



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of November 10, 2016 -- 6:30 PM
Community Meeting Room, 177 First Street West
Sonoma, CA 95476

Meeting Length: No new items will be heard by the Planning Commission after 10:30 PM, unless the Commission, by majority vote, specifically decides to continue reviewing items. If an item is not heard due to the length of the meeting, the Commission will attempt to schedule a special meeting for the following week. If a special meeting is necessary, potential dates will be established at the close of this meeting, and a date set as soon as possible thereafter.

CALL TO ORDER – Chair, Robert Felder

Commissioners: Michael Coleman
James Cribb
Mary Sek
Chip Roberson
Ron Wellander
Bill Willers
Robert McDonald (Alternate)

*Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.*

PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: Presentations by audience members on items not appearing on the agenda.

CORRESPONDENCE

ITEM #1 – PUBLIC HEARING

REQUEST:

Application for a Temporary Use Permit to allow the development of a Safe Parking program in conjunction with an existing emergency shelter.

Applicant/Property Owner:

City of Sonoma

Staff: David Goodison

Project Location:

151 First Street West

General Plan Designation:

Public Facility (PF)

Zoning:

Planning Area: Northeast Area

Base: Public Facility (P)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #2 – PUBLIC HEARING

REQUEST:

Consideration of an Exception to the rear yard setback requirement for an addition to a residence.

Applicant/Property Owner:

Barry and Barbara Ganley

Staff: David Goodison

Project Location:

165 Wilking Way

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Northeast Area

Base: Low Density Residential (R-L)

Overlay: None

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #3 – PUBLIC HEARING**REQUEST:**

Consideration of a Use Permit to allow an 850-square foot detached second dwelling unit that exceeds the maximum floor area limit for second units.

Applicant/Property Owner:
Victor Conforti Architect

Staff: Rob Gjestland

Project Location:

440 Harrington Drive

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Southwest Area

Base: Low Density Residential (R-L)
Overlay: None

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #4 – PUBLIC HEARING**REQUEST:**

Consideration of an Exception from the fence height standards to allow an over-height fence within the street-side yard setback of a corner property.

Applicant/Property Owner:
Emilia Coakley

Staff: Wendy Atkins

Project Location:

407 East Napa Street

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Central-East Area

Base: Low Density Residential (R-L)
Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #5 – PUBLIC HEARING**REQUEST:**

Consideration of a Use Permit to allow two retail kiosks, including food/beverage vending, and associated seating within the common area of the Sonoma Court Shops Complex.

Applicant/Property Owner:
STRATAp Architecture/Sonoma Court Shops Inc.

Staff: Wendy Atkins

Project Location:

27 East Napa Street

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)
Overlay: Historic (/H)

RECOMMENDED ACTION:

Commission discretion.

CEQA Status:

Categorically Exempt.

ITEM #6 – PUBLIC HEARING**REQUEST:**

Consideration of modifications to an existing eight-unit condominium development.

Applicant/Property Owner:
Robert Baumann & Associates

Staff: Rob Gjestland

Project Location:

375 West Napa Street

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: West Napa/Sonoma Corridor

Base: Mixed Use (MX)
Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #7 – PUBLIC HEARING**REQUEST:**

Consideration of a Use Permit to operate a restaurant in conjunction with a wine retail establishment.

Applicant/Property Owner:

Sonoma Wine Shop/Redbird Investment Group LLC

Staff: Wendy Atkins

Project Location:

412 First Street East

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt.

ITEM #8 – STUDY SESSION**REQUEST:**

Study Session on a proposal to: 1) develop a restaurant with associated parking; and, 2) refurbish an existing gas station on the site, maintaining the fuel dispensing use while converting the service bays into a coffee shop.

Applicant/Property Owner:

Erika and Chad Harris

Staff: David Goodison

Project Location:

899 Broadway

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Withdrawn at the request of the applicant.

CEQA Status:

Categorically Exempt.

ISSUES UPDATE**COMMENTS FROM THE COMMISSION****COMMENTS FROM THE AUDIENCE****ADJOURNMENT**

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on November 4, 2016.

CRISTINA MORRIS, ADMINISTRATIVE ASSISTANT

Rights of Appeal: Any decision of the Planning Commission may be appealed to the City Council. Appeals must be filed with the City Clerk within fifteen (15) calendar days following the Planning Commission's decision, unless the fifteenth day falls on a weekend or a holiday, in which case the appeal period ends at the close of the next working day at City Hall. Appeals must be made in writing and must clearly state the reason for the appeal. Appeals will be set for hearing before the City Council on the earliest available agenda. A fee is charged for appeals.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA, (707) 938-3681. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Planning Commission regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the Administrative Assistant office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the Administrative Assistant, at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Agenda Item Title: Application for a Temporary Use Permit to allow the implementation of a Safe Parking program in conjunction with an existing emergency shelter.

Applicant/Owner: City of Sonoma

Site Address/Location: 151 First Street West

Staff Contact: David Goodison, Planning Director
Staff Report Prepared: 11/03/16

PROJECT SUMMARY

Description: Application for a a Temporary Use Permit to allow the development of a Safe Parking program in conjunction with an existing emergency shelter.

General Plan Designation: Public Facility (P)

Zoning: **Base:** Public **Overlay:** Historic

Site Characteristics: The subject property is a 7.5-acre site, owned by the City of Sonoma, and developed with a Police Station/Council Chambers facility, playing fields, and associated parking, as well as a nine-bed emergency shelter.

Surrounding Land Use/Zoning: **North:** A vacant property/Hillside Residential
South: A restaurant and single-family residences/Medium Density Residential (R-M)
East: Arnold Field and the Sonoma Valley Veterans' Building/Public (P)
West: Vallejo Home State Park/Park (Pk)

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve the Temporary Use Permit, subject to conditions.

PROJECT ANALYSIS

BACKGROUND

Beginning last June, the City Council has been discussing the concept of establishing a Safe Parking program. The concept of safe parking refers to a managed allowance for homeless persons with cars to sleep in their cars overnight at a safe location, preferably with access to bathroom facilities. Participating clients are screened in advance and given parking passes for designated spaces. Safe parking programs are often but not always offered on a seasonal basis during the winter months. The concept was originally put forward by Sonoma Overnight Support (SOS), the local non-profit organization that manages the City-owned homeless shelter on the Police Station property. SOS put forward the proposal because they saw a need for it through the operation of the shelter. At the time of their original proposal, they believed that Catholic Charities would be available to provide on-site support for the program. (Since that time, Catholic Charities has indicated that while they could provide advice and technical resources based on their experience operating Safe Parking programs in other communities, they would not provide on-site assistance.) On September 19, 2016, the City Council voted 3-2 to direct staff to develop a proposal for establishing, on a trial basis, a Safe Parking program on the Police Station property, limited to five spaces and operated in conjunction with the homeless shelter. At its meeting of October 17, 2016, staff returned to the City Council to review alternatives for implementing its direction, at which time the Council voted 3-2 to direct staff as follows:

1. Process an application for a temporary use permit for the Safe Parking program from the Planning Commission. A temporary use permit was recommended because it is consistent with Development Code provisions regarding emergency shelters, it provides a mechanism for establishing conditions of approval, and it allows for neighbor notice and comment.
2. Negotiate an agreement with Sonoma Overnight Support for the management of the program. This agreement would incorporate conditions of approval identified through the temporary use permit process as well as issues such as insurance requirements. Once a draft agreement was negotiated, it would be brought to the City Council for final review and approval.

Pursuant to this direction, an application for a temporary use permit has been made, as detailed in this staff report. In addition, SOS and staff have begun working on a draft Memorandum of Understanding (attached), which would constitute the agreement between the City and SOS for the management of the program. The MOU will be subject to the review and approval of the City Council.

DETAILED PROJECT DESCRIPTION

As proposed, the Safe Parking program would consist of five designated parking spaces adjoining the shelter. Approval would be on a trial basis to test the concept for a four-month period, beginning in December. Program management, including client screening, would be provided by Sonoma Overnight Support, in conjunction with its management of the emergency shelter located on the Police Station property. Hours of operation would be from 9 p.m. to 7 a.m., with variations as needed to accommodate special events that might occur on the Police Station property. Participating clients would be subject to the following regulations and requirements:

- Every driver must have a valid driver's license and current registration and vehicles must be in working order.
- Each vehicle shall only be occupied by designated participants and approved and registered household members.

- The use of alcohol and illicit drugs would be prohibited. Random drug and alcohol tests would be performed by SOS.
- Cooking and food preparation would be prohibited.
- SOS would be required to keep the area in a clean and orderly condition.
- Loitering would be prohibited. Participants and their vehicles would be required to leave the area by 7:00 a.m.
- Loud music or other noise disturbances would be prohibited.

These rules would be enforced by a program monitor provided by SOS. Failure to follow the rules would result in immediate expulsion from the program. SOS would supply each participant with a placard to be displayed in the vehicle window indicating authorizing to park overnight in a designated space. The SOS monitor would check-in participants and direct anyone other than an approved participant to leave the premises during program hours. Each morning, the monitor would ensure that program participants leave the premises by 7:00 a.m. Additionally, SOS would provide the Police Department, on a weekly basis at minimum, an updated list of the license plate numbers and driver’s license numbers of authorized participants, as well as the names of the registered household members for each vehicle. To further assure security, SOS would maintain an alarm system with two cameras: one on the front porch of the shelter with a view of the designated spaces, and one focused on the shelter’s back yard. Participants in the Safe Parking program would not have access to the shelter during the program hours. SOS would provide a portable sanitation facility (including a sink) in the back yard of the shelter for the exclusive use of program participants. This facility would be cleaned daily. It would be locked during the day and only opened during program hours.

GENERAL PLAN CONSISTENCY (Not Applicable to this Project)

The project site is designated as “Public Facility” in the General Plan, the purpose of which is to provide for public and quasi-public uses of all kinds, including emergency shelters. General Plan policies applicable to the project are set forth below:

Policy 5.3: Continue to address the special needs of persons with disabilities, including developmental disabilities, through provision of supportive housing, accessibility grants, zoning for group housing, universal design, and procedures for reasonable accommodation.

Policy 5.4: Work cooperatively with the County and other applicable organizations to address valley-wide special housing needs, such as housing for agricultural workers and the homeless, and including transitional housing and emergency shelters.

The proposed Safe Parking program is consistent with Housing Element policies addressing special needs groups.

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: In order to comply with State law, the City amended the Development Code in 2014 to identify emergency shelters having fifteen beds or fewer as a permitted use, meaning that use permit is not required for such facilities on properties having the “Public” zoning designation. The existing emergency shelter has a capacity of 9-10 beds (it is currently occupied by 7 persons). Assuming that at two persons could be accommodated in participating vehicles, the proposed Safe Parking could be viewed as expanding the emergency shelter capacity of the site to twenty beds. Based on this interpretation, it is staff’s view that use permit review is required. Since the program is untested and is intended to address a seasonal need, staff is proposing that the Safe Parking program be processed as a Temporary Use Permit, pursuant to section 19.54.030 of the Development Code.

Compliance with Quantified Standards: Because the project consists of the use of existing parking spaces, it does not raise any issues with respect to setbacks, coverage, Floor Area Ratio or other development standards applicable to new construction.

Parking: The Safe Parking program would make use of five existing parking spaces. Because the use of the spaces for the program would be limited to the hours of 9:00 p.m. to 7:00 a.m., parking impacts on other uses of the Police Station property, including the use of the Field of Dreams, would be limited.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (☒ Not Applicable to this Project)

ENVIRONMENTAL REVIEW (☒ Not Applicable to this Project)

The proposed Safe Parking is exempt from environmental review pursuant to Section (b)(3) of Title 14 of the California Code of Regulations, because it is a temporary use that involves no new construction that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

DISCUSSION OF PROJECT ISSUES

The primary issue associated with this project is that of compatibility with neighboring uses and other uses on the Police Station property, especially the Field of Dreams. While this new proposal provides for a seasonal increase in the effective capacity of the shelter, program participants will be monitored and supervised. In addition, the hours of the program—9:00 p.m. to 7:00 a.m.—should help reduce potential conflicts with the use of the playing fields. However, it must be said that Field of Dreams users and residents of the area already report issues related to the presence of the shelter, including vandalism, petty theft, and unwanted confrontations. (See attached incident map submitted by a resident of the area.) In speaking about this issue with the Police Department, it is the view of Planning staff that these issues mainly arise from the day services provided at the shelter, rather than the shelter residents, as the residents are screened and monitored, which is not the case with those seeking day services. That said, it is staff's view that if the Safe Parking program is carefully managed, it should not add to the issues associated with the day services program because, as with the shelter residents, participants will be screened and monitored. Requirements intended to ensure that the program does not create compatibility issues include the following:

- On-site check-in, check-out, and supervision by a program monitor.
- Screening of participants, including drug testing.
- The use of alcohol and illicit drugs would be prohibited.
- Random drug and alcohol tests would be performed by SOS.
- Prohibitions on cooking, food preparation, and loud music.
- Regular site maintenance and clean-up.
- Loitering is prohibited. Participants and their vehicles would be required to leave the area every day by 7:00 a.m.
- Ongoing reporting and coordination with the Police Department.

On a separate track, Planning staff and the Police Department will work with SOS to address the issues raised regarding their day services programs. On a related matter, the Police Chief has noted that if the Safe Parking program is implemented, restrictions on camping overnight in other public places within city limits will be strictly enforced, as otherwise the provision of the program could lead to overnight parking in other areas of the city.

RECOMMENDATION

Staff recommends that the Planning Commission approve a Temporary Use Permit authorizing the proposed Safe Parking program for a four-month period, based on the attached findings and subject to the recommended conditions of approval.

Attachments

1. Draft Findings of Project Approval
2. Draft Conditions of Approval
3. Draft MOU
4. SOS Submittal
5. Incident Map (neighbor submittal)

cc: Bret Sackett, Police Chief

Safe Parking Program Email List

Bill Spencer
319 First Street West
Sonoma, CA

Steve Weisiger
227 First Street West
Sonoma, CA

Kathy Reilly
217 First Street West
Sonoma, CA

Denise Ewings
217 First Street West
Sonoma, CA

Gia Ghilarducci
c/o Depot Hotel
241 First Street West
Sonoma, CA

City of Sonoma Planning Commission
FINDINGS OF TEMPORARY USE PERMIT APPROVAL
Safe Parking Program
151 First Street West

November 10, 2016

Based on substantial evidence in the record, including but not limited to the initial study and staff report, and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

1. The proposed use is consistent with the General Plan, in that emergency shelters and services are allowable uses in the “Public” land use designation.
2. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this Development Code, because emergency shelters of 16 or more beds are identified as a conditionally-permitted use in the “Public” zone and because, as a temporary use that involves no new construction, it does not raise any issues of consistency with the quantified standards of the Development Code applicable to new development.
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity, because:
 - A. The approval of the Safe Parking Program is limited to five parking spaces, with a four-month term that automatically expires on March 31, 2017.
 - B. The conditions of approval include requirements for client screening, on-site monitoring, limitations on hours, reporting and coordination with the Police Department, and other measures intended to ensure safety and compatibility.
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located, in that the safe parking program is a temporary use that makes use of an existing parking lot and does not involve the development of any permanent structures.

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL FOR TEMPORARY USE PERMIT
Safe Parking Program
151 First Street West

November 10, 2016

1. This Temporary Use Permit is granted for a four month period, beginning on December 1, 2016, and terminating on March 31, 2017.

Enforcement Responsibility: *Planning Director*
Timing: *Term of Temporary Use Permit*

2. The Safe Parking program shall be operated and managed by Sonoma Overnight Support (SOS) under a Memorandum of Understanding (MOU), the terms of which shall be subject to the review and approval of the City Council. The MOU shall address, at a minimum, the following:

- a. The program shall be limited to the use of five designated parking spaces, selected by the City, in proximity to the emergency shelter. The use of the designated parking spaces shall be limited to 9:00 p.m. to 7:00 a.m.
- b. SOS shall maintain liability insurance, of an amount satisfactory to the City Council, naming the City and the Field of Dreams organization as additional insured.
- c. Screening procedures, subject to the review and approval of the City, shall be adopted and implemented on a consistent basis, applicable to all prospective clients. These procedures shall include drug testing. Participants shall be screened with a preference for women and children, City residents, and seniors.
- d. Regular reporting to the Police Department identifying program participants and their vehicles.
- e. Loitering is prohibited. Participants and their vehicles are required to leave the Safe Parking area every day by 7:00 a.m.
- f. Due to the specific security requirements necessary to protect their safety, battered women shall not be placed in the program but instead shall be referred to specialized facilities that are set up to ensure client safety in those circumstances.
- g. SOS shall refer program participants to applicable support services and an SOS caseworker shall work with them to seek permanent housing.
- h. The Safe Parking program shall be fully documented, along with client demographics, and reports of usage shall be provided to the City on a monthly basis.
- i. SOS shall provide a program monitor who shall check-in and check-out program participants each day and shall be available at all times in which the designated parking spaces are occupied by program participants.
- j. Noise control measures.
- k. The regular clean-up of the site shall be required.
- l. The provision and maintenance of a sanitation facility, with sink, shall be required.
- m. Other security measures as deemed necessary by the City.
- n. Provisions for the immediate termination of the use in the event that the City finds that the terms of the Temporary Use Permit or the MOU have been substantially breached.
- o. Other management requirements as deemed necessary by the City Council.

Enforcement Responsibility: *Planning Director/Police Chief/City Council*
Timing: *Prior to commencement of the use/ongoing*

3. A follow-up review on the operation of the Safe Parking program, to include neighbor outreach, shall be conducted within two weeks following the termination of the Temporary Use Permit.

Enforcement Responsibility: *Planning Director/Police Chief*
Timing: *Within two weeks following the termination of the Temporary Use Permit*

Draft

Memorandum of Understanding (MOU) for Pilot Safe Parking Program

This Memorandum of Understanding (“MOU”) is made as of [December 1, 2016] by and between the **City of Sonoma** (“City”) and **Sonoma Overnight Support, Inc** (“SOS”).

Whereas, a lack of affordable housing in the City and in Sonoma Valley results in a number of individuals and families living in their vehicles; and

Whereas, SOS and City are concerned with the safety, health and welfare of the community and wish to safeguard private property and provide a safe and sanitary place for people to park their vehicles on a short-term basis while they transition to more permanent housing; and

Whereas, City is willing to provide five (5) parking spaces overnight on its parking lot next to The Haven (SOS emergency shelter located at 151 First Street West, Sonoma) (the “Premises”), pursuant to a pilot “Safe Parking Program” (the “Program”) under the management of SOS. SOS shall support and oversee the overnight parking spaces, at no cost to City, through a commitment of expertise, policies/procedures, staffing, and other resources including, without limitation, technical assistance and guidance from Catholic Charities of the Diocese of Santa Rosa (“CCDSR”) which has implemented similar Safe Parking Programs in other areas of Sonoma County.

Now, therefore, in consideration of the covenants and conditions contained herein, the City and SOS agree as follows:

1. **Term:** The term of this MOU shall commence on [December 1, 2016], and continue until March 31, 2017. Notwithstanding the above, either party may terminate this MOU for any reason upon 10 days’ written notice to the other party, such notice to include the reason for termination.
2. **Breach of Agreement:** Notwithstanding the term set forth in Section 1, if the City finds that the terms of the MOU have been substantially breached by SOS it may immediately terminate the MOU upon written notice to SOS documenting the breach of the agreement, provided that at SOS’ request, City shall meet with SOS to determine if SOS shall instead be allowed to cure the breach.
3. **Use of Parking Lot:** Subject to the terms set forth below, SOS may use 5 designated parking spaces (the “Designated Spaces”) between the hours of 9:00 p.m. and 7:00 a.m., 7 days per week for overnight parking by “Participants” in this Safe Parking Program. SOS shall provide adequate sanitation facilities for Participants as described in Section 8 below. Some evenings there may be events at the Field of Dreams near the Premises, and Participants will need to

arrive at a later time. In that case, City shall notify SOS, who in turn shall notify the Participants to arrive at a later time. Participants shall stay at the Designated Spaces only. The SOS placard referred to in Section 6 shall be displayed at all times during Program hours on a Participant's vehicle in a clearly visible manner. The City may modify Program hours and length of stay upon notification to SOS. SOS shall not authorize more than 5 vehicles to park at the Premises. SOS staff and representatives may enter the Premises as necessary for monitoring and enforcement activities. SOS shall mark or sign the Designated Spaces, in a manner approved by the City, to prevent vehicles other than those belonging to Participants from making use of them during Program hours. SOS shall cordon off the Premises during Program hours, so that no vehicles other than those belonging to Participants or the City Police can enter the Premises during Program hours.

4. **Program Preference.** Participants shall be screened by SOS with a preference for women and children, City residents, and seniors.
5. **Written Agreement with Users and Compliance with Rules Required:** SOS shall only issue permits to Participants with whom SOS has made a prior written agreement to use a Designated Space for overnight parking. Each potential Participant shall be evaluated in advance by the SOS Case Manager. As part of such evaluation, alcohol and drug testing shall be performed and anyone who tests positive shall automatically be disqualified. The written agreement between SOS and each Participant shall, at a minimum, contain the following requirements:
 - a) Every driver must have a valid driver's license and current registration, and the Participant's vehicle must be in working order.
 - b) Each vehicle shall only be occupied by designated Participants and approved and registered household members. Guests are prohibited. No more than two adults shall be allowed in any vehicle.
 - c) No alcohol or illicit drugs shall be contained in the vehicle or consumed on the Premises. Random drug and alcohol tests shall be performed by SOS.
 - d) Cooking or food preparation is prohibited on the Premises.
 - e) Littering is prohibited. All trash shall be disposed of properly at another location and not on the Premises. However, at the City's option a trash and/or recycling receptacle for use by Participants may be provided.
 - f) Loitering is prohibited. Participants and their vehicles must leave the Premises every day at the end of Program hours. However, Participants who are also day clients of SOS may come back to use Haven services during normal Haven day client hours.
 - g) With respect to sanitation needs, Participants (including household members) shall exclusively use the sanitation facilities provided by SOS as described in Section 8 during Program hours.
 - h) No music may be played that is audible on the surrounding sidewalk, in surrounding buildings (including neighboring residences, the Haven, and the Police Station), on the Field of Dreams, or that is so loud as to disturb other Participants while in their Designated Spaces.
 - i) Parking shall be limited to the Program hours and days specified above.

- j) Participant(s) shall comply with SOS's Good Neighbor Policy (Attachment "A").
 - k) Participants shall comply with all applicable local, state and federal laws rules and regulations and any other rules as outlined in the written agreement.
 - l) Failure to follow all rules shall result in immediate termination and expulsion from the Program.
6. **Authorized, Permitted Vehicles Only:** SOS shall use reasonable efforts, including overnight monitoring and (if necessary) volunteers on-site, to ensure that only one vehicle owned by a Participant is parked in the Participant's Designated Space during Program hours. SOS shall give the City Police Department a list of the license plate numbers and driver's license numbers of all authorized Participants, as well as the names of the registered household members for each vehicle and shall provide the Police Department with an updated list upon any change in authorized clients, associated household members, or vehicles. SOS shall also supply each Participant authorized to use a Designated Space with a placard to be displayed in the Participant's vehicle window indicating that the Participant is authorized to park overnight in a Designated Space. The SOS overnight monitor shall direct anyone other than an approved Participant to leave the Premises during Program hours.
7. **Removal of Vehicles:** Subject to the California Vehicle Code, upon notification by City, SOS shall remove any vehicle parked in a Designated Space after 7:00 a.m., including but not limited to an abandoned and inoperable vehicle. Upon notification, SOS shall also remove any vehicle owned by a Participant that is parked anywhere on the Premises other than in a Designated Space, and any other unauthorized vehicle parked on the Premises, outside of Program hours.
8. **Other SOS Responsibilities:**
- a. The SOS night monitor shall be on site to ensure appropriate behavior by Participants and compliance with the terms of the Program. The night monitor shall wake Participants at 6:00 a.m. each day, to give them time to get ready to leave, and to ensure they do leave, the Premises by 7:00 am.
 - b. A case manager shall be assigned to the Program to perform the initial evaluation of Participants and to work with Participants to find alternative housing.
 - c. SOS shall ensure that the Premises are kept in a clean and orderly manner.
 - d. SOS shall provide a sanitation facility in the back yard of the Haven for the exclusive use of Program Participants including registered household members. This facility shall be equipped with a sink inside and shall be cleaned daily. The sanitation facility shall be locked during the day and only opened during Program hours (as such hours may be adjusted for Field of Dreams events). Entry to the area where the sanitation facility is located shall be limited to the front sidewalk of the Haven.

- e. To help ensure appropriate behavior by Participants and others during Program hours, SOS shall maintain an alarm system with two cameras: one on the front porch of the Haven with a live stream view of the Designated Spaces, and one focused on the Haven's back yard.
9. **Post-Program Evaluation:** At least two weeks prior to March 31, 2017 (expiration of the pilot Program), City and SOS agree that SOS, City Representatives including the Police Chief, and other stakeholders (homeless clients, leaders of the Field of Dreams and the dog park, and First Street neighbors) shall meet to review and evaluate the Program, its successes and areas for improvement, with a view to making a recommendation to the City Council regarding continuation of a safe parking program within City limits.
 10. **Indemnification:** To the full extent allowed by law, SOS shall defend (with counsel acceptable to City), indemnify and hold harmless City and its officers, officials, agents and employees (collectively, Indemnitees) from and against any and all claims, demands, suits, actions, administrative proceedings, regulatory proceedings, civil penalties, fines, damages, costs, expenses (including without limitation reasonable attorneys' fees and costs of litigation), judgments or liabilities (collectively, "Liability"), of every nature arising out of or in connection with the Safe Parking Program at the Premises, including without limitation death, personal injury or property damage caused by or suffered by a Participant on or adjacent to the Premises; except such Liability resulting from the sole negligence or willful misconduct of Indemnitees. SOS shall provide a "Certificate of Liability Insurance" naming City, its officers, officials, agents and employees as additional insureds, in form and content acceptable to City, prior to commencement of the Program at the Premises. The defense and indemnity obligations of this MOU are undertaken in addition to, and shall not be limited in any way, by SOS's insurance obligations, and shall survive expiration or the earlier termination of this MOU. SOS shall notify City immediately in the event of any accident, damage or injury arising out of or in connection with this MOU.
 11. **Compliance with Laws:** SOS shall fully comply with all applicable local, state and federal laws, statutes, ordinances, rules and regulations relating to the Participants' use of the Designated Spaces.
 12. **Condition of Property and Improvements:** City makes no representations or warranties regarding the suitability of the Designated Space for overnight sleeping or regarding conditions of the improvements in the Premises.
 13. **Alterations:** SOS shall not alter or make improvements to the Designated Spaces, the parking lot, or any portion of the Premises without the express written approval of the City.
 14. **Governing Law:** This MOU is governed by the laws of the State of California.
 15. **Whole Agreement:** This MOU constitutes the entire agreement between the parties related to the use of the Premises and the Designated Spaces and

supersedes all prior written and verbal agreements, representations, promises or understandings between the parties related thereto.

16. **Amendments:** Any amendments to this MOU shall be in writing and executed by both parties.
17. **Severability:** If any provision of this MOU is held to be invalid or unenforceable with respect to any party, the remainder of this MOU or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this MOU shall be valid and enforceable to the fullest extent permitted by law.
18. **No Waiver:** The waiver by either party of any term, covenant, agreement or condition contained in this MOU shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, agreement or condition contained in this MOU.
19. **Authority of Signatories.** The signatories to this MOU represent and warrant that they are authorized to sign this MOU on behalf of, and thereby to bind, the parties for whom they are signing.
20. **Notices.** Any notices required to be given pursuant to this MOU shall be in writing and may be delivered personally, by U.S. mail, facsimile or email, to the addresses below or such other addresses as a party may subsequently provide:
 - a. To City: City of Sonoma
 1, The Plaza
 Sonoma, CA 95476
 Attention: City Manager
 - b. To SOS: Sonoma Overnight Support
 151 First Street West
 Sonoma, CA 95476
 Attention: Executive Director
21. Personal delivery shall be effective immediately. Certified or registered mail, return receipt requested, shall be deemed delivered on receipt if delivery is confirmed by a return receipt. Facsimile and email delivery shall be deemed delivered on transmittal, absent a message to sender indicating a failure of delivery.
22. **No Third Party Beneficiaries.** The parties hereto do not intend to create, and nothing in this MOU shall be construed to create, any benefit or right in any third party.
23. **Parties Not Co-Venturers.** Nothing in this MOU is intended to or shall establish the parties hereto as partners, co-venturers, or principal and agent with one another.

IN WITNESS WHEREOF, City and SOS have executed this MOU as of the last date set forth below.

City of Sonoma

Date: _____

By:

[Signature, Title]

Sonoma Overnight Support

Date: _____

By: _____

[Signature, Title]

TO: Sonoma City Council

FROM: Kathy King, Executive Director, Sonoma Overnight Support

RE: SOS Safe Parking pilot program update

October 13, 2016

Sonoma Overnight Support had proposed that the City of Sonoma allow for overnight use of five spaces in The Haven parking lot or the Council parking lot for people currently living in their cars. This program, called Safe Parking, would be overseen and monitored by SOS.

The City Council voted on September ____, 2016 to approve the program through March 2017.

Safe Parking will give some of the homeless people who are living in their cars a safe and controlled place to park at night. Every driver must have a valid driver's license, current car registration and the car must be in running condition. The occupants must sign an agreement with SOS to adhere to the Safe Parking. (See attached)

The SOS evening monitor will be on site to ensure appropriate behavior (e.g., no alcohol / drug use, no cooking, no littering) from 9 pm to midnight. Each week, SOS will give the police a list of the license plate numbers of the cars that are authorized to park overnight. There would be signage on the five cars to indicate that they have the permission to park overnight. The monitor would ask anyone who is not approved to leave the area.

Random drug/and alcohol testing will be done of those living in the cars. If they test positive, they will be asked to leave the premises and not return.

The SOS case manager will work with the Safe Parking participants to provide them with referrals to shelters and to help them find permanent housing.

SOS has been tracking the clients who use the SOS Day Services to determine who is sleeping in cars. Currently SOS has recorded 18 adults, of whom at least 50% are over the age of 50. Of the 18, 10 are women. SOS will give priority to women during the vetting process.

This pilot program will follow the protocols of the well-run Safe Parking program run by Catholic Charities in Santa Rosa. Catholic Charities has agreed to will help SOS with staff training about the program and how to administer it safely and effectively.

SOS prefers to have the Safe Parking program in The Haven parking lot as it would be more cost-effective for our professional staff to monitor the participants while on duty in The HAVEN.

SOS would put a sanitation station in the back yard of The HAVEN for use by the Safe Parking participants. It would have a sink inside. It would be cleaned daily by HAVEN resident volunteers who already pick up the garbage in the Field of Dreams and outside the dog park once a week as part of their weekly chores. The sanitation station would be locked during the day and opened only from 9 pm to 7 am.

If the approved Safe Parking site is behind the police station, SOS would provide the sanitation station and additional garbage cans there and would do daily clean-up of the area.

The Haven has an ADT alarm system with two cameras – one on the front porch with live-stream view of the 5 parking spots in front of The HAVEN and one focused on the backyard.

Between midnight to 6 am, there will be a designated person at the Haven who will phone the on-call staff person if they see or hear anyone breaking the Safe Parking rules. The on-call staff member lives five minutes from The Haven and can quickly be there to assess the situation and, if necessary, call the police. We make every effort to resolve the problems in order to cut down on police time.

At 6 am, the site monitor will wake up the Safe Parking participants to make sure they leave the parking lot by 7 am.

Once the pilot project is over in March, SOS executive director and staff will meet with Police Chief and other stakeholders (homeless clients, the Field of Dreams and dog park leaders, and local neighbors) to make recommendations for program improvements.

Regarding pursuing other potential sites in the faith community for Safe Parking:

Kathy King met on Sept. 21 with Peadar Dalton, leader of Sonoma Ministerial Association. He stated that many of the clergy who belong to the Association do not have churches or if they do there are schools on the property which prohibit parking overnight. He does in theory support the program and has written a letter of support to the City Council.

SOS has already contacted 5 local churches with only one church within the city limits seen as a possibility. The pastor is exploring the possibilities of Safe Parking. A meeting of the Parish Council is scheduled at which time the members will discuss the program. If they are in favor, the program will then be brought to the entire parish to seek their agreement to host the Safe Parking program.



1
OVERLOOK TRAIL
MAN JUMPED
ONTO THE TRAIL

2
FIELD OF DREAMS
CHILDRENS BATHROOM
SLEEPING

3
FIELD OF DREAMS
BATHROOM
DEFECATING

6
BIKE BATH PUSHES
INTOXICATION
VOMITING

7
BIKE BATH PUSHES
SLEEPING

4
225 1ST. STREET WEST
BACKPACK
STOLEN

5
BIKE BATH PUSHES
NIGHT
SCREAMING

9
1ST. STREET TREES
SLEEPING

11
DEPOT PARK
SLEEPING

8
SILVESTRI APARTMENTS
SLEEPING
IN TENANT'S CAR

14
HUGHES FIELD
SLEEPING

12
MAYSONNAVE COTTAGE
BREAK-INS,
SLEEPING

13
MAYSONNAVE COTTAGE
NIGHT
GATHERINGS

10
227 1ST STREET
SHOES STOLEN

15
CEMETARY
SLEEPING

Agenda Item Title: Application for an Exception from the rear yard setback requirements to allow a one-story residential addition.

Applicant/Owner: Barry and Barbara Ganley

Site Address/Location: 165 Wilking Way

Staff Contact: David Goodison, Planning Director
Staff Report Prepared: 11/03/16

PROJECT SUMMARY

Description: Application for an Exception from the rear yard setback requirements to allow a one-story residential addition.

General Plan Designation: Low Density Residential (LR)

Zoning: **Base:** Low Density Residential (R-L) **Overlay:** None

Site Characteristics: The subject property is a 13,900-square foot parcel located on the west side of the Wilking Way cul-de-sac within the Pueblo Park subdivision. The site is developed with a two-story residence constructed in 1988.

Surrounding Land Use/Zoning: **North:** Single-family residence/Low Density Residential
South: Single-family residence/Low Density Residential
East: Single-family residence (opposite Wilking Way)/Low Density Residential
West: Single-family residence/Rural Residential

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicants are requesting an Exception from the rear yard setback requirements to construct a one-story addition to their residence with an area of 695 square feet. The addition would be constructed on the north side of the residence and would be angled in alignment with the northern property line to provide a continuous 7-foot side-yard setback. The purpose of the addition is to relocate the master bedroom to the first floor of the residence so that the current property owners/residents may age in place. Although front and side-yard setback requirements would be met with the addition, it is proposed to with a 14 - 16-foot rear-yard setback along a portion of its length, encroaching into the normally-required 20-foot setback by a maximum of six feet. Additional details on the proposal are found in the attached project narrative and plans.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Low Density Residential by the General Plan, which allows for single-family homes and related accessory structures. The project does not raise any issues in terms of consistency with the *City of Sonoma 2020 General Plan*.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Low Density Residential (R-L). Single-family homes and related accessory structures are permitted uses in the R-L zoning district. The proposed addition is consistent with the property's zoning in terms of use.

Front Yard Setback: A 20-foot front yard setback is required for additions in the R-L zone. The proposed addition would greatly exceed this standard.

Rear Yard Setback: A 20-foot rear yard setback is required for R-L properties. The addition at the back of the home would be setback from 14 to 16 feet from the rear (west) property line along a portion of its length.

Side Yard Setback: A seven-foot side yard setback is required for single-story construction in the R-L zone, and combined side yard setbacks must total 18 feet. The project complies with these requirements in that the side-yard setback on the north would be seven feet and the minimum combined setback would be 21 feet.

Coverage: The maximum coverage in the R-L zone is 40%. The project would result in lot coverage of 26%.

Floor Area Ratio (FAR): The maximum FAR in the R-L zone is 0.35. The project would result in an FAR of 0.32. Staff would note that attached garages are included in FAR calculations under the Development Code.

Building Height: The maximum building height within the R-L zone is 30 feet. The proposed addition would have a maximum height of ±15 feet.

Design Review: Additions to single-family homes constructed after 1944 are exempt from architectural review by the Design Review Commission (§19.54.080.B). The subject residence was constructed in 1988 and the proposed addition is therefore exempt from design review.

Setback Exception Approval: Pursuant to Development Code Section 19.48.050.A.1, the Planning Commission may grant exceptions from setback standards, provided that the following findings can be made:

1. *The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code.*

The residential use associated with the setback exception request is consistent with the property's Low Density Residential land use designation and zoning.

2. *An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development.*

The exception request relates to site conditions, specifically the wedge-shaped configuration of the property and the irregular rear lot-line, and is based on the desire of the residents to age in place by limiting the need to use stairs. The interior layout of the residence is such that it would be difficult to construct the addition off of the rear of the residence.

3. *Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.*

The properties potentially most affected by the addition are those adjoining on the north and west. Both of these properties are screened from the subject property by a seven-foot wood fence and substantial landscaping. The residence to the west is placed well back from the subject property. The residence on the north is closer as it is in a side-yard to side-yard relationship with the subject property. However, due to the wedge-shaped configuration of both properties, the two residences are set well apart from each other. The proposed addition aligns with a rear-yard area of the property on the north that includes a swimming pool. However, because the addition is a one-story structure with a sloping roof and in light of the landscaping that screens all three parcels from one another, it is staff's view that the addition would not result in visual or privacy impacts on either of the adjoining properties.

In summary, it is staff's view that the findings for the setback Exception may be made.

**CONSISTENCY WITH OTHER
CITY ORDINANCES/POLICIES** (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section 15305 of the State CEQA Guidelines, minor side yard and setback variances not resulting in the creation of a new parcel are Categorically Exempt from the provisions of CEQA (Class 5 – Minor Alterations in Land Use Limitations).

DISCUSSION OF PROJECT ISSUES

In staff's view the unusual configuration of the subject property supports consideration of a setback Exception. Staff's main concern in the review of this proposal has been compatibility with adjoining residences. In this regard the applicants shared their plans with their neighbors at an early stage to ensure that the addition would be designed in a compatible manner and, according to the applicants, their neighbors have no objections to the proposed addition. The placement of the addition relative to its neighbors and its one-story design make it unobtrusive with respect to neighboring properties, especially with the existing landscape screening.

RECOMMENDATION

Staff recommends approval of the setback Exception, subject to the attached conditions.

Attachments

1. Findings
2. Draft Conditions of Approval
4. Project narrative, with site photographs
5. Location Map, Proposed Site Plan, & Building Elevations

cc: Barry and Barbara Ganley
165 Wilking Way
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Ganley Setback Exception – 165 Wilking Way

November 10, 2016

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Exception Approval:

1. The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code.
2. An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development.
3. Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Ganley Setback Exception – 165 Wilking Way

November 10, 2016

1. The addition shall be constructed in conformance with the approved site plan and building elevations, except as modified by these conditions.

Enforcement Responsibility: Planning Department; Building Department

Timing: Prior to issuance of a building permit; Prior to final occupancy

2. All Building Department requirements shall be met, including Building Code requirements related to compliance with CALGreen standards. A building permit shall be required.

Enforcement Responsibility: Building Department

Timing: Prior to construction

3. All Fire Department requirements shall be met, including installation of an automatic fire sprinkler system throughout the structure (if not already in place) if the total cumulative valuation of all building permits issued for the structure exceeds \$100,000 within any 36-month period.

Enforcement Responsibility: Fire Department; Building Department

Timing: Prior to issuance of a building permit; Prior to final occupancy

4. The following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. *Sonoma Valley Unified School District [For school impact fees]*
- b. *Sonoma County Water Agency [for sewer connection fees, if applicable]*
- c. *City of Sonoma Water Department [for water connection fees, if applicable]*

Enforcement Responsibility: Building Department

Timing: Prior to issuance of a building permit

November 2016
Planning Department
City of Sonoma

Regarding proposed set back line exception (BSL)
165 Wilking Way (APN 018-102-038 / R3)
Sonoma CA 95476
Barry and Barbara Ganley

RE: Exception to the 20 foot residential building set back line

BACKGROUND and PROJECT DESCRIPTION

Our home, which we purchased in 1994, is a two-story structure of approximately 2900 sq. ft. The master bedroom suite, laundry area, and two bedrooms are located on the second level. Now that we are getting older it is becoming somewhat difficult to negotiate the staircase to the second level. Therefore, we would like to add a master bedroom suite and laundry area to the first level of the home. This would be an addition of approximately 695 sq. ft. thus resulting in a total two-story home structure of approximately 3595 sq. ft. (Note: the lot parcel is ample size as it is in excess of 13,000 square feet).

The home is located at 165 Wilking Way and is situated on a cul du sac. Like most properties on the circular portion of a cul du sac it is more narrow in width at the front entrance to the property (eastern portion) and expands in width as the lot dimensions move toward the rear (western portion) of the property, thus creating a residential lot that is more or less in the shape of a wedge.

Given the wedge like shape of the property, only the area located on the north and west side of our home would be sufficient to accommodate a master bedroom suite addition to the existing structure. However this area is triangle-shaped with most of the square footage situated near the rear property line. Because of this we are seeking approval for an exception to the 20 ft. building setback line (BSL) along a portion of the rear of the property line.

Specifically we are requesting an exception to permit a BSL of no less than 14 feet along a 33 ft. length of the north western portion of the rear property line (This portion of the property line in total is approximately 50 feet long).

The BSL on the sides of the property would continue to be in compliance with the 7' minimum per side and 15' combined total (both sides tallied) BSL requirement.

OTHER CONSIDERATIONS

Fortunately, the BSL exception we are requesting is not intrusive to any of our neighbors. In particular it is not intrusive to our north western neighbor (address 148 4th Street East) as their closest structure to the property line under discussion is the rear of their detached garage which is over 100 feet from the area of the property line for which we are requesting the BSL exception.

By examining the Google Map provided it can be observed that the area behind our western neighbor's garage (148 4th Street East) all the way to our shared property line is sparsely used for a small garden and has many mature trees. In general it is not a highly utilized area, but more importantly it is not visible to their dwelling or living and entertainment areas of their property.

Also the proposed addition to the home should not be intrusive to our northern neighbor (155 Wilking Way) or any other neighbor in our immediate proximity as we will be in full compliance with the side property line BSL, as well as the other portions of the rear BSL requirements which may pertain to other neighbors.

COMPLIANCE

The project is in compliance with the criteria under which the Planning Commission may grant exceptions from setback standards.

COMMUNITY OUTREACH

We have contacted the neighbors that share our property lines and have discussed the proposed addition. In doing so we shared the plan drawing for the addition, the request for an exception to the 20 ft. BSL along a portion of the western property line and our desire to have a master bedroom suite on the first level of the home.

Attachments:

- Drawings of the west and north elevation
- Scale drawing showing BSL and dimensions of the proposed addition
- Google Map overview
- Area plot map
- Additional photos of the area and adjacent properties

Google Maps

148 4TH STREET EAST

PROPOSED ADDITION
AREA



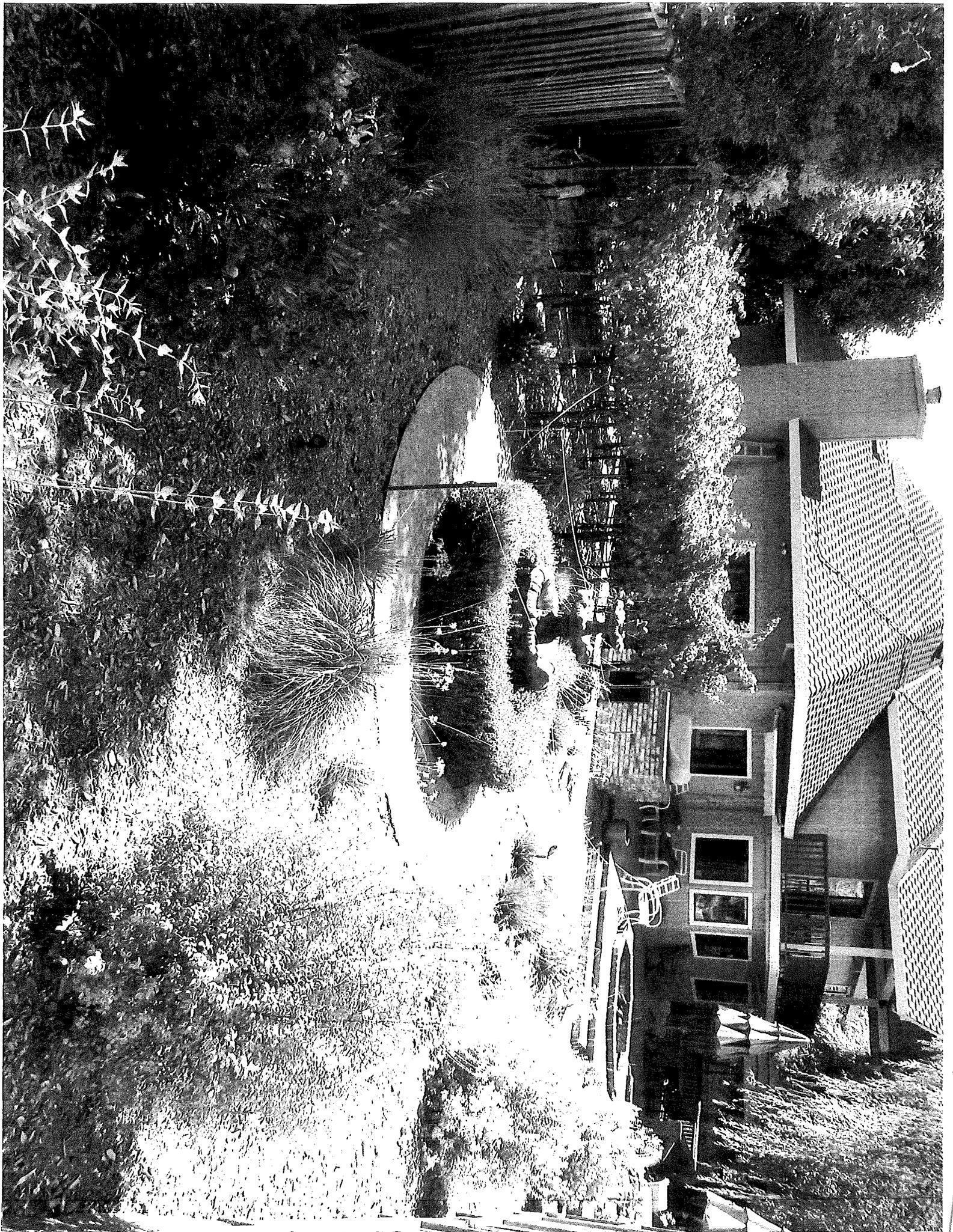
Google

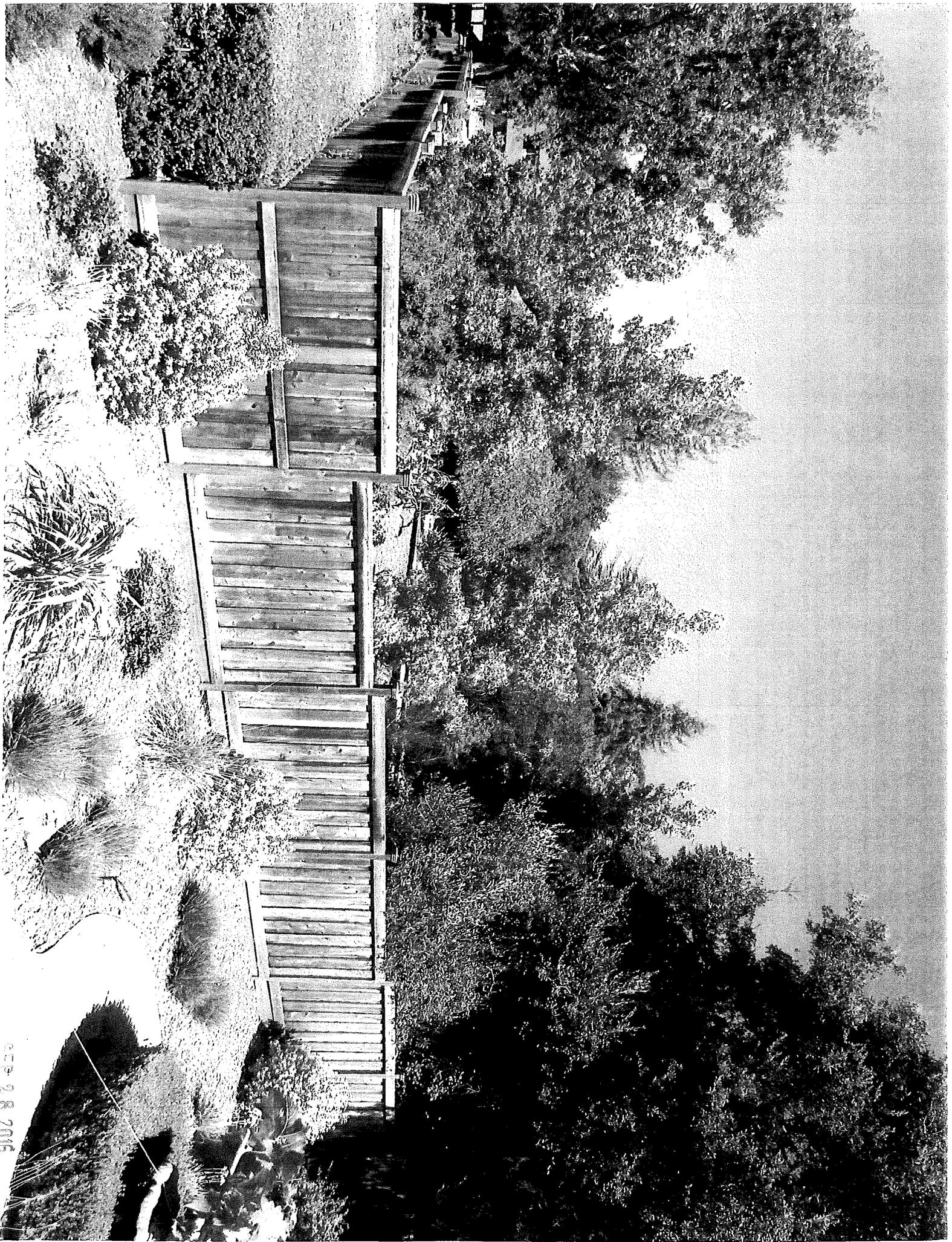
Imagery ©2016 Google, Map data ©2016 Google 50 ft

165 WILKING WAY

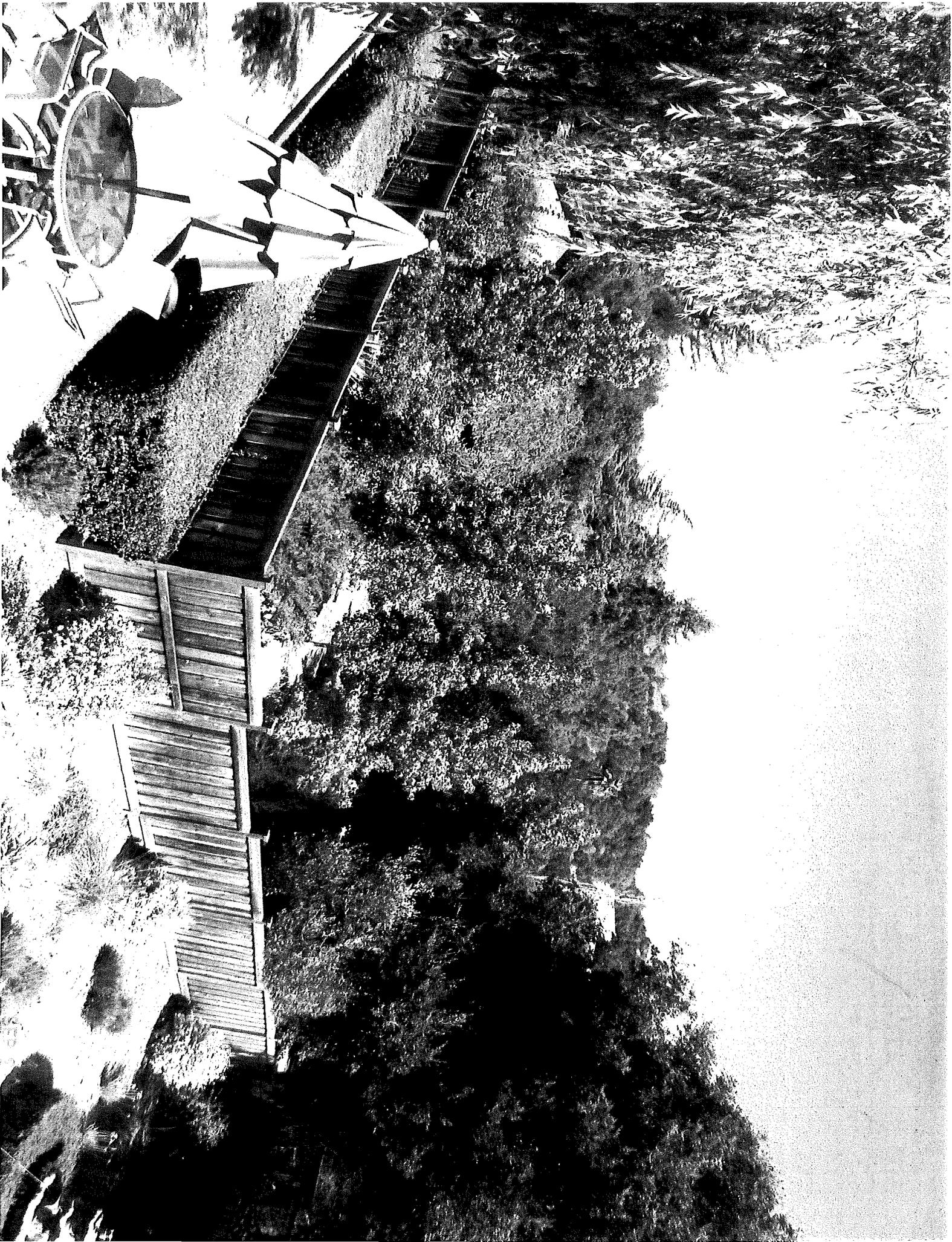
155 WILKING WAY

SEP 27 2016





SEP 28 2016





4TH ST EAST —

Imagery ©2016 Google, Map data ©2016 Google 50 ft

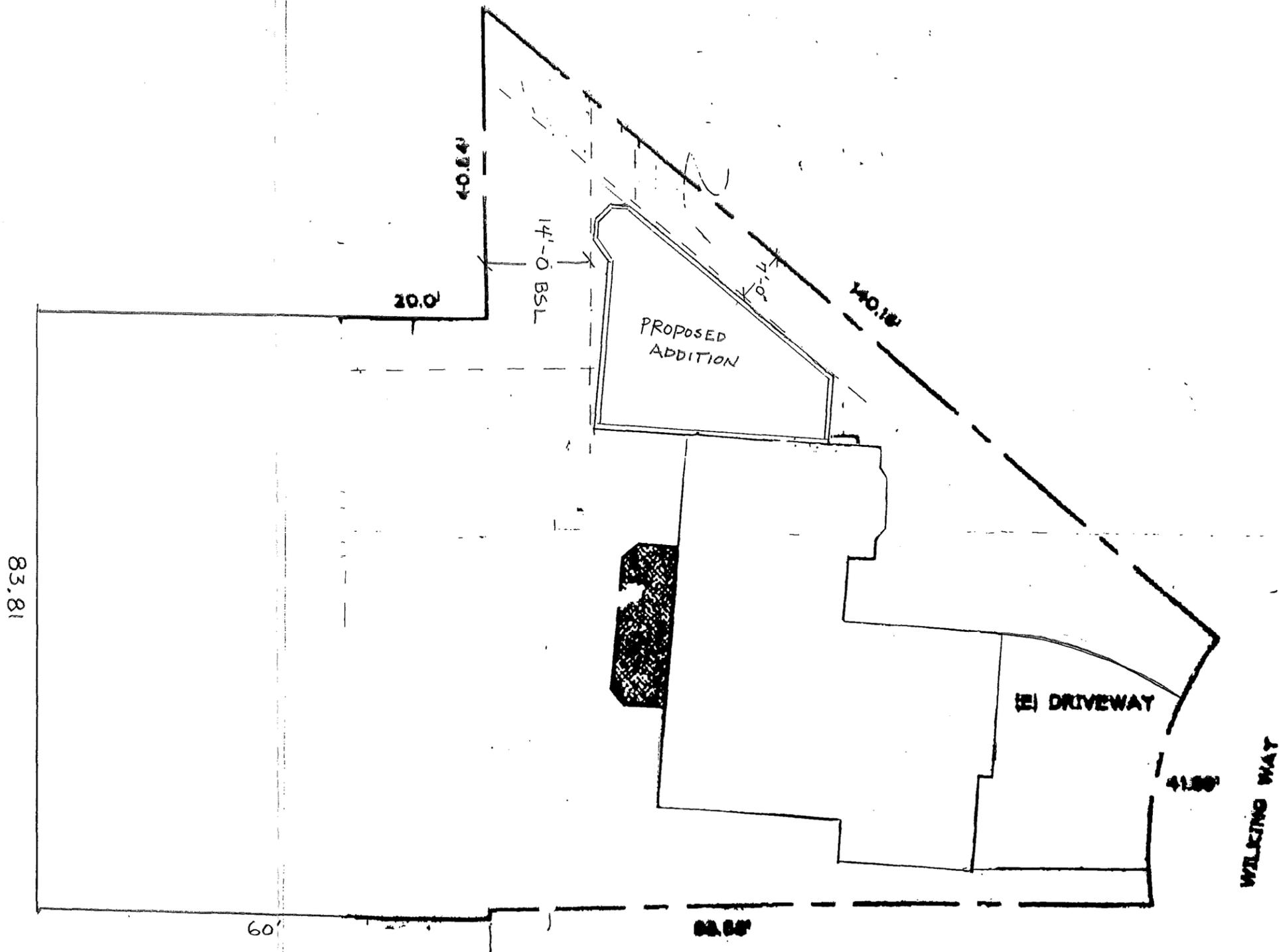
S

165 - CURRENT SD FT 2900

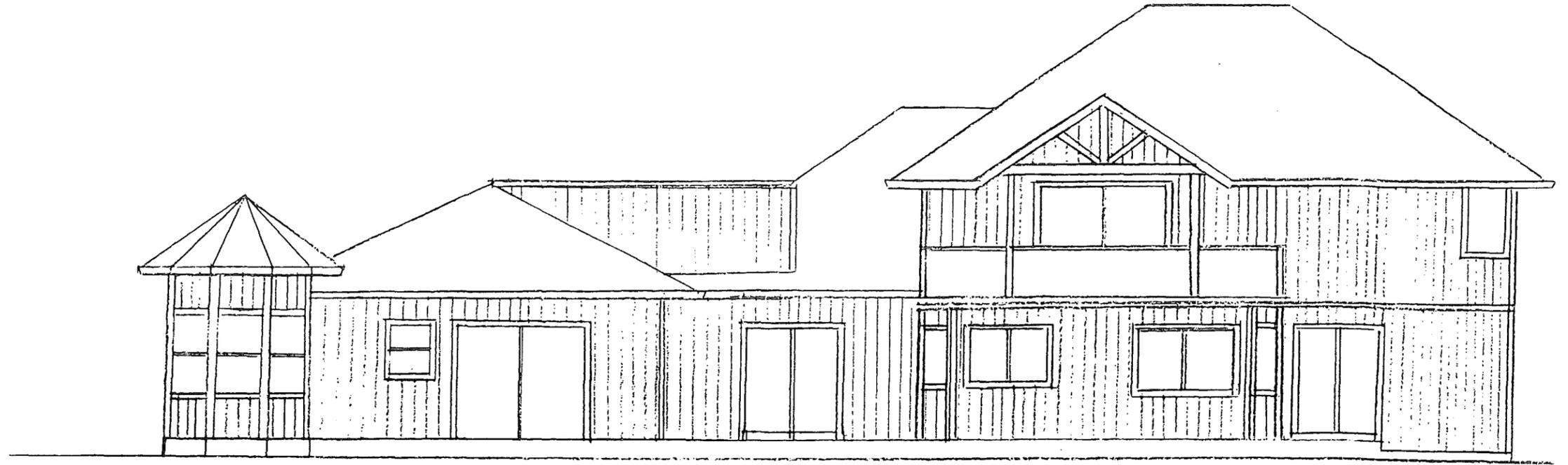
* PROPOSED ADDITIONAL SD FT 695

TOTAL NEW PROPOSED SD FT 3595

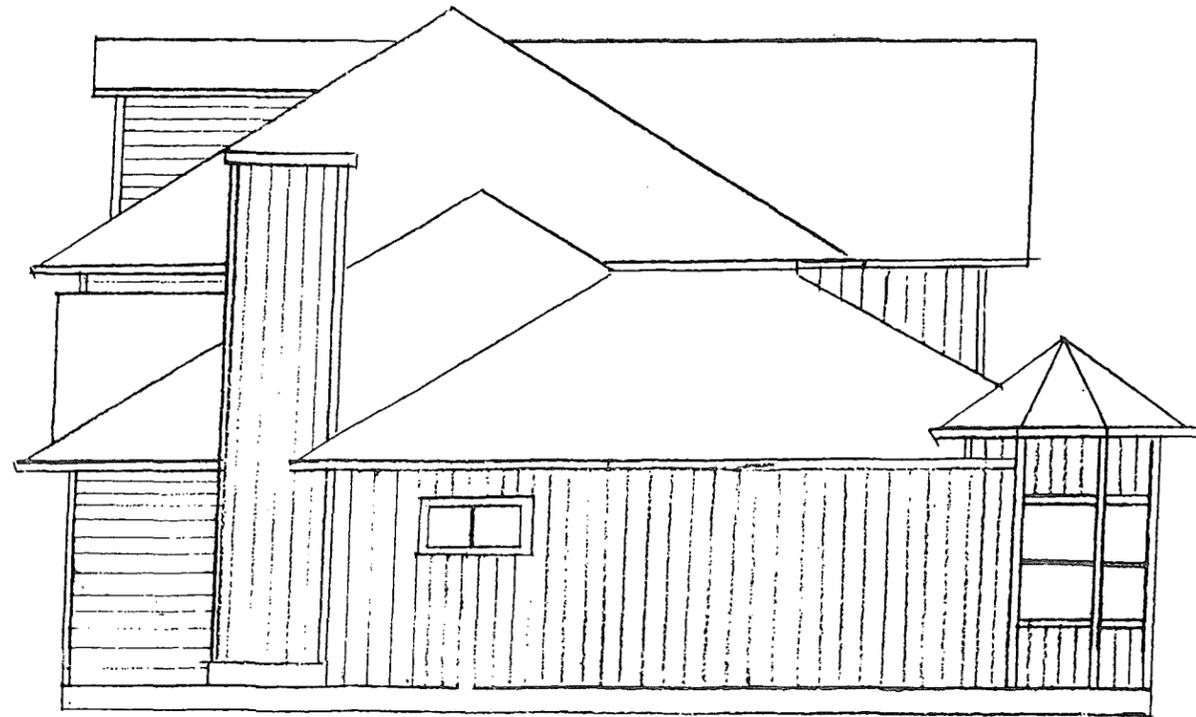
11/2/2018



OCT 18 2016



WEST ELEVATION



NORTH ELEVATION

Agenda Item Title: Application for a Use Permit allowing an 850-square foot detached second dwelling unit that exceeds the maximum floor area limit for second units.

Applicant/Owner: Victor Conforti Architect/Lowell Gibbs

Site Address/Location: 440 Harrington Drive

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 11/02/16

PROJECT SUMMARY

Description: Application of Victor Conforti Architect for a Use Permit allowing an 850-square foot detached second dwelling unit at 440 Harrington Drive that exceeds the maximum floor area limit for second units.

General Plan Designation: Low Density Residential (LR)

Planning Area: Southwest Area

Zoning: **Base:** Low Density Residential (R-L) **Overlay:** None

Site Characteristics: The subject property is an 11,475-square foot parcel located on the south side of Harrington Drive half a block east of Fifth Street West. The property is currently developed with a single-family home with attached garage constructed in 1961.

Surrounding Land Use/Zoning:

North: Residential units within Buena Vista Garden Planned Unit Development/Medium Density Residential

South: Single-family homes (across Harrington Drive)//RR3 (County zoning)

East: Single-family home with detached garage and pool /Low Density Residential

West: Single-family home with detached accessory building and pool/Low Density Residential

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve with conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The project involves construction of an 850-square foot, 2-bed/2bath detached second dwelling unit toward the back of the subject property. The second unit would be setback 10 feet from the rear (north) property line, 10 feet from the side (east and west) property lines, and 52 feet from the primary home. The structure is a pre-fabricated panelized product offered by Studio Shed with a contemporary architectural design featuring a shed roof with a maximum height of 11' - 8". While in most cases second units are permitted administratively, a detached second unit greater than 650 square feet that exceeds 50% of the living area of the existing residence requires approval of a Use Permit by the Planning Commission. The applicant is requesting the larger unit size to provide a more functional rental unit and offset construction costs. Further details can be found in the attached project narrative and submittal materials.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Low Density Residential by the General Plan. This designation is intended primarily for single-family housing and duplexes, with attached or clustered development allowed by use permit. General Plan policies that apply to this project include:

Housing Element, Policy 4.5: Provide for the infill of modestly priced rental housing by encouraging secondary dwelling units on single-family zoned lots.

The project is consistent with the goals and policies of the *City of Sonoma 2020 General Plan*, which encourage second dwelling units for rental purposes.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Density: The Low Density Residential zone allows a density of up to five dwelling units per acre. However, under State Law second dwelling units are excluded from density calculations with the intent of promoting this type of accessory housing. The proposal does not raise any issues of consistency with density standards.

Use: The property is zoned Low Density Residential (R-L). Second dwelling units are a permitted use in the R-L zone, and are normally approved ministerially by staff provided they comply with the specific criteria set forth under 19.50.090.B of the Sonoma Municipal Code. However, second dwelling units that exceed certain size limits (650 square feet in this case), are subject to review and approval of a Conditional Use Permit by the Planning Commission.

Height & Setbacks: Detached second dwelling units are limited to a single story and must comply with the height and setback restrictions for accessory structures set forth under SMC 19.50.080.C.2, which state "detached accessory structures not exceeding 9 feet in height, measured at the exterior wall line, 13 feet in height within 10 feet of any property line, and 15 feet at the highest point of the roof shall not be placed closer than five feet to a side or rear property line." The proposed second unit complies with these height and setback provisions, providing a 10-foot setback from the side and rear property lines and having a maximum height of less than 12 feet.

Floor Area Ratio (FAR): The maximum amount of floor area allowed on a property in the R-L zone is 0.35 or 35% of the total lot area. The property is quite large with an area of 11,475 square feet and currently has an FAR of 0.14, well below the allowable limit. The FAR would not be increased because the Development Code excludes second dwelling units from FAR calculations as an incentive.

Lot Coverage: The maximum amount of building coverage allowed on properties in the R-L zone is 40% of the total lot area. The proposal would increase the lot coverage from 14% to 21%, remaining well below the maximum allowed.

Rear Yard Setback Coverage: The total coverage of detached accessory structures within the required rear yard setback area of a property cannot exceed 50%. In combination with the existing water tank and well house (the well-house will be reconfigured and reduced in size), the proposed second unit would result in a coverage of 41% within the required rear yard setback area.

Additional Development Code Requirements for Detached Second Dwelling Units:

- *Size:* The floor area of a detached second unit cannot exceed 850 square feet and any detached second unit exceeding 650 square feet cannot exceed 50% of the existing living area of the main dwelling. Because the main dwelling has a living area of 1,176 square feet, a second unit on the property would normally be limited to the 650-square foot maximum. The applicant is requesting an exception from this standard to allow a second unit with an area of 850 square feet, which is the typical maximum size.
- *Separation from Primary Unit:* A detached second unit must be separated from the main dwelling by a minimum of ten feet. The second unit would be separated from the primary residence by 52 feet.
- *Parking:* One covered parking space is required for the primary residence and one additional covered parking space is required for the detached second unit. This requirement would be met by the existing attached two-car garage. Additional parking within the driveway apron would also be available.
- *Scale:* A second dwelling unit must be clearly subordinate to the primary residence. Subordination may be accomplished through reduced building mass, height, or the use of an entry element. The proposal is consistent with this requirement in that the height of the second unit (<12 feet) is lower height than the main residence and the floor area of the second unit represents 54% of the primary structure's total floor area (including attached garage).
- *Architectural Compatibility:* A second dwelling unit must be architecturally compatible with the primary residence. In this case, an exterior paint color that is similar and consistent with the color of the primary residence will be used and the cement fiber-board panels of the second unit have the appearance of stucco, similar to the exterior stucco finish on the main home. Staff would note that because a pre-fabricated, panelized system is being used for the second unit, there are some inherent limitations on the building's form and materials. That said, there would also be limited views of the structure given its low height and position toward the rear of the property behind the existing residence.
- *Occupancy:* No more than 3 people can occupy a detached second dwelling unit, and either the primary or second unit must be owner occupied. Conditions of approval have been included regarding these provisions.

- *Sale*: Individual sale of either the primary or second unit is not allowed. This requirement is included in the draft conditions of approval.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15303 of the State CEQA Guidelines, construction of a second dwelling unit on a residentially zoned parcel is considered Categorical Exempt from the provisions of CEQA (Class 3 – New Construction or Conversion of Small Structures).

DISCUSSION OF PROJECT ISSUES

Size Limits: As previously noted, the reason for Planning Commission review of this proposal is the additional 200-square feet of floor area requested by the applicant. Otherwise, a 650-square feet second unit could be constructed in the same general location and configuration through issuance of a building permit. It is staff's understanding that the intent of the 650-square foot limit was to ensure subordination from the main residence. However, in this case the second dwelling unit would still be subordinate to the primary unit with a floor area that represents 54% of the primary structure's total floor area (including attached garage) and 72% of the living area of the primary residence.

Compatibility: Under the Development Code, an exception to the size limit may be allowed subject to approval of a Use Permit by the Planning Commission provided an additional finding of compatibility can be made (refer to the attached Use Permit findings and please note these differ from "Exception" findings). With respect to compatibility, the structure has a low profile with a shed roof that slopes down toward properties to the north and 8-foot tall shrubs along the north property boundary provide screening. The dwelling unit faces into the subject property and a 10-foot setback is provided on the north, east and west. The subject property is also well screened from the adjoining property to the east.

Sewer & Water Connection: The property is not currently served by City water, so the applicant will need to extend the water main, install a water meter and pay the necessary water connection fees (staff would note that a 10-inch water main terminates in front of the adjoining property to the west). In addition, a sewer connection fee of approximately \$10,300 is normally required by the Sonoma Valley County Sanitation District (through Sonoma County PRMD) for a second dwelling unit. These requirements are addressed in the draft conditions of approval.

RECOMMENDATION

The proposed second unit is marginally different than what would otherwise be allowed at this location ministerially with a building permit. In addition, the unit is generally compatible with its surroundings and would provide rental housing consistent with the General Plan. Accordingly, staff recommends approval of the Use Permit, subject to the attached conditions of approval.

Attachments

1. *Findings*
2. *Draft Conditions of Approval*
3. *Location Map*
4. *Project Narrative*
5. *Photo of Similar Building*
6. *Correspondence*
7. *Studio Shed Floor Plans and Elevations*
8. *Site Plans & Architectural Building Elevations*

cc: Lowell Gibbs (via email)
440 Harrington Drive
Sonoma, CA 95476

Victor Conforti Architect (via email)

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Gibbs Second Dwelling Unit – 440 Harrington Drive

November 10, 2016

Based on substantial evidence in the record, including but not limited to the staff report, and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions).
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.
5. The second dwelling unit will be compatible with the design of the main dwelling and the surrounding neighborhood in terms of exterior treatment, height, landscaping, scale, and setbacks.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Gibbs Second Dwelling Unit – 440 Harrington Drive

November 10, 2016

1. The second dwelling unit shall be constructed in conformance with the approved site plan, floor plan and building elevations, except as modified by these conditions.

Enforcement Responsibility: Planning Department; Building Department;
Timing: Prior to issuance of a building permit & final occupancy

2. No more than three (3) persons shall occupy the second dwelling unit at any one time.

Enforcement Responsibility: Planning Department, Code Enforcement Officer/City Prosecutor
Timing: Ongoing

3. One covered parking space shall be provided and maintained on-site for the second unit.

Enforcement Responsibility: Planning Department, Building Department
Timing: Ongoing

4. Individual sale of either the main or the second unit shall be prohibited.

Enforcement Responsibility: Planning Department
Timing: Ongoing

7. All Building Department requirements shall be met. A building permit shall be required for the second dwelling unit.

Enforcement Responsibility: Building Department,
Timing: Prior to construction

8. All Fire Department requirements shall be met, including installation of an automatic fire sprinkler system in the second dwelling unit unless otherwise exempted by State Law at the time of building permit application.

Enforcement Responsibility: Fire Department; Building Department,
Timing: Prior to issuance of a building permit & final occupancy

9. The applicant shall be responsible for connecting the property to the City's water system, including any necessary off-site improvements such as extension of the 10-inch water main in Harrington Drive across the frontage of the property and the provision of a water meter to service the parcel. In addition, the applicant shall pay any required water connection fees applicable to the existing residence and new second dwelling unit in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Dept.; Water Operations Supervisor; City Engineer
Timing: Prior to issuance of a building permit

10. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department;
Sonoma County Water Agency; City of Sonoma Building Department
Timing: Prior to issuance of a building permit

11. In addition to those already identified, the following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. *Sonoma Valley Unified School District* [For school impact fees]
- b. *Sonoma County Department of Public Health* [For closure/removal of septic tank or wells]

Enforcement Responsibility: Building Division; Public Works Division
Timing: Prior to issuance of a building permit

12. Any wells on the site shall be abandoned in accordance with permit requirements of the Sonoma County Department of Environmental Health; or equipped with a back-flow prevention device as approved by the City Engineer. Wells that will remain shall be plumbed to irrigation system only and not for domestic use.

Enforcement Responsibility: City Engineer; Public Works Department
Timing: Prior to final occupancy

13. The applicant shall obtain an encroachment permit from the City of Sonoma for all work within the Harrington Drive right-of-way.

Enforcement Responsibility: City Engineer; Public Works Department; Building Department
Timing: Prior to work within the Harrington Drove right-of-way

Vicinity Map

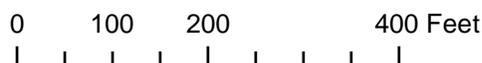
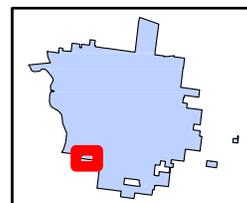


Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

Project Summary

<i>Project Name:</i>	Gibbs Second Dwelling Unit
<i>Property Addresses:</i>	440 Harrington Drive
<i>Applicant:</i>	Victor Conforti Architect
<i>Property Owner:</i>	Lowell Gibbs
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	None
<i>Summary:</i>	Consideration of a Use Permit to allow an 850-square foot detached second dwelling unit.



1 inch = 200 feet

Narrative

Second Unit, 440 Harrington Drive, Sonoma, CA

October 14, 2016

Use Permit for an Exception for the 650sf limit to be increased to 850sf.

To: Sonoma Planning Commissioners,

This is an application for the construction of a 850sf Second Unit rental unit that exceeds the Development Code limit of 650sf. The "50% rule" for detached units states... "Any second unit exceeding 650 square feet in area shall not exceed 50 percent of the existing living area of the main dwelling." The existing main dwelling is 1176sf, 50% equals 578sf, therefore limiting the area to 650sf. We are proposing the larger 850sf unit size to accommodate a 2-bedroom 2-bath unit, which would allow for a small family of three persons to rent the home. This type of small size rental housing is much needed in Sonoma.

As you all know too well, there is a rental housing shortage in Sonoma. The State of California, some years ago, required that local jurisdictions allow Second Units to encourage additional infill housing where the supporting infrastructure of roads, sewer, water and utilities, is already in place. Mr. Gibbs is offering to build a much needed rental unit on the rear of his property.

The subject property is a RL Zoned large 11,475sf(1/4 acre) parcel, which is significantly larger than many of the 5,000sf to 7,000sf single-family parcels in Sonoma that the "50% rule" was intended for, in order to prevent over development of smaller parcels. This part of the Harrington neighborhood is comprised of many larger parcels, and is an ideal area to encourage Second Units.

To the north of the property is an area of RM zoned land, already built out with medium density housing, which is compatible with the density of the two units proposed here. An existing eight to nine foot mature hedge is located along the length of the rear property line to provide screening for the neighbors to the north. There are no doors along the north side of the building, so no access or usable yard will be located here.

The parcel to the east is much larger and has a large home with a both a large garage and pool on the west side, creating a large set back between the proposed Second Unit and their home's living areas. The parcel to the west has a large home with a two story accessory building consisting of a garage with a residential use above, which is located

towards the rear of the parcel and to the east, offering a buffer between the proposed unit and the pool area.

The proposed unit is a one story building with a low slope shed roof, which has a north wall height of approximately 8'-8" from finish grade, and approximately 11'-8" above finish grade to the high point of the roof on the south side, well below the 15' allowed with an accessory building. The shed roof design allows for a low building height for the neighbors to the north, while creating a higher interior volume with clerestory windows at the south side, away from the neighbors.

The high quality 6" stud panelized wall and 12" roof framing construction system is highly insulated, and uses long lasting composite cement board panel siding and fascia. This type of factory fabricated panelized construction allows for a shorter construction period and therefore less disturbance to the neighbors. The cement board siding will complement the existing home's stucco exterior, and the new building's color scheme will be similar and consistent with the primary residence.

Parking will be provided by the existing two-car garage and two-car apron parking spaces.

The high "soft cost" of today's construction, such as entitlements cost, surveying, architecture, structural, civil, soils and energy engineering, green building requirements, documentation and associated inspections, significant permit and impact fee costs, on-site and off-site improvements & engineering for water, sewer, drainage and PG&E, these represent a major portion of the total costs. Also financing points, construction period interest, title fees, and time spent on project management and other up-front costs make it very difficult to justify building a small structure. By having the larger Second Unit these costs can be spread out over a larger building project budget and subsequent rental income to make the project financially feasible.

We look forward to creating one more rental housing opportunity for a young family to be able to stay in Sonoma, and not be forced to leave the area. Hopefully this project can be used as an example of the financial feasibility of building rental Second Units for others in Sonoma.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Conforti", written in a cursive style.

Victor Conforti - Architect



OCT 14 2016

Victoria Staehle Finke & Stephan Finke
420 Harrington Drive
Sonoma, CA 95476
707.935.1229

November 1, 2016

Planning Commission
Sonoma City Hall
No. 1 The Plaza
Sonoma CA 95476

Subject: Application of Victor Conforti for Use Permit- 440 Harrington Drive

Dear Commission:

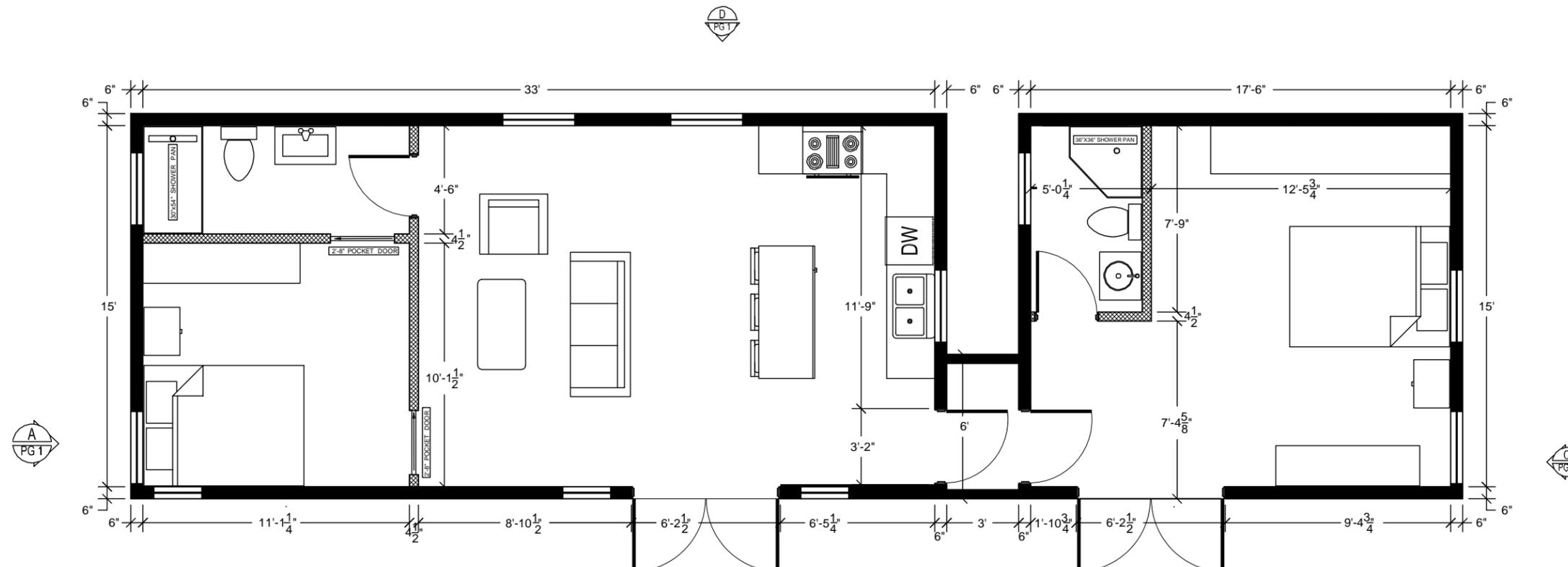
We are the direct neighbors of 440 Harrington Drive. The owner of subject property, Lowell Gibbs, has been gracious enough to share his plans and intent for a second unit planned for his property.

After viewing said plans, we would like to state our **support** of the application for allowing a second unit to exceed the maximum floor area.

Sincerely, in support of application,

A handwritten signature in black ink that reads "Victoria Staehle Finke". The signature is written in a cursive, flowing style.

Victoria Staehle Finke



B
PG1

1 FIRST FLOOR PLAN
A-100 SCALE: 3/8" = 1'-0"

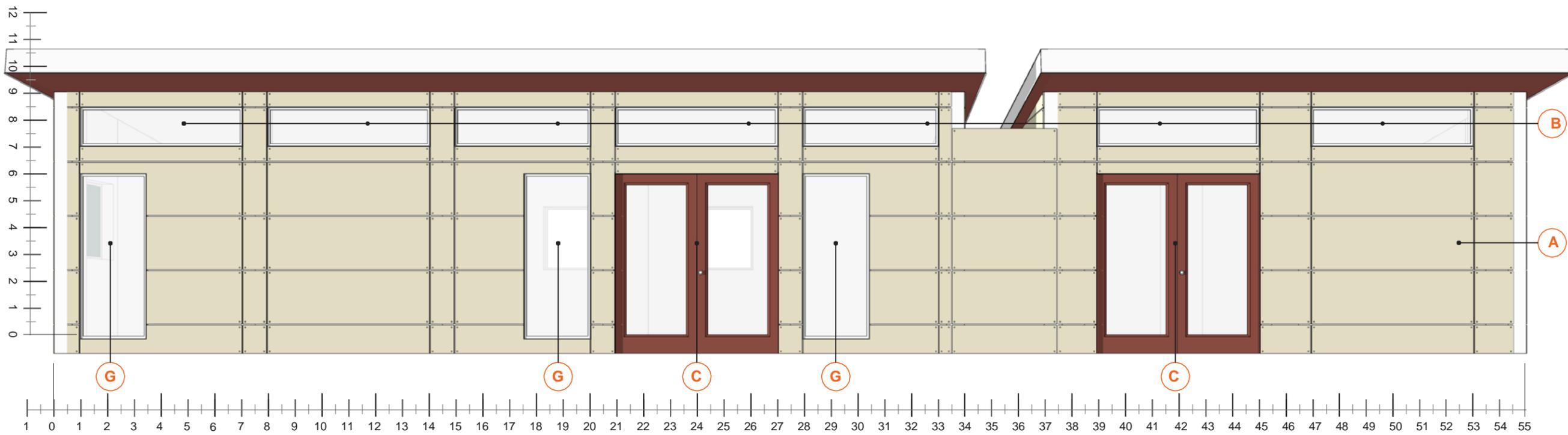
PROJECT NAME:
GIBBS
SONOMA, CA
95476

JOB NUMBER:
XXXX
SHED TYPE:
16x34, 16x18
LIFESTYLE

APPROVED
 DATE
 NAME

D4 : 10-05-2016

STUDIOSHED



(A) FRONT ELEVATION
SCALE: 1/4" = 1'-0"

COLOR PALLETTE:

	DOOR XX
	SIDING 1 XX
	EAVES XX

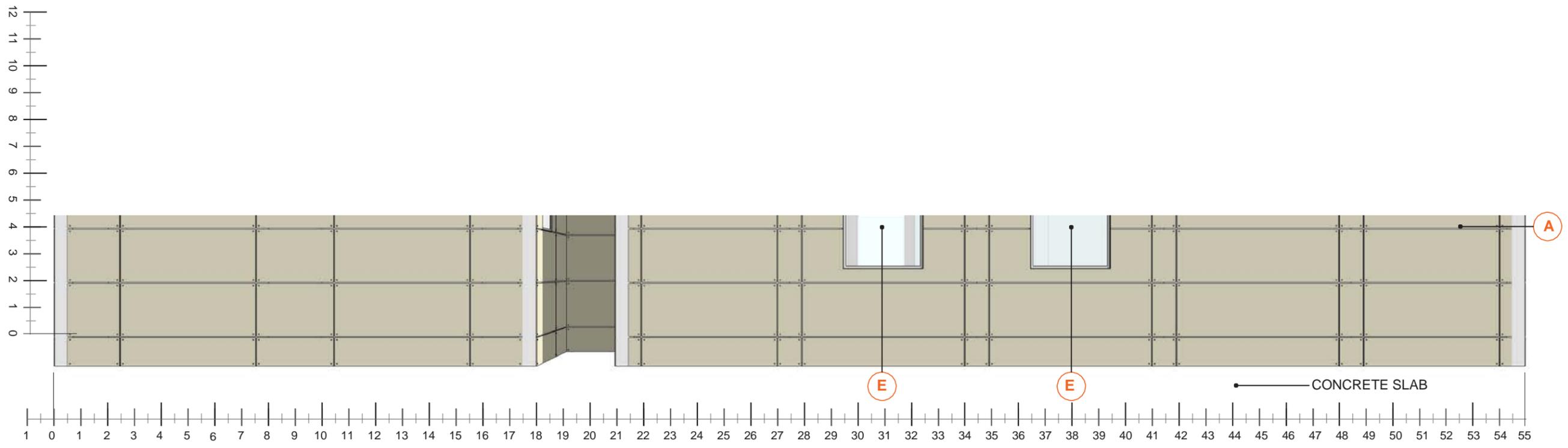
- SHED COMPONENTS:**
- A.** BLOCK SIDING STYLE
 - B.** CLOUDLITE™ TRANSOM WINDOWS
 - C.** (2) 72" FULL LITE FIBERGLASS DOOR - OUTSWING/HANDLE ON RIGHT - D72FL-LHO
 - D.** (2) 36" FULL LITE FIBERGLASS DOOR - OUTSWING/HANDLE ON RIGHT - D36FL-RHO
 - E.** (5) 36"x36" OPERABLE AWNING WINDOW
 - F.** (2) 18"x36" OPERABLE AWNING WINDOW
 - G.** (3) FULL VISTALITE™ FRONT WINDOWS
 - H.** FULL VISTALITE™ RIGHT WINDOW

SPECIAL ORDER:

1. N/A

FLOORING:

1. N/A



(B) BACK ELEVATION
SCALE: 1/4" = 1'-0"

PROJECT NAME:
GIBBS
SONOMA, CA

JOB NUMBER:
XX
SHED TYPE:
16x34, 16x18
LIFESTYLE

Due to the inconsistencies of various display monitors, the colors you see on your screen may not be a totally accurate reproduction of the actual product. We strive to make our colors as accurate as possible, but screen images are intended as a guide only and should not be regarded as absolutely correct.

*Door knob location determined by facing shed from the exterior

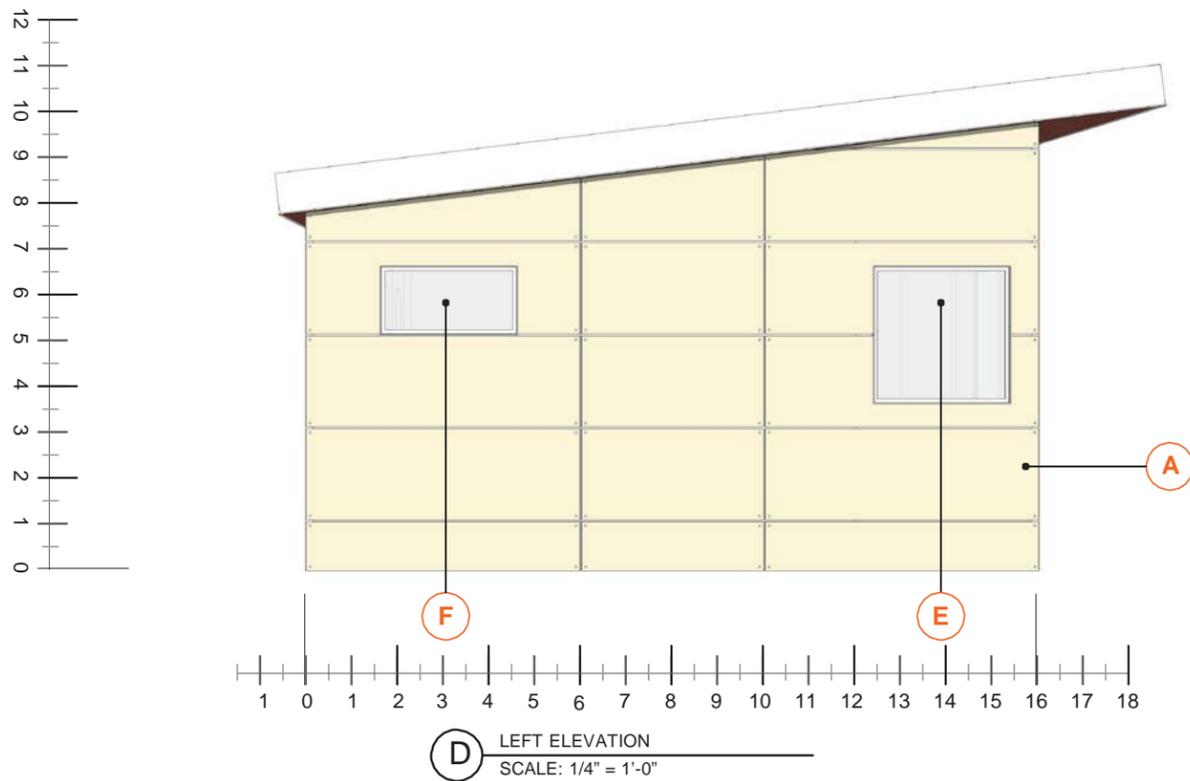
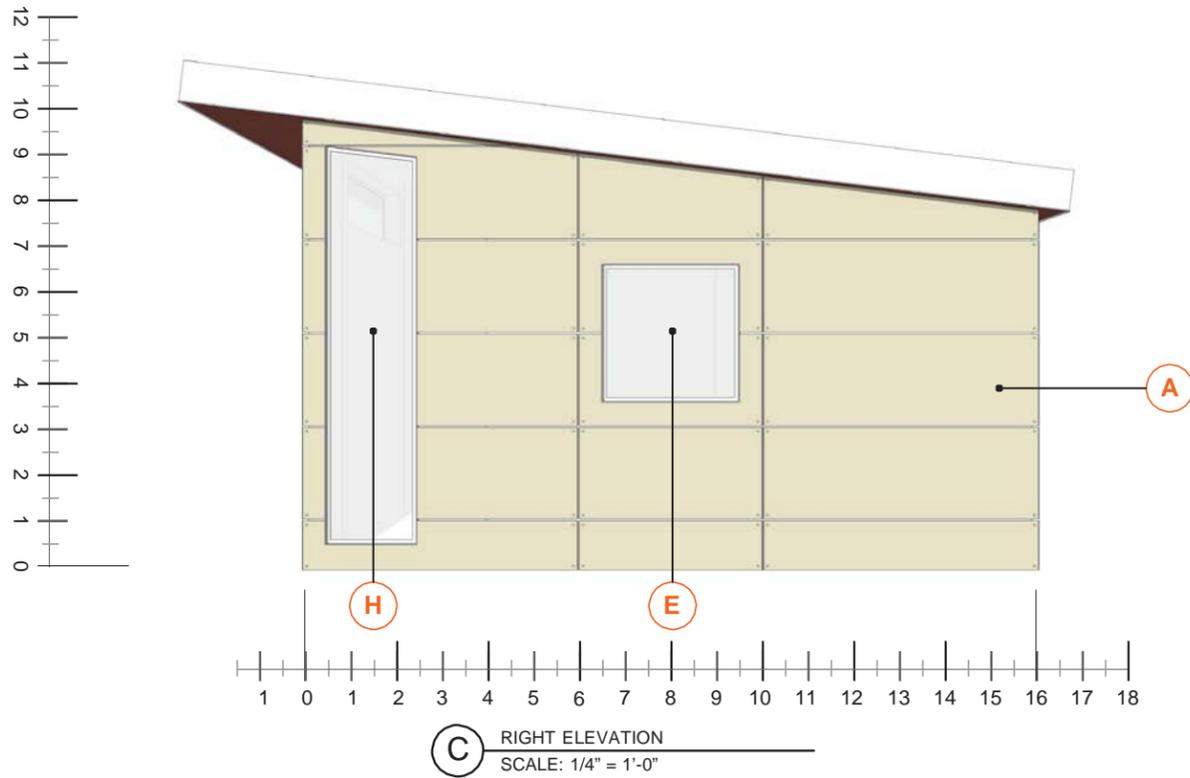
APPROVED

DATE

NAME

D3 : 10-07-2016





COLOR PALLETTE:

	DOOR XX
	SIDING 1 XX
	EAVES XX

SHED COMPONENTS:

- A.** BLOCK SIDING STYLE
- B.** CLOUDLITE™ TRANSOM WINDOWS
- C.** (2) 72" FULL LITE FIBERGLASS DOOR
- OUTSWING/HANDLE ON RIGHT
- D72FL-LHO
- D.** (2) 36" FULL LITE FIBERGLASS DOOR
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- G.** (3) FULL VISTALITE™ FRONT WINDOWS
- H.** FULL VISTALITE™ RIGHT WINDOW

SPECIAL ORDER:

- 1. N/A

FLOORING:

- 1. N/A

PROJECT NAME:
GIBBS
SONOMA, CA

JOB NUMBER:
XX
SHED TYPE:
16x34, 16x18
LIFESTYLE

Due to the inconsistencies of various display monitors, the colors you see on your screen may not be a totally accurate reproduction of the actual product. We strive to make our colors as accurate as possible, but screen images are intended as a guide only and should not be regarded as absolutely correct.

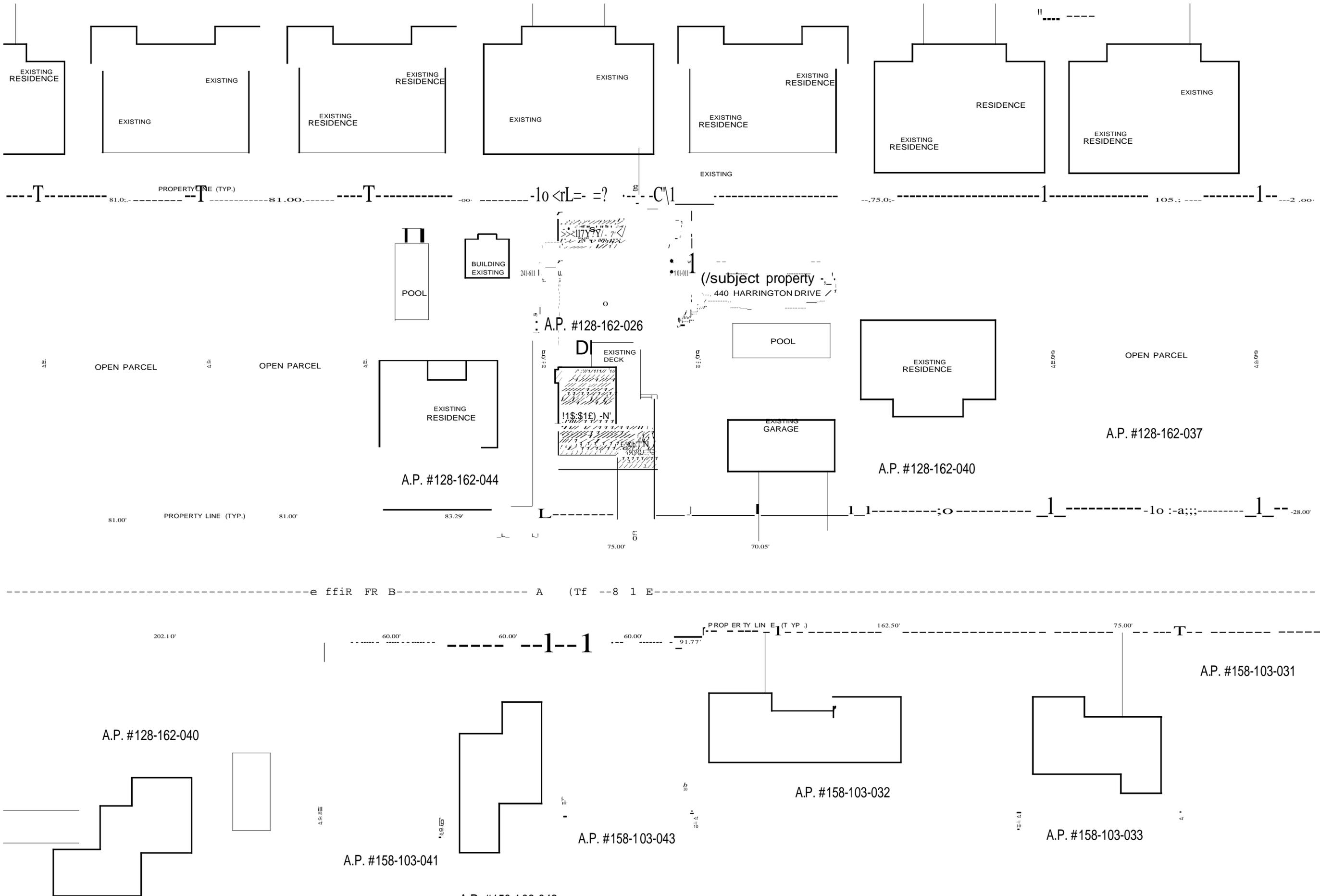
*Door knob location determined by facing shed from the exterior

<input type="checkbox"/>	APPROVED
<input type="text"/>	DATE
<input type="text"/>	NAME

D3: 10-07-2016

PAGE 2 of 2

STUDIO SHED



Revisions:

[f] ITJ
[QJ] QJ
CONSTRUCTION

FRED O'DONNELL
822 BROADWAY
P.O. BOX 898
SONOMA, CA. 95476
707.996.0103 WORK
707.996.0112 FAX
FIGODRAWINGS@GMAIL.COM
WWW.FIGODRAWINGS.COM

b.ro
us
zu
b.la
Q"D
b.lg
en-a
HP
C)

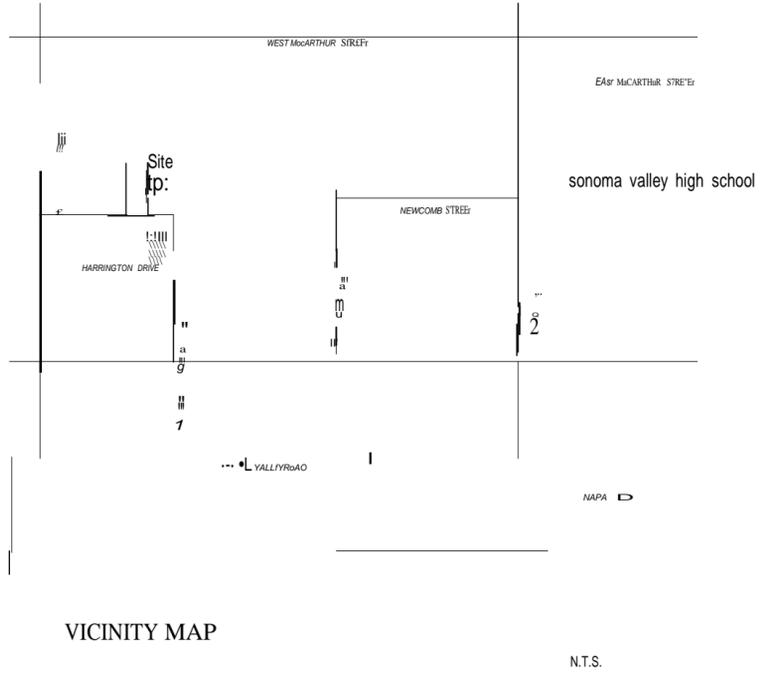
Date: Oct. 2016
Scale: 1 = 20'..a"

Neighborhood
Plan

NEIGHBORHOOD PLAN

dir|] nsiqns_l9_hou uh_qwn _qr|::

CONSULTING ENGINEERS
 1000 HARRINGTON DRIVE
 SONOMA, CALIFORNIA 94965
 (707) 938-1111
 WWW.FIGDRAWINGS.COM



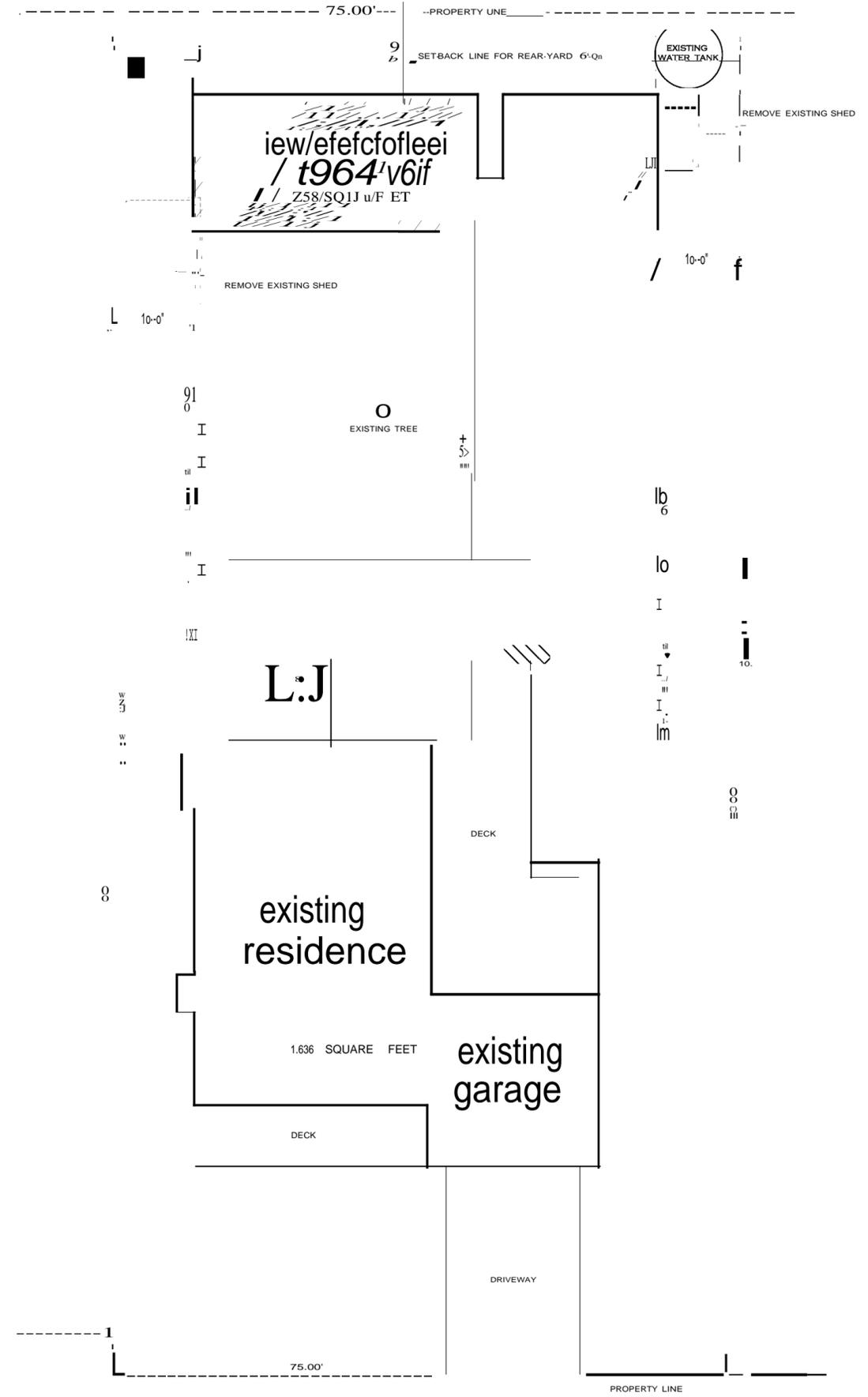
VICINITY MAP

A.P. #128-162-026

OWNER:
 LOWELL GIBBS
 440 HARRINGTON DRIVE
 SONOMA, CALIFORNIA 95476

Zoning:
 R-1 RESIDENTIAL-LOW DENSITY
 SOUTH-WEST PLANNING AREA
 SET-BACKS: FRONT 20'; REAR 20'; SIDES 5' MIN., 15' COMBINED
 HEIGHT LIMIT: 30' (1) MAXIMUM
 FLOOR AREA RATIO = .35 MAX. = 4,014 SQ. FT. ALLOWED
 COVERAGE = 40% MAX. = 4,588 SQUARE FEET ALLOWED
 .26 ACRES 111,470 SQ. FT. BUILT IN 1961

***ACTUAL (HOUSE, GARAGE, NEW SECOND UNIT) = 2,494 SQUARE FEET



Revisions:

CONSTRUCTION DRAWINGS
 FRED O'DONNELL
 822 BROADWAY
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CONSULTING ENGINEERS
 1000 HARRINGTON DRIVE
 SONOMA, CALIFORNIA 94965
 (707) 938-1111
 WWW.FIGDRAWINGS.COM

Date: Oct. 201a
 Scale: As NOTED

Site Plan

Agenda Item Title: Application for an Exception from the fence height standards to allow an over-height fence within the street-side yard setback of the property.

Applicant/Owner: Emilia Coakley

Site Address/Location: 407 East Napa Street

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 10/27/16

PROJECT SUMMARY

Description: Application of Emilia Coakley for an Exception from the fence height standards to allow an over-height fence within the street-side yard setback of the property at 407 East Napa Street.

General Plan Designation: Low Density Residential (LR)

Zoning: **Base:** Low Density Residential (R-L) **Overlay:** Historic

Site Characteristics: The property is a ±11,250-square foot lot located at the southeast corner of East Napa Street and Fourth Street East. The property is currently developed with a single-family home.

Surrounding Land Use/Zoning: **North:** Single-family home/Low Density Residential
South: Single-family home/Low Density Residential
East: Single-family home/Low Density Residential
West: Single-family home/Low Density Residential

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Staff recommends approval, subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

On January 20, 1999, the City Council approved Resolution 5-1999 (see attached Resolution) allowing a 29 foot length of a six foot high fence, with an arbor overhead, located eight feet from the curb, within the street yard setback of the property at 407 East Napa Street. *Note:* the existing fence on the subject property is not fully consistent with the approved Resolution in that it is setback 6.5 feet from the property line.

DETAILED PROJECT DESCRIPTION

The property consists of a corner lot with a front yard area located along East Napa Street and a street-yard area located on Fourth Street East. The private yard area of the property is located adjacent to Fourth Street East. The proposed new portion of the fence is located on the southwest portion of the property (along Fourth Street East). The applicant is requesting an exception from the fence height standards in order to construct a 7-foot tall hog wire fence (5 feet of hog wire material with an additional two foot tall arbor) located within the required 20-foot street-side yard setback area of the property. The fence has two segments: 1) approximately 24 feet in length and setback 6 feet from the street-side property; and, 2) approximately 11 feet in length (running west to east) setback between 7 and 19 feet from the street-side property line. The proposed setback area provides for landscaping in the form of hedges, vines, and shrubs. According to the applicant, the purpose of the fence is to provide privacy from Fourth Street East.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Low Density Residential by the General Plan, which permits single-family homes and related accessory structures. The proposal does not raise any issues in terms of consistency with the goals and policies of the *City of Sonoma 2020 General Plan*.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Fence Height Requirements: A 20-foot front/street side yard setback is required in the R-L zoning district. Fencing within required front/street side yards is limited to a maximum height of 3.5 feet unless the Planning Commission approves an Exception from the fence height standards. In order to approve an Exception, the Planning Commission must make the following findings:

1. *The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;*

Staff did not observe additional over height fences within a one-block radius of the subject property (along West Napa Street and Fourth Street East), with the exception of the subject property. Indeed, a 5 foot tall stucco fence exists on the property, setback 6.5 feet from the property line, with a 2 foot tall arbor, and a length of 41 feet.

Although the fence would be taller than any other fence located within the front or side setback area in the immediate neighborhood, the fence is proposed to be setback 6 feet from the street-side property line and landscape screening is proposed in the form of hedges, vines, and shrubs. Although the proposed fence is generally compatible with design, appearance, and the neighborhood conditions, it is staff's view the setback is insufficient and the fence should be setback at least 10 feet from the property line.

2. *The height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties;*

The fence would be setback 6-feet from the street-side property line, encroaching 12-feet into the required 20-foot street-side setback. In staff's view, this setback not sufficient and should be setback at least 10 feet. The proposed 6 foot wide planter box appears to provide sufficient area for landscape plantings adjacent to sidewalk.

3. *The fence is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;*

The fence design has an attractive appearance; however, staff is concerned that a 5-foot tall fence with a 2 foot tall arbor may appear to dominate the site, especially given the existing ± 2 foot 9 inch foot grade difference between the sidewalk and the fence. The length of the fence at 24 feet also contributes to this issue. Although it is staff's view that the proposed landscaping helps to break down the scale of the fence, staff suggests that the setback from the street-side property line be increased to 10 feet.

4. *The fence will be of sound construction and located so as not to cause a safety hazard.*

The fence is of sound construction. It does not appear that the fence would create a safety issue by obstructing vehicle or pedestrian sight lines at the corner.

In summary, it is staff's view that the findings needed to support a fence height Exception can be made, subject to a requirement that the setback of the fence be increased by 4 feet.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15303 of the State CEQA Guidelines, the construction of accessory structures, including a fence, is Categorically Exempt from the provisions of CEQA (Class 3 – New Construction or Conversion of Small Structures).

DISCUSSION OF PROJECT ISSUES

As a corner lot, the property is subject to more restrictive setback requirements than a typical interior lot. In certain cases, these constraints provide a basis for allowing a fence height exception. The applicant has proposed a traditional fence design, set back 6 feet from the sidewalk, and has proposed adequate landscaping screening. Depending on various factors such as the amount of setback from the property line, height and type of fencing, and vegetative screening, fences within street side setbacks have the potential to appear overwhelming from the public right of way. In staff's view, the issue raised by the application is the setback of the fence from the side yard property line. As discussed above, staff does not feel that the fencing meets the required findings in that it appears to dominate the site due to its height and length. That said, because the property is a corner lot, it is staff's view that the proposal could be supported with an increased setback. As a result, staff is recommending that the setback of the fence be increase by 4 feet.

RECOMMENDATION

Staff recommends approval subject to the attached conditions including the requirement to increase the setback of the fence 4 feet, for a minimum setback of 10 feet from the street-side property line.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Example neighbor outreach letter*
6. *Resolution No. 5-1999*
7. *Pictures of existing conditions*
8. *Site plan and fence elevations*

cc: Emilia Coakley
407 East Napa Street
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Coakley Fence Height Exception – 407 East Napa Street

November 10, 2016

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Findings for an Exception to the Fence Height Standards

1. The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
2. The height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties;
3. The fence is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby; and
4. The fence will be of sound construction and located so as not to cause a safety hazard.

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Coakley Fence Height Exception – 407 East Napa Street

November 10, 2016

1. The project shall be constructed in conformance with the approved site plan and picture of existing conditions except as modified by these conditions.

Enforcement Responsibility: Planning
Timing: Ongoing

2. The fence shall be altered so that it is setback at least 10 feet from the west property line.

Enforcement Responsibility: Planning
Timing: Ongoing

Vicinity Map

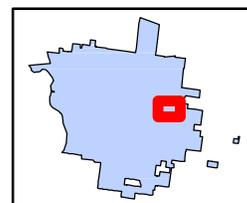


Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

Project Summary

<i>Property Addresses:</i>	407 East Napa Street
<i>Applicant:</i>	Emilia Coakley
<i>Property Owner:</i>	Same
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration for and Exception from the fence height standards to allow an area-height fence within the street-side setback.



1 inch = 200 feet

CITY OF SONOMA
RESOLUTION NO. 5-1999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA APPROVING AN
APPEAL OF A PLANNING COMMISSION DECISION REGARDING THE LOCATION AND
HEIGHT OF A FENCE AT
407 EAST NAPA STREET.

WHEREAS, the applicant, Kathleen Lauchland, submitted an application for a use pennit exception to allow a fence taller than three feet within the street yard setbacks of the property located at 407 East Napa Street, and

WHEREAS, the Planning Commission considered the item at a duly noticed public hearing on December 10, 1998, and approved a six foot fence without an arbor, to be set back eleven feet from the curb, and

WHEREAS, the applicant appealed the decision to the City Council based on its being arbitrary and capricious, requesting that a portion of her fence be allowed to have an arbor overhead, and be located closer to the curb than eleven feet, as is the case with many other fences in town, and

WHEREAS, the City Council heard and considered the appeal at a duly noticed public hearing on January 20, 1999.

NOW, THEREFORE, BE IT RESOLVED by this City CoWlcil that the appeal of Kathleen Lauchland is hereby approved, and that the applicant is permitted to construct a 29 foot length of a six foot high fence, with an arbor overhead. located eight feet from the curb, within the street yard setback of the property at 407 East Napa Street.

The foregoing Resolution was duly adopted this 3rd day of February, 1999 by the following roll call vote:

AYES: (5) Clm. Barnett, Brown, Carter, Mazza, Mayor Ramponi
NOES: (0) None
ABSENT: (0) None
ABSTAINING: (0) None
DISQUALIFIED: (0) None


MAYOR

ATTEST:


CITY CLERK

I hereby certify that the foregoing resolution was duly and regularly passed by the City CoWlcil of the City of Sonoma at a regular meeting **thereon**

CITY CLERK

RECEIVED

OCT 12 2016

CITY OF SONOMA

Lucinda Kent Maushardt
121 Madrid Way
Sonoma, California 95476

October 6, 2016

RE: 407 East Napa Street

Sonoma, CA 95476

To the Sonoma Planning Commission:

The property at 407 East Napa Street in Sonoma is a corner property with a single family residence on it. There is a side yard facing Fourth Street East with more parking than is needed for the residents. They desire to have a more secure play area for their growing family of young children. The owners seek to remove a portion of their driveway in order to increase their secure interior patio.

They would like to remove a portion of their driveway, extend the existing planter adjacent to the sidewalk, install a fence that extends from the existing inner stucco wall to the existing garage, a gated entry to the rear yard, and to raise the level of area inside the fence to the existing level or the brick patio.

They have included drawings of the proposed project (plans, elevations, details, suggested plant selections), have been in contact with their adjacent neighbors about the proposed work, and have included a scaled vicinity map.

Sincerely, 

Lucinda Maushardt

Landscape Consultant

October 2016

Hi There,

I hope this letter finds you well. I just wanted to reach out to let you know that my husband, Kendrick, and I are interested in doing a bit of work to our back yard. We are planning on extending the backyard play area so that our kids Corbett (2yr) and Sylvia (7mo) can have more room to play around. Traditionally corner lots have a lot of space, however our back patio is a bit restricted. We would just like to give the little ones as much space as we can.

This plan will not affect any existing neighbor's property, rather we are planning to use our existing driveway and push the yard onto that. We have put a lot of thought, time and effort in conceptualizing this project. We want to make sure that whatever we end up with will be practical but we'd like it to also be something even more aesthetically pleasing to an already beautiful neighborhood.

If you have any questions please feel free to contact me. I would love to discuss this project with you.

Thank you so much,



Mia

e. Miacoakley@me.com
c. (707)481-8920
a. 407 East Napa Street
Sonoma, Ca
95476

RECEIVED

OCT 27 2016

CITY OF SONOMA

CITY OF SONOMA
, RESOLUTION NO. 5-1999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA
APPROVING AN APPEAL OF A PLANNING COMMISSION DECISION
REGARDING THE LOCATION AND HEIGHT OF A FENCE AT
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401 East Napa Street, Sonoma



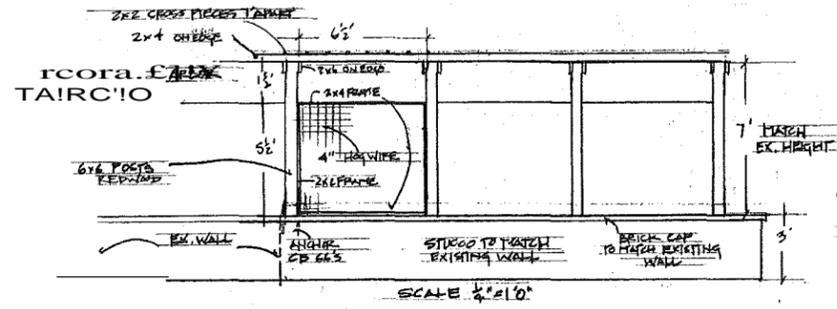
OCT 21 2016



407
East
Napa St
Sonoma

OCT 21 2018

WEST ELEVATION

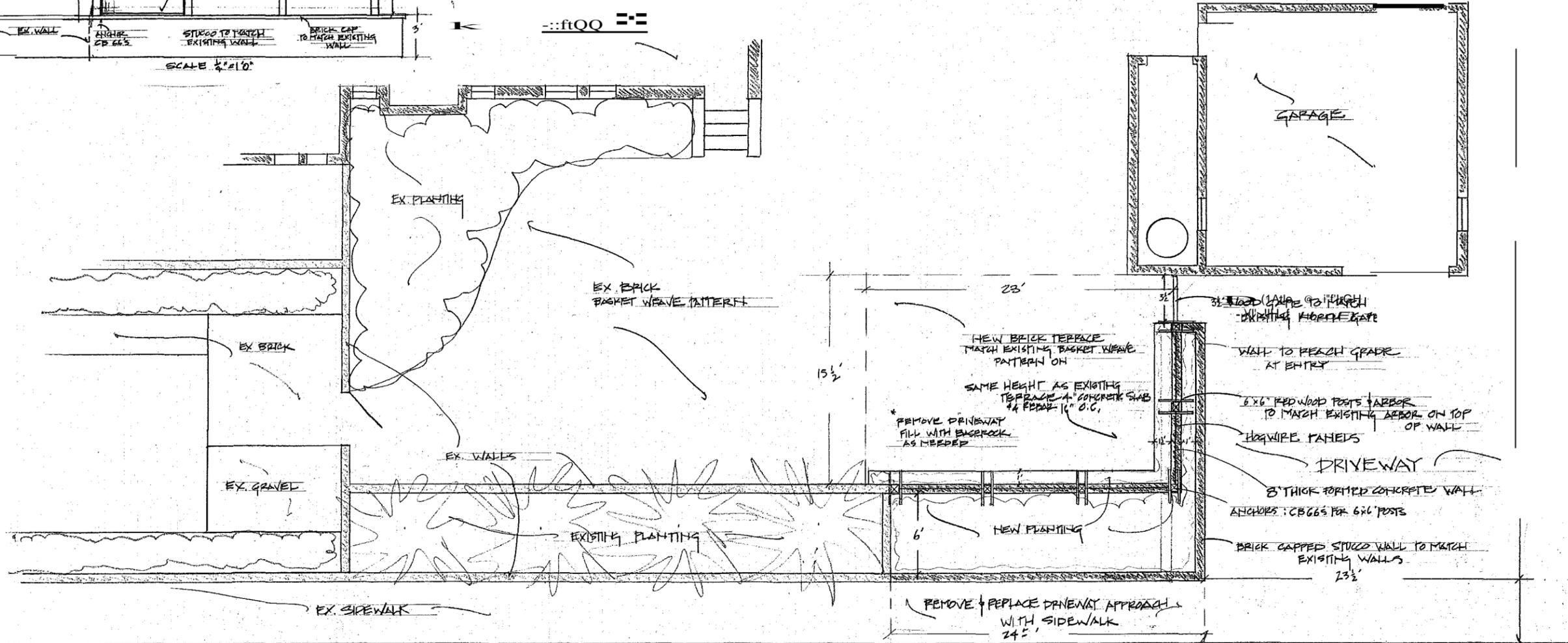


SUGGESTED PLANTS

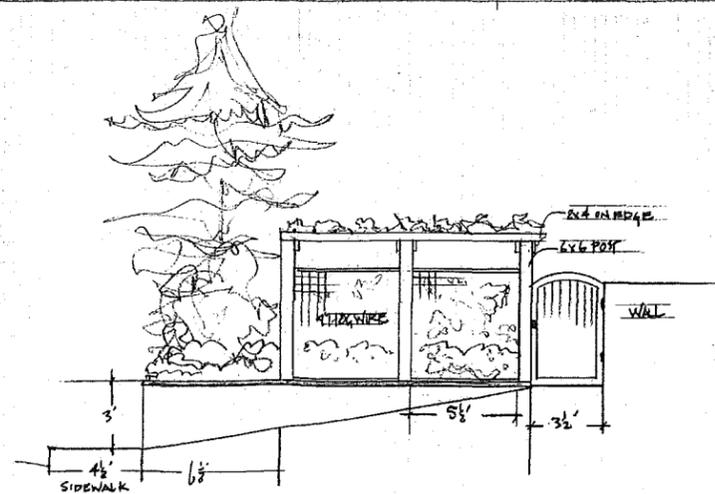
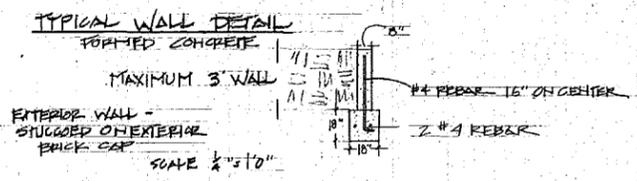
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4th STREET EAST

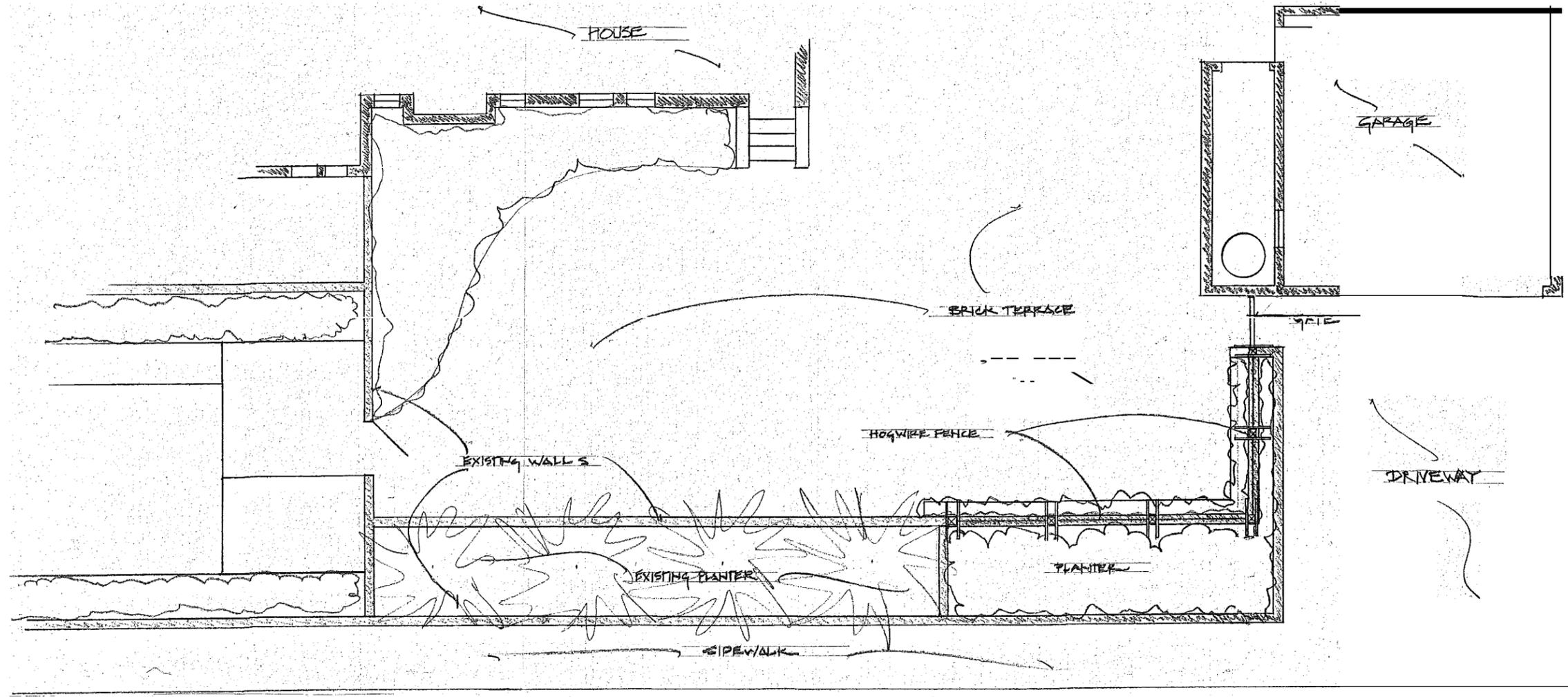


COAKLEY RESIDENCE

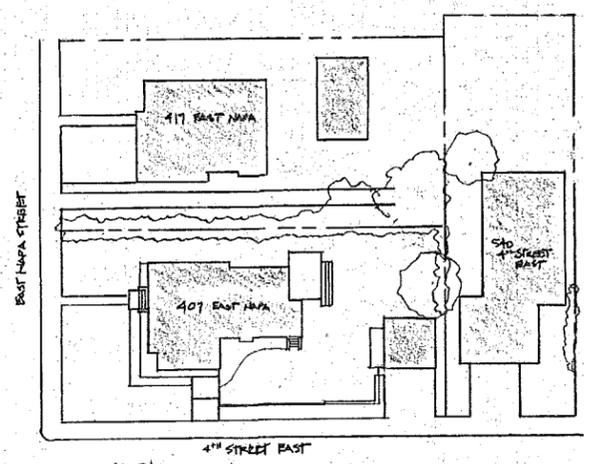
407 East Napa Street, Sonoma, CA 95476

Lucinda Kent M.ushardt, Landscape Design

Scale: 1/4"=1'0"



VICINITY MAP



SCALE: 1/4" = 10'

← NORTH

COAKLEY RESIDENCE

407 East Napa Street, Sonoma, CA 95476

Lucinda Kent Masters, Landscape Design

Scale: 1/4" = 10'

OCT 12 2016

Agenda Item Title: Application for a use permit to operate two retail kiosks, including food/beverage vending, and associated seating on a commercial property located at 27 East Napa Street.

Applicant/Owner: STRATAap Architecture/Brad Johnson

Site Address/Location: 27 East Napa Street

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 10/27/16

PROJECT SUMMARY

Description: Application for a use permit to operate two retail kiosks, including food/beverage vending, and associated seating on a commercial property located at 27 East Napa Street.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic
Site

Characteristics: Sonoma Court Shops is a large commercial development encompassing several buildings south of the Plaza, including structures that front Broadway, East Napa Street, as well as a large building located in the interior of the property. In total, the development contains ±42,000 square feet of commercial floor area with approximately 40 tenant spaces.

Surrounding Land Use/Zoning:

North: The Plaza (across East Napa Street)/Park
South: Apartment and wine tasting room (Westwood Estate)/Commercial
East: Parking Lot and tasting room (Sonoma Court Shops)/Commercial (C)
West: Tasting room and Mechanical Equipment/Commercial (C) Gateway Commercial (C)

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Commission discretion.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicant is proposing to operate two retail kiosks in the eastern courtyard area of Sonoma Court Shops. According to the project narrative (attached), staffing would be limited to 2 employees (one employee for each kiosk). Proposed hours of operation are 10 a.m. to 5 p.m. seven days a week for retail uses and 7 a.m. to 7 p.m. seven days per week for eating establishments (including deliveries). The kiosks would be located in the Sonoma Court Shops eastern courtyard area. Potential uses would consist of the following: eating establishments; retail, and personal services. The kiosks would be constructed of the following optional materials: glass walls and roofs; metal; ceramic tile; or, cement plaster bases. As proposed, the kiosks would remain on site after closing. Seating is proposed in the form of six tables with twenty-four seats.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Commercial by the General Plan. The Commercial land use designation is intended to provide areas for retail, hotel, service, medical, and office development, in association with apartments and mixed-use developments and necessary public improvements. Restaurants are allowed in the corresponding Commercial zone with a Use Permit. The proposal does not raise any issues in terms of consistency with the General Plan.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Commercial (C). Restaurants and are allowed in the Commercial Use land use designation with a use permit; whereas, retail and personal services are permitted uses. Staff proposes to regard the kiosks as an “Outdoor Retail Sales and Activity”, a use that is conditionally-allowed in the Commercial zone. However, the Planning Commission may find that this use is not anticipated in the Development Code, in which case it would not be allowed.

Building Height/Setbacks/Other Development Standards: Because they are not on wheels, the kiosks are considered permanent structures and are required to meet setback standards. The applicant has indicated that each kiosk would have a maximum coverage of 108 square feet (9 feet by 12 feet), with a maximum height of 10 feet. The proposal does not raise any issues with regards to building setback and height.

Parking Regulations: The City’s Parking and Loading Regulations for restaurants and other food serving uses are based on seating (one parking space for each four seats), and personal services and retail uses are based on gross floor area (one space for each 300 square feet). Because the applicant has proposed a variety of potential uses, the parking requirement will be determined by the use permit. The project narrative indicates that twenty-four seats are proposed; therefore, six on-site parking spaces could be required. Alternatively, if a parking ratio for retail uses was applied then one on-site parking space could be required. The applicant has indicated that no additional parking spaces are proposed with the application. Accordingly, the applicant is requesting a parking Exception for the one- to six-space shortfall. Pursuant to Development Code Section 19.48.050.A.1, the Planning Commission may grant exceptions from the parking standards, provided that the following findings can be made:

- 1. The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;*
- 2. An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;*

3. *Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.*

Roughly fifty parking spaces are provided for the Sonoma Court Shops complex within two parking lots off of First Street East. All of the parking spaces (aside from two handicap spaces) are reserved for businesses/uses within the complex. The owner has stated that no additional parking spaces are necessary for the kiosks in that customers patronizing the kiosks would have traveled to the property on foot and parked at an off-site location. The Planning Commission may agree with this rationale and approve the exception or deny the application based on insufficient parking.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing or minor alteration of existing private structures and facilities is Categorically Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

Kiosk Design: Staff is concerned that the design of the kiosks may not be compatible with the intent of the design guidelines for the Downtown District which includes the following: “*Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged. Chain stores and franchises are not prohibited in the Downtown District but such uses must respect and contribute to the historic qualities of the area in terms of building design and signs.*” While the design and colors of the kiosks will be subject to design review, they are kiosks and may appear temporary in nature and, therefore, not compatible in the Historic Overlay Zone. In addition, the Use Permit approval cannot be tied to a particular kiosk, so the design may change over time.

Formula Business or Restaurant: At the time of the Use Permit application, no specific tenants were identified for the kiosks. Therefore, any proposal for the establishment of a business meeting the definition of a formula business shall require the review and approval of a use permit.

Utility Connections: The applicant has stated that power, sewer, and electrical connections are provided at each kiosk location. In addition, if a grease trap is required it can be incorporated within the tenant space below grade.

Parking: The proposed kiosks would add to the intensity of uses within Sonoma Court Shops, especially, in staff’s view, if food service is a component. The Planning Commission needs to carefully consider whether the addition of the kiosks should be viewed as a trigger for additional parking, as there are no opportunities that staff is aware of to provide increased off-street parking within the complex.

RECOMMENDATION

Staff recommends commission discretion.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*

3. *Location Map*
4. *Project Narrative*
5. *Proposed Retail Kiosk Locations*
6. *Kiosk Concept Images*

cc: STRATAap Architecture
Attn: Brad Johnson
23562 Arnold Drive
Sonoma, CA 95476

Sonoma Court Shops, Inc.
P.O. Box 27278
San Francisco, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Use Permit for Kiosks – 27 East Napa Street

November 10, 2016

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Use Permit Findings

1. The proposed uses are consistent with the General Plan and any Specific Plan;
2. The proposed uses are allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this Development Code(except for approved Variances and Exceptions);
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

Exception Approval

1. The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;
2. An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;
3. Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Use Permit for Kiosks – 27 East Napa Street

November 10, 2016

1. The use shall be operated in a manner consistent with the project narrative, except as modified by these conditions. The hours of operation, including deliveries, shall be limited to the following hours: 10 a.m. to 5 p.m. seven days a week for retail and 7 a.m. to 7 p.m. seven days per week for eating establishments. The maximum number of employees shall not exceed two (one per each kiosk).

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. All Building Department requirements shall be met, including CALGreen standards, and ADA requirements (i.e. disabled access, handicap parking, accessible paths of travel, bathrooms, etc.). A building permit shall be required.

Enforcement Responsibility: Building Division
Timing: Prior to the issuance of any building permit that may be required

3. All applicable Fire Department requirements shall be met, including requirements related to the provision of fire extinguishers and fuel storage.

Enforcement Responsibility: Fire Department
Timing: Prior to operation

4. The Applicant shall pay any required increased water fees applicable to the new uses in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Dept.; Water Operations Supervisor; City Engineer
Timing: Prior to finaling any building permit; Prior to operation

5. All signs shall be subject to the review and approval of the Design Review and Historic Preservation Commission (DRHPC).

Enforcement Responsibility: Planning Department; DRHPC
Timing: Ongoing

6. The project shall be subject to the review and approval of the DRHPC. This review shall encompass kiosk elevations, colors, and materials.

Enforcement Responsibility: Planning Division; DRHPC
Timing: Prior to the issuance of any building permit

7. The applicant shall notify the following agencies of its application, and obtain any necessary written approvals prior to operation of the business.
 - a. Sonoma County Health Department (for food-serving establishments).

b. Sonoma County Water Agency (Survey of Commercial or Industrial Wastewater Discharge Requirements)

Enforcement Responsibility: Planning Division
Timing: Prior to occupancy

8. The kiosks and surrounding area shall be maintained in a neat and orderly manner. Trash on the site shall be cleaned up on a daily basis.

Enforcement Responsibility: Planning Division
Timing: Ongoing

9. The size of the kiosks shall be limited to 9 x 12 feet in area, and the height shall not exceed 10 feet.

Enforcement Responsibility: Planning Division
Timing: Ongoing

- 10 A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency; City of Sonoma Building Department
Timing: Prior to issuance of a building permit; Prior to operation

Vicinity Map



Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
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- R-P Home Park (7 D.U./acre, maximum) Mixed Use
- MX (12 D.U./acre, maximum) Commercial (15 D.U./acre, maximum) Commercial-Gateway (15 D.U./acre, maximum) Wine Production
- C D.U./acre, maximum) Wine Production
- C-G D.U./acre, maximum) Wine Production
- W Public Facility
- P Park
- Pk Agriculture
- A

Project Summary

Property Addresses: 27 East Napa Street

Applicant: STRATAap

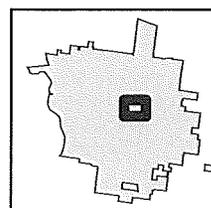
Property Owner: Sonoma Court Shops

General Plan Land Use: Commercial

Zoning- Base: Commercial

Zoning- Overlay: Historic

SummmJ." Consideration of a Use Pennit to operate two retail kiosks, including food/beverage vending, and associated seating on a commercial property.



0 95 190 380 Feet

1 inch = 200 feet

RECEIVED

OCT 27 2016

CITY OF SONOMA

October 26, 2016

Dear Planning Commission:

Attached is an application for the addition of two retail kiosks (up to 9'-0"x12'-0"x10' high) to be located at the rear courtyard, southeast boundary of Sonoma Court Shops (SCS) along with 6 tables and seating for 24 patrons.

We are applying for retail kiosks in order to support our tenant base, to diversify our tenant base and be able to offer the public something other than wine tasting. Additionally, we are trying to stimulate foot traffic to an obscure part of the inside of the block, by offering a retail or food related opportunity/experience to the public. The idea is that one could purchase something from the kiosk and then sit down at small cafe style tables that would be provided between the two kiosks. The seating would allow tenant of SCS to have a location to take breaks and have lunch. There is a fountain for the public to enjoy while they are seated. The kiosks will provide a location for small, budget conscience retailers to showcase their goods. Kiosk shall be designed and installed by SCS thereby controlling the size, aesthetics, and conformity. The kiosks materials shall include glass walls and roof, metal, ceramic tile or cement plaster bases. Each Kiosk shall have one employee. We are requesting a parking exemption for the two employees. Kiosks are intended to provide support for the other tenants within the Sonoma Court Shops and expected patrons would come from foot traffic. Hours of operation are anticipated to be 10:00am- 5:00pm (office/retail) or 7:00am- 7:00pm (coffee/etc.)

Many people are not necessarily interested in wine tasting and are looking for other opportunities to enjoy Sonoma without having to purchase a wine tasting ticket or a bottle of wine. The kiosk concept would afford the public the opportunity to walk through Sonoma Court Shops, thus giving it more exposure and perhaps buying a coffee, juice, ice cream, or other off-site prepared food item. They might purchase clothing, a gift, souvenir or other such item. Power, water, and waste are already located at each potential area. If grease traps are required for any tenant, they will be incorporated within the tenant space below grade.

Kiosks are a great way for the City of Sonoma to garner more sales tax, give the public a non wine tasting experience and give Sonoma Court Shops more exposure in an area that is presently used as a walkway to the parking lot.

Ryan Snow, with Cushman and Wakefield is currently interviewing tenants for the kiosks and has substantial interest in the idea and location.

Thank you for any consideration you may give this request.

Sincerely,

Melissa Redmond

Potential Uses:

Eating Establishment:

Food Delivery
Frozen Yogurt
Ice cream
Outdoor Cafe
Cheese Shop
Pre-packaged meal service
Snacks
Beverages for Immediate consumption

Sales Oriented:

Plants
Picture Frames
Jewelry
Gifts
Garden Supplies
Dry Goods
Clothing
Crafts
Books
Stationary
Art Supplies
Shoe Store
Pop Up Store

Personal Service Oriented

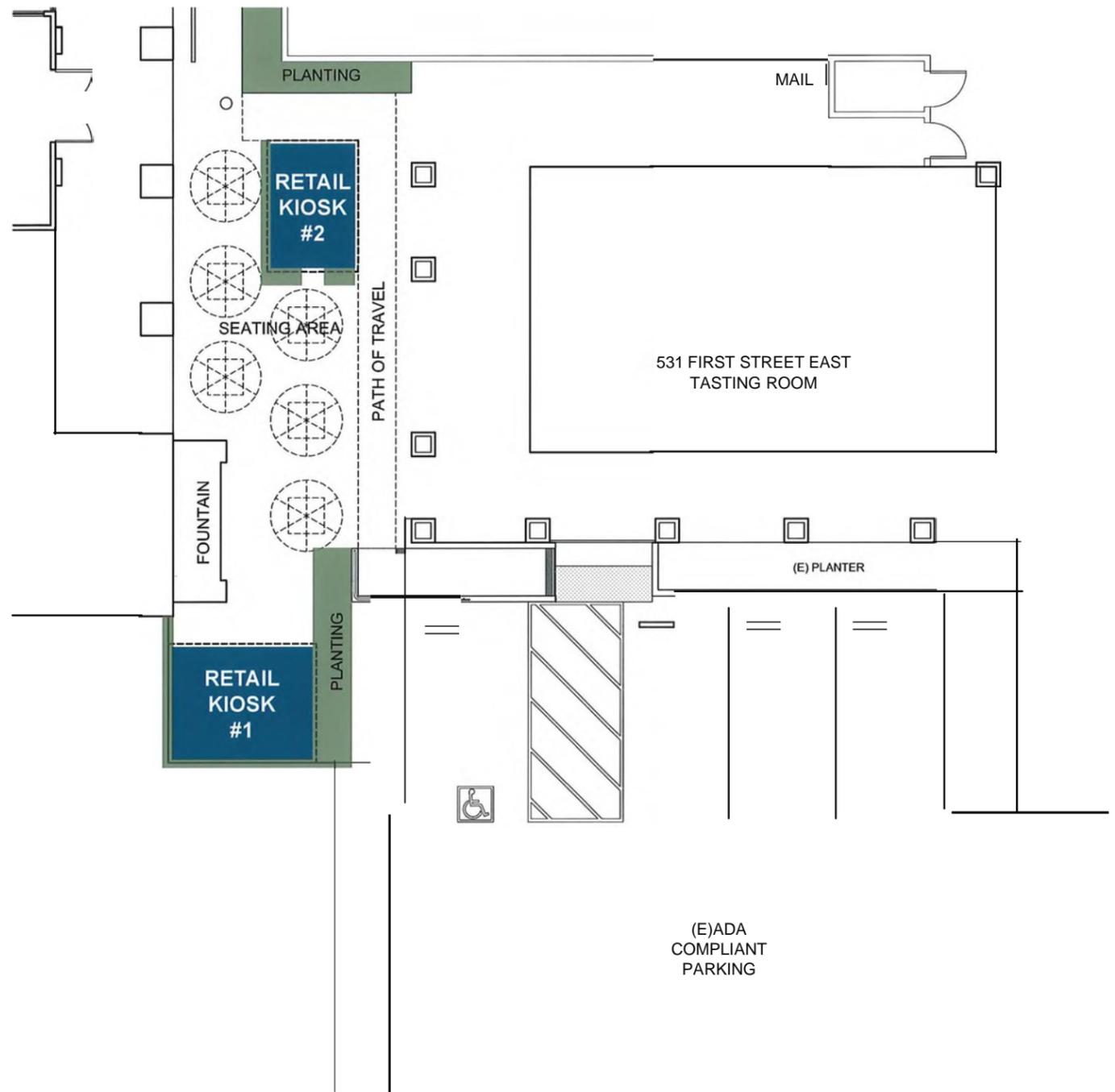
Branch Bank
Massage therapy
Tailor
Shoe Shine



PROPOSED RETAIL KIOSK LOCATIONS
SONOMA COURT SHOPS

SITE PLAN
DATE: 10.14.16

N
E9



PROPOSED RETAIL KIOSK
LOCATIONS
SOUTH COURTYARD



FIRST STREET EAST



KIOSK CONCEPT IMAGES

FLOOR PLAN
DATE: 10.14.16



RETAIL KIOSK #1

VIEW OF KIOSK #1



RETAIL KIOSK #2

VIEW OF KIOSK #2

EXTERIOR ELEVATIONS
DATE: 10.14.16

Agenda Item Title: Application for modifications to an existing 8-unit condominium development, including consideration of a fence height Exception.

Applicant/Owner: Robert Baumann & Associates/2880 Stevens Creek LLC

Site Address/Location: 375 West Napa Street

Staff Contact: Rob Gjestland, Associate Planner
Staff Report Prepared: 11/04/16

PROJECT SUMMARY

Description: Application of Robert Baumann & Associates for modifications to an existing 8-unit condominium development at 375 West Napa Street.

General Plan Designation: Mixed Use

Zoning: **Base:** Mixed Use (MX) **Overlay:** Historic

Site Characteristics: The condominium development consists of four buildings (each containing two units) on an underlying ±28,400-square foot common area parcel located on the south side of West Napa Street (Highway 12) near its intersection with Fourth Street West.

Surrounding Land Use/Zoning: **North:** Offices/Mixed Use
South: Senior apartments (Village Green I)/Medium Density Residential
East: Office building/Mixed Use
West: Office and apartments /Mixed Use

Environmental Review: Categorical Exemption Approved/Certified
Negative Declaration No Action Required
Environmental Impact Report Action Required
Not Applicable

Staff Recommendation: Approve subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The project involves modifying and renovating an existing eight-unit condominium development constructed in the 1980's (no additional units are proposed). The proposed improvements would increase the size of the buildings/units through areas of addition, especially on the second floors. The exterior form and appearance of the buildings would change as a result of the additions and a new carport would be constructed toward the rear of the site to provide additional covered parking for four vehicles, plus bicycle storage (the carport toward the front of the site would be retained). The existing condominiums currently have 980 sq. ft. of living area plus an attached one-car garage of ±260 sq. ft. The project would increase the living area of the four outside units (Units 1, 2, 7 and 8) from 980 sq. ft. to 1,847 sq. ft., while the four inside units (Units 3, 4, 5 and 6) would be increased from 980 sq. ft. to 1,441 sq. ft. The existing one-car garages would be maintained for all of the units. Other miscellaneous site improvements include the provision of entry walls/features toward the frontage and new fencing for private yard areas. Further details can be found in the attached narrative and drawings.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Mixed Use by the General Plan. The Mixed Use land use designation is intended to accommodate uses that provide a transition between commercial and residential districts, to promote a pedestrian presence in adjacent commercial areas, and to provide neighborhood commercial services to adjacent residential areas. It is also intended to provide additional opportunities for affordable housing. The designation allows a density up to 20 residential units per acre and a residential component is required in new development, unless an exemption is granted through use permit review. The primary General Plan policies potential applicable to the project are as follows:

Policy CDE-5.5: Promote higher density, infill development, while ensuring that building mass, scale, and form are compatible with neighborhood and town character.

Policy HE 3.2: Encourage property owners to maintain rental and ownership units in sound condition through code enforcement and housing rehabilitation programs.

Policy HE 6.2: Implement Sonoma's Green Building Ordinance to ensure new development is energy and water efficient, and consider establishing additional incentives to achieve energy and water conservation efficiencies higher than those required by the Ordinance. Revise and/or revisit the ordinance as necessary to reflect the introduction of a State-wide green building code.

As called for in the Community Development Element, the scale and appearance of the updated development need to be considered, especially with respect to relationships with adjoining development. The Housing Element encourages the rehabilitation of older multi-family developments and notes that such projects present an opportunity to implement updated water and energy conservation features.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Mixed Use (MX). The MX zone is intended to allow for higher density housing types, such as apartments and condominiums, in conjunction with commercial and office development, in order to increase housing opportunities, reduce dependence on the automobile, and provide a pedestrian presence in commercial areas. Multi-family development of five or more units (including condominiums) are allowed in the MX zone subject to review and approval of a Use Permit by the Planning Commission. The proposed project does not constitute a new use and it does not increase the density of the development. However, staff regards it as a modification to an approved Use

Permit, as the size and design of the development was established through the original use permit approval of the development.

Front Yard Setback: The minimum front yard setback for additions in the MX zone is 15 feet for one-story construction and 25 feet for two-story construction. With the proposed additions, the northeast building would provide a setback of 31 feet from the front property line, while the carport (a one-story structure) is set back 24 feet from the front property line.

Rear Yard Setback: The minimum rear yard setback within the MX zone is 15 feet, except when abutting a residential zone in which case the corresponding setback of the residential zone shall apply. The project site abuts a Medium Density Residential (R-M) zone to the south, therefore a minimum 20-foot rear yard setback is required for two-story structures. The southwest building, which is the closest residential building to the rear yard, has a setback of 21 feet, in compliance with the standard. The proposed carport at the southeast area of the site has a rear yard setback of 5'-6", which meets the requirement for a detached accessory structure.

Side Yard Setbacks: One-story structures require a minimum side yard setback of five feet and combined side yard setbacks of fifteen feet. For two-story structures, the minimum setback is increased by two feet for every five feet in building wall height above fifteen feet. The central upper-floor elements of the existing buildings do not meet the minimum side-yard setback standard in all cases, falling approximately one-foot short. However, the new construction complies with side-yard setback requirements.

Coverage: The maximum coverage in the MX zone is 60% of the total lot area. With the proposed additions and new carport, the development would have a lot coverage of 28%.

Floor Area Ratio (FAR): The maximum FAR in the MX zone is 0.70 (or 70% of the total lot area). With the proposed additions, the condominium development would have an FAR of 0.53 in relation to the underlying lot.

Building Height: The maximum building height within the MX zone is 30 feet. The areas of addition would not exceed ± 24 feet in height of to the new roof peaks, except for small cupola features projecting up to ± 28 feet.

Open Space: The Development Code requires 300 square feet of open space per unit, in any combination of private or common open space. Approximately 365 square feet of open space is provided on average for each unit, including private rear patios and yard areas.

Parking: Condominiums require 1.5 parking spaces per unit (one of which must be covered), plus guest parking at the rate of 25% of the total required spaces.

On-Site Parking Requirements				
Type of Residential Unit	Number of Units	Parking Factor	Calculation	Spaces Required
Condominiums	8	1.5 spaces per unit (including one covered) plus	8 x 1.5	12
		guest parking at rate of 25% of total required spaces	12 x 0.25	3
Total				15

As noted in the table, 15 parking spaces are required for the project. This requirement is met in that 16 parking spaces are provided on site, all of which would be covered by carports or unit garages. In addition, parking space dimensions and back-up distances generally conform to the standards and are consistent with the previous approval.

Bicycle Parking: Bicycle parking is required for new multi-family development subject to review on a case-by-case basis (§19.48.110). Bicycle parking is identified on the site plan as part of the new carport. Details on the type and number of racks are typically considered by the DRHPC in design review. A condition of approval has been included in this regard.

Site Design & Architectural Review: Under the Development Code, the Planning Commission is responsible for reviewing and acting upon the project site plan, building massing, and elevation concepts to the extent it deems necessary. Subsequent review by the Design Review and Historic Preservation Commission is also required for multi-family/condominium projects, encompassing elevation details, exterior colors and materials, landscaping (including fences and walls), lighting, site details (such bike racks), and any other issues specifically referred to the DRHPC by the Planning Commission (§19.54.080E). This requirement has been included in the conditions of approval.

Fence/Wall Height Exception: The applicant is requesting an Exception from the fence/wall height standards for the portions of fencing and entry wall proposed within the required 15-foot front yard setback (normally fencing/walls in the front yard setback are limited to a maximum height of 3.5 feet). The proposed fencing would have a maximum height of eight feet (including one-foot of trellis topping) with the associated entry wall at roughly 4.5 feet in height. On the east side of the driveway, the fence would be set back five feet from the property line and on the west side of the driveway the setback would be 14 feet. The fencing and wall are proposed to serve as an entry feature, to enhance privacy, and to screen open space areas from traffic noise. An important consideration with respect to the Exception request is that due to a previous right-of-way dedication, the front property line is set back fifteen feet from the front of the adjoining properties to the east and west, so it is inset from West Napa Street in comparison to them. Visually, the fence would be setback 24-33 feet from the back of sidewalk on West Napa Street. In order to approve an exception to these standards, the Planning Commission must make four findings, as follows:

1. *The fence/wall will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;*

The proposed fencing and wall employ a traditional design. Due to the inset front property line, their location will not appear incompatible with that of other fences in the vicinity.

2. *The height, orientation, and location of the fence/wall is in proper relation to the physical characteristics of the site and surrounding properties;*

As noted above, the fencing and wall are intended to serve as an entry feature, to enhance privacy, and to screen open space areas from traffic noise. The height, location, and orientation of the proposed fencing and wall are logical, given the configuration of the subject property and would not be obtrusive relative to other properties in the vicinity. For example, the proposed fence will not extend past the face of the adjoining building at 369 West Napa Street (on the east).

3. *The fence/wall is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;*

Because the front property line of the subject property is inset fifteen feet from the front of the adjoining properties on West Napa Street, the fencing and wall will be set back approximately 24-33 feet from the back of the sidewalk. In light of this set back, these improvements will not appear as a dominating feature.

4. *The fence/wall will be of sound construction and located so as not to cause a safety hazard.*

The fencing and entry wall would be of a sound design and construction and would not present a safety hazard.

In general, staff feels that an Exception to the fence/wall height requirements is justified in that the front 15 feet of the underlying lot was previously dedicated to the City of Sonoma as additional right of way for West Napa Street/Highway 12, which has a variable width within this block. As a result, the fencing and entry wall will have an apparent setback of 24-33 feet, which is appropriate to the site and its surroundings. In addition, the fence segment on the west will be substantially screened with existing vegetation.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the expansion of an existing facility of up to 10,000 square feet is Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities) provided that the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan.

DISCUSSION OF PROJECT ISSUES

Compatibility: The project would increase the size and mass of the structures, especially on the second floor. In terms of compatibility with existing, adjoining development, staff would note that the adjoining property on the east is largely undeveloped, except for a currently-vacant office building located toward the street. Relative to adjoin development on the east, the “Northwest Building”, which is actually more or less centered along the western property line, adjoins carports associated with the neighboring mixed-use development. This relationship does not raise any issues of compatibility. The “Southwest Building” generally aligns with a neighboring two-story multi-family residential structure in a side-yard to side-yard relationship. Currently, the Southwest Building has one-story wings that slope up to a central two-story element. The proposed project would add second-floor extensions that would change the building configuration to a continuous two-story structure. That said, the second-floor additions would be set back in compliance with side-yard setback requirements and, in staff’s view, they would not substantially change privacy conditions, as only a single bedroom window would be introduced. (The second window would be associated with a loft area.)

Building Department Requirements: The Building Department has confirmed that the valuation of proposed improvements will trigger the requirement for installation of automatic sprinkler systems within all of the residential buildings/units. In addition, CalGreen standards will apply and the payment of school impact fees will be required for units that are increased by 500 square feet or more.

Fire Department Requirements: The proposal was evaluated by the Fire Marshall who indicated that an emergency vehicle turnaround will not be required considering the proposal involves an existing development and that all residential buildings will have fire sprinkler systems. However, the access driveway must be signed/marked as a fire lane with parking prohibited. In addition, if an entry gate is approved (see discussion below), it would have to be designed to accommodate emergency access.

Driveway Apron Width: The proposal was evaluated by the City Engineer who indicated that the width of the driveway apron on the West Napa Street frontage must be increased to conform to the Standard Plan, which calls for minimum width of 30 feet. Some flexibility from this standard may be allowed, however a minimum driveway of at least 24 will be required.

Gate/Turnaround: The proposal calls for an entry gate. A related site plan element is a turn-around on the east side of the driveway, intended to enable cars that do not gain access through the gate to properly exit. In staff's view, neither of these features are desirable. Section 19.14.020.F of the Development Code discourages gated developments. In addition, the turnaround, which would be required if the gated entry is approved, would result in awkward vehicle movements and would be visually intrusive. The proposed conditions of approval would eliminate these features.

RECOMMENDATION

The proposed project would upgrade and enhance an existing multi-family development that would greatly benefit from the proposed improvements. Staff recommends approval of the Use Permit modification, subject to the attached conditions.

Attachments

1. Findings
2. Draft Conditions of approval
3. Location map
4. Project Narrative
5. Proposed Site Plan, Floor Plans & Building Elevations
6. Existing Site Plan, Floor Plans & Building Elevations
7. Existing Condominium Plan (Assessor's Map)
8. Existing Condominium Map

cc: Robert Baumann via email)
Robert Baumann & Associates
545 Third Street West
P.O. Box 2201
Sonoma, CA 95476

Teresa Piper (via email)
375 W. Napa, LLC
P.O. Box 907
Menlo Park, CA 94026

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Modifications to Napa Street West Condominiums – 375 West Napa Street

November 10, 2016

Based on substantial evidence in the record, including but not limited to the staff report, and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Use Permit Approval

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions).
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

Fence Height Exception Approval

1. The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
2. The height, orientation, and location of the fence/wall is in proper relation to the physical characteristics of the site and surrounding properties;
3. The fence/wall is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;
4. The fence/wall will be of sound construction and located so as not to cause a safety hazard.

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
Modifications to Napa Street West Condominiums – 375 West Napa Street

November 10, 2016

1. The condominium development shall be modified in conformance with the project narrative, approved site plan and building elevations, except as modified by these conditions and the following:
 - a. The entry gate and the turnaround proposed toward the front of the site off the driveway shall be eliminated.
 - b. The applicant shall provide the City with written verification that other utilities have no issues with siting the new carport structure at the proposed location in the existing Public Utility Easement (PUE)

Enforcement Responsibility: Planning Department, Building Department; Public Works Department
Timing: Prior to the issuance of any occupancy permit

2. An amended condominium plan shall be prepared and submitted to the City Engineer for review and approval. Upon approval by the City, the amended condominium plan shall be filed at the office of the Sonoma County Recorder.

Enforcement Responsibility: City Engineer; Planning Department; Building Department
Timing: Prior to issuance of building permits

3. The following public improvements shall be required as deemed necessary by the Public Works Division, City Engineer, Caltrans or other applicable department or agency.
 - a. Repair or reconstruction of any damaged or non-conforming portion of curb, gutter, sidewalk, along the West Napa Street/State Hwy 12 frontage of the property as required by the City Engineer and Caltrans.
 - b. Widening/modification of the existing driveway on West Napa Street to conform to City Standard Plan No. 111 (for Residential Driveway Approaches) to provide a driveway width (excluding flares) of 30-feet. If there are physical site limitations, the City Engineer has the discretion to allow a reduction in the standard driveway width to a minimum of 24 feet.
 - c. Address numbers shall be posted on each structure within the development. Individual address numbers, or an address range, shall be clearly posted on West Napa Street.

Enforcement Responsibility: City Engineer; Public Works Department; Fire Department; Caltrans
Timing: Prior to approval of the grading plan, building permit, or issuance of any occupancy permit, as applicable

4. The following plans and agreements for controlling stormwater runoff from the site shall be required:
 - a. An Erosion and Sediment Control Plan shall be submitted to the City Engineer for review and approval. The required plan shall be approved prior to the issuance of a building or grading permit. The Best Management Practices specified in the approved plan shall be implemented before and during any rainfall event. Grading shall not commence or recommence during the rainy season or the period of time beginning when rains begin or October 15, whichever comes first, and ending on the following April 15 or when rains cease, whichever occurs last, unless erosion and sediment control measures have been installed, implemented, and maintained on the site to the satisfaction of the public works director or his/her representative.
 - b. A Stormwater Control Plan (SCP) in conformance with the standards in Provision E.12 of the City of Sonoma's NPDES Permit for stormwater discharges shall be submitted to the City Engineer for review and approval. The plan shall be prepared in accordance with the guidance provided in the BASMAA Post-Construction Manual. The required plan shall be approved prior to the issuance of a building or grading permit.

Enforcement Responsibility: City Engineer; Stormwater Coordinator
Timing: Prior to issuance of a building or grading permit

5. All Building Department requirements shall be met, including compliance with CALGreen standards and the installation of automatic fire sprinkler systems within all of the residential buildings/units. Building permits shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

6. All Fire Department shall be satisfied, including any code modifications effective prior to the date of issuance of any building permit. In addition, the following shall be required:
 - a. All residential structures/units shall be protected by approved automatic fire sprinkler systems.
 - b. On-site parking shall be allowed only in designated parking places as shown on approved on the site plan. All other areas, including the driveway and drive aisle shall be posted clearly as a fire apparatus access road with approved signs or other approved notices or markings that include the words “NO PARKING-FIRE LANE”.

Enforcement Responsibility: Fire Department; Building Department
Timing: Prior to the issuance of any building permit

7. An encroachment permit shall be required from the City of Sonoma for any work within the West Napa Street right of way. In addition, an encroachment permit from the Department of Transportation (Caltrans) shall be required for work within the Highway 12 (West Napa Street) right-of-way.

Enforcement Responsibility: Caltrans; City Engineer; Public Works Department
Timing: Prior to any work within the West Napa Street/Hwy 12 public right of way

8. The project shall be subject to architectural review by the Design Review & Historic Preservation Commission (DRHPC), encompassing elevation details, exterior colors and materials, and site details, including the carports, fences/walls, and bicycle racks/storage area.

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to the issuance of any building permit

9. If significant alterations to site landscaping are proposed, a landscape plan prepared by a licensed landscape architect shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). The landscape plan shall comply with the City of Sonoma’s Water Efficient Landscaping Ordinance, and Development Code Sections 19.40.100 (Screening and Buffering), 19.48.090 (Landscaping of Parking Facilities), and 19.40.060 (Landscape Standards). Street trees proposed along the West Napa Street frontage shall be consistent with the City’s Tree Planting Program, including the District Tree List

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to issuance of any occupancy permit

10. If new exterior lighting is proposed, a lighting plan shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). All proposed exterior lighting for the buildings and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines set forth in Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security. Light standards shall not exceed a maximum height of 15 feet.

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to issuance of an occupancy permit

11. The following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. Caltrans [For encroachment permits and frontage improvements on State Highway 12/West Napa Street]
- b. Sonoma County PRMD Sanitation Division [For sewer connections and modifications and interceptor requirements]
- c. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department; Public Works Department City Engineer; Caltrans
Timing: Prior to the issuance of any grading/building permit

12. The applicant shall comply with all requirements of Sonoma County PRMD Engineering Division with respect to sanitary sewer requirements and facilities. A sewer clearance shall be provided to the City of Sonoma Building Division verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County PRMD Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Building Department;
Timing: Prior to the issuance of any building permit

13. Dust control measures, subject to approval by the Building Official and the City Engineer, shall be implemented during the construction of the project. All exposed soil areas shall be watered twice daily or as required by the City's construction inspector.

Enforcement Responsibility: Public Works; Building Department
Timing: Throughout construction

14. The applicant shall be required to pay for all inspections prior to the acceptance of public improvements, or within 30 days of receipt of invoice; all plan checking fees at the time of the plan checks; and any other fees charged by the City of Sonoma, Caltrans, the Sonoma County Water Agency or other affected agencies with reviewing authority over this project, except those fees from which any designated affordable units are specifically exempt from.

Enforcement Responsibility: Public Works Department; Building Department; Affected Agencies
Timing: Prior to the acceptance of public improvements, or plan check, or within 30 days of receipt of invoice, as specified above

Vicinity Map

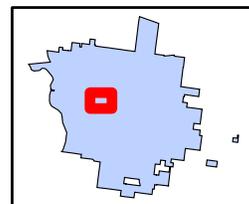


Zoning Designations

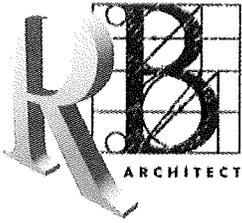
- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

Project Summary

<i>Project Name:</i>	West Napa Condos Modifications
<i>Property Addresses:</i>	375 West Napa Street
<i>Applicant:</i>	Robert Baumann & Associates
<i>Property Owner:</i>	2880 Stevens Creek LLC
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration of an application to modify an existing 8-unit condominium development.



1 inch = 200 feet



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RECEIVED

OCT 14 2016

CITY OF SONOMA

DATE: October 14, 2016
TO: City of Sonoma, Planning Department

RE: PROJECT NARRATIVE – Condominiums at 375 West Napa Street

Dear Planning Commission:

The proposed project is located at 375 W Napa Street in a mixed-use zone of the West Napa Street / Sonoma Highway Corridor. The proposed use is to remain a residential condominium community.

Currently there are eight (8) condominiums situated in four (4) duplexes all with some form of deferred maintenance. The project will include updating the current units and increasing the size functionality, energy efficiency and improved design and aesthetics.

The existing property is .65 acres in size, or 28,431 square feet.
Allowable FAR = 70% of the lot area (19,902 sq. ft.); Proposed FAR = 15,144 (compliant).
Allowable coverage = 60% of the lot area (17,059 sq. ft.); Proposed coverage = 7,864 (compliant).
The project also complies with maximum height and all setbacks (shown on site plan).

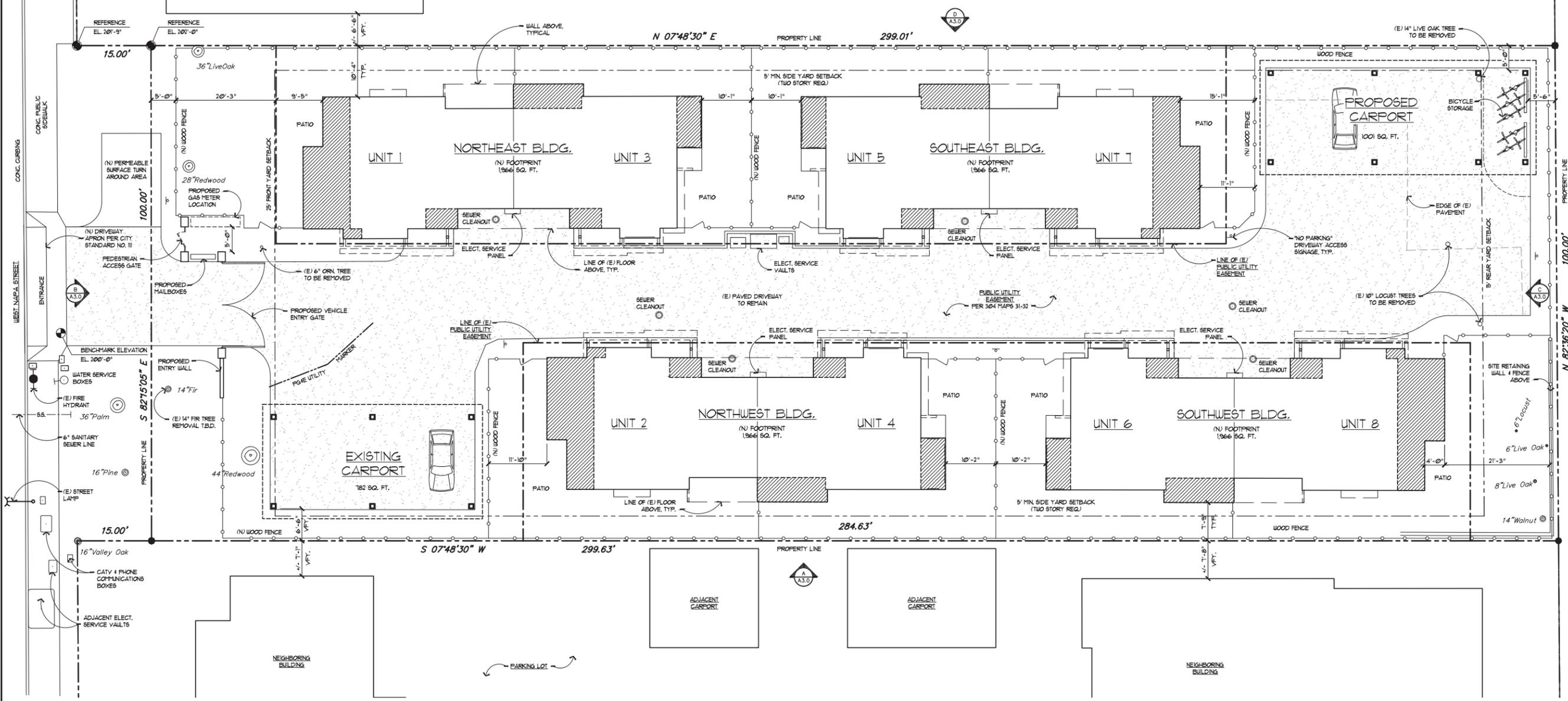
Per discussions between the surveyor (Aaron Smith at adobe Associates) and the Public Works Director, Dan Takasugi, it was agreed that boundary between the previously approved condominium area and the Public Utility Easement is not changing. Therefore, a revision to the subdivision map is not required. However, because the individual condominiums are changing in size and volume, the approved condominium maps must be revised and it is for this reason we submit this application.

If you have any questions about the submitted application materials, or require additional information, please contact me at your earliest opportunity.

Thank you,

Robert Baumann + Associates

ADJACENT LOT
APN: 018-241-011
369 W. NAPA STREET



WEST NAPA CONDOS
375 WEST NAPA STREET SONOMA, CA 95476
(APNs: 018-640-001 THRU 008)

ISSUE DATE: 10/14/16

REVISIONS

10/14/16	PLANNING APP.
11/03/16	PLANNING APP.

FLOOR AREA SUMMARY

TYPICAL EXISTING UNIT 528 (MAIN) + 452 (UPPER) + 880 (SQ. FT.) + 258 (GARAGE) = 1238 SQ. FT. TOTAL	3,904 SQ. FT. (E) 8 UNITS TOTAL
OUTSIDE UNITS 1, 2, 7 & 8 780 (MAIN) + 1067 (UPPER) + 1847 (SQ. FT.) + 253 (GARAGE) = 2100 SQ. FT. TOTAL	
INSIDE UNITS 3, 4, 5, 6 & 9 688 (MAIN) + 753 (UPPER) + 1441 (SQ. FT.) + 245 (GARAGE) = 1686 SQ. FT. TOTAL	13,192 SQ. FT. (E) 8 UNITS TOTAL
*AREA COUNT INCLUDES STAIR AREAS ONCE ONLY.	

SITE LEGEND

--- PROPERTY LINE	--- EXISTING STRUCTURE
--- SETBACK LINE	--- EDGE OF HARDSCAPE
--- EXIST. ONE FOOT CONTOUR	--- DEMO SITE FEATURE
--- EXIST. FIVE FOOT CONTOUR	--- "NO PARKING" VEHICLE SIGNAGE
--- NEW CONTOUR	--- AREA OF PROPOSED ADDITION
--- PROPOSED DRAINAGE LINE	--- AREA OF EXISTING FOOTPRINT
⊙ EXIST. TREE	

ADJACENT LOT
APN: 018-241-008
393 & 395 W. NAPA STREET

ZONING REQUIREMENTS SUMMARY

ZONING REQUIREMENTS:	PROPOSED:
LOT AREA * (0.65 ACRES) 28,431 SQ. FT.	15,144 SQ. FT. (OK)
MAX. F.A.R. (.70) * 19,902 SQ. FT.	1,864 SQ. FT. (OK)
MAX. LOT COVER (60%) * 17,059 SQ. FT.	

PROPOSED SITE PLAN
SCALE: 1" = 10'-0"

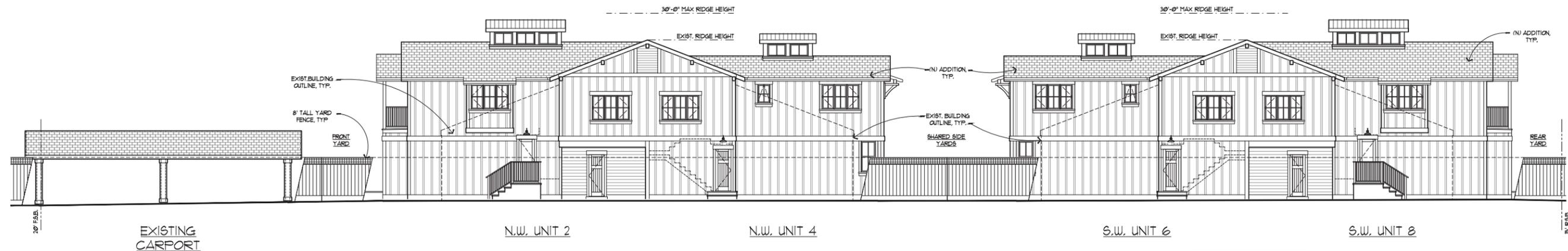
PROPOSED DESIGN
DESIGN DEVELOPMENT
SITE PLAN



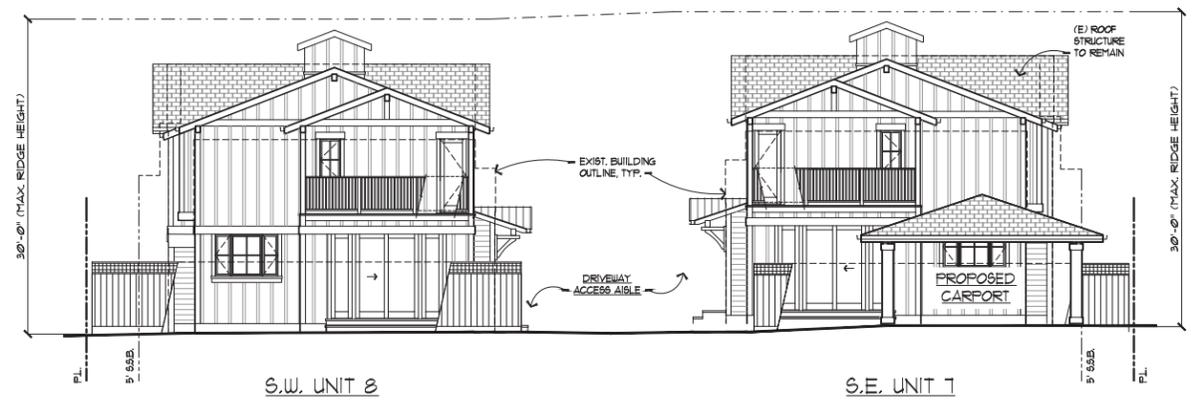
ISSUE DATE: 10/14/16

REVISIONS	
10/14/16	PLANNING APP.
11/03/16	PLANNING APP.

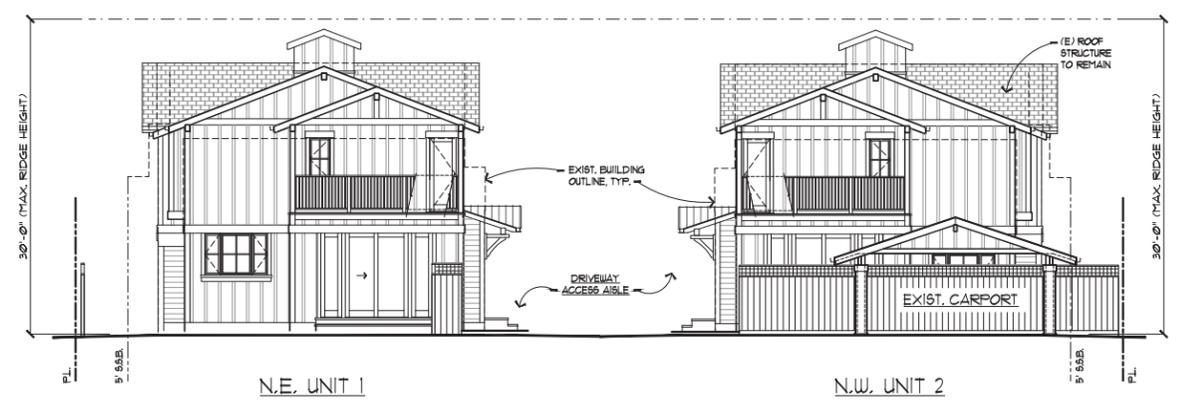
PROPOSED DESIGN
DESIGN DEVELOPMENT
SITE ELEVATIONS



D WEST ELEVATION - SIDE
SCALE: 1/8" = 1'-0"



C SOUTH ELEVATION - REAR
SCALE: 1/8" = 1'-0"



B NORTH ELEVATION - FRONT
SCALE: 1/8" = 1'-0"



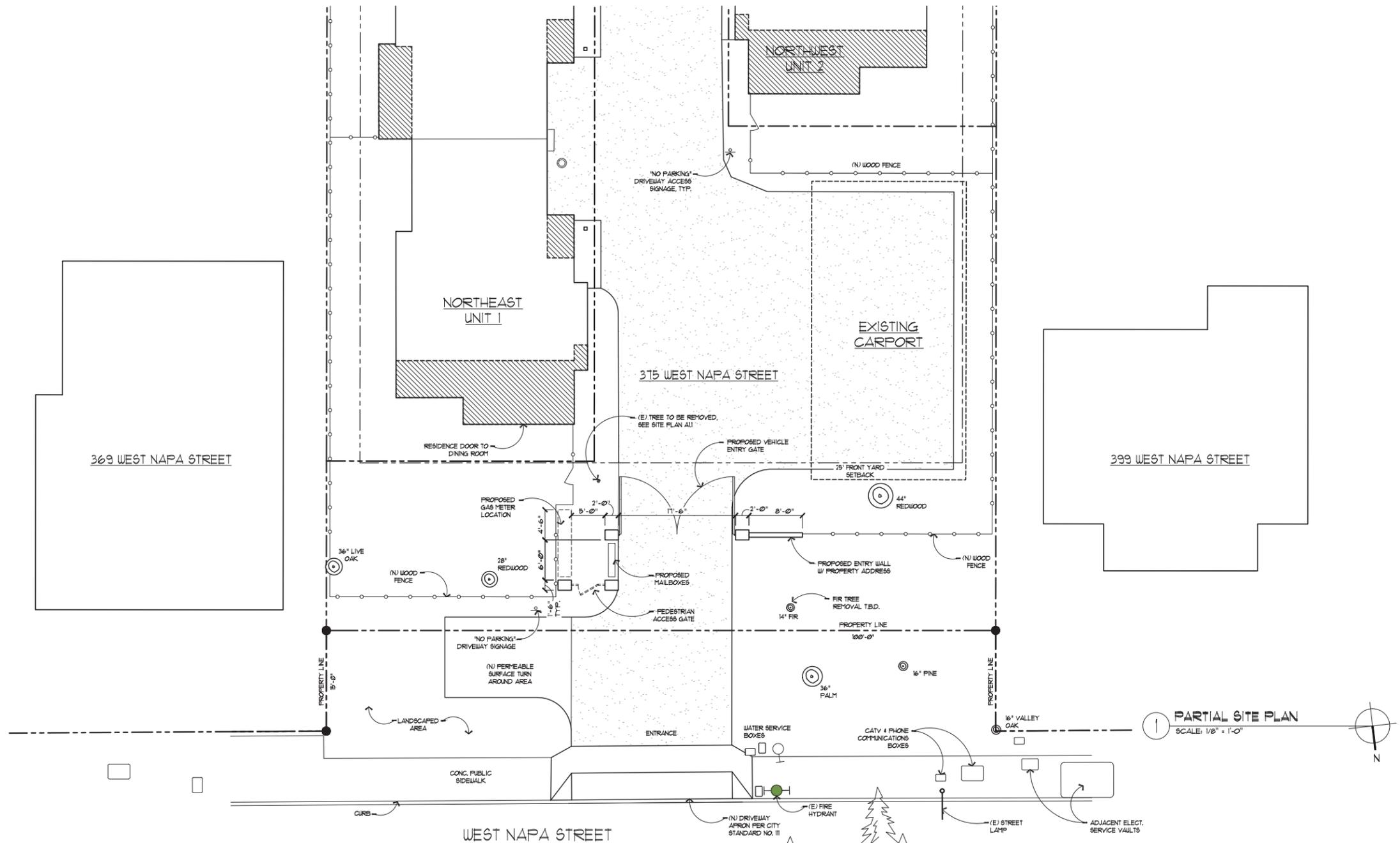
A EAST ELEVATION - SIDE
SCALE: 1/8" = 1'-0"



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ROBERT BAUMANN

WEST NAPA CONDOS
 375 WEST NAPA STREET SONOMA, CA 95476
 (APNs: 018-640-001 THRU 008)



ISSUE DATE: 10/14/16

REVISIONS	
10/14/16	PLANNING APP.
11/03/16	PLANNING APP.

PROPOSED DESIGN
 DESIGN DEVELOPMENT
 SITE ELEVATIONS

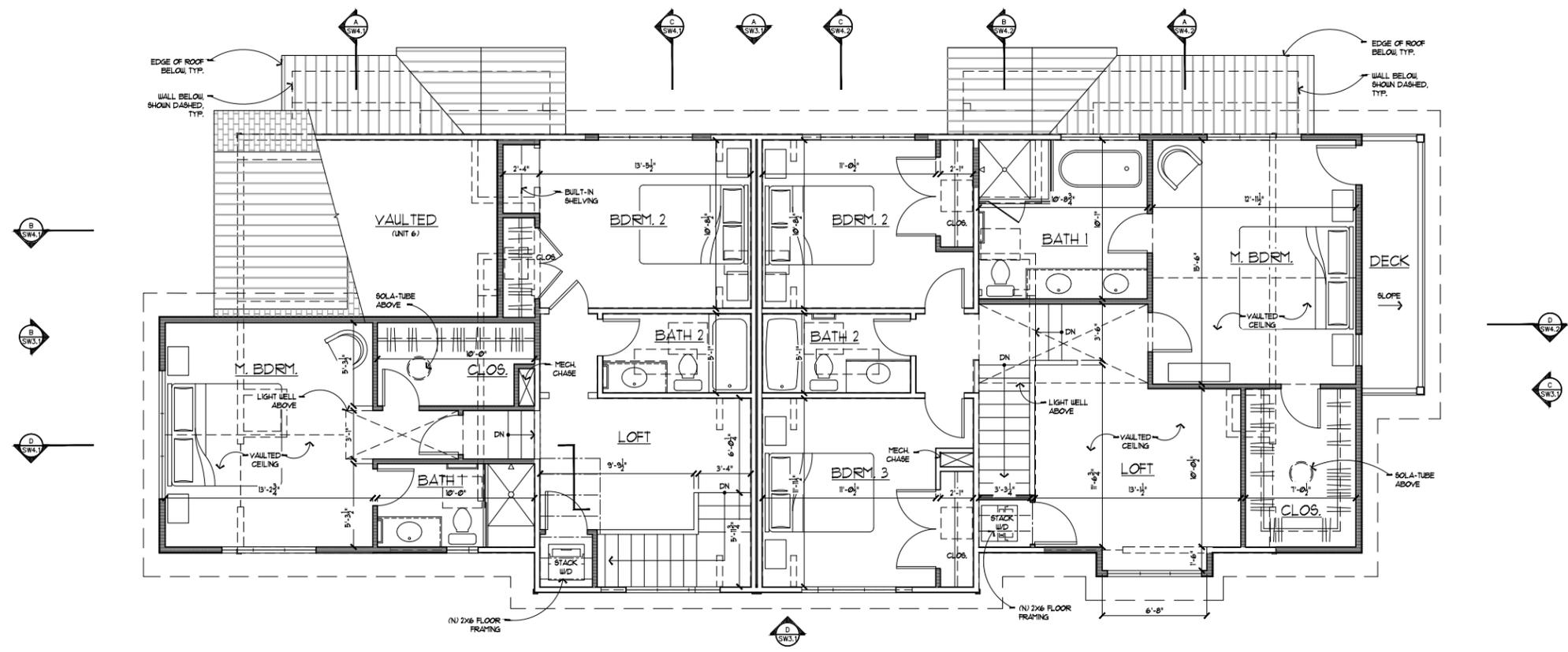


WEST NAPA CONDOS
 375 WEST NAPA STREET SONOMA, CA 95416
 (APN'S: 018-640-001 THRU 008)

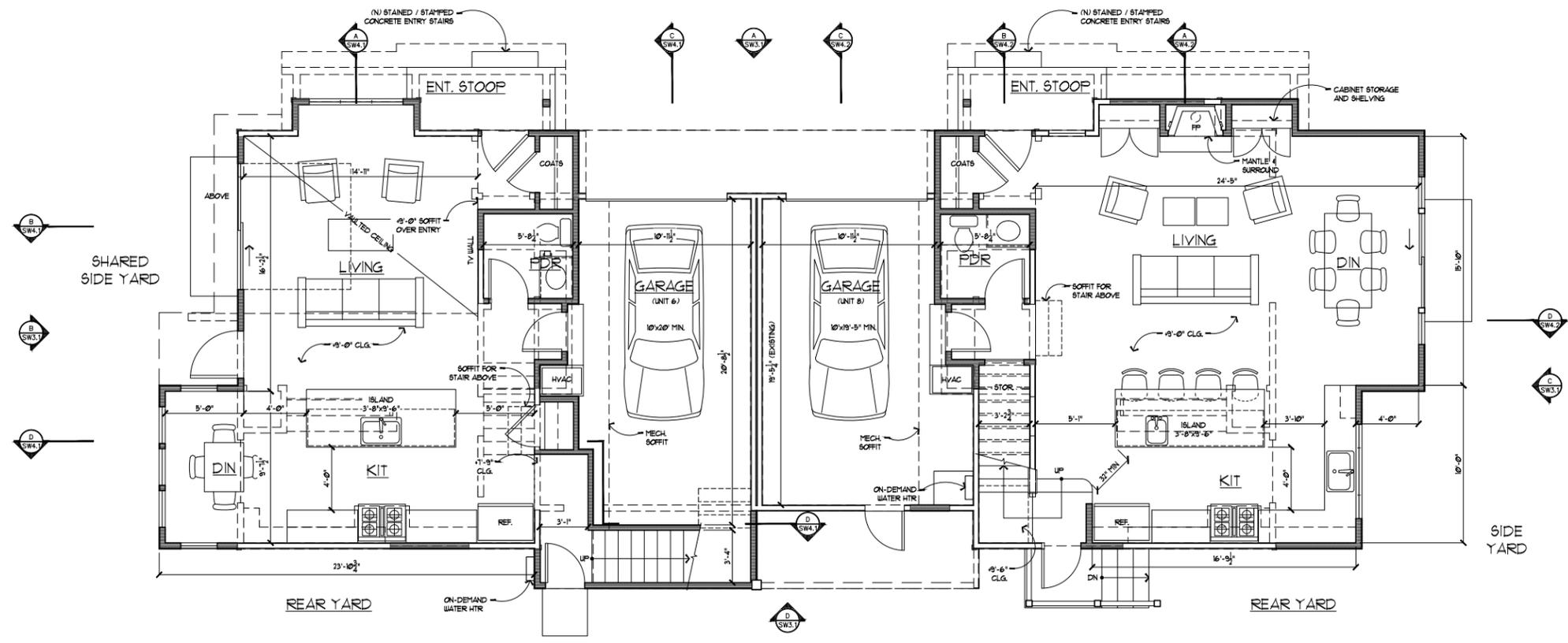
ISSUE DATE: 10/25/16
 REVISIONS
 10/25/16 PLANNING APP.

PROPOSED DESIGN
 DESIGN DEVELOPMENT
 FLOOR PLANS

SW2.0



2 UPPER LEVEL - UNITS 6 & 8
 SCALE: 1/4" = 1'-0"



1 MAIN LEVEL - UNITS 6 & 8
 SCALE: 1/4" = 1'-0"

PLAN LEGEND	
	EXISTING WALL TO REMAIN
	NEW WALL
	EXISTING WALL TO BE REMOVED
(E) OR (N)	EXISTING OR NEW CONSTRUCTION
	BUILDING ELEVATION LETTER SHEET NUMBER
	BUILDING SECTION LETTER SHEET NUMBER
	WALL SECTION LETTER SHEET NUMBER
	GREAT ROOM ROOM NAME

FLOOR AREA SUMMARY	
UNIT 8	780 (MAIN) + 1061 (UPPER) = 1841 (SQ. FT.) TOTAL (EXCL. GARAGE)
UNIT 6	688 (MAIN) + 733 (UPPER) = 1421 (SQ. FT.) TOTAL (EXCL. GARAGE)
*AREA COUNT INCLUDES STAIR AREA ONCE ONLY.	

Agenda Item Title: Application for a Use Permit to establish a restaurant use in conjunction with a wine retail establishment.

Applicant/Owner: Sonoma Wine Shop/Redbird Investment Group

Site Address/Location: 412 First Street East

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 10/05/16

PROJECT SUMMARY

Description: Application of Sonoma Wine Shop for a Use Permit to establish a restaurant use at 412 First Street East in conjunction with a wine retail establishment.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic/Plaza Retail

Site Characteristics: The subject property is part of the El Paseo de Sonoma complex. The tenant space has an area of approximately 848 square feet and is located in a building that was constructed in 1890 fronting on First Street East.

Surrounding Land Use/Zoning: **North:** La Bodega Deli/Commercial
South: Sweet Scoops/Commercial
East: Himalayan Bazar/Commercial
West: Plaza Park/Park

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve subject to conditions.

PROJECT ANALYSIS

BACKGROUND

In 2010 a Type 41 ABC license (On-Sale Beer and Wine for Bona Fide Public Eating Place) was administratively approved for the Sonoma Wine Shop. As approved, food items are prepared at 414 First Street East (located across the El Paseo Patio) and served to customers at the Sonoma Wine Shop (412 First Street East). This approval was granted because the tenant space at 414 First Street East previously operated as a deli. Prior to 2010 an ABC Type 42 license (On-Sale Beer and Wine for Public Premises) was in operation at the Sonoma Wine Shop but the applicant wanted to offer a more family-friendly environment and serve food; therefore, the ABC license was changed to a Type 41.

DETAILED PROJECT DESCRIPTION

The applicant is proposing to prepare food items in the same tenant space where the food is served (412 First Street East). Therefore, the applicant is requesting approval of a Use Permit to allow for on-site food preparation and service (i.e., a restaurant use) as part of a wine retail establishment (Sonoma Wine Shop). Specifically, the applicant is proposing to prepare food items in the same tenant space as the Sonoma Wine Shop and reduce the number of indoor and outdoor seats. The business occupies a tenant space of approximately 846 square feet and employs three full-time employees. Proposed seating would consist of fourteen inside seats and six outside seats. Hours of operation for the business are 11 a.m. to 6 p.m. Thursday through Monday. The business would offer wine tasting in conjunction with a limited menu. Menu examples include salads, soups, pastas, desserts, and cheese trays. It is staff's understanding that many of the menu items require some level of preparation/heating in the limited kitchen facilities on-site (these facilities include a three compartment sink, dishwasher, grease trap, work surfaces, small panini machine, and a flash oven). Cooking with an open flame is not proposed. Further details can be found in the attached project narrative.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Commercial by the General Plan. The Commercial land use designation is intended to provide areas for retail, hotel, service, medical, and office development, in association with apartments and mixed-use developments and necessary public improvements. Restaurants are allowed in the corresponding Commercial zone with a Use Permit. The project does not raise any significant issues in terms of consistency with the General Plan.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Commercial (C). Restaurants are allowed in the Commercial zone subject to approval of a Use Permit by the Planning Commission.

Development Standards: Because the business would occupy part of an existing commercial building, the proposal does not raise any issues in terms of compliance with building setback, FAR, lot coverage, and building height standards.

Parking: For restaurants, the Development Code requires one parking space for every four indoor seats. Based on the number of inside seats proposed (fourteen), four on-site parking spaces are required for the use. While a parking lot is located on the east portion of the El Paseo de Sonoma property, only one on-site parking space is allocated for Sonoma Wine Shop, which is intended for loading and unloading of wine. Because the tenant space is located within a historic building, it is grandfathered in with respect to parking at the retail ratio (one space for each 300 square feet of building area), resulting in a parking credit of three spaces. However, applying the restaurant parking ratio to the fourteen proposed seats results in a shortfall of one parking space. For outdoor seating, the Development Code requires no off-street parking provided the outdoor seats not exceed 25% of the approved number of indoor seats. In

conjunction with the Use Permit application, the applicant is proposing to reduce the amount of outdoor seats from ten to six. While the Development Code would allow four outdoor seats with no additional parking required, the proposal for six seats triggers a requirement for an additional parking space. As a result, an Exception from the parking standards is required in the amount of two spaces (one for the restaurant use and one for the outdoor seating). Alternatively, the Planning Commission could limit the outdoor seating to four spaces, which would limit the Exception to one space.

Parking Exception Approval: Pursuant to Development Code Section 19.48.050.A.1, the Planning Commission may grant exceptions from parking standards, provided that the following findings can be made:

1. *The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;*

The restaurant use associated with the parking exception request is consistent with the property's Commercial land use designation and zoning.

2. *An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;*

The Exception request relates to site conditions and the historic development pattern of the property and neighborhood. Similar to many properties on First Street East and in the Plaza area, the business is located within an historic building that was constructed prior to the advent of the automobile. As a result, the building is not provided with on-site vehicle parking. These conditions provide a basis for allowing an Exception from the parking requirements.

3. *Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.*

Considering the small size of the tenant space, limited amount of seating and employee levels, it seems unlikely that the Exception would create significant parking impacts. In addition, the property is located close to the Plaza where there is a substantial amount of public parking. Staff would also note that the applicant is proposing a reduction of inside seating in the amount of nine spaces and outdoor spaces in the amount of four spaces.

In summary, it appears to staff that all of the findings can be made to approve the Parking Exception; however, staff recommends that the number of outdoor seats be limited to four in order to limit the Exception to one parking space.

Design Review: As normally required, any signage or exterior building alterations proposed for the business would be subject to review and approval by Planning Department Staff or the Design Review Commission.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing or minor alteration of existing private structures and facilities is Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

In staff's view, the proposed use would not raise any significant compatibility issues and the parking Exception can be supported. The primary issue identified by staff relates to obtaining the appropriate clearances from County agencies that also have authority over this type of use (see below).

County Requirements: If a Use Permit is approved by the Planning Commission, the applicant will need to finalize the upgrade of The Sonoma Wine Shop permit with the County Environmental Health Division to allow for food preparation and service. In addition, the applicant would be subject to any applicable requirements of the County Sanitation Division with respect to wastewater discharge and grease interceptors. These requirements have been included in the draft conditions of approval.

RECOMMENDATION

Staff recommends approval of the Use Permit and parking Exception, subject to the attached conditions.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location Map*
4. *Correspondence*
5. *Project Narrative*
6. *California Department of Alcoholic Beverage Control License Query System Summaries*
7. *Phot of Building*
8. *Menu*
9. *Proposed Site Plan*
10. *Existing Site Plan*
11. *Prior Site Plan*
12. *Vicinity Map*

cc: Sonoma Wine Shop
Attn: Brian Cooper
412 First Street East
Sonoma, CA 95476

Redbird Investment Group LLC
Attn: Bruce Cardinal
1 Gate 5 Road #C
Sausalito, CA 94965-1578

Sonoma County Environmental Health Division
Attn: Peggy Carr
475 Aviation Blvd., Ste. 220
Santa Rosa, CA 95403

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Sonoma Wine Shop Restaurant – 412 First Street East

October 13, 2016

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Use Permit Approval

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions).
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

Parking Exception Approval

1. That the adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan and the overall objectives of this Development Code.
2. That the Exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development.
3. That the granting of the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Sonoma Wine Shop Restaurant – 412 First Street East

October 13, 2016

1. The restaurant use shall operate in conformance with the project narrative, except as modified by these conditions and the following:
 - a. A maximum of fourteen (14) seats inside and four (4) seats outside shall be permitted for the restaurant.
 - b. The business shall close no later than 6 p.m. Thursday through Sunday.
 - c. The sale and serving of alcohol shall be limited to wine only.

Enforcement Responsibility: Planning Division
Timing: Ongoing

2. The applicant shall obtain the necessary permit upgrade and clearances from the Sonoma County Health Department for the restaurant use. Food preparation and service shall conform to the limitations of the permit.

Enforcement Responsibility: Planning Division; Sonoma County Health Dept.
Timing: Prior to food preparation and service; Ongoing

3. The applicant shall comply with the requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA). The applicant shall submit a Wastewater Discharge Survey to PRMD.

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency
Timing: Prior to food preparation and service

4. All Fire Department and applicable Building Code requirements shall be met. A building permit may be required for any necessary tenant improvements and/or installation of fixtures and appliances associated with the restaurant use. The applicant shall contact the Building Department regarding permit requirements.

Enforcement Responsibility: Fire Department; Building Division
Timing: Prior to food preparation and service

5. As normally required, any signage or exterior building alterations proposed for the business shall be subject to review and approval by City Staff or the Design Review and Historic Preservation Commission (DRHPC) as appropriate.

Enforcement Responsibility: Planning Division; DRC
Timing: Prior to installation of signage or exterior alterations to the building

6. The applicant shall comply with the following requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA):

- a. Applicant shall obtain a Sonoma County Water Agency **Survey for Commercial/Industrial Wastewater Discharge Requirements (WWDS)** from the Sonoma county Permit and Resource Management Department (PRMD), and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Engineering Division of PRMD.

If additional sewer pre-treatment, separate process and domestic wastewater lines, and/or monitoring facilities are required by the Sonoma County Water Agency per this Survey, the Applicant shall comply with the requirements of the Survey prior to building permit issuance for tenant improvements of the wine shop and restaurant. The issuance of building permits is contingent upon completion of the Survey.

- b. If exterior sewer construction or changes to the existing sewer system, the Applicant shall obtain a permit to

construct sanitary sewer facilities prior to occupancy of the proposed wine shop and restaurant. The sewer design, and construction, shall comply with the Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities and Sonoma Valley County Sanitation District Sanitations Code Ordinance. All sewer work shall be inspected and accepted by the Engineering Division of PRMD, and a Sewer Completion Notice shall be issued by the Inspector before occupancy or temporary occupancy is approved for this project.

- c. At the time of sewer permit issuance, the Applicant shall provide the sanitation Section of the Permit and Resource Management Department (PRMD) with data related to the floor area of the building, differentiating wine tasting space, restaurant seating, retail space, etc. for the purpose of correctly calculating sewer use fees, as defined by Sonoma County Water Agency Sanitation codes. Sewer use fees (including Connection and Annual Service fees) shall be paid upon completion of the construction of the building foundation. No connection to sewer or occupancy shall be allowed until the sewer use fees are paid.
- d. Sewer Use Fees for sewer service shall be calculated at the prevailing Sewer Connection and Annual Sewer Service Charge rates in effect at the time of sewer permit issuance.
- e. All Sewer Fees per Sonoma Valley County Sanitation District Ordinance (latest version) shall be paid to the Sanitation Section of the Sonoma County Permit and Resource Management Department (PRMD) prior to occupancy of the proposed wine shop and restaurant.
- f. The Applicant shall pay to the Sonoma County Permit and Resource Management Department (PRMD) for *Planning Referral to Sanitation Section* at the current rates in effect at the time of sewer permit application, review of WWDS, or evaluation of sewer service fees.

Enforcement Responsibility: *Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency: City of Sonoma Building Department*

Timing: *Prior to issuance of a building permit*

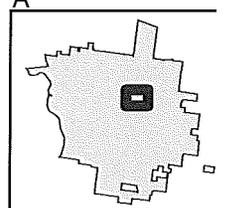
Vicinity Map



Zoning Designations

Project Name:	Project # 2015-00001 Sonoma Wine Shop Restaurant
Property Addresses:	412 First Street East
Applicant:	Sonoma Wine Shop
Property Owner:	Redbird Investment Group
General Plan Land Use:	Commercial
Zoning;- Base:	Commercial
Zoning;- Overlay:	Historic
Summary:	Application for a Use Pennit to establish a restaurant use in conjunction with a wine retail establishment.

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre) Mobile
- R-P Home Park (7 D.U./acre, maximum) Mixed Use
- MX (12 D.U./acre, maximum) Commercial (15
- C D.U./acre, maximum) Commercial-Gateway (15
- C-G D.U./acre, maximum) Wine Production
- W Public Facility
- P Park
- Pk Agriculture
- A



6
N

0 95 190 380 Feet

1 inch = 200 feet

October 10, 2016

Sonoma City Hall:

As a thirteen year resident of Sonoma and twelve year employee of Sonoma Wine Shop, I want you to know that we have a large customer base here. Part of the reason for this is that we serve vegetarian fare and many cheeses along with over 100 winery choices.

If not for our food choices, we would just be another tasting room on the square. We aspire to continue to serve the local community with our unique offerings.

Thank you.

J 1/;1

Ken Malone

RECEIVED

OCT 13 2016

CITY OF SONOMA

Date: Sept 15, 2016

To: City of Sonoma Planning Commission

Subject: Reduced footprint for 41 license at Sonoma Wine Shop & La Bodega

Address: 412 First Street East, Sonoma, CA 95476

414B First Street East, Sonoma, CA 95476

Sonoma Wine Shop has been a fixture on Sonoma Plaza for over 40 years. Onsite wine tasting (type 42) was first licensed (probably circa 1976) to Hal Coggins and Carolyn Czapski (ABC 42183684), then to Peter and Joan Robichaud May 12, 1988 (ABC 42-215910), then to me Jan 31, 2000 (ABC 42-360942). This license was converted to Eating Place Oct 2010 (type 41-360942), incorporating 414B as our licensed kitchen. This change allowed more family friendly environment, with a full menu during business hours, and better wheelchair access.

So, wine has been poured to the public under Type 41 or Type 42 license at Sonoma Wine Shop for at least 40 years. No disciplinary actions have ever been recorded at this location by the ABC. In my 17 years of ownership, we have a stellar record on Sonoma Plaza.

Due to the economic changes and legislative changes around the Plaza, we are about to lose the portion hosting our commercial kitchen at 4148 First Street East.

Given its long established history for wine tasting, we hereby request to reduce the size of our 41 license and continuation of our parking exemption. We will remodel the back portion of 412 First Street East into a small commercial kitchen. This will include 3 compartment sink, dishwasher, grease trap, work surfaces, no hood, small panini machine, flash oven. This is similar to the configuration from at least 1988 to 2010, where we had a 2 compartment sink, a commercial dishwasher, water heater in this same exact spot. The oven and panini machine are currently in use at 4148 First Street East, and will move to 412 First Street East.

This change will reduce the number of seats we currently provide and make a smaller footprint for the business. Current seating is 23 inside, 10 outside. (We are currently approved for 29 inside, but did not add all approved seats) Proposed reduced seating is 14 inside. 6 outside. As such, and with our existing use of a 41, and the pre-existing use as a 42, we believe we are maintaining the use of the facility. The changes are shown on the attached diagrams.

Thank you for your consideration.

Bryan Cooper
President, CEO
Sonoma Wine Shop, a California Corporation

exhibit A- Type 42 and Type 41 ABC licenses, undated, 1988, 2000, 2010

exhibit B - Pre 2010 remodel

exhibit C - Current Design

exhibit D - Proposed Design

exhibit E - Current menu as required by Type 41 license

exhibit F - Outside of 412 First Street East.



California Department of Alcoholic Beverage
Control
License Query System Summary
as of 9/14/2016

License Information	
License Number:	360942
Primary Owner:	SONOMA WINE SHOP
ABC Office of Application:	27 - SANTA ROSA
Business Name	
Doing Business As:	SONOMA WINE SHOP
Business Address	
Address:	412 1ST ST E Census Tract: 1502.02
City:	SONOMA County: SONOMA
State:	CA Zip Code: 95476
Licensee Information	
Licensee:	SONOMA WINE SHOP
Company Information	
Company Name:	COOPER, EDCK RYAN (PRESIDENT)
Officer:	S - F, SEC: TARY TREASURER)
Stockholder:	FREDRICK BRYAN
License	
License Status:	CANCELED
Original Issue Date:	31-JAN-2000
Expiration Date:	31-DEC-2013
Master Y	Fee Code: PO
License Type was Transferred On:	31-JAN-2000 FROM: 20-215910
License Type:	A BEER AND WINE - PUBLIC PREMISES
Status Date:	04-OCT-2010
Term:	12 Month(s)
Original Issue Date:	31-JAN-2000
Expiration Date:	31-DEC-2010
Master Y	Fee Code: PO
License Type was Transferred On:	31-JAN-2000 FROM: 42-215910
License Type:	41 - OJ±S _ E- EEJ3.. AND WINE - EATING PLACE
Status Date:	05-OCT-2010
Term:	12 Month(s)

Original Issue Date: 04-OCT-2010	Expiration Date: 30-SEP-2016
Master: Y	Duplicate: 0
Fee Code: PO	
4) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
License Type was Transferred On: 31-JAN-2000	FROM: 20-215910
License Type was Transferred On: TO: 20-530595	
5) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
License Type was Transferred On: 31-JAN-2000	FROM: 42-215910
6) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
License Type was Transferred On: 31-JAN-2000	FROM: 42-215910
7) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
License Type was Transferred On: 31-JAN-2000	FROM: 20-0910
License Type was Transferred On: TO: 20-530595	
8) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
License Type was Transferred On: 31-JAN-2000	FROM: 42-15910
9) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	

Status Date: 31-JAN-2000	Term: 4 Month(s)
Original Issue Date: 31-JAN-2000	Expiration Date: 29-MAY-2000
Master:	Duplicate:
Fee Code:	
<i>Current Disciplinary Action</i>	
... <i>No Active Disciplinary Action found</i> ...	
<i>Disciplinary History</i>	
... <i>No Disciplinary History found</i> ...	
<i>Hold Information</i>	
Hold Date: 31-JAN-2000	Type: FORM 220
<i>Escrow</i>	
... <i>No Escrow found</i> ...	

--- End of Report ---

For a definition of codes, view our glossary.



California Department of Alcoholic Beverage
Control
License Query System Summary
as of 9/14/2016

<i>License Information</i>
License Number: 215910
Primary Owner: ROBICHAUD, JOAN D
ABC Office of Application: 27 - SANTA ROSA
<i>Business Name</i>
Doing Business As: SONOMA WINE SHOP
<i>Business Address</i>
Address: 412 1ST ST E Census Tract: 1502.02
City: SONOMA County: SONOMA
State: CA Zip Code: 95476
<i>Licensee Information</i>
Licensee: ROBICHAUD, JOAN D
Licensee: ROBICHAUD, PETER V
<i>License Types</i>
!} i e11sTyfl_ =- _Q_J<£: !:-_1? BEE R AND WINE _1-.i eE_s_ _! [l tatus: CANCELED Status Date: 31-JAN-200Q ! E- : 12 Month(s): _____ Original Issue Date: 12-MAY-1988 Expiration Date: 31-OCT-2000 Master: Y p p- ca _Q Fee_Cod_e: P_0 - 2 -i ll-- Typ_j2: <:?N: A!: _BE -- WINE - PUBLIC PREMISES Lice ! _Ty_ll_ ta! =- A C -!2- Status Date: 31-JAN-200Q !! J onth(s2_ _____ Original Issue Date: 12-MAY-1988 Expiration Date: 31-OCT-2000 ----- Master: Y Duplicate: 0 Fee Code: P0
<i>Current Disciplinary Action</i>
... No Active Disciplinary Action found ...
<i>Disciplinary History</i>
... No Disciplinary History found ...
<i>Hold Information</i>
... No Active Holds found ...
<i>Escrow</i>
... No Escrow found ...



California Department of Alcoholic Beverage Control

License Query System Summary as of 9/14/2016

License Number: 183684

Primary Owner: COGGINS, HAL

ABC Office of Application: 27 - SANTA ROSA

Business Name

... No Active DBA found ...

Business Address

Address: 412 1ST ST E Census Tract: 1502.02

! :, 9NOMA Conn!: SONOMA --- ,, - - - - - State: CA __ !e de: 95476

Licensee: COGGINS, HAL

Licensee: CZAPLESKI, CAROLYN

License Types

1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES

License Type Status: WITHDRAWN

Status Date: Term: 12 Month(s)

Original Issue Date: Expiration Date:

Master: Y Duplicate: 0 Fee Code: P0

License Type was Transferred On: FROM:

2) License Type: 20 - OFF-SALE BEER AND WINE

License Type Status: WITHDRAWN

Status Date: Term: 12 Month(s)

Original Issue Date: Expiration Date:

Master: Y Duplicate: 0 Fee Code: P0

License Type was Transferred On: FROM:

Current Disciplinary Action:

... No Active Disciplinary Action found ...

Disciplinary History

... No Disciplinary History found ...

Hold Information

... No Active Holds found ...

Escrow

... No Escrow found ...

SONOMA WINE SHOP

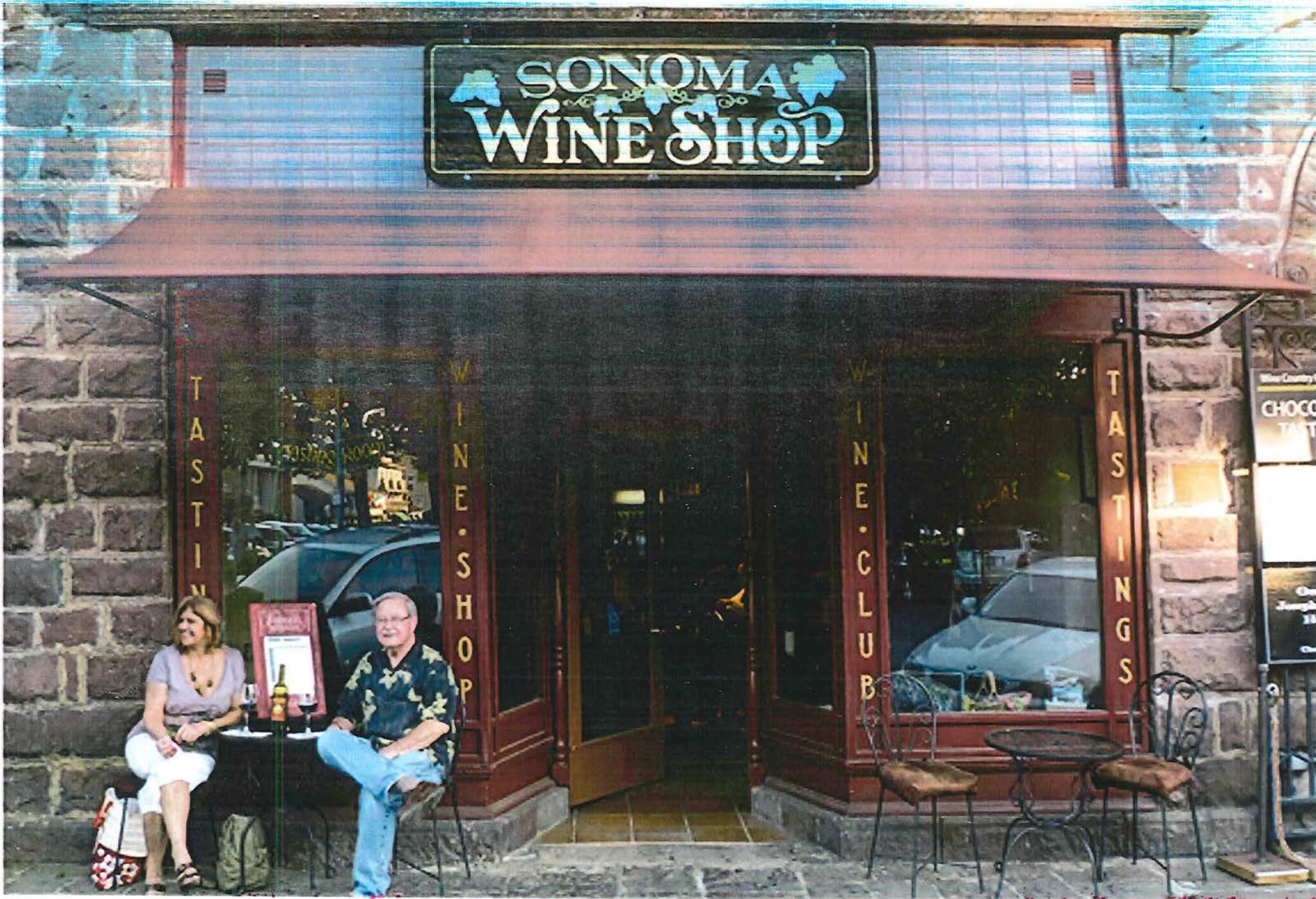
TASTINGS

WINE SHOP

WINE CLUB

TASTINGS

Wine Country
CHOC
TAST



SEP 16 2016



Septembe 2016

Cheese Plate **Plate**

AI! Local California cheeses - mostly Sonoma.	GF	V	12	21
Housemade Organic French country bread	opt		for 4	for 8

Marlly Cheeses To Go - Please Take Some Local Cheese Home!

Appetizer / Small Plate

Crispy artichoke hearts- herbed bread crumbs, Fiscalini cheddar, sundried tomato marinara, Porto bello mushroom, olive oil, basil	GF	VG*	12	
	opt	opt		
Mixed marinated Olvnes, olive oil, taiian oregano	GF*	VG	5	
Homemade 'liac n' Cheese		V	7	
Mediterranean P!ate - House made hummus, caramelized Eggplant w/ pomegranate molasses, fresh labne, stuffed boureka, Nava's matbucha (Israeli spicy salsa), olives, house made Pita bread with milk & honey	GF*	VG*	17	
	opt	opt		

Soup & Salad

Rogue River Blue Cheese B.uttermHk Salad - romaine lettuce, true Italian truffle oil, French sauterne, topped with La Bodega's aged Pt. Reyes Blue cheese	GF	V	10	
House Green Salad - i-lixed organic greens, carrots, house vinaigrette	GF	VG	7.5	
Yukon Gold potato salad -tarragon mustard & mayonnaise	GF	V	7	
Peruano Bean Soup - aji amarillo, mint, garden leeks, celery, carrots, yellow squash, tomato, onion, garlic, vegetable broth	GF	VG	8	

Homemade Pasta & S

Chantere!!e Lasagna - Eastern European chanterelles, Blue Leg Farm organic swiss chard, Organic whole egg pasta, blended Fiscalini cheddars, mushroom veloute	V	25
Harvest Lasagna - 7 vegetables, 3 cheeses, 2 mushrooms - braising greens, caramelized eggplant, organic summer squash, porcini & crimini mushrooms, melted peppers, mixed Fiscalini cheddar, Roma tomato marinara, basil	V	24
Red, White & Green Lasagna - traditional Italian blend of homegrown swiss chai-d, spinach, laye1 of California cheese bechamel, homemade Italian pea1-tomato marinara, black pepper organic egg pasta	V	19
White Cannelloni - with organic cauliflower, swiss chard, spinach, and ricotta, cheddar, San Joaquin bechamel, black pepper organic egg pasta	V	22
Artisarn cheese pc:mini - housemade organic bread, local organic green salad	V	14

Dessert

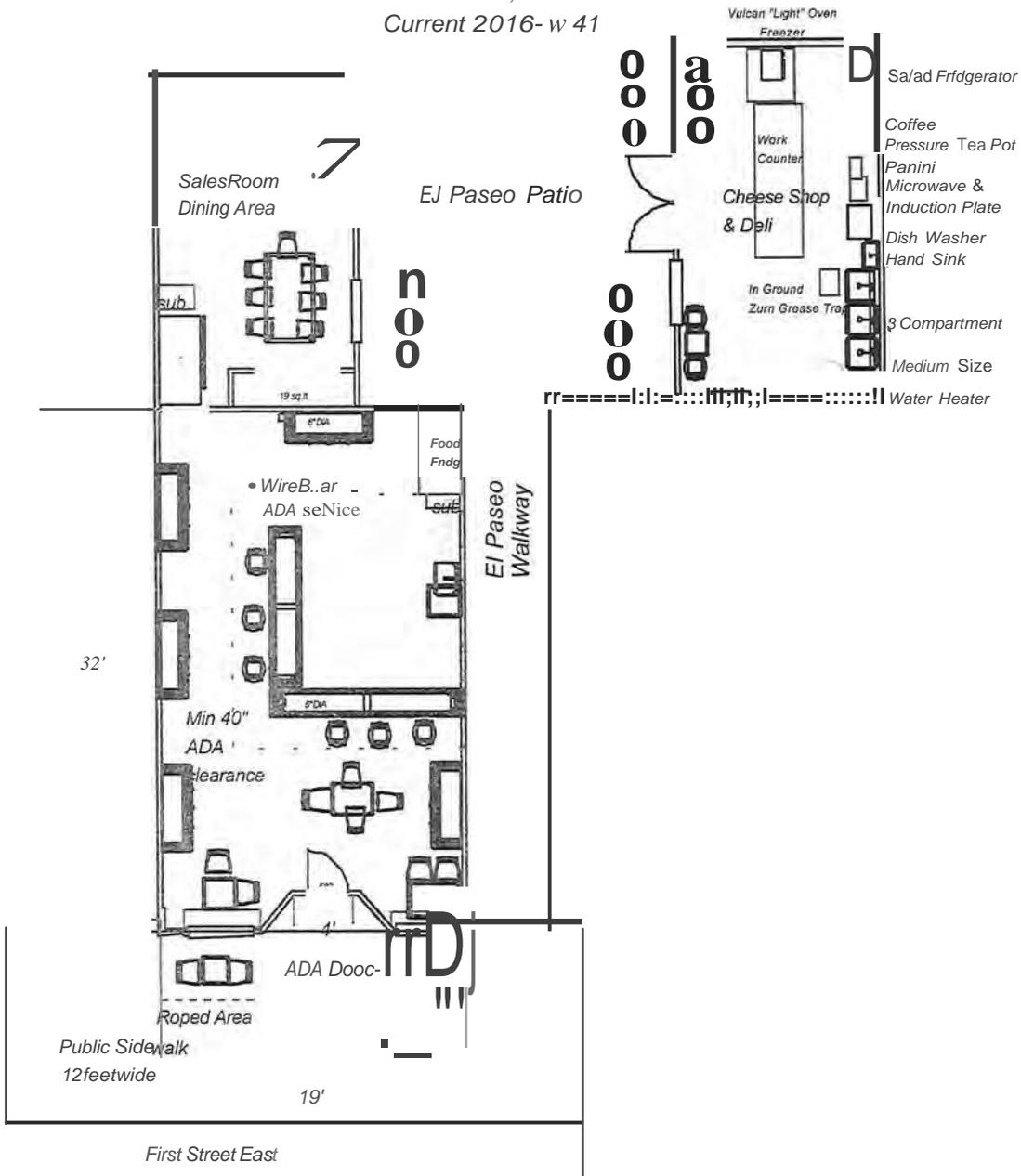
Mt Brow Port Cake	V	8	
Angelica's Carrot Cake	GF	V	8
Ganache Caramel NutTorte	GF	V	8
tern on -rartfrets	V	7	
Angelica's Cardinal Sin chocolate cake	GF	V	9

Wine (Here, Ship) **Glass** **Bottle** **Cost**

Wine Tastings - 5 tastes \$9.00

Existing Site Plan

Sonoma Wine Shop
 412 First Street East
 & 414 First Street East -Unit 8
 Sonoma, CA
 Current 2016- w 41

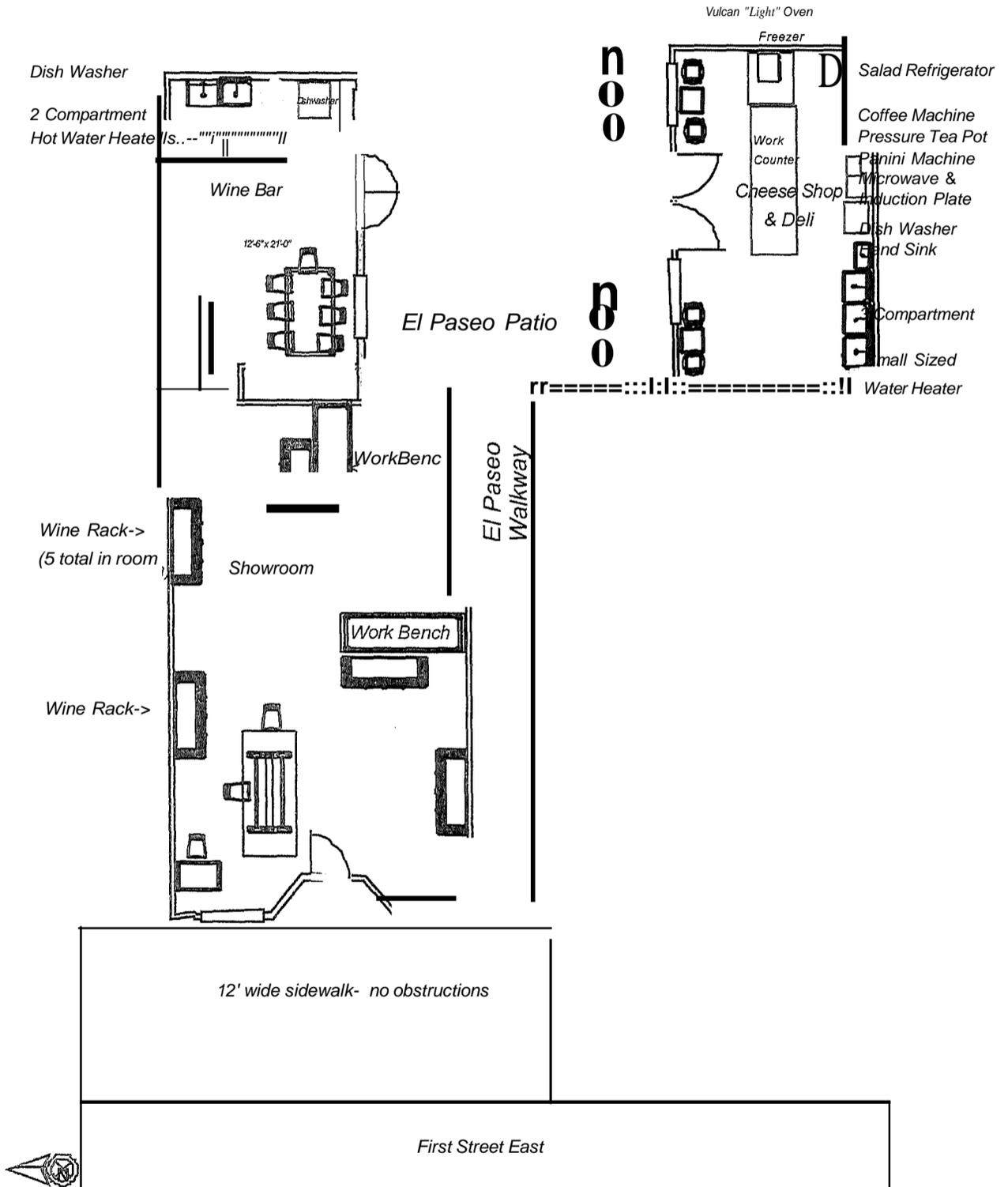


- Chairs
- Tables
- Cabinets
- Sinks
- Heaters
- Microwave

Sonoma Wine Shop
 Existing Plan as of
 2016

Building Permit
 Sonoma Wine Shop
 412 First Street East &
 414 First Street East Unit B
 Sonoma, CA

Prior to 2010 Remodel
 (from 1988-2010)



- Chairs
- Files
- Tables
- Cabinets
- Sinks
- Heaters
- Microwave

Sonoma Wine Shop
 Plan Prior to
 Remodel

La Casa

General Joseph
Hooker House

Sonoma Wine Shop / La
Bodega Cheese & Pasta

Wine Country Chocolates

Filgree

cream

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ard Wine Co