

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
December 11, 2014**

Community Meeting Room, 177 First Street West, Sonoma, CA

MINUTES

Chair Tippell called the meeting to order at 6:30 p.m.

Roll Call:

Present: Chair Tippell, Comms. Felder, Howarth, Roberson, Howarth, Cribb (Alternate)

Absent: Comm. Heneveld

Others Present: Planning Director Goodison, Senior Planner Gjestland, Associate Planner Atkins, Administrative Assistant Morris

Chair Tippell stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made by the Planning Commission can be appealed within 15 days of the decision date to the City Council. Comm. Felder led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No public comment

APPROVAL OF MINUTES: Comm. Roberson made a motion to approve the Minutes of November 13, 2014. Comm. Willers seconded. The motion unanimously carried.

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Late mail was received on Item #2.

Item #1 – Public Hearing- Consideration of an Exception to the parking standards in conjunction with a second dwelling unit at 663 Second Street East.

Applicant/Property Owner: Sidney Hoover

Associate Planner Atkins presented staff's report.

Comm. Cribb questioned the parking requirement for the vacation rental use and confirmed the site plan would not accommodate parking for a vacation rental and second unit.

Sidney Hoover, co-owner of the property, said the request is to accommodate elderly family members with no intention for a vacation rental even though it is currently a permitted use.

Chair Tippell confirmed that the applicant is open to vacating the vacation rental permit.

Planning Director Goodison said this could be incorporated into the conditions of approval if desired.

Chair Tippell opened the item to public comment.

Roger Wright, neighbor, supported vacating the vacation rental permit and appreciated the applicant agreeing to move his cars from the street to allow for more guest parking.

Chair Tippell closed the item to public comment.

Comm. Felder supported the application as long as the vacation rental is vacated, as the applicant agreed to in his presentation.

Comm. Felder made a motion to approve the Exception subject to the conditions of approval, including the condition that the previous approval for a Use Permit allowing a residence to be operated on the property as a vacation rental (approved on April 10, 2008) is no longer valid. Comm. Roberson seconded. The motion was unanimously adopted.

Item #2 – Public Hearing- Consideration of a Use Permit to remodel and convert a commercial building to allow for the production and retail sale of chocolates at 921 Broadway.

Applicant/Property Owner: Anne and Jeff McKibben/Lloyd and Nancy Griffith

Comm. Willers recused due to proximity and left the room.

Senior Planner Gjestland presented staff's report.

Comm. Felder confirmed with staff that the proposal does not trigger the requirement for a residential component.

Chair Tippell opened the item to public comment.

Anne McKibben, co-applicant, summarized the proposal, including production and packaging processes, floor plan layout, and concept for retail tasting room. She emphasized that deliveries to and from the site would be minimal with no more than 3 outbound deliveries per month.

Comm. Roberson asked how loud the production plant would be. The applicant indicated that noise from the production plant is not very loud; that ear muffs for noise protection are not necessary and that people can converse over noise from the production plant. Comm. Roberson confirmed with the applicant their intention to manufacture and flow wrap the chocolates on site but that final packaging would occur off site and that only a small storage area would be necessary.

Comm. Cribb clarified with the applicant that only low levels of heat (≤ 120 degrees Fahrenheit) are necessary for the chocolate molding process and that cooking with fire is not part of production activities. The applicant noted that the Sonoma County Health Department only requires a 3-compartment sink and dishwasher for the use.

Comm. Cribb confirmed with the applicant that toxins from the existing print facility would be remediated by the resurfacing all walls and other surfaces.

Comm. Howarth and Felder inquired about the request for special events. The applicant clarified that they have no intention of creating an event center and that the events are essentially for marketing purposes and could involve use of the outdoor garden area.

Chair Tippell inquired about the request for weekend production hours. The applicant emphasized that chocolate production would likely occur only a couple days per month and they desired this allowance so that customers could see production activities on weekends. Chair Tippell confirmed with the applicant that they would be amenable to revising the production hours to 8a.m.-5p.m. or 7a.m. - 4p.m. daily.

Comm. Roberson confirmed with the applicant that trash/recycling containers would be screened at the back of the building or site.

Tom Anderson, General Contractor, is prepared to comply with all conditions of approval and requirements of other agencies. He is satisfied that the applicant has fully researched the proposal and will meet all government agency requirements. Mr. Anderson felt the project will benefit the community.

Comm. Roberson confirmed with the General Contractor that the building would be made solar-ready to accommodate future application of photovoltaic panels.

Chair Tippell closed the item to public comment.

While the commission was comfortable with the level of use and operating characteristics presented by the applicant, concerns were expressed by Commrs. Roberson and Howarth about the potential for intensification of use in the future (possibly under different ownership) along with associated noise/delivery impacts. A discussion ensued on whether specific limitations should be placed on the number/time for deliveries or type of production activities allowed.

Planning Director Goodison emphasized that business operations would be subject to the decibel limits of the City's Noise Ordinance and would also be tied to the activities described in the project narrative.

Ultimately, the Planning Commission was satisfied with the conditions with an amendment to allow production activities from 8a.m. to 5p.m. daily, to include weekends as requested by the applicant.

Comm. Tippell expressed support for all aspects of the project.

Comm. Roberson made a motion to approve the Use Permit with an amendment to condition 1.a to allow production/manufacturing activities between the hours of 8a.m. and 5p.m. daily. Comm. Howarth seconded. The motion was unanimously approved.

Item #3 – Discussion – Summary of extension activity for an approved Planned Development Permit for a for a four-unit project at 881-887 First Street West.

Applicant/Property Owner: Clyde Ikeda

Comm. Willers recused due to proximity.

Comm. Howarth inquired about the number of tentative map applications pending because of extensions granted over the years.

Planning Director Goodison explained the legislative review/extension process.

Comm. Roberson confirmed with staff that the Planned Development Permit was given a one year extension and that further State actions extended the application until 2018.

Chair Tippell opened the item to public comment.

No public comment.

Chair Tippell closed the item to public comment.

The Planning Commission accepted the report.

Comm. Willers returned to the dais.

Item #4 – Discussion – Consideration of an ordinance prohibiting the establishment and operation of automated purchasing machines (APMs).

Planning Director Goodison presented staff's report.

Comm. Howarth requested clarification on the specific issue or concern that generated tonight's dialogue.

Planning Director Goodison stated that as a result of a concern expressed by local law enforcement, the City Council asked staff to review the issues raised by automated purchasing machines and suggest changes should be made to the Development Code.

Chair Tippell opened the item to public comment.

No public comment.

Chair Tippell closed the item to public comment.

Comm. Roberson is concerned with the approach of narrowly defining and banning a certain type of product, when it is possible that other devices of a similar nature could cause the same problems as those attributed to APMs. He is also concerned that technological advancements could provide the adequate safeguards for APMs in the future and therefore he would like to see a sunset provision

Comm. Felder also expressed support for a sunset clause.

Comm. Roberson recognized that the incentives of economic interest are not always in the public's best interest, but he also believes that through competition it is likely that adequate verification safeguards will be developed for APMs.

Comm. Tippell supported the recommendation of the Police Chief to consider prohibiting automated purchasing machines.

Comm. Cribb clarified with staff that this discussion was not a result of a specific case or problem from the use of automated purchasing machines in Sonoma.

Comm. Willers made a motion to forward a recommendation of support to the City Council that included a sunset date of five years and a recommendation to consider a broader definition of the term “automated purchasing machine.” Comm. Cribb seconded. The motion was approved on a vote of 4-1-1. Comm. Howarth opposed, Comm. Roberson abstained.

Election of Officers:

Comm. Felder nominated Comm. Willers for Chairman. Comm. Roberson seconded. The nomination was unanimously approved.

Comm. Roberson nominated Comm. Felder for Vice Chairman. The nomination was unanimously approved.

Chair Tippell enjoyed his experiences working with his fellow commissioners and staff over the years as he served on both the Planning Commission and Design Review and Historic Preservation Commission. Although he is moving out of City limits he will continue to operate his business in the City of Sonoma and continue to be an active participant in the Community.

Issues Update:

Planning Director Goodison reported the following:

The Housing Element update will be reviewed at the January 8th meeting.

Matthew Tippell was thanked for his years of service to the Planning Commission and will be missed.

Comments from the Audience: City Councilmember Gary Edwards felt fortunate to have served on the Planning Commission. He thanked outgoing Commissioner Tippell for his service.

Adjournment: The meeting adjourned at 8:20 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, January 8, 2015.

I HEREBY CERTIFY that the foregoing minutes of December 11, 2014 were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the 12th day of February, 2015.

Approved:

Cristina Morris, Administrative Assistant