

PLANNING COMMISSION
CITY OF SONORA
MAY 9, 2011
7:00 P.M.

A regular meeting of the Planning Commission of the City of Sonora was scheduled on this date at 7:00 p.m. in the Sonora City Hall Council Chambers.

The following members were present: Chairman John Andersen, and Commissioners John Richardson, George Segarini and Chris Garnin. Absent was Vice Chairman Dwain McDonald.

Motion by Commissioner Segarini, seconded by Commissioner Richardson, carried of a vote of 4-0, to approve the minutes of the meeting of April 11, 2011, as amended.

PUBLIC APPEARANCES - None

PUBLIC HEARING – Application by Jean Howard, for a Variance to allow a two foot encroachment into the 20-foot rear parcel setback to allow for coverage of an existing deck for the addition of a sunroom, located at 48 Arbona Circle S., in an R-1, Single Family residential zone; APN: 035-420-63.

Planning Consultant, Amy Augustine, presented the staff report and provided the reasons for requiring a Variance, reviewed project conditions and staff's recommendation for approval. She explained that the narrowness of the parcel caused the construction of the deck to encroach 2 feet within the setback. This is allowed by the Sonora Municipal Code, however enclosing the deck would require a Variance.

She informed Commissioners that the City received 6 letters in favor of the project and none opposing.

Chairman Andersen opened the Public Hearing at 7:05 p.m.

Jean Howard, applicant, was present and explained the reason for the request.

Chairman Andersen asked the applicant to explain how the deck is accessed from the home, which the applicant did.

There being no additional public comment, the Public Hearing closed at 7:08 p.m.

Motion by Commissioner Segarini, seconded by Commissioner Richardson, unanimously carried 4-0, to approve for Jean Howard, an application for a Variance at 48 Arbona Circle S., subject to the following condition:

1. Project construction shall comply with the plans as approved by the Sonora Planning Commission on May 9, 2011. Construction materials shall be non-combustible, or equivalent. Minor amendments may be approved by the Community Development Director. (SMC Section 17.62.050).

In taking this action, the following findings were made:

1. Exceptional or extraordinary circumstances or conditions exist on the subject property that are not a result of any act of the owner or applicant and that apply to the subject property and not generally to other properties in the vicinity and in the same zone; and
2. The exception does not constitute the grant of a special privilege inconsistent with the limitations upon other properties in the vicinity in the same zone; and
3. The exception is the minimum necessary for the reasonable use of the property; and
4. The exception is not injurious to the neighborhood, is consistent with the intent of this title, and with the purposes for such zone

PUBLIC HEARING – Application by Jon Wright, for a Use Permit to allow for automobile service, repair, maintenance and sales of tires, including limited outdoor tire storage immediately adjacent to the existing building, located at 694 S. Washington Street, in an existing C, Commercial zone; APN: 056-253-11.

Planning Consultant, Amy Augustine, presented the staff report, as well as reasons for requiring a Conditional Use Permit, project conditions and staff's recommendation for approval. She explained that, while in a Commercial zone, this use requires a Conditional Use Permit due to noise related issues which may affect the surrounding neighbors. She informed Commissioners that the City received no opposition to the project.

Chairman Andersen opened the Public Hearing at 7:10 p.m.

Applicant Jon Wright was present and available for questions from the Commissioners.

Commissioner Richardson asked the applicant to clarify the type of outside storage that will be used by the applicant. He stated that he had no concerns with this and supported the applicant's ability to have this available to him.

There being no additional public comments, the Public Hearing was closed at 7:12 p.m.

Commissioner Segarini questioned the requirement to all outdoor storage against the building.

Amy Augustine explained that under Commercial zoning, all merchandise is to be confined within the building, however the City practice has been to allow businesses to have outdoor storage as long as it is against the building and does not affect the public's path of travel.

Commissioner Garnin felt that this new location was superior to the businesses previous location and also supported allowing him to store tires out of the building.

Motion by Commissioner Garnin, seconded by Commissioner Richardson, approved on a vote of 4-0, to approve per staff recommendation for Jon Wright, an application for a Conditional Use Permit at 694 S. Washington Street, subject to the following conditions:

1. The Conditional Use Permit is issued for the installation, service, repair, maintenance and sales of tires. (project description)
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)].

Throughout the life of the project:

3. Outside storage shall be limited to three tire racks (with tires) immediately adjacent to the existing building (i.e., beneath the building overhang) and not to exceed a total of 100 square feet in area. Existing tire racks located within one of the parking spaces along South Washington Street will be removed or relocated adjacent to the building. [Project Description, SMC Section 17.62.050].
4. Used tires are, and will continue to be, stored within a 270+/- square foot enclosure located at the southern end of the building screened by an

existing 5+/- foot high chain-link fence with privacy slats. [Project Description, SMC Section 17.62.050].

In taking this action, the following findings were made:

1. The use is necessary or desirable on the specific parcel;
2. The use is not injurious to the neighborhood;
3. The use is consistent with the intent of the Sonora Municipal Code and Title 17 (Zoning), the purposes of the Commercial zoning district and the Sonora General Plan.

PUBLIC HEARING – Application by the City of Sonora, for Design Review related to maintenance and repairs including re-siding, drainage improvements, minor re-roofing and related changes at the Sonora Police Department, 100 S. Green Street, in a C, Commercial zone; APN: 001-253-11.

Community Development Director, Rachelle Kellogg, presented the staff report, reasons for Design Review, reviewed the project conditions and staff's recommendation for approval.

She informed the Commissioners that the City received one letter in favor of the project and none opposing.

City Administrator, Tim Miller and City Engineer, Jerry Fuccillo explained the City's process for project approval and bid requests as well as anticipated project timeline.

Chairman Andersen opened the Public Hearing at 7:18 p.m. and there being no public comment, the hearing was closed at 7:19 p.m.

Motion by Commissioner Segarini, seconded by Commissioner Garnin, unanimously carried on a vote of 4-0, to approve for the City of Sonora, an application for Design Review at the Sonora Police Department facility, located at 100 S. Green Street, subject to the following condition:

1. Project construction shall comply with the plans as approved by the Sonora Planning Commission on May 9, 2011. Minor amendments may be approved by the Community Development Director.

In taking this action, the following findings were made:

1. The existing use is consistent with the Sonora General Plan;
2. The existing use is consistent with the intent of Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;

3. The existing location of the structure upon the property is consistent with the siting of other structures in the immediate neighborhood including the configuration and location of onsite parking, paved areas, ingress and egress;
4. The existing structures are in good proportions, have simplicity of mass and detail and are compatible with the setting and established character of the surroundings including neighborhood historic buildings and other buildings in the City of like class and type;
5. The existing structures make appropriate and fitting use of materials including colors in harmony with themselves and their environment, design and exterior materials (including lighting and landscaping) reflecting traditional architectural characteristics of the community and blending with the adjacent neighborhood, and are consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

PUBLIC HEARING – Site Plan Review Code Amendment – Recommendation to the Sonora City Council on an Ordinance to amend Sonora Municipal Code to delete existing, and add a new, Sonora Municipal Code Chapter 17.52 pertaining to site plan applicability, exemptions, review process, findings for approval, appeals and expiration, and amending Section 17.54.030 for consistency with proposed changes.

Community Development Director, Rachelle Kellogg, presented the staff report, proposed changes to the Sonora Municipal Code and staff's recommendation for approval.

Commissioners had reviewed a preliminary draft of the ordinance at their April 11, 2011 meeting. She informed Commissioners that staff had made two changes. At the request of the City Engineer, preliminary grading and drainage plans would be required for projects valued at \$100,000 or more in site work. At the request of the Commissioners, a requirement to identify trees of 6' diameter or greater at breast height.

Commissioner Andersen requested the City Engineer's rationale for the \$100,000 limit.

City Engineer, Jerry Fuccillo, stated that he felt that requiring a preliminary grading and drainage plan on small projects would be cost prohibitive. The main concern is on larger projects where more grading occurs. If he has a concern on a smaller project, he would require a drainage and grading plan.

Commissioner Andersen felt that this was a good alternative.

Commissioner Andersen opened the Public Hearing at 7:25 p.m. There being no public comment, the Public Hearing was closed at 7:26 p.m.

Motion by Commissioner Garnin, seconded by Commissioner Richardson, approved on a vote of 4-0, to recommend approval to the City Council, for an Ordinance to amend Sonora Municipal Code to delete existing, and add a new, Sonora Municipal Code Chapter 17.52 pertaining to site plan applicability, exemptions, review process, findings for approval, appeals and expiration, and amending Section 17.54.030 for consistency with proposed changes, subject to the following findings per staff report:

- A. The proposal is consistent with all applicable provisions of the Sonora Municipal Code and other local, state and federal laws; and
- B. The proposal is consistent with the Sonora General Plan; and
- C. The project has been reviewed in compliance with the requirements of the California Environmental Quality Act (CEQA), and the appropriate determination has been made.

DISCUSSION ITEMS

1. Report from Chris Garnin, on the April 27, 2011 Parking & Traffic Meeting

Commissioner Garnin advised that the Traffic Commission postponed a decision on a request for a loading zone in front of the Arts Council on Washington Street. The applicant was instructed to survey businesses regarding the loss of a parking space. A request to park on Jackson Street during the Round-Up Parade was denied. A request from the Tuolumne Transit to eliminate one space in front of the Veterans Hall and create a weekend bus loading zone by Yosemite Title was approved.

2. Community Development Director's Report

Community Development Director, Rachelle Kellogg, advised the Commissioners on various projects within the City, including the County's proposed Behavioral Health Housing Project on Lyons Street and the Mervyn's building renovation.

CORRESPONDENCE – None

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director