

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
January 8, 2015**

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

MINUTES

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

Roll Call:

Present: Chair Willers, Comms. Felder, Howarth, Heneveld, Roberson, Comm. Cribb (Alternate)

Absent: None

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

Chair Willers 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 to the City Council. Comm. Felder led the Pledge of Allegiance.

Item #5 postponed until the February 8th meeting.

Item #6, the Housing Element, will be heard at a special Planning Commission meeting on January 22, 2015.

COMMENTS FROM THE PUBLIC: None

APPROVAL OF MINUTES: None

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: None

Item #1 – Public Hearing – Consideration of an Exception from the fence height standards to allow an over-height fence within the street-side yard setback of a residential property at 910 Arguello Court.

Applicant/Property Owner: Peter Shone/Shone Living Trust

Associate Planner Atkins presented staff's report.

Chair Willers opened the item to public comment.

Pete Shone, Sonoma Valley resident, described the fence and felt it conformed with the other fences in the neighborhood.

Tina Shone, resident/realtor, sold the home and recommended keeping the existing fence. She noted that ten neighbors signed a letter in support of the existing fence.

Tom Conlon, complainant, leases space in Sonoma, is of the opinion that there are many non-conforming fences in the immediate area within both the City and County jurisdictions. He is disappointed that the property owner/fence builder disregarded the regulations when constructing the fence.

Chair Willers closed the item to public comment.

Comms. Felder and Howarth suggested reducing the fence height to six feet.

Comm. Cribb felt strongly that the fence should be returned to the state at the time the property was annexed to the City. He stressed that all parties were aware of the rules and signed numerous disclosures with the real estate sales transaction.

Chair Willers suggested an “over the counter” fence permitting process that would help mitigate some of the issues associated with constructing fences.

Comm. Roberson made a motion to approve the Exception from the fence height standards to allow an over-height fence within the street-side yard setback with the conditions of approval including the condition to reduce the height of the fence to a maximum height of six feet of solid material. Comm. Heneveld seconded. The motion was adopted 4-2. Comms. Howarth and Felder opposed.

Item #2 – Public Hearing- Consideration of a Use Permit to convert an office into a one-bedroom vacation rental at 515 First Street West.

Applicant/Property Owner: Jeff Montague/Ingrid and George Martinez

Associate Planner Atkins presented staff’s report.

Chair Willers opened the item to public comment.

Jeff Montague, applicant/resident, stated that he was available to answer any questions.

Chair Willers closed the item to public comment.

Comm. Felder is concerned that having a vacation rental without additional designated parking spaces would be problematic.

Comms. Roberson and Howarth agreed with Comm. Felder that parking would be an issue but supported a vacation rental conversion.

Comm. Cribb stated the parking area is not ample for the existing usage of the buildings. He questioned that even if a parking space was designated for the vacation rental would it be available to the renters of the unit when needed?

Comm. Howarth stated that all vacation rentals require off street parking.

Associate Planner Atkins clarified that an off street parking space is required for this vacation rental proposal.

Chair Willers is not in full support of the proposal because a parking space would be eliminated.

Chair Willers reopened the public hearing.

Jeff Montague requested an ADA space in his request. He confirmed with Associate Planner Atkins that the Development Code requires one parking space for the vacation rental and the first designated space needs to be accessible for persons with disabilities.

Chair Willers closed the public hearing.

Comm. Howarth made a motion to approve the Use Permit subject to the conditions of approval, including the condition that two dedicated parking spaces be provided in the existing parking lot (one of which shall be accessible), and the total number of parking spaces (currently 20) shall not be reduced in providing the additional accessible parking space. Comm. Roberson seconded. The motion was adopted 5-1. Comm. Felder opposed.

Item #3 – Public Hearing – Consideration of Tentative Map to subdivide a developed 0.42-acre property into two residential lots at 500 West Spain Street.

Applicant/Property Owner: Linda Moore

Senior Planner Gjestland presented staff's report.

Comm. Howarth confirmed with staff that the only driveway recommended for removal is the south driveway on Fifth Street West and that requirement for covered parking would be triggered with any future expansion of a residential unit.

Chair Willers opened the item to public comment.

Linda Moore, the property owner, and her daughter Kimberly Matulaitis expressed concern that the cost of undergrounding the existing overhead electric lines as required under Condition 2.e would be prohibitive and make the project infeasible. They requested that this requirement be deferred.

Chair Willers asked staff if the Planning Commission had any authority to defer this requirement under the subdivision code.

Senior Planner Gjestland responded that he had specifically asked this question of the City Engineer who confirmed that undergrounding utility services is a mandatory requirement of the City's subdivision code and there does not appear to be any flexibility from this standard. Staff indicated that the commission could add some type of language to Condition 2.e giving the City Engineer discretion so the applicant can have a further conversation about this requirement with the City Engineer, but expressed doubt that deferral would ultimately be an option.

Kimberly Matulaitis requested that the Planning Commission add the language suggested by staff to Condition 2.e.

Leo Merle, realtor for the applicant, noted that underground utilities are not typical for homes in this older neighborhood and that the proposed subdivision conforms to all zoning standards and would not change current conditions. He felt there should be some flexibility from the City to allow for the existing overhead electrical service to remain. He indicated that the requirement for undergrounding utilities would be an extreme and unfair burden on the applicant and could make it infeasible for her to reside there. He hoped the Planning Commission could come up with a solution for the applicant.

Robert Berger, resident/local contractor, agreed that the requirement for undergrounding utilities would be a burden on the applicant and it does not seem typical for this type of lot split based on his experience. He felt that it would make more sense to defer such a requirement.

Chair Willers closed the item to public comment.

Comm. Howarth emphasized that the Planning Commission does not have jurisdiction over the undergrounding requirement but supported adding language to the conditions that would allow the applicant to have a further discussion with the City Engineer about this matter to see if something could be worked out. Aside from that issue, he felt the proposed subdivision was simple and appreciated its conformance with the zoning regulations..

Commrs Roberson, Cribb, and Heneveld concurred.

Comm. Howarth made a motion to approve the Tentative Map, with an amendment to the condition of approval 2.e adding the language "at the discretion of the City Engineer." Comm. Cribb seconded. The motion was unanimously adopted.

Item #4 – Consideration of Use Permit, Planned Development Permit and Tentative Map to construct a 7-unit Planned Development on a +0.50 acre site.

Applicant/Property Owner: Forrest Jinks/Altus Equity Group, LP

Senior Planner Gjestland presented staff's report.

Chair Willers opened the item to public comment.

Randy Figueiredo, project architect, summarized the changes that were made based on Commissioner comments from the previous review: the east unit has been reduced to a one-bedroom, single-story unit with only 850 square feet of floor area. Its entry courtyard now engages Fifth Street West. Rear/internal patios are now provided for the Type B units, exterior materials have been changed to board and batten siding, the west gable has been rotated 90 degrees, second floors have been staggered for variety, and home sizes have been reduced by 200 square feet on average. He clarified that the development would include an HOA.

Comm. Howarth asked the architect to identify what project features address the requirement for a higher level of quality, design and/or site amenities necessary for approval of a Planned Development Permit. The project architect pointed out the rear-loaded garages, which would not be visible from the street, the community garden, that the form and mass of the building has been broken up to form front and rear courtyards, and that the project functions as a good transition between the adjoining shopping center and single-family homes to the north and east.

Chair Willers closed the item to public comment.

Comm. Roberson indicated that the revised proposal is a significant improvement over the previous concept but expressed reservations about the width of the units. He recognized the property is tough to develop given adjoining street traffic and the transitional location. He liked incorporation of the one-story unit at the corner and the courtyards. He felt it is a good use of the site, and while contemplating the PDP findings, could not identify many options for further improvement aside from removing a unit to create a more up-scale development. In general, he was pleased with the improvements and felt the project is a functional plan.

Comm. Felder concurred with Comm. Roberson and commended the applicant on responding to the Commissioners comments from the study session. He indicated that he still had some reservations about the number of units proposed but realized that a certain number were needed to make the project feasible. In general, he supported the project and noted that landscaping will be important to help soften views of the project at the corner.

Comm. Heneveld concurred that it is a difficult site to develop and that the project is much improved. However, he expressed concern that the west building elevation would appear massive coming down West Spain Street (eastbound). He noted the property has been in poor condition for a long time.

Comm. Felder emphasized that he would want the conditions of approval to require a HOA and prohibit use of the units as vacation rentals.

Comm. Roberson suggested that the applicant cover the outside bicycle parking area.

Comm. Cribb appreciated the significant revisions but agreed that ideally there would be one less unit with two three-unit buildings versus one large building with seven units. He expressed concern, however, that the ideal, visually appealing project would likely not be economically feasible and result in no project. He noted that the roses currently growing over the fence along the west property boundary are 12-15 feet high and should soften the west building elevation.

Comm. Howarth expressed concern about vertical townhome concept and mass of the west elevation, which he felt should be reduced to a single story like the other side of the building. He did support the proposal as presented.

Chair Willers concurred with some of the other commissioner's concerns and indicated that he cannot make the findings necessary to approve a PDP. He noted the proposed residential building is 3,000 square feet larger than the commercial building previously approved for the site and mass was a significant consideration in review of that former project. He indicated that the proposal still over utilizes the site and the housing type proposed, attached for-sale homes, is not consistent with the intent of the General Plan in terms of providing true multi-family units at the density levels allowed. He appreciated the one-story element toward Fifth Street West but felt the building is still too massive and bulky for the location. He felt the larger gables facing West Spain Street add to the mass as well as the flipped gable on west end.

Comms. Felder and Heneveld were persuaded by Chair Willer's comments that further modifications were needed, especially on the west end of the building, to gain their support.

Chair Willers reopened the public comment.

Randy Figueiredo, project architect explained the design features and discussed potential changes to the west end.

Gina Clyde, realtor working with the applicant, expressed frustration that several proposals have been put forward but nothing seems to get past this point. Meanwhile, the property remains in poor condition.

Chair Willers closed the public comment.

A discussion ensued on how to proceed, whether to continue or deny the project, given the concerns expressed by commissioners. There was consensus that the project did not meet the PDP findings and that, at minimum, further modifications were necessary to reduce massing on the west end and the higher gables.

Chair Willers asked the applicant if he would prefer that the commission take action to deny the project or continue review of the item. The applicant, Forrest Jinks, indicated that he would prefer a continuance to see if they could address some of the concerns.

Comm. Roberson made a motion to continue the item. Comm. Heneveld seconded. The motion was unanimously adopted.

Item # 5 – Consideration to revise the conditions of approval for a four-lot subdivision to allow for the removal of 9 additional trees on the property at 1028 Fifth Street West.

Item # 5 was withdrawn and removed from the agenda at applicant's request.

Item #6 – Public Hearing – Consideration of the draft 2015-2023 Housing Element of the General Plan, including review of draft Initial Study.

Comm. Roberson made a motion to continue Item #6 to a Special Meeting on January 22, 2015. Comm. Howarth seconded. The motion was unanimously adopted.

Issues Update: None

Commissioner comments: Comm. Howarth is concerned with Planning Commission approvals that are changed as a result of remodels and demolitions that go beyond the scope of the project approvals. Staff noted that the Building Department manages this issue but staff will report back on the Commission's concerns.

Chair Willers recommended a "trigger" at the early stages of a proposal so that staff can assure that the fencing regulations are followed.

Comments from the Audience: None

Adjournment: Comm. Heneveld made a motion to adjourn the meeting at 9 p.m. to the next special meeting scheduled for 6:30 p.m. on Thursday, January 22, 2015. Comm. Felder seconded. The motion was unanimously adopted.

I HEREBY CERTIFY that the foregoing minutes of January 8, 2015 were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the the 12th day of February, 2015.

Approved:

Cristina Morris, Administrative Assistant