

**PLANNING COMMISSION
CITY OF SONORA**

August 10, 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 Peter Ghiorso. Absent was Commissioner Ron Jensen.

PUBLIC APPEARANCES: None

MINUTES:

MOTION: Approve the minutes of the meeting of July 13, 2020 Planning Commission, as mailed.

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

PUBLIC HEARING

1) Application by Pablo Vasquez, for a Use Permit to allow the property located at 86 S. Green Street to be returned to residential use in a C, Commercial zone; APN: 001-258-007.

Community Development Director, Rachelle Kellogg, presented the project staff report and discussed the recommended project conditions. She also provided Commissioners with a copy of Elena Linehan's comments related to the project and read it for the public.

Vice Chairman Richardson, asked if the structure could be divided into multiple units.

Community Development Director, Rachelle Kellogg, stated that condition #1 restricts the use to one single-family residence.

Applicant, Pablo Vasquez, advised that he was available for questions.

Chairman Garnin opened the Public Hearing at 5:44 p.m. There being no public comment, the Public Hearing was closed at 5:45 p.m.

MOTION: To approve a Use Permit to allow the property at 86 S. Green Street to be returned to residential use in a C, Commercial zone, subject to the following conditions 1-7 and the recommended findings:

MOTION: Richardson **SECOND:** Anderson

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

Conditions of Approval – Use Permit – 86 S. Green Street

- 1) The Use permit is issued for one single-family residence and no additional units shall be permitted within the structure. No expansion of the structure shall be allowed under the Use Permit.
- 2) The 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 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) The applicant shall maintain the structure in good repair and in accordance with all State housing laws.
- 4) The applicant shall submit plans showing compliance with heating, lighting and ventilation, egress, and kitchen electrical and obtain required permits prior to occupancy. Plan submittal and inspections must occur prior to covering any work.
- 5) Smoke detectors and CO alarms are required
- 6) 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)].
- 7) 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 – 86 S. Green 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 use is consistent with neighboring properties.

DESIGN REVIEW

1). Application by Baysinger Partners Architecture for Sonora Plaza I, LLC, for a Design Review Permit for an exterior remodel proposing new facades in the Sonora Plaza Shopping Center, in particular, the former Cost U Less building. The project address is 760-764 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 provided Commissioners with a revised elevation for the project that was provided by the applicant prior to the meeting. She explained that the only change to the plans was the amount of glazing at the western end of the renovation area.

Applicant, Melinda Vermeer, Project Manager with Baysinger, discussed the project and advised the Planning Commissioners that she was available for questions.

Chairman Garnin asked if the reason for the proposed changes to the plan was due to a tenant request.

Applicant Vermeer stated that it was a request of the anticipated tenant for that space. She further explained that the building is to be divided into two tenant spaces.

MOTION: To approve a Design Review Permit proposing new facades in the Sonora Plaza Shopping Center, located at 760-764 Mono Way, subject to the following conditions and findings:

MOTION: Ghiorso **SECOND:** Richardson

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

**Conditions of Approval - Design Review Permit
760-764 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 August 10, 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. 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 Design Review Permit – 760-764 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.
- 2). Application by Scott Barry for Pauline Oneto, for a Design Review Permit for an 8' x 16' floral mural on the south side of the building, located at 35 S. Washington Street, in a C, Commercial zone; APN: 001-191-007.

Applicant, Scott Barry, stated that he was working with the artist, Christine Yang, who is painting the mural as part of her Senior project. He said that he was not aware of the City's review process when they started working on the project and stopped work while they went through the Design Review approval process. He stated that he felt the mural was a nice addition to the building and agreed to the project conditions.

Jessie Claxton, Manager of Sonora Florist, spoke in favor of the mural.

Dennis Garcia spoke in favor of the mural and artist.

Sharon Marovich, Tuolumne Heritage Committee, spoke against the project and asked Commissioners to deny the mural.

Ann Milligan spoke in support of the mural.

Nikki Coleman spoke in support of the mural.

Heide Wall spoke in support of the mural.

Mary Smith spoke in support of the mural.

Derek Nunes who owns a neighboring business spoke in support of the mural.

Thomas Silva, downtown business owner, spoke in favor of the mural.

Mural Artist, Christine Yang, introduced herself to the Commissioners and talked about her art and the mural project.

Commissioner Anderson questioned conditions # 2 and # 3 regarding materials and coatings.

Community Development Director, Rachelle Kellogg, explained that it was important that the proper paint was used due to the fact that it was on the exterior of the building and exposed to the elements. She also stated that the coating will help with any graffiti removal that may occur in the future.

Chairman Garnin agreed with the need for the coating.

Vice Chairman Richardson stated that while he understood Sharon Marovich's position regarding the mural, the community is driving the need for murals within the City. He stated that he felt the mural was very attractive and supported this mural project.

Chairman Garnin, stated that the mural was done in good taste and will be an artistic enhancement to the building. He stated that it did not advertise or convey a political message and was very elegantly done.

Vice Chairman Richardson again stated that the mural was very attractive and agreed that it was not political in nature.

Commissioner Ghiorso stated he liked the mural as proposed and felt murals were good for the community. He spoke about the Wells Fargo Community Mural Program and murals in other communities in California.

MOTION: To approve a Design Review Permit for a flower mural on the south side of the building, located at 35 S. Washington St. subject to the following conditions and findings:

MOTION: Ghiorso **SECOND:** Richardson

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

**Conditions of Approval - Design Review Permit
35 S. Washington St**

General:

1. This Design Review Permit is issued for the mural as shown in the August 10, 2020 staff report. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on August 10, 2020 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 applicant shall use the appropriate paint/material for an exterior mural. Applicant must provide the Community Development Director with details related to the proposed paint/material prior to installation.
3. The mural shall have a weatherproof and vandalism-resistant coating.
4. The applicant and/or owner shall properly maintain the mural to ensure that material failure is corrected and any vandalism is promptly removed.
5. 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)]

6. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090) and shall obtain all necessary permits, including a building permit, from the appropriate agencies.

Finding for Design Review of a Mural – 35 S. Washington Street

1. The proposed mural is original in design and of appropriate scale, it complements/enhances the building and neighboring properties, the proposed location will not cover or detract from significant building architectural features, and it is consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

DISCUSSION ITEMS

- 1) Community Development Director's Report

Community Development Director, Rachelle Kellogg, stated that there will be a meeting in September and that it will be subject to ongoing COVID-19 requirements.

There being no further business to come before the Commission, the meeting was adjourned at 6:36 p.m. to the next Planning Commission Meeting on Monday, September 14, 2020.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director