home is in total disrepair and it is an attractive nuisance.

Commissioner Richardson stated that the home was in total disrepair and would be too costly to repair.

Commissioner Ghiorso stated that he supported demolition.

**MOTION:** To approve a Demolition Permit to demolish the existing residence and outbuildings, located at 104 Barretta Street, subject to the following conditions and findings:

**MOTION:** Ghiorso **SECOND:** Richardson

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

**Conditions of Approval Demolition Permit  
104 Barretta Street**

- 1) This Demolition Permit is for the residential structure and outbuildings located at 104 Barretta Street.
- 2) This Demolition Permit shall not become effective until any appeal filed pursuant to Section 17.75.090 has been concluded, or the time for filing an appeal has expired and no challenges to the decision have been filed.
- 3) A Demolition Permit must be secured within one year after the date of the Planning Commission's decision approving demolition unless: i) conditions of Planning Commission approval establish a shorter expiration period; ii) an extension has been issued by the Community Development Director, or; iii) a Demolition Permit has been issued by the City Building Official. The Community Development Director may grant

an extension of the Planning Commission's decision approving a demolition for up to one additional year unless a demolition permit already has been issued by the City Building Official.

- 4) Once a Demolition Permit is issued by the City Building Official, the demolition permit shall expire and become null and void 180 days after the date of issuance unless the authorized use is carried out or an extension has been issued by the City Building Official. One extension may be granted by the City Building Official for up to 180 additional days.
- 5) The parcel shall be maintained in a clean, safe and aesthetically pleasing manner after demolition. All vegetation is to be maintained in a fire-safe manner.
- 6) During demolition, the contractor is to contact USA, cap sewer lines and clearly mark water and sewer services as required by TUD.
- 7) Any regulated asbestos containing material removed shall be disposed of in a manner consistent with state and federal law. Applicant shall provide the Community Development Department with an asbestos report identifying all asbestos within all structures to be demolished and a clearance report prior to issuance of the Demolition Permit.
- 8) Applicant shall comply with the recycling and re-use requirements of the applicable building codes. No demolition debris may be burned.
- 9) Applicant shall provide dust suppression during demolition activities as approved by the Community Development Department.
- 10) The future development of the parcel for residential use will require the rezoning of the entire parcel to Multi-Family Residential (R-3).
- 11) Future development projects will incorporate historic features and attributes found on the existing residential structure and be compatible with the neighboring properties.
- 12) All building plans and elevations will be reviewed and approved by the Community Development Director, prior to obtaining a building permit.
- 13) The property owner or authorized applicant, their successor 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 with 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)].

- 14) Applicant shall obtain any required permits and comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

**Findings for Demolition Permit – 104 Barretta Street**

1. The Planning Commission determines that the owner would have no economic use of the property unless the structure is removed. In this instance, the applicant shall submit to the City such economic and financial data as it is determined necessary by the Community Development Director to substantiate such claim; or
2. The Planning Commission determines that the structure is in such a deteriorated condition that demolition will not have a significant effect on the achievement of the purposes of this Chapter or the City’s general plan; or
3. The Planning Commission determines that demolition of the structure is consistent and does not conflict with the City’s goals, policies, and programs with respect to the management of cultural resources in the City as reflected in the City’s general plan.

**DISCUSSION ITEMS**

- 1) Community Development Director’s Report

Community Development Director, Rachelle Kellogg, provided an update on projects and operations under COVID-19.

There being no further business to come before the Commission, the meeting was adjourned at 6:32 p.m. to the next Planning Commission Meeting on Monday, August 10, 2020.

Respectfully submitted,

Rachelle Kellogg,  
Community Development Director