



City of Sonoma Planning Commission **AGENDA**

Special Meeting of July 18, 2013 -- 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, Chip Roberson

Commissioners: Gary Edwards
Robert Felder
Mark Heneveld
Matt Howarth
Mathew Tippell
Bill Willers (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:

Consideration and possible certification of the Revised Final Environmental Impact Report (RFEIR) for the Mission Square project; Consideration and possible action on planning approvals for the Mission Square project, including a Use Permit, an Exception to the parking standards, and Site Design and Architectural Review.

Applicant/Property Owner:

Marcus & Willers Architects/Marcus and David Detert

Staff: David Goodison, Planning Director and Rob Gjestland, Senior Planner

Project Location:

165 East Spain Street

Project Summary:

Application to develop a mixed-use project (Mission Square) consisting of 3,514 sq. ft. of office space, 16 apartment units, and associated parking and improvements.

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Downtown District

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

1) Adopt Resolution certifying the Final Environmental Impact Report for the Mission Square project as an adequate document, prepared in accordance with the provisions of the California Environmental Quality Act, and making findings relating to significant impacts, and adopt a Mitigation Monitoring and Reporting Program.

2) Adopt Resolution approving a Use Permit, Parking Exception, and Site Design & Architectural Review for the project, based on specified findings and subject to conditions of approval, including implementation of the Mitigation Monitoring and Reporting Program.

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 July 12, 2013.

JUDY MORGAN, 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: Review, consideration and possible action on the Mission Square project, a mixed-use development proposed at 165 East Spain Street. Items to be addressed include: 1) Review and certification of the Revised Final Environmental Impact Report (EIR); and 2) Consideration of application for Planning approvals, including a Use Permit, Site Design and Architectural Review, and Parking Exception.

Applicant/Owner: Marcus & Willers Architects/David and Marcus Detert

Site Address/Location: 165 East Spain Street (APN 018-221-005)

Staff Contact: David Goodison, Planning Director and Rob Gjestland, Senior Planner
Staff Report Prepared: 7/12/13

PROJECT SUMMARY

Description: Application to develop a mixed-use project (Mission Square) consisting of 3,514 sq. ft. of office space, 16 apartment units, and associated parking and improvements.

General Plan Designation: Mixed Use (MU) **Planning Area:** Downtown District

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

Site

Characteristics: The subject property is a ±1.13-acre parcel located on the south side of East Spain Street a half-block east of the Plaza. It is currently developed with a bungalow built in 1922 that is identified as a contributing structure to the Sonoma Plaza Historic District. A covered well is also located onsite. The remainder of the property is vacant and vegetated with a few trees and annual grassland. A one-way driveway that connects to East Spain Street runs along the west side of the site for about two-thirds of its length, serving as an exit route from adjoining commercial uses and parking lots.

Surrounding

Land Use/Zoning: **North:** Horse pasture (across East Spain Street)/Medium Density Residential
South: Parking lots and private rear yard /Commercial, Mixed Use and Low Density Residential
East: Single-family homes/Mixed Use and Low Density Residential
West: Commercial uses, parking lots, and Blue Wing Inn/Commercial

Environmental Review:

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

Staff

Recommendation: Certify EIR and approve project with conditions.

PROJECT ANALYSIS

BACKGROUND

Initial Review and Application Submittal: The Mission Square project was first considered by the Planning Commission as a study session item in May 2005. A Use Permit application was subsequently filed for the project, which consisted of 23 apartment units and 5,700 square feet of commercial floor area. On February 9, 2006 the Planning Commission held a hearing to scope the environmental review for the project and ordered preparation of an Environmental Impact Report (EIR) to address a wide range of issues. With this direction, city staff administered a consultant selection process that ultimately led to the hiring of Design, Community and Environment (DC&E) as the lead consultant for preparation of the EIR (DC&E had also prepared an EIR for the Artesian Lodge project that was previously proposed for the site and ultimately withdrawn.)

Draft EIR: In conformance with the California Environmental Quality Act (CEQA), a Draft EIR was prepared to evaluate the Mission Square project in terms of its environmental impacts. Upon completion, the Draft EIR was released for public comment and circulated to affected agencies on December 19, 2006. The CEQA-mandated 45-day public comment period ended on February 1, 2007. During this comment period, the Planning Commission held a public hearing to consider the Draft EIR on January 25, 2007. At the conclusion of the public hearing and following comments on the Draft EIR by individuals and commissioners, the Planning Commission directed that the Final EIR be prepared, responding to all oral and written comments on the draft document received in the course of the public comment period. Comments focused primarily on the project's potential effect on historic and cultural resources, parking and traffic, and the visual setting. Sewer capacity was also raised as an issue.

Final EIR: As directed, a Final EIR was prepared and made available to the public, commenting agencies and individuals on July 6, 2007. The Planning Commission then held a public hearing on August 23, 2007 to consider the adequacy of the Final EIR and determine whether to certify the EIR. Over the course of the public hearing, the Planning Commission agreed that, as documented in the EIR, the project had the potential to result in significant impacts in several areas and that the project would need to be redesigned in order to reduce its impacts to a less-than-significant level. In particular, the mitigation measures identified in the EIR called for substantial changes in the site plan and the location and massing of structures to address impacts in the area of cultural resources. However, the Planning Commission was concerned that the EIR did not sufficiently describe what a redesigned project would be like in terms of its site plan, building massing, density and other characteristics. Therefore, the Planning Commission directed that the EIR be revised by providing a detailed description and evaluation of the mitigated project alternative, which incorporated the mitigation measures recommended EIR.

EIR Addendum: In order to accomplish the Planning Commission's direction, the applicant developed a revised project proposal that incorporated the mitigation measures set forth in the EIR. This mitigated project alternative was analyzed and compared to the original project proposal in an EIR Addendum that was released at the beginning of April 2010. The mitigated project alternative reflects a significant reduction in the intensity and scale of the project including the following notable modifications:

- The number of residential units was reduced from 23 to 16 units.
- The commercial floor area was reduced from 5,715 to 3,514 square feet and the total floor area of the project was reduced from 20,905 to 12,579 square feet.

- The pecan tree toward the center of the property was preserved as part of an interior courtyard/common open space area.
- The height and massing of the buildings within the project were reduced and broken up, including elimination of the third floor element.
- The parking plan was modified to better conform to the City's parking standards.
- One-story buildings were positioned on the east side of the property, where the project site abuts residential properties within a Low Density Residential (R-L) zoning district.

Despite these changes and the additional analysis provided in the EIR Addendum, a number of concerns were raised by the public, other agencies, the Sonoma League for Historic Preservation (SLHP), and some Planning Commissioners at two public hearings conducted on May 13th and July 6th 2010. Concerns focused primarily on potential impacts on visual setting, historic and cultural resources (including vibration impacts on the Blue Wing Inn and a suggested cultural landscape study), drainage, water supply, and parking. Ultimately, a motion to certify the EIR failed on a vote of 4-3 (Commissioners Edwards, Felder, George, and Heneveld dissenting). The applicants subsequently filed an appeal of the Planning Commission's decision but later withdrew the appeal and agreed to further analysis of specific environmental issues that had been raised. The Revised Final EIR dated May 2013 is the product of this additional environmental review.

DETAILED PROJECT DESCRIPTION

The revised project (aka the mitigated project alternative) has not changed since the previous review and consists of 16 apartment units and 3,514 square feet of office space. The existing Pinelli bungalow would be rehabilitated and used for office purposes and a new two-story, 2,434 square foot office building (Building 1) would be constructed west of the bungalow, with a similar 20-foot setback from East Spain Street. The apartments would be accommodated in five new buildings in the interior of the site. Three two-story apartment buildings (Buildings 2, 3, and 4), each containing four units, would be arranged along the access driveway located on the west side of the property (the driveway would be widened to accommodate two-way travel and emergency access). Two one-story apartment buildings (Buildings 5 and 6), each containing two units, would be located on the east side of the site, their covered patios setback 13.5 to 15.5 feet from the east property line and their east building walls setback 19.5 to 21.5 feet. The new two-story office building would have a maximum height of 26 feet, the two-story apartment building would have a maximum height of 24 feet and the one-story apartment buildings would have a maximum height of 13.5 feet. The arrangement of the buildings creates an interior courtyard with pedestrian links focusing on a common outdoor space where an existing pecan tree is located. A parking lot with 36 spaces (including 19 covered spaces under two carports) would occupy the southern portion of the site and four parallel spaces would be provided along the access drive. Further details on the project are provided in the attached project narrative, site plan, and building elevations, in addition to the Revised Final EIR document (previously distributed to the Planning Commission).

It is important to note that in contrast to previous reviews, the Planning Commission is considering both Certification of the EIR and approval of planning entitlements for the project. In this regard, staff would note that some minor revisions to the site plan (Sheet SP1 Revised 10-28-10) have been made, primarily to demonstrate compliance with Fire Department requirements and provide more open space in front of some apartment buildings, as follows:

- Fire truck access requirements (turning radius and turnaround) are illustrated on the plan along with the location of red-curbings where parking would be prohibited for the internal fire lane.

- The location of the required on-site fire hydrant with bollard is identified on a parking lot island near the trash enclosure, which has also been shortened for emergency access.
- Buildings 2 and 3 are no longer oriented parallel to the driveway but are now square on the site as are the other buildings.
- Building 4 has been shifted nine inches to the east and Building 6 has been shifted 1.5 feet to the west.

The site plan included in the Revised FEIR (Figure 1-2) does not reflect these miscellaneous revisions. However, these adjustments are minor and do not affect the EIR analysis.

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

Consistency with the General Plan was evaluated within Chapter 4.11 Public Policy in the Draft EIR. The original project was found to be consistent with the General Plan with implementation of mitigation measures related to traffic and noise. The mitigated project alternative, which represents a significantly scaled-back development proposal, does not raise any new issues or inconsistencies with applicable General Plan policies and relevant mitigation measures related to traffic and noise remain.

General Plan goals and policies that apply to the project are evaluated in the table below.

Review of General Plan Consistency	
General Plan Policy	Project Response
Community Development Element	
<i>Goal CD-4: Encourage quality, variety, and innovation in new development.</i>	
Require pedestrian and bicycle access and amenities in all development (CDE-4.4).	Two bicycle parking areas are shown on the site plan, one between the commercial buildings and a second to the south of Building 4. (The details of the bicycle parking will be subject to the review and approval of the Design Review Commission.)
<i>Goal CDE-5: Reinforce the historic, small-town characteristics that give Sonoma its unique sense of place.</i>	
Preserve and enhance the scale and heritage of the community without imposing rigid stylistic restrictions (CD-5.1).	The site plan, the massing and scale of the proposed buildings and the overall architectural character of the new structures have been designed to fit within the environs of the site, including nearby historic resources. For example, the proposed commercial building is set back from East Spain Street in alignment with the Pinelli bungalow and its height of 26 feet is comparable to that of the Blue Wing Inn. The two-story apartment buildings are placed at the center of the site, while the one-story units are located on the east, providing a transition to neighboring single-family development. The development is divided into seven separate structures, thereby reducing the visual mass of the project. The architectural character and building forms emulate local examples. For example, the form of the two-story apartment buildings is modeled on a historic structure on the nearby Barracks State Park.

Protect important scenic vistas and natural resources and incorporate significant views and natural features into project designs. (CD-5.3)	The site itself is not part of a public view corridor and the proposed development would not affect public scenic vistas. The site plan has been designed to protect the most significant tree on the site within a common open space area.
Preserve and continue to utilize historic buildings as much as feasible. (CD-5.4)	The Pinelli bungalow, which is located on the project site, is a significant historic resource. The project would preserve and restore the Pinelli Bungalow in compliance with the Secretary of Interior’s Standards for the Rehabilitation of Historic Structures. Internally, the building would be converted to office use, but this is allowed for in the Mixed Use zone and the conversion would not affect its historic significance.
Promote higher density, infill development, while ensuring that building mass, scale, and form are compatible with neighborhood and town character (CDE-5.5).	The project is a higher density infill project, proposing 14-units per acre. Buildings have been kept at one- and two-stories, and appropriate setbacks, building orientation, screening and buffering have been provided for compatibility with adjacent lower density development to the east. As discussed above, the project design is compatible with the historic character of the area and the project would not result in any significant impacts with respect to historic resources.
Encourage the designation and preservation of local historic structures and landmarks, and protect cultural resources. (CD-5.8)	As noted above, the project would preserve the Pinelli Bungalow, a historic building located on the project site. As documented in the EIR, the project would not have any significant impact on other historic resources in the vicinity, nor would it impair the Plaza National Historic Landmark District or the Sonoma Plaza National Register District.
Local Economy Element	
<i>Goal LE-1: Support and enhance the local economy in a manner consistent with Sonoma’s character and in furtherance of its quality of life.</i>	
Encourage mixed use development that includes small-scale, local-serving commercial uses, provided it will be compatible with surrounding development. (LE 1.2)	The project is a mixed-use development featuring 16 apartment units and 3,514 square feet of commercial space. The site plan is designed to provide a compatible transition between the downtown commercial area on the west and the single-family neighborhood on the east. This transition is accomplished by a number of means, including: dividing the uses among multiple buildings, grouping the two-story buildings at the center of the site, placing one-story buildings adjacent to single-family development, and providing generous setbacks and open space.
Encourage a residential and pedestrian presence in commercial centers through mixed use and multifamily development. (LE-1.9)	The sixteen apartment units included in the project will contribute to downtown pedestrian activity and will provide needed rental housing in proximity to downtown employment opportunities.
Environmental Resources Element	
<i>Goal ER-1: Acquire and protect important open space in and around Sonoma.</i>	
Require new development to provide adequate private and, where appropriate, public open space (ER-1.4).	The project provides private and common open space well in excess of required standards (see analysis of Development Code consistency).
<i>Goal ER-2: Identify, preserve, and enhance important habitat areas and significant environmental resources.</i>	
Protect Sonoma Valley watershed resources, including surface and groundwater supplies and quality (ER-2.4)	Almost one-third of the site would be devoted to landscaped open space. As required by the conditions of project approval, best practices in post-construction stormwater management would be required in the design of the drainage improvements.
Require erosion control and soil conservation practices that support watershed protection. (ER 2.5)	See above. In addition to the post-construction techniques, the conditions of project approval also require an erosion control plan that would be implemented over the course of

	construction.
Preserve existing trees and plant new trees. (ER 2.6)	As discussed above, the project design preserves the most significant tree on the site within a common open space area.
<i>Goal ER-3: Conserve natural resources to ensure their long-term sustainability.</i>	
Encourage construction, building maintenance, landscaping, and transportation practices that promote energy and water conservation and reduce green-house gas emissions. (ER 3.2)	By providing rental housing in the downtown area, in proximity to jobs, shopping, and transit, the project will reduce vehicle trips. Other sustainable features include the use of sustainable construction materials, energy efficient building design that exceeds Cal Green Tier 1 standards, low-water use landscaping and irrigation systems, dual-flush toilets and low-water use showerheads, faucets and dishwashers.
Circulation Element	
<i>Goal CE-2: Establish Sonoma as a place where bicycling is safe and convenient.</i>	
Incorporate bicycle facilities and amenities in new development (CE 2.5)	As noted above, two bicycle parking areas are shown on the site plan, one between the commercial buildings and a second to the south of Building 4.
<i>Goal CE-3: Minimize vehicle trips while ensuring safe and convenient access to activity centers and maintaining Sonoma's small-town character.</i>	
Ensure that new development mitigates its traffic impacts (CE 3.7).	Traffic impacts were evaluated as part of the EIR prepared for the project. The traffic analysis found that the project would not have a significant impact on the level of service at any nearby intersection. The EIR did determine that additional red curb should be employed east of the project driveway entrance on East Spain Street. This has been included in the conditions of project approval.
Public Safety Element	
<i>Goal PS.1: Minimize risks to life and property associated with seismic and other geologic hazards, fire, hazardous materials, and flooding.</i>	
Require development to be designed and constructed in a manner that reduces the potential for damage and injury from natural and human causes to the extent possible. (PS 1.1)	As part of the environmental review for the project, a soils report was prepared. The recommendations of the report with respect to site improvements and engineering will be incorporated through the engineering and building plan check process, as required by the conditions of project approval.
Ensure that all development projects provide adequate fire protection (PS-1.3).	The buildings within the project will be designed with fire sprinklers. In addition, adequate fire vehicle access has been provided for in the site plan.
Noise Element	
Require adequate mitigation of potential noise from all proposed development. (NE-1.3)	Potential noise impacts were evaluated in the environmental impact report prepared for the project. As called for in the EIR, soundwalls will be required along portions of the eastern and southern edges of the parking lot. This measure was found to adequately address potential noise impacts on neighboring residences.
Evaluate proposed development using the Noise Assessment Guide and require an acoustical study when it is not certain that a proposed project can adequately mitigate potential noise impacts. (NE 1.4)	
Housing Element	
<i>Goal HE-1: To provide a mix of housing types affordable to all income levels, consistent with community and regional needs.</i>	
Encourage diversity in the type, size, price and tenure of residential development in Sonoma, while maintaining quality of life. (HE-1.1)	Through the provision of 16 apartment units in a downtown location, the project will contribute to the diversity of the City's housing stock.
Encourage the sustainable use of land and promote affordability by encouraging development at the higher end of the density range within the Medium Density, High Density, Housing Opportunity, and Mixed Use land use designations. (HE-1.4)	The Mixed Use General Plan/Zoning designation of the site allows for residential densities of up to 20 units per acre. The proposed project features a density of 14 units per acre.
Utilize inclusionary zoning as a tool to integrate affordable	As required under section 19.44.020 of the Development

units within market rate developments and increase the availability of affordable housing throughout the community. (HE 1.6)	Code, three of the 16 apartment units will be required to be inclusionary affordable units and will be subject to long-term affordability covenants.
<i>Goal HE-6: Promote environmental sustainability through support of existing and new development which minimizes reliance on natural resources.</i>	
Preserve open space, watersheds, environmental habitats and agricultural lands, while accommodating new growth in compact forms in a manner that de-emphasizes the automobile (HE-6.1).	The mitigated project design protects the most significant tree on the site. As an infill project located in the Downtown Planning Area, the project provides needed rental housing in proximity to jobs and shopping, while providing a compatible transition to adjoining single-family development through appropriate building placement, setbacks and on-site open space.
Promote the use of sustainable construction techniques and environmentally sensitive design for all housing, to include best practices in water conservation. Low-impact drainage, and greenhouse gas reduction (HE-6.3)	Construction waste will be recycled and the applicants propose to use building materials and framing designs that are durable, non-toxic, energy efficient e. These features will be evaluated though the Building Check plan process.
Incorporate transportation alternatives such as walking, bicycling and, where possible, transit, into the design of new development. (HE-6.5)	By its downtown location and through the provision of 16 apartment units, the project promotes walking and bicycling.

In summary, the mitigated project is fully consistent with the General Plan and would serve to further a number of General Plan policies.

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. The establishment of any new land uses in the MX zone requires review and approval of a Use Permit by the Planning Commission.

Density: The maximum residential density in the MX zone is 20 dwellings units per acre. The project proposes 16 apartment units on the 1.13-acre site, resulting in a density of ±14 units per acre.

Residential Component: In applications for new development in the MX zone, a residential component is required normally comprising at least 50% of the total proposed building area. The apartments comprise 9,065 square feet or 72% of the total proposed building area (12,579 square feet).

Front Yard Setback: The minimum front yard setback in the MX zone is 10 feet; however front porches may extend into the setback area. The façade of Building 1 would be setback 20 feet from the front property line while the porch would be setback 14 feet, similar to the adjacent Pinelli bungalow.

Side Yard Setbacks: No minimum side yard setback is required in the MX zone, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply. A portion of the eastern property line adjoins a Low-Density Residential zone, therefore a minimum side yard setback of 7 feet would apply in this area. The covered patios of Buildings 5 and 6 would be setback 13.5 to 15.5 feet from the east property line while the east building walls of these structures would be setback 19.5 to 21.5 feet.

Rear Yard Setback: No minimum rear yard setback is required in the MX zone. The only structure proposed at the rear of the property is a carport that would be setback 5 feet from the southern property line.

Floor Area Ratio (FAR): The maximum FAR in the MX zone is 1.20. The project would result in a FAR of 0.26.

Coverage: The maximum coverage in the MX zone is 70% of the total lot area. The project would result in lot coverage of 29%.

Building Height: The maximum building height in the MX zone is 30 feet. Building 1 would have a maximum height of 26 feet, Buildings 2, 3, and 4 would have a maximum height of 24 feet, and Buildings 5 and 6 would have maximum height of 13.5 feet (height measured to roof peak).

Open Space: Within the MX zone, 400 square feet of shared and/or private open space is required per unit. On average, each unit would be provided with 1,474 square feet of combined open space (open space components include decks, balconies, landscaped areas, and paved pedestrian areas).

Infill in the Historic Overlay Zone: Chapter 19.42 of the Development Code provides guidelines for the adaptive reuse of historic structures and for infill development within the Historic Overlay zone. With respect to the conversion of the Pinelli Bungalow to office use, there would be no significant exterior alterations to this structure and the rehabilitation and conversion would be required to conform to the Secretary of Interior's Standards for Rehabilitation. The Development Code guidelines for Adaptive Reuse would therefore clearly be met. With regard to the infill development component of the Mission Square project, for the most part the Cultural Resources analysis contained in the EIR addresses the Guidelines set forth in the Development Code. The key issues from staff's perspective are as follows:

- The front setback guideline is met.
- The proposed new structures are compatible with the surrounding neighborhood with respect to building mass, scale, proportion, finished floor height, and roof pitch.
- The proposed new structures are compatible with neighborhood conditions with respect to height. Building 1, which is the tallest structure, is 26 feet in height. As recommended in the Development Code guidelines, it has front setback that corresponds to that of the Pinelli Bungalow (20 feet). The other two story buildings have a height of 24 feet and these are located in the interior of the site. The two one-story buildings have a height of 13.5 feet.

That said, the Guidelines for Infill Development also call for new development to "... support the distinctive architectural characteristics of the surrounding neighborhood..." which includes not just form and height, but also decoration/details, and exterior materials and finishes. The project has been criticized with respect to the proposed exterior materials and finishes. Because the overall design and character of the mitigated project has been found not to result in any significant environmental impacts, this is not an issue related to the certification of the EIR. However, it is an issue related to the review of the project itself. The question of whether the proposed materials, finishes and design detailing of the project are of a sufficiently high quality is addressed in the discussion of project issues, below.

Screening and Buffering: Under Section 19.40.100 of the Development Code, plant material and a solid fence/wall with a minimum height of six feet is required along parcel boundaries to screen and buffer different zoning districts or land uses. The noise barrier required by Mitigation Measure NOISE-4 (refer to pages 3-5 through 3-7 of the Revised Final EIR) partly addresses this requirement. Beyond that, draft conditions of approval have been included requiring fencing/walls along the remainder of the south and east property lines and along the west property line where adjoining the Mercato parking lot in compliance with this section. The fencing/walls, as well as required perimeter plantings, would be subject to review and approval by the Design Review Commission (DRC) as part of the landscape plan.

On-Site Parking Requirements: Parking is discussed in detail within Chapter 4.3 of the Revised FEIR. In summary, the project has two spaces fewer than would normally be required, but this is not considered a significant impact due to the opportunity for shared parking between the commercial and residential components. The Development Code specifically provides for allowing a reduction in the number of required parking spaces within mixed-use developments having uses with different peak parking periods parking demand. In this instance, it is reasonable to expect that the parking demand for the office component would be minimal on evenings and weekends, allowing free spaces to be used by guests of the residents. As a separate issue, the residential spaces fall short of the normal width requirement by one foot. In staff's view, this is a minor issue as the parking spaces would be fully functional (in fact, they would comply with the dimensional standards for commercial spaces). Proposed findings for an Exception from the parking standards with respect to the width of the residential spaces are included in the draft resolution of project approval.

Bicycle Parking: Bicycle parking is required for new multi-family and commercial development subject to review on a case-by-case basis (§19.48.110). Two bicycle parking areas are identified on the site plan, one between the commercial buildings and a second to the south of Building 4. The details of bicycle parking facilities are typically subject to review and approval by the Design Review Commission, which is reflected in the draft conditions of approval.

Site Design & Architectural Review: Pursuant to 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 Commission is also required for mixed-use developments, encompassing elevation details, colors and materials, landscaping (including fences and walls), lighting, site details (such as the placement of bike racks and trash enclosures), and any issues specifically referred to the DRC by the Planning Commission (§19.54.080E). This requirement has been included in the draft conditions of approval.

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

Growth Management Ordinance: Under the Growth Management Ordinance, the project is considered a "Large Project", which made it subject to a pre-application waiting period for accumulating residential Growth Management allocations. Each Growth Management allocation corresponds to a residential unit that may be applied for and an application for land use approvals may not be filed until all of the necessary allocations have been received. In 2004, the applicants received 23 Growth Management allocations. Since the project as revised proposes 16 residential units, it is consistent with the Growth Management Ordinance.

Tree Ordinance: On February 15, 2007, the Tree Committee reviewed an arborist report prepared for the project and made the following recommendations to the Planning Commission:

- Require modifications to the project as necessary to preserve the sycamore tree located on the West Spain Street frontage and the four quince trees and one fig tree located on the west side of the existing driveway.
- Require a tree replacement ratio of 2:1, including two street trees at a 36-inch box size, plus a third street tree at a 36-inch box size if the existing sycamore street tree cannot be preserved.

The Planning Commission has discretion over requiring modification to the project to preserve specific trees as recommended. In this regard, staff would note that the project arborist concluded that preservation of the sycamore street tree is not feasible given its location in relationship to grading and

construction impacts associated with frontage improvements, widening of the driveway, and the provision of utilities in proximity. Accordingly, the sycamore tree is not identified on the site plan for preservation. However, the draft conditions of project approval include the tree replacement recommended by the Tree Committee and called for in the EIR.

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

The Mission Square development is a “project” as defined under the California Environmental Quality Act (CEQA). CEQA is a state law that establishes a process for evaluating the environmental impacts associated with a project that may lead (as is the case with the Mission Square application) to the preparation of an Environmental Impact Report. The purposes of an EIR are threefold: 1) to fully disclose the potential environmental impacts of the project; 2) to identify mitigation measures and project alternatives aimed at avoiding environmental impacts or reducing them to a level of insignificance; and 3) to provide decision-makers with the basis for making an informed decision as to the environmental consequences of a project. An EIR is an informational document; it does not limit or override the discretionary responsibility or decision-making authority of the Planning Commission or the City Council. “Certification” of an EIR is a determination that the EIR is a full disclosure of potential impacts, mitigation measures and alternatives. This action must occur before approval of a project can be considered.

As noted in under “Background” above, the applicants agreed to additional analysis of environmental concerns raised in conjunction with the 2010 public hearings. The Revised Final EIR dated May 2013 includes this additional evaluation. In essence, the Revised Final EIR is intended to provide a clear summary of all previous CEQA documentation and to provide additional information on traffic and circulation, water supply, and cultural resources to further clarify the EIR. Notable elements of the Revised FEIR include the following:

- The Cultural Resources Chapter (Chapter 4.10) has been revised to consolidate all previous analysis, including separate memo reports, and to address more recent issues that were raised in conjunction with the 2010 hearings.
- An evaluation of potential vibration impacts on the Blue Wing Inn is included at the back of Chapter 6--Comments and Responses (Subsection C.1 beginning on page 6-68) with reference to the Geotechnical Investigation, Vibration Impact Assessment, and a Structural Analysis of the Blue Wing Inn (Appendices C, D, and E respectively) that were prepared in support of this evaluation.
- Mitigation Measure HYDRO-4 has been revised within Chapter 3 (beginning on page 3-4) to reflect the Stormwater Mitigation Plan prepared for the project (included as Appendix F). The Stormwater Mitigation Plan demonstrates compliance with applicable stormwater regulations and indicates how drainage would be accommodated.
- Updated water supply analysis within amended Chapter 4.9--Utilities (page 4.9-1 through 4.9-12) reflecting the requirement for a “will-serve” letter from the City Engineer prior to the issuance of any Building Permit.
- Discussion of Greenhouse Gas Emissions is provided at the end of Chapter 6--Comments and Responses (Subsection C.2 on page 6-68 through 6-70).

Over the course of the environmental review process, the project has been substantially modified to address environmental concerns. The amount of new commercial space has been scaled back, density and building heights have been reduced, coverage and FAR have decreased, a significant pecan tree is now being preserved, and the site plan has been reorganized to improve compatibility with adjoining uses. The EIR concludes that the revised project, subject to the recommended mitigation measures as enforced through the mitigation monitoring program and the conditions of project approval, will not result in any significant environmental impacts.

DISCUSSION OF PROJECT ISSUES

Historic Resources: Ensuring compatibility with historic resources has been a key issue throughout the review of the Mission Square project. The site itself includes a historic building and a portion of the site is encompassed by the Sonoma Plaza National Register District. In addition, the site lies near the Sonoma Plaza National Landmark District and there are number of significant historic buildings in the vicinity, including the Pinni Building, the Blue Wing, and the Sonoma Mission. The EIR found that the original design of the Mission Square project—which included a three-story structure—would result in significant impacts on the integrity of the Pinelli Bungalow and the National Registrar District. The EIR identified a series of changes that would be necessary to avoid these impacts. The mitigated project design incorporates all of the recommendations of the EIR. The analysis of Cultural Resources in the Revised Final EIR provides a thorough evaluation of the mitigated project design with respect to historic resources. This staff report will not replicate that analysis, but key findings and issues include the following:

- The Pinelli Bungalow will be preserved and its conversion to office use will follow the Secretary of Interior’s Standards for Rehabilitation.
- The project has been scaled back both respect to residential density and the amount of commercial space that is proposed. The three-story building has been eliminated and the development has been divided into a series of smaller buildings of a height and a mass that is well within the normal range found in the neighborhood. (The new buildings range in area from 2,434 square feet to 1,399 square feet).
- The Pinelli Bungalow would retain its integrity of setting as the project has been redesigned to retain its back yard as an open space area and provide a sufficient setback between it and Building 1 (the proposed building to the west of the bungalow).
- Building 1, which would have an area of 2,434 square feet, would be set back 20 feet from East Spain Street, in line with the Pinelli Bungalow. This setback places the building deeper into the site relative to the Pinni Building (the adjoining building on the west) and the Blue Wing Inn (which has a zero front setback). While Building 1 would be a two-story structure, its height would be comparable that of the Blue Wing Inn and, as noted above, it would be set back further from the street than the Blue Wing.
- The building forms and overall design elements reflect local architectural examples and are compatible with the area in their scale, massing, and proportions.
- The two-story buildings are aligned along the center of the site and, except for Building 1, which is on the street frontage, views of these buildings from East Spain Street are limited. The single-story buildings have been placed on the east, adjacent to neighboring single-family dwellings.

Because the site is currently undeveloped, with the exception of the Pinelli Bungalow, any new development will change its character and alter its relationship to its surroundings. With respect to historic resources, the question is whether a specific development proposal will alter those relationships in a manner that causes a significant impact to an individual resource (such as the Blue Wing Inn) or a group of resources (such as the National Register District). The extensive analysis contained in the EIR concludes that the mitigated project, subject to identified mitigation measures (including the preparation of a tribal treatment plan, installation of adequate landscaping, and archaeological monitoring) will not result in any significant impacts on cultural resources.

On a related matter, comments at the 2010 hearing on the Final EIR with regard to the Cultural Resources Analysis included the suggestion that the Plaza and the adjoining block to the east somehow constitute a distinct “Cultural Landscape” and the EIR should evaluate potential project impacts with respect to that landscape. This suggestion is thoroughly addressed in the Revised Final EIR (see pages 4.10-14 through 4.10-16), but in summary:

- There is no basis for designating that particular area as a distinct landscape with standards of significance that would be different from those that already apply to the National Register District as a whole.
- The elements that are considered when defining a Cultural Landscape were addressed in the development of the National Register District.
- In the description of the National Register District, there are specific landscaped areas that are named, those being the Plaza and the Castagnasso fields. At the same time, the National Register nomination also specifically states that vacant lots are not considered to be contributing features to the District.
- All of the issues that would be addressed in an evaluation for compatibility with a Cultural Landscape are already addressed in the EIR analysis of Cultural Resources.

For these reasons, an additional analysis was not found to be necessary.

Architecture & Exterior Materials: Beyond the larger issue of environmental impacts associated compatibility as analyzed in the Cultural Resources Chapter of the Revised FEIR, the Planning Commission and, to a lesser degree, the Design Review Commission have discretion over site design and architectural review as part of the Planning entitlement process. A number of comments received in review of the mitigated project alternative have been critical of the architectural form of the buildings, which have been described by some as repetitive and lacking a sense of place. A related criticism has been made with respect to the proposed detailing, materials, and exterior finishes of the new construction. While the EIR analysis has led to specific design requirements for buildings closest to East Spain Street (which would lie within the National Register Landmark District), the Planning Commission has the authority to act upon the project site plan, building massing and elevation concepts in general, if it so chooses. Consideration can also be given to whether the proposed exterior materials exterior materials and finishes are appropriate, such as the steel columns and standing metal seam roofing proposed for buildings within the interior of the site. If the Planning Commission finds that the materials and finishes that are currently proposed are incompatible, it can require changes now as part of the Use Permit/Site Design and Architectural review. Alternatively, this issue may be left to the Design Review Commission, which represents the typical approach.

Archaeological Resources: Throughout the review process, concerns have been raised about impacts to potential buried cultural resources at the site. Staff would note that an archaeological study was conducted by Tom Origer & Associates for the previous Artesian Lodge EIR, which included trenching/excavation at several locations throughout the property (a representative of the Federated

Indians of Graton Rancheria was present during these digs). No cultural resources were identified through this study, however given the archaeological sensitivity of the site, Mitigation Measures CUL-1a, CUL-1b, and CUL-1c are included in the EIR to address potential discovery of buried cultural resources during construction. In consultation with the Federated Indians of Graton Rancheria Mitigation Measure CUL-1 was expanded to include a requirement for a Tribal Treatment Plan that would address monitoring of excavation and other earth-moving activities (monitoring by a qualified archaeologist is also required by Mitigation Measure CUL-1b).

Compatibility with Residential Neighbors: Several single-family homes adjoin the east side of the project site, primarily associated with a Low-Density Residential neighborhood on Second Street East. For purposes of compatibility, one-story apartment buildings (Buildings 5 and 6) have been located toward the east side of the site. Both buildings have hipped roofs with a maximum height of 13.5 feet and are modest in size with an area of 1,400 square feet each. The covered patios of Buildings 5 and 6 would be setback 13.5 to 15.5 feet from the east property line with their east building walls setback 19.5 to 21.5 feet. In addition, as required by Mitigation Measure NOISE-4, a sound barrier would be constructed along a portion of the east and south property lines to attenuate noise generated within the parking lot. The draft conditions of approval also call for fencing and perimeter plantings along the remaining portions of the south and east project boundaries for screening and buffering.

RECOMMENDATION

Planning Commission consideration and action needs to be taken in two distinct steps, each with a separate discussion and motion, as follows:

A. Consideration of Environmental Impact Report: No action on the project may be taken until environmental review has been completed. In staff's view the Final EIR (which consists of the Draft EIR, Final EIR, and Addendum) was prepared in accordance with CEQA, provides an adequate evaluation of the potential impacts of the Mission Square development, and sufficiently evaluates the mitigated project alternative. Accordingly, staff recommends that the Planning Commission take the following actions with respect to the EIR:

1. Adopt the enclosed Resolution certifying the Final Environmental Impact Report for the Mission Square project as an adequate document, prepared in accordance with the provisions of the California Environmental Quality Act, and making findings relating to significant impacts and adopt a Mitigation Monitoring and Reporting Program.

B. Consideration of the Project and of Planning Approvals. Staff has identified the following issues as possibly requiring direction from the Planning Commission:

1. *Exception to Parking Standards.* As discussed above, the project calls for a minor exception to the normal width standard for residential parking spaces. The proposed findings of project approval include findings in support of this Exception.
2. *Sycamore Tree.* The project arborist indicates that preservation of the sycamore tree is not feasible given grading and construction impacts associated with frontage improvements, driveway widening and the provision of utilities. The Tree Committee recommends site plan modifications to preserve the tree or otherwise require three replacement street trees at a 36-inch box size if the sycamore is removed. This is the approach taken in the draft conditions of approval.
3. *Building Materials and Finishes.* The Planning Commission needs to determine whether it wants to further address the proposed building materials, finishing and detailing as part of its review of the project or if it wishes to refer those issues to the Design Review Commission.

Once these issues have been addressed, along with any others identified by the Commission in the course of its discussion, Staff recommends that the Planning Commission adopt the attached Resolution approving a Use Permit, Parking Exception, and Site Design & Architectural Review for the project, subject to the attached conditions of approval.

Attachments

1. *Resolution of Project Approval (to be delivered 7/15/2013)*
2. *Draft Conditions of Approval*
3. *Minutes of the Planning Commission meeting of July, 6, 2010*
4. *Project Narrative*
5. *Correspondence*
6. *Site Plan & Building Elevations*

Enclosures

1. *Resolution Certifying EIR (to be delivered 7/15/2013)*
2. *Revised Final EIR (this enclosure was distributed to the Planning Commissioners previously)*

The Revised Final EIR document can be downloaded from the City's website at:
<http://www.sonomacity.org/default.aspx?PageId=455> under "Current Reports."

cc: Interested Persons/Agency Email List

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City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Mission Square Mixed-Use Development
165 East Spain Street (APN 018-221-005)

July 18, 2013

1. The Mitigation Measures identified in the Mission Square Revised Final Environmental Impact Report dated May 2013 shall be implemented consistent with the Mitigation Monitoring and Reporting Program (MMRP).

Enforcement Responsibility: As specified in the MMRP
Timing: As specified in the MMRP

2. The project shall be constructed and operated in conformance with the project narrative, approved site plan (Sheet SP1 revised 10-28-10), and building elevations (Sheet E1 revised 5-14-08), except as modified by these conditions and the following:

- a. Replacement landscaping shall be provided in the planting strips located along the west side of the driveway.

Enforcement Responsibility: Planning Dept.; Building Dept.; Public Works Dept., City Engineer
Timing: Prior to final occupancy & Ongoing

3. A grading and drainage plan and an erosion and sediment control plan shall be prepared by a registered civil engineer and submitted to the City Engineer and the Sonoma County Water Agency for review and approval. The Preliminary Stormwater Mitigation Plan (SMP) for Mission Square prepared by Adobe Associates, Inc. dated July 3, 2012 shall be submitted in conjunction with the grading plans and the measures identified in the SMP shall be incorporated into the grading and drainage plans consistent with City of Santa Rosa and Sonoma County Low Impact Development (LID) Manual requirements. The required plans shall be approved prior to the issuance of a grading permit and commencement of grading/construction activities. The erosion control measures specified in the approved plan shall be implemented throughout the construction phase of the project. An NPDES permit shall be required and the plans shall conform to the City of Sonoma Grading Ordinance (Chapter 14.20 of the Municipal Code).

Enforcement Responsibility: City Engineer; SCWA; Public Works Department
Timing: Prior to issuance of the grading permit

4. The following improvements shall be required and shown on the improvement plans and are subject to the review of the City Engineer, Planning Administrator and Fire Chief. Public improvements shall meet City standards. The improvement plans shall be prepared by a registered civil engineer and approved by the City Engineer prior to issuance of a grading permit or building permit. All drainage improvements shall be designed in accordance with the Sonoma County Water Agency "Flood Control Design Criteria" and the City of Santa Rosa and Sonoma County Low Impact Development (LID) Manual requirements. Plans and engineering calculations for drainage improvements, and plans for sanitary sewer facilities, shall be submitted to the Sonoma County Water Agency (and copy of submittal packet to the City Engineer) for review and approval.

- a. The property frontage on East Spain Street shall be improved with curb, gutter, and sidewalk as required by the City Engineer. Existing curb and gutter along the East Spain Street frontage that are damaged or deemed by the City Engineer to be in disrepair shall be replaced to City standards. In addition, paving upgrades to centerline of the East Spain Street in front of the property may be required. The existing residential driveway serving the bungalow shall be eliminated. The new two-way project driveway shall be constructed in conformance with the City's standard specifications.

- b. Storm drains and related facilities, including off-site storm drain facilities as necessary to connect to existing storm drain facilities.

- c. Stormwater BMPs as approved in the Applicant's preliminary Stormwater Mitigation Plan (SMP) shall be shown on the drainage and improvement plans.

- d. Grading plans shall be included in the improvement plans and are subject to the review and approval of the City Engineer, Planning Administrator and the Building Official.
- e. Sewer mains, laterals and appurtenances, including off-site sewer mains and facilities as required by the Sonoma County Water Agency; water conservation measures installed and/or applicable mitigation fees paid as determined by the Sonoma County Water Agency. If any drains are planned for the trash enclosure area, they shall be connected to the sanitary sewer system.
- f. Separate water service lines, connections, and meters shall be required for the commercial component, residential component, fire suppression and landscape irrigation. In addition, each residential building shall be sub-metered and sub-metering is recommended for individual residential units. If use of the existing water service is proposed it shall be upgraded to current standards and appropriate size as necessary. The location of water meters and backflow assemblies shall be identified on the plans and the locations approved by the City Engineer and Fire Chief. The Applicant shall pay any required increased water fees applicable to the new use in accordance with the latest adopted rate schedule
- g. Public fire hydrants connected to public water lines shall be required in the number and at the locations specified by the Fire Chief and the City Engineer. An easement shall be required for existing and proposed public water lines. Fire hydrants shall be operational prior to beginning combustible construction.
- h. Private underground utility services, including gas, electricity, cable TV and telephone, to all residential units in the development.
- i. Signing and striping plans shall be submitted to the City Engineer for review and approval. Said plans shall include “No Parking” signs/markings along the appropriate drive aisles, traffic control signs, and pavement markings as required by the City Engineer.
- j. Parking and drive areas shall be surfaced with an all-weather City-approved surface material.
- k. The property address numbers/range shall be posted on the property in a manner visible from the public street, and on the individual structures/units. Type and location of posting are subject to the review and approval of the City Engineer, Fire Chief and Planning Administrator.
- l. All public sidewalk, street, storm drainage, water, sewer, access and public utility easements shall be dedicated to the City of Sonoma or to other affected agencies of jurisdiction, as required.
- m. The applicant shall show proof of payment of all outstanding engineering plan check fees within thirty (30) days of notice for payment and prior to the approval of the improvement plans, whichever occurs first.
- n. All grading, including all swales, etc., shall be performed between April 1st and October 15th of any year, unless otherwise approved by the City Engineer.

Enforcement Responsibility: City Engineer; Public Works Department; Building Department; Planning Department; Fire Department; SCWA

Timing: Prior to issuance of the grading permit

- 5. The applicant shall obtain an encroachment permit from the City of Sonoma for all work within the East Spain Street right-of-way.

Enforcement Responsibility: City Engineer; Public Works Department; Building Department

Timing: Prior to City approval of public improvement plans

- 6. 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, 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 exempted.

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

7. No structures of any kind shall be constructed within the public easements dedicated for public use, except for structures for which the easements are intended.

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

8. A soils and geotechnical investigation and report, prepared by a licensed civil engineer, shall be submitted to the City Engineer and Building Department as part of the plan check process prior to the issuance of a grading permit and/or approval of the improvement plans, as determined by the City Engineer. Recommendations identified in the geotechnical investigation and report shall be incorporated into the construction plans for the project and into the building permits.

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

9. Provisions shall be made to provide for temporary parking of construction related vehicles and equipment on or adjacent to the project site, and not in the adjacent neighborhoods, to be approved by the City of Sonoma Building, Planning, and Public Works Department. The contractors shall be required to maintain traffic flow on all affected roadways adjacent to the project site during non-working hours, and to minimize traffic restrictions during construction. The contractors shall notify all appropriate City of Sonoma and Sonoma County emergency service providers of planned construction schedules and roadways affected by construction in writing at least 48 hours in advance of any construction activity that could involve road closure or any significant constraint to emergency vehicle movement through the project area or the adjacent neighborhoods.

Enforcement Responsibility: Building, Planning & Public Works Departments; Police & Fire Departments
Timing: Ongoing during construction

10. 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.

Enforcement Responsibility: Sonoma County Environmental Health Dept.; City Engineer; Public Works Dept
Timing: Prior to approval of the Grading Plans and Improvement Plans

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. Sonoma County Water Agency [For sewer connections and modifications and interceptor requirements, and for grading, drainage, and erosion control plans];
 - b. Sonoma County Department of Environmental Health [For abandonment of wells]
 - c. Sonoma Valley Unified School District [For school impact fees]

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

12. 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 Water Agency immediately to determine whether such fees apply.**

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

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

Enforcement Responsibility: Building Department
Timing: Prior to construction

14. All Fire Department requirements shall be met, including requirements related to emergency vehicle access and the installation of a fire hydrant on site. Automatic fire sprinkler systems shall be provided in all buildings. Red-curb and/or "No Parking Fire Lane" signs shall be provided along both sides of the two-way driveway. An approved all-weather emergency vehicle access road to within 150 feet of all portions of all structures shall be provided prior to beginning combustible construction.

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

15. Three units within the development shall be designated as affordable units for households in the low and/or moderate income categories. The affordable units shall be recorded against the deed of the lot on which they lie at the County Recorder's Office, with a standard City Affordability Agreement subject to review and approval by the Planning Director. The developer shall enter into a contract with the City assuring the continued affordability of the designated units for a minimum period of 40 years and establishing maximum rents.

Enforcement Responsibility: Planning Department, Building Department
Timing: Prior to occupancy of any unit.

16. The project shall be constructed in accordance with the following requirements related to tree preservation, mitigation and replacement:

- a. Trees removed to accommodate the project shall be replaced at a ratio of 2:1, and shall include two street trees at a 36-inch box size, plus a third street tree at a 36-inch box size if the existing sycamore street tree cannot be preserved.
- b. Street trees planted along East Spain Street shall be consistent with the City's Street Tree Planting Program, including the District Tree List.
- c. The pecan tree shall be preserved.

Enforcement Responsibility: Planning Department, DRC
Timing: Prior to the issuance of any occupancy permit

17. The project shall be subject to architectural review by the Design Review Commission (DRC), encompassing elevation details, exterior colors and materials, carport structures, trash enclosure, and bicycle parking.

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

18. In addition to the noise barrier required by Mitigation Measure NOISE-4, solid masonry walls or wooden fencing with a minimum height of 6 feet shall be installed along the remainder of south and east property lines and along the west property line where adjoining the Mercato parking lot in compliance with Development Code §19.40.100 (Screening and Buffering) and §19.46 (Fences, Hedges, and Walls). This fencing/walls shall be subject to the review and approval of the Design Review Commission (DRC) as part of the landscape plan, and shall be required along the specified project boundaries noted above except at locations where the Design Review Commission determines existing fencing/screening is adequate.

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to any occupancy permit

19. A landscape plan shall be prepared by a licensed landscape architect. The plan shall be subject to the review and approval of the Design Review Commission (DRC). The plan shall address site landscaping (including required tree plantings, perimeter buffer/screening plantings, and replacement plantings on west side of driveway), enclosures, fencing/walls (including noise barrier required by Mitigation Measure NOISE-4), and hardscape improvements. The landscape plan shall comply with City of Sonoma's Water Efficient Landscaping Ordinance (Municipal Code §14.32) and Development Code Sections 19.40.100 (Screening and Buffering), 19.46 (Fences, Hedges, and Walls), 19.40.070 (Open Space for Multi-Family Residential Projects), 19.48.090 (Landscaping of Parking Facilities), and 19.40.060 (Landscape Standards).

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to any occupancy permit

**CITY OF SONOMA
PLANNING COMMISSION
SPECIAL MEETING OF
Community Meeting Room
177 First Street West
July 6, 2010
MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, July 2, 2010, on the bulletin board outside the front of Sonoma City Hall, No. 1 The Plaza, Sonoma, California. Chair Howarth called the meeting to order at 6:30 p.m. in the Community Meeting Room, 177 First Street West. Comm. Felder led the Pledge of Allegiance.

Chair Howarth noted that audience comments will be limited to three minutes, with some extra time provided for the League for Historic Preservation's representative and for the applicants' representative. There is the right to appeal the decision this evening within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers.

ROLL CALL: Present: Chair Howarth, Comms. Edwards, Felder, Gallian, George, Heneveld, Roberson, Comm. Alternate Tippell
Absent: None
Others Present: Planning Director Goodison, Senior Planner Gjestland, Assistant Interim City Attorney Nebb, Administrative Assistant Evans

COMMENTS FROM THE PUBLIC: None.

CORRESPONDENCE: It was reported that three emails had been submitted with respect to the item being heard this evening.

Item #1 – Public Hearing – Consideration and possible certification of the Final Environmental Impact Report (EIR) for the Mission Square project, including review of an EIR Addendum that evaluates the mitigated project alternative.

Project Location: 165 East Spain Street

Applicant/Property Owners: Marcus & Willers Architects/Linda and David Detert

Senior Planner Gjestland presented staff's report and summarized the project review process. He noted that the EIR consultants, Steve Noack of Design, Community & Environment (DC&E) and Frederic Knapp of Knapp Architects, who were hired by the City to prepare the EIR, were present to answer any questions.

Many of the issues raised since the release of the EIR Addendum in April focus on historical impacts. Staff has attempted to address these questions in the staff report and the EIR consultants are available tonight to answer questions. State Parks has submitted correspondence stating that the Mission and Blue Wing Inn were not given due consideration in the EIR and there will be an adverse visual effect on State Parks buildings within the National Register district. Construction vibration impacts are, apparently, no longer of significant concern to the League, but they are to State Parks. As summarized in the staff report and discussed in

the EIR, a bulldozer would not result in propagation of ground vibrations at a level that would affect the adobe structure given its distance from the site. Regarding the timing of the geotechnical investigation and the grading and drainage plan, these reports are typically prepared and submitted after planning entitlements are received. All drainage plans are subject to flood control criteria from the Sonoma County Water Agency. The drainage plan mitigation measure was reviewed with the City Engineer, who suggested changes tied to specific standards and criteria. The City Engineer confirmed that these standards are sufficiently stringent to address the concerns about potential drainage impacts on the Blue Wing. The geotechnical study looks at site soils and how they relate to the proposed development on the site, which is different than the ground vibration issue. At the May public hearing, Comm. Felder had questioned the water supply analysis. As discussed in the Addendum, the project would be subject to the standard requirement for a water demand analysis/will-serve letter as a normal condition of approval. Regarding parking impacts, relatively minor exceptions are being requested. In terms of the number of parking spaces, it is proposed that two guest parking spaces be shared with the commercial parking, a practice that is authorized in the Development Code, subject to Planning Commission approval. The width of the parking stalls meets commercial standards, while the length meets residential standards. It remains staff's view that these exceptions do not rise to the level of creating a significant impact and in any event, as pointed out in the EIR, the Planning Commission will have the discretion to deny those exception requests if it chooses in the course of project review. There have been many modifications found in the mitigated project proposal, in comparison to the previous plan, which clearly reflect a reduction in scale. The number of residences has been reduced from 23 to 16. The commercial space has been reduced from 5700 to 3500 sq. ft. The total floor area was previously 21,000 and is now 12,500 sq. ft. The pecan tree will be preserved, and the third-floor building element has been removed.

Fredric Knapp, the historical consultant for the EIR, reviewed the memo that he had prepared (attached to the staff report). He noted that the EIR had been criticized because the Blue Wing Inn was not included in Table 4.10-1 of the Cultural Resources analysis. This is because the table identifies the structures identified as contributing buildings in the 1961 listing of the Sonoma Plaza National Landmark District and the Blue Wing was not identified as such in that listing. The EIR does not that the Blue Wing is identified as a contributing resource in the subsequent National Register District. In the EIR's analysis of potential project impacts on historic resources, the Blue Wing is identified historical resource under CEQA and is specifically addressed in the analysis. He noted that in one of the letters received from State Parks, it is stated that the Blue Wing has been separately nominated as an individual historic resource. This is not entirely accurate. He spoke with MaryAnn Hurley of State Parks, who stated that a nomination is being developed but has not yet been submitted. He noted that State Parks had raised the concern that views from the rear of the Blue Wing Inn would be altered by the project and this impact was not discussed in the EIR. He pointed out that under National Register criteria, including the Secretary of Interior Standards and CEQA, views from an historic building are not as important as views of an historic building. Based on the photomontages that had been developed showing how views from the rear of the Blue Wing would be altered by the project, it is his conclusion that the change resulting from the project would not constitute a significant impact under CEQA, as the change caused by the project would be occurring within the context of other features in the viewshed, including a parking lot. One of the greatest points of concern is the issue of impacts on the streetscape. In determining whether there is a significant impact, the legal threshold is whether the presence of this project would so disrupt the setting of the Blue Wing Inn that it causes a significant impact on the Blue Wing Inn. It is important to acknowledge that there would be a huge change to the subject property, as it would go from being mostly vacant to being mostly built. However, the setting of an historic resource is

not looked at in isolation. It must be considered holistically and the threshold as established by the National Register is whether the change in the setting resulting from the project would cause such a change, that overall the entire setting is so detrimentally changed that the Blue Wing would suffer a material impairment of its historic integrity. He stated that he did not believe this would be the case and this same analysis applies to all of the other contributing properties in the vicinity of the project. In some of the correspondence received on the Addendum, the question is raised as to why some impacts that were identified as significant in the draft EIR have been found to be less than significant in the Addendum. The reason is simple—it is because the project has changed. For example, as originally proposed, the project included a three-story building with a saw-tooth roof design. Now, none of the buildings have a third floor and their placement with respect to the National Register District has been modified. The evaluation criteria have remained consistent.

On another matter, it has been asserted that there is a “cultural landscape” that needs to be studied. The concept of a “cultural landscape” as a type of historic property grew out of the understanding of historic districts. As cited in the EIR, the National Register District survey analyzed landscapes enough that qualities and characteristics other than buildings can be adequately understood for purposes of CEQA. There is no reason to require an additional study and no reason to suggest that an additional study would result in different conclusions. The fact of the matter is that landscapes were addressed in the analysis that went into the National Register designation. As stated in the documentation for the National Register designation, vacant lots were specifically found to not be contributors to the District. Lastly, it has been asserted that the project would completely eliminate integrity of setting. Both in the National Register criteria when looking at setting and in CEQA when looking at impacts, there are gradations but ultimately a line is drawn. In the end, under National Register criteria, a resource either retains its integrity or it doesn't. Similarly, under CEQA, an impact can occur but it can be a less-than-significant impact. Integrity can decrease somewhat in one or more aspects, without eliminating the integrity of the resource. None of the historic resources discussed in the EIR would lose integrity in terms of the National Register criteria. There would be changes caused by the project, but these would not reach the level of causing the integrity of any historic resource to be lost.

Senior Planner Gjestland stated the action before the Commission tonight is whether to certify the EIR as a complete and adequate document under CEQA. This action is not an approval of the project, as there would be subsequent review of the use permit by the Planning Commission. In the project review stage, the Planning Commission would have the discretion to approve the project, deny the project, or require further modifications. It is the City's view that the Final EIR provides a thorough evaluation of the potential impacts of the Mission Square project, and staff is recommending the Planning Commission adopts the resolution to certify the Final EIR.

Planning Director Goodison noted a procedural issue. Per the City Attorney, since Comm. Roberson was not present at the first hearing on this matter, he cannot vote on the issue this evening, but Alternate Comm. Tippell, who was in attendance at the earlier public hearing, can participate. Comm. Roberson left the dais. Comm. Tippell went to the dais.

Comm. Gallian, referencing a letter from the League for Historic Preservation, questioned the assertion that it was necessary to have a landmark commission to review the project. Mr. Knapp stated if there were a landmark commission, there might be a different preservation ordinance and there might be a local landmarks registry. This is a theoretical scenario, and the reality here doesn't involve one. The landmarks at issue are the State's and were evaluated accordingly.

Chair Howarth clarified the issue before the Planning Commission this evening is whether or not to certify the EIR. If the EIR is certified, the massing, site plan, footprint, parking, etc. are all up for discussion when the project itself is reviewed.

Planning Director Goodison confirmed the issue this evening is whether to certify the EIR as an adequate document. The subsequent project review places everything on the table. Certifying the EIR does mean that specific mitigation measures have been identified for different impacts and the Planning Commission would be obligated to follow through with those measures if the project were approved.

Chair Howarth opened the public hearing.

Applicant/project architect Bill Willers requested to speak at the conclusion of the public comment period.

Loyce Haran, Towne St., is President of the Sonoma League for Historic Preservation. She confirmed the League's purpose is preserving historic Sonoma. The League is concerned with the EIR, so they retained the services of Susan Brandt-Hawley, a preservation attorney, to speak on the League's behalf. She quoted from the correspondence from the San Diego Save the Heritage Foundation.

MaryAnn Hurley, State of California Diablo Valley District Architectural Historian and the project coordinator for the rehabilitation Blue Wing Inn, noted this project has come a long way, but still has issues, as described in their letter. They don't feel the possible effects from construction on the Blue Wing Inn have been adequately addressed and are concerned about the reference to pile driving in the mitigation measure. She noted that a soils report had not yet been prepared. There are concerns about the effects of the project on the viewshed, including the character of the area around the Blue Wing Inn and the Mission. Looking from the Blue Wing is part of the experience. In reviewing the schematics of proposal, the cookie cutter buildings do have an effect on the landscape, even though it is outside of the boundaries. Whatever is done nearby will have an effect on the historical integrity of the District. The cultural landscape has been addressed, but minimally, and not adequately. It is more than an issue of vegetation and buildings. The studies referenced were done before cultural landscape awareness was of concern. There are integrity issues, and the project could have an adverse impact on setting, depending on how it is designed. In addition, the integrity factors of feeling and association were discounted.

George McKale, archeologist and cultural resource specialist, was present to address the vibration issue on the Blue Wing Inn as a result of construction activities. He noted there are vibration variables and expressed the view that the assessment is flawed because the wrong variables were used. He feels the Blue Wing Inn should have been classified as an extremely fragile building and that if a variable had been used, it would show some potential for vibration-caused damage. That does not mean that there will be damage, but the potential is there. The assessment only included the Blue Wing Inn, but should have included the Pinelli building as well. He stated that his recommendation would be to require the mitigation identified in the Jones and Stokes study.

Susan Brandt-Hawley, attorney representing the League, deals with historic resources with CEQA. She has concerns about the adequacy of the environmental review of such an important site and found the study, especially the cultural resource and landscape sections, difficult to

understand due to the use of underlining and strike-outs in the Addendum. In her view, the cultural resource analysis contains minimal analysis and the Addendum does not adequately address the impacts in this area. Our point in the letter with regard to a Preservation Commission is simply that because Sonoma does not have such a body, it is especially important that the cultural resources analysis be clear and understandable. The Addendum, in her view and as expressed by State Parks, does not adequately address impacts in this area. She noted there are issues that have yet to be addressed, and feels the EIR needs to be revised, and the Addendum does not adequately address the issues. This is an important parcel, next to the Blue Wing Inn and other cultural resources of state-wide and national importance, which needs more than standard mitigation measures. Drainage, geology, vibration, and visual impacts need to be looked at again. There should be no future studies of drainage or anything else; these should be done up-front. While she appreciates that the project has gotten better over time, the issue before the Planning Commission tonight is whether the EIR is adequate. In her view, the fact that there is fair argument among experts means that further study is needed. The League feels the process has not been sufficient, and that is why they contacted her. The EIR should not be certified. It needs to be revised and recirculated.

Debra Black, First St. West, spoke of how her parents moved to Sonoma in 1941. They fell in love with the adobes, purchased the Adler adobe and the Blue Wing Inn, and renovated them. They also wanted to buy the Pinelli lot, but the owners wouldn't sell. With regard to setting and integrity, all of Spain Street is historic and calls for integrity. The stone house is also an historic building. People come to Sonoma for its historic beauty and she feels strongly that building this project would be like shooting an arrow into the heart of Sonoma..

Ned Forrest, East Spain Street, has been following this proposal for a number of years. He would like the Planning Commission to reject the EIR, as it does not adequately address impacts on the town and the cultural landscape. If the project does not look good at this phase, it never will. The reduction of size of the project seems somehow characterized as a gesture of goodwill to be rewarded, but this is not how it should be looked at, since it started out far too big in the first place. The project is a detriment to the historic district and cultural landscape and offers nothing to make the historic district more appealing; in fact, it makes it less so. The repeating blocks of the project make it one of the largest developments in the District. The Spain Street building is particularly out of scale, and there is little to suggest this proposal could be characterized as nothing more than a cheap apartment building and an asphalt parking lot. There is no room for trees for screening, not even on the west side of the building. He would request further study of the cultural landscape and impacts.

Patricia Cullinan, member of the Architectural Conservation and Education Committee of the Sonoma League for Historic Preservation, stated that a cultural landscape report would identify the existing spatial organization East Spain Street, built and unbuilt, and would address the need to create understanding of how the form and massing of the project would affect the existing buildings and area and how the area feathers out to the residential area. The EIR doesn't address this and is inadequate, and she requests it not be certified.

Robert Demler, West Spain Street, owns the oldest adobe residence in Sonoma. He is interested in the concept of the whole being greater than the sum of its parts. There seem to be a number of deficiencies with the EIR. He asked that the Planning Commission please consider carefully what they are doing. People who do not travel like I do, do not appreciate what they have in Sonoma. The City has already lost a number of treasures. Let's protect what we have. City residents depend on the Planning Commission to make correct decisions for the future, and this process deserves full and careful consideration.

Leslie Whitelaw, East Spain Street, lives half a block from the project. She cannot imagine how 40 cars are supposed to pull out onto Spain Street everyday, twice a day. She takes issue with the parking section of the report. On weekends and Farmers' Market days, many cars are parked on the street. Parking has only gotten worse since this issue was studied in the EIR.

Karla Noyes thanked the Commission for postponing the hearing. It is clear that a great deal of time, effort and money has been spent on this project, and she is willing to believe the City government has acted in the best and ethical manner. But none of us are perfect and we can all benefit from more information. This parcel is too important to do a less than stellar job. She agrees with Ms. Brandt-Hawley that multiple buildings of the same architecture will not fit into the setting organically and will change the cultural landscape, and that the EIR does not provide sufficient background and information with respect to these issues. She disagrees with the finding in the EIR that the project would not have a significant impact on the setting and integrity of the Mission. She asked that the Planning Commission please take the time necessary to get the best information possible about the cultural landscape, as we owe it to the future.

Vic Conforti, East Spain Street, noted that having heard the comments this evening, a new methodology was introduced tonight. The cultural landscape issue is significant enough to deserve the time it would take to evaluate it properly. As this project has been underway for five years, a few more months spent on additional analysis should not be an issue, especially given the importance of this world heritage site that we live in. It deserves special treatment.

Bill Willers, project architect, agreed that Sonoma is a special place, which is why he chooses to live and practice in this town. He feels the EIR is adequate. With regard to adequacy, CEQA guidelines set forth the standards that are used to make that determination. An exhaustive evaluation is not required, only what is reasonably feasible. In addition, disagreement among experts does not make an EIR inadequate. The document simply needs to note the main points of disagreement among experts. Regarding the contention that introducing buildings with some repeating elements is contrary to how development within the National District has occurred over time, he pointed out examples of historic buildings within and nearby the District that make use of repeating elements. He noted the three lots adjacent the Mission have three identical bungalows built in 1886. In addition, there are two identical buildings on East Spain built in 1918 and 1923. In fact, when one was demolished and replaced, it was required that the façade be rebuilt to replicate its former condition. Historically, there are repeating buildings throughout Sonoma. It is not an anomaly to have a project with a repeating building form and is not necessarily a cheap thing to build. With respect to the issue of potential construction vibration impacts, the EIR has addressed it adequately. He reviewed, step-by-step, the calculations associated with the analysis and concluded that the Blue Wing Inn would not be subjected to dangerous levels of vibration during construction, even when using the values that would characterize the building as "extremely fragile." The buildings associated with the proposed project will be constructed with light foundations and will not require heavy-duty earth-moving equipment. Until the project is approved by the City, there is no basis for a soils report to be prepared. The soil type is listed as clay-based soil (alluvial), which is sufficient for purposes of performing the vibration analysis. The property is listed historically as a vineyard/prune orchard type of soil. Clay-based soils quickly attenuate vibration.

Mr. Willers commented on a letter from Susan Brandt-Hawley requesting a survey of the structures on a portion of Second Street East. He questioned the reasoning of the request, noting that no reason for it had been given. There are 16 lots on this block, eight of which have

new construction. It is a neighborhood that is more than 50% new construction, with 80% new or remodeled. The one remaining identified historic building is the Ray adobe.

Mr. Willers noted that a project for this property has been in process for ten years, beginning with the Artesian Lodge in 2000 and the subsequent draft EIR in 2001. The mitigations suggested a move away from a hotel and to provide housing on the property. The property was rezoned from Commercial to Mixed-Use, which allows for commercial and for residential at a density of 20 units per acre. The current utilization, in terms of coverage and floor area ratio, is low-density residential, while the residential density is 14 units per acre. Significant changes have been made, which is why the Addendum has so many strike-throughs. The purpose of the Addendum is to evaluate the mitigated project so the Planning Commission could feel comfortable certifying the EIR. The project has been reduced by nearly 60 percent. The document in front of the Commission tonight is complete and he requested it be certified.

Cora Fitzpatrick, Second Street East, owns a property adjoining the project site. She requested the Commission not certify the EIR, as this project will ruin the ambience of Sonoma as a little village.

Ernestine Evans, Vischer Court, noted that Mr. Willers has worked long and hard on this project, but she urged the Planning Commission not to accept it because, in the end, it is nothing more than an army post. She feels the project lacks character and time and effort have not been taken to make the buildings blend in, as has been done with residential remodels in the area. In addition, the project does nothing to embellish Sonoma or add to the historic district.

Seeing there were no further comments or questions from the public, Chair Howarth closed the Public Hearing.

Comm. Edwards asked everyone to imagine the lot paved over and cited a recent study from Columbia University stating that temperatures are being raised by 7-8 degrees in areas where greenery is lost. This issue was not brought up in the EIR. In terms of history, Bob Cannard used to own this property. In the past, before storm drain improvements were made, he has seen Spain Street sometimes impassable due to flooding. It was noted by the architect that the soils type was suitable for prune orchards and vineyards and it is his view that a prune orchard would get immediate approval. The more he looks at this project, the more he becomes concerned about effects on the ambience and character of the area. In years past, horses used to run milk to some of the businesses in the area. He noted that there are many vacant commercial and residential developments around town. While the property owners have the right to develop their property, the project has to fit the area. Visitors to Sonoma want to identify with the historic nature of the community. He agreed that some of the issues brought up tonight are significant.

Comm. Felder echoed the concerns voiced tonight with regard to the project's potential impacts on the integrity of setting and adverse visual impacts. He would like to go back to a number of issues that he brought up from the hearing in May. The EIR should be a full disclosure of potential impacts. There are significant deficiencies in what is before them. He applauds the effort to add language for drainage impacts. In his view, the modified language for the Hydro-4 mitigation is responsive to previously-expressed concerns. He is not as pleased with the discussion on water supply. The Addendum goes on for 12 pages to discuss the problems with the water situation and yet the conclusion is that there is not impact and, therefore, no mitigation is required. There is enough of a problem that it would present a potentially significant impact should the water supply not be sufficient. Although there is a reference in the EIR to the

requirement for a will-serve letter, it is his view that the accompanying requirement for a capacity analysis should be identified as a mitigation measure. Regarding parking, he is extremely disappointed that parking was listed in the Draft EIR as significant with respect to the original project, but less-than-significant with respect to the mitigated project. This area should be identified as a significant impact for which mitigation is required. Regarding construction vibration, he appreciated Mr. Willer's comments and he agrees that ground-borne vibration is a function of soil type. However, he believes that there are certain types of soils, such as sandy fill over clay, that have factors of less than 1. Vibration impacts can also vary considerably based on the type of equipment used. He is also concerned about the reference in the mitigation measure to pile driving. In addition to having more sensitivity to soil type and frequency of vibration, monitoring during construction should also be required. In conclusion, it is his view that a number of mitigations are still lacking in this EIR and, unless included, he cannot support its approval.

Comm. Tippell noted he has not been involved in this process since the beginning, but only since this year, although he has attended many Planning Commission meetings. He is thinking about two things: the role of planning commissioner and separating out the project application review -- design, massing details -- vs. the EIR and its purpose in disclosing impacts. He disagrees with the comment that a project at this stage of review has reached its peak in terms of how it can be designed, as this would be refined further in the course of project review. That said, the issue this evening is not a detailed consideration of aesthetics, it is to look at the analysis of the EIR. He believes vibration monitoring during construction is an important item that should be implemented. In his opinion, the EIR fully discloses the impacts of the project. Items such as drainage should and will be addressed at a later stage. Regarding water supply, he feels the language inserted in the documents referring to a will-serve letter is adequate. It is self-mitigating in that if no will-serve letter is issued, the project does not get built. On the issue of a further survey of Second Street, no purpose has been offered for that analysis.

Comm. George feels the historical nature of Spain Street should be taken into account when considering the adequacy of the EIR. In his opinion, the Pinelli Bungalow has been a blight for as long as he can remember. He can't imagine having the same owners owning a bigger development that would just be a bigger blight. He can't imagine dropping an apartment building into the historic heart of the City. He noted problems with the Eel river and how those might affect the local water situation. He questioned what the project gives back or adds to the area. Regarding certification of the EIR, he expressed the view that in scope, the study is incomplete by definition. The EIR fails to address the issue of the energy required to build, maintain and occupy the project. We import 100% of our energy and there are impacts associated with generating energy from coal, oil and other sources. Within the EIR, the analysis of traffic, water supply and wastewater are incomplete and inadequate. In addition, some mitigations are not even mentioned, much less addressed. He could not possibly certify this document.

Comm. Heneveld commented that the project would not have a big impact on views down Spain Street, based on the photomontages that have been prepared, but there is the issue of drainage. The vibration concerns could be easily mitigated, especially with monitoring and limits on the size of equipment and type of foundations. He stated that the water issue is a big one for him and noted that the will-serve process is applicable to the project. Ingress and egress from the property from East Spain Street is a concern for him, as is the issue of wastewater. It is his view that the EIR may need to be expanded in the areas of drainage and water, as well as how it would affect the environment in terms of energy use and waste generation.

Comm. Gallian referred to the aerial view of the project site, noting that it is designated in the General Plan as Mixed Use under the General Plan; Sonoma is a constrained town with an urban growth boundary. Apartments would use water, yes, but so would an orchard. The Commission needs to look at the project that is before it. With respect to water, the will-serve process addresses the project. In his view, the issues analyzed in the EIR seem adequately addressed. He questioned what horses on Spain Street had to do with the project. The mitigated project has been reduced in scale and is far more conforming in terms of the ratio of spaces provided. However, the previous proposal placed the parking under buildings, which presumably reduces the heat island effect. He asked which goal the Commission wishes to pursue. One of the goals of infill is to have more active space in downtown areas. In his view, the original proposal was better in that regard because it had greater density and a retail component. It would have added more vitality to the downtown. However, the Planning Commission directed that the project be scaled back, which has been done. With regard to energy, California is way ahead of the curve compared to the rest of the nation. While development is up, energy use is flat. Sonoma has the most solar for any small town in the state. This project could have solar and be a net energy generator. He believes the EIR is adequate under the law, noting that the term "adequate" has a specifically defined meaning in CEQA. With regard to views from the Blue Wing, right now one can see the corner of a new house from the back of the Blue Wing. Is that considered a significant impact? The EIR is adequate to allow the project to move forward and the Planning Commission will have the option to modify the buildings and the site plan. The project has been trimmed back to meet requirements.

Chair Howarth reiterated that the question before the Commission tonight is whether or not the EIR as presented is a complete and adequate document in terms of project impacts and mitigation measures. All off the Commissioners have made good points. However it is true that the EIR is not meant to be an end all, and there can be disagreement between experts. He agreed with Comm. Gallian that there have been changes in the project over the last ten years. He supports mixed use and density and, in that regard, preferred the previous project proposal; however, the Commission has to deal with the project that is before it. In his view there a few — maybe less than a half dozen — issues that remain to be addressed. He asked the Planning Director what he though the next step might be.

Planning Director Goodison would like to comment on some issues that have been raised, noting that many had nothing to do with the adequacy of the EIR. Regarding the issue of water supply, as noted in the staff report and the EIR Addendum, a capacity study will be required. If there is inadequate supply at the time the project is proposed for construction, a will serve-letter would not be issued and the project would not be built. This is existing policy, adopted by the Planning Commission last February, and is recognized as such in the EIR. With regard to parking, some spaces at nine-foot width rather a ten-foot foot width and two apartment guest spaces are proposed to be shared with the commercial parking. The EIR notes that these requests will be addressed by the Planning Commission as part of the project review by either approving or denying those exceptions. In the context of the EIR, this does not represent a significant impact. He noted that the Planning Commission had approved similar parking exceptions for projects that were not subject environmental review at all. On the issue of energy, the City does not require individual projects to be self-sustaining, nor is that how CEQA defines the threshold of significance for energy use. This does not mean the project shouldn't be energy efficient. The project would be subject to the City's green building ordinance. Solar could be encouraged and this is the type of issue that is normally addressed as part of the review of the project. With regard to the issue of potential ground-borne vibration impacts, he suggested the following amended language for the mitigation measure: *"Construction techniques shall be*

guided by the soils report to ensure that ground-borne vibrations resulting the project will be within accepted thresholds so as to protect adjacent historic structures, including the Blue Wing Inn, and that there will be monitoring during construction to verify compliance.”

With respect to the setting of Blue Wing Inn, and in particular the views from the rear of the Blue Wing Inn, there are trees on the Blue Wing property that somewhat obscure the views of the parking lot behind it and the view of the project. As shown in the photomontages, the project would be visible. No one has ever suggested in an EIR that it's not a change in setting; the question is whether the change in setting rises to the level of a significant impact, based on specific criteria used in CEQA.

Mr. Knapp discussed the criteria. As set forth in the National Register guidelines, historical integrity has seven aspects: location, setting, design, materials, workmanship, feeling and association. Based on the National Park Register Bulletin that describes how to conduct this type of evaluation, only one of those criteria could be affected by the project, that being integrity of setting. He cannot agree it would affect the integrity of feeling and association, because those are driven by the resource itself, not the surroundings, again, according to the Park Service guidelines. The project would diminish the integrity of setting associated with one particular view, but that is not the test of significance. That impact has to be looked at in the context of the entire setting, which is much bigger than the project site. With regard to the Blue Wing Inn, the impact would not impair the integrity of the setting of the Blue Wing Inn, and this is only one out of the seven aspects of integrity. He does not believe the impact constitutes material impairment of the Blue Wing Inn as a contributor to the National Historical District under CEQA.

Planning Director Goodison noted that Commissioners who don't like the project can modify it when it comes before them for project review, or vote to deny it, but this is a completely separate issue from whether or not this EIR is an adequate document.

Comm. Gallian made a motion to approve the EIR with the suggested language proposed by Planning Director Goodison. Comm. Tippell seconded the motion. The motion failed with the following vote: Ayes: Gallian, Heneveld, Tippell. Noes: Edwards, Felder, George, Howarth.

Comm. George would like to see the specifics brought up in the correspondence and in the hearing be addressed. If the Planning Commission is being asked to evaluate adequacy of a process and document and various Commissioners have seen areas of inadequacy, it should be brought back to the Commission. He also questioned the energy demand of the project and asked that this scope be included in the analysis.

Planning Director Goodison asked the Commission if they would like to provide any additional direction.

Comm. Tippell clarified that the benefit of taking in those comments would be for the City Council. Planning Director Goodison noted no further action is required by the Planning Commission at this time.

Issues Update: The City Council will be considering the Housing Element at their meeting tomorrow night.

Comments from the Audience: None.

Comm. Edwards made a motion to adjourn. Comm. Gallian seconded the motion. The motion passed unanimously. The meeting adjourned at 9:00 p.m. to the regular meeting scheduled for 6:30 p.m. on Thursday, July 8, 2010.

Approved:

Robin Evans, Administrative Assistant

MARCUS & WILLERS ARCHITECTS

873 First Street, Sonoma, California 95476

(707) 996-2396

June 24, 2013

Mr. Rob Gjestland
Assistant Planner
City of Sonoma
#1 The Plaza
Sonoma, California 95476

Re: Mission Square Mixed-Use proposal.

Mission Square Design Narrative

The proposal is for a mixed-use project comprised of 16 apartment units and 3,514 square feet of office space. The design reuses the existing Pinelli bungalow as a small scale office building. A new 2,434 square foot, two-story office building is placed to the west of the existing bungalow. Both office buildings face East Spain Street and maintain the existing setback of the Pinelli bungalow.

The 16 apartments consist of five 450 and five 490 square foot studio apartments and six 700 square foot one bedroom apartments. Three two-story, four unit buildings face the access drive to the west, and two one-story, two unit buildings are placed along the eastern setback line. The buildings form an internal courtyard that terminates in a large common outdoor space with the existing large pecan tree as its central focus.

The commercial buildings maintain and reinforce the scale and use of buildings along East Spain Street and provide a transition between the more intensive retail uses to the west and the residential uses to the east. The apartments are organized around interior courtyards for circulation, light, air, view, privacy and most importantly, for compatibility with the surrounding single family residences. The courtyards reduce the building scale and mass and create a variety of interconnected outdoor spaces throughout the design. These open spaces create view corridors through the project from beyond the property boundaries.

The proposed project complies with the F.A.R., site coverage, setback and height requirements as allowed by the Development Code. Parking requirements for the apartments and office space have been met with exception of 2 guest parking spaces for the apartments which we propose can be shared with the commercial parking.

Development Code Requirements			
	Allowed / Required	Proposed	
Floor Area Ratio	1.20	.26	21%
Site Coverage	70%	29.3%	41%
Height Limit	30 feet	26 feet max.	72%
Combined Open Space / Unit	400 sq. ft. / unit	1,474 sq. ft. / unit	368%
Parking Spaces	42	40	95%
Office Use	12 spaces	12 spaces	100%
Residential	24 spaces / 16 covered	24 spaces / 19 covered	100%
Guest Parking	6 spaces	4 spaces	66%

Sincerely,



Carol Marcus
Architect

Rob Gjestland

From: Nick Tipon <nicktapon@comcast.net>
Sent: Saturday, June 08, 2013 6:30 PM
To: Rob Gjestland
Subject: Mission Square Public Hearing

Rob:
Thank you for the notice of the meeting. We reviewed the EIR you provided and agree with your mitigation measures for cultural resources.

Best,
Nick

RECEIVED

JUL 11 2013

CITY OF SONOMA

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jmpatri@aol.com

July 11, 2013

Mr. David Goodison, Director
City of Sonoma Department of Planning
No. 1, The Plaza
Sonoma, CA 95476

BY: Hand Delivery

RE: Mission Square Revised Final EIR

Dear Mr. Goodison and Honorable Planning Commissioners:

After careful review of the *Mission Square Revised Final EIR, May 2013, (Final EIR)*, we believe the issues outlined below need to be addressed by staff and the project applicant before the *Final EIR* can be certified. Based on experience, once the *Final EIR* is certified, the project, through use permit, design and merit review, will only be "tweaked", and will not have the thorough analysis and modifications that are needed to result in the superior project which the City of Sonoma community deserves. While we commend the project applicant for reducing the scale and intensity of development, the project needs further modifications and thoughtful design considerations in order to be fully understood, to be compatible with the nationally-recognized historic surroundings and community, and to be a non-impacting transition between commercial development to the west and single-family residential development to the east.

Project Description and Residential Component

Proposed Affordable Housing

The project site plan shows three affordable housing units and the *Final EIR* purports that these three affordable units will add to the City's affordable housing stock. (*refer to Response 6-4, page 6-22*). However, the project applicant has offered no means in the proposed project description that will assure the City and the public that these units will remain affordable in perpetuity.

Potential as Short-term Vacation Rentals

What assurance does the project applicant provide that the proposed residential units will remain as residential units in perpetuity, thereby adding to the housing stock to "help the City achieve its regional housing need allocation as established by the Association of Bay Area Governments (ABAG)" and not be used as short-term vacation rentals? (*refer to Response 6-4, page 6-22*)

Parking and Mitigation Measures Traffic-1 and Traffic-2

The revised project continues to fail in providing adequate on-site parking as required by City code (shortage of two on-site parking spaces and failure to meet parking space dimension requirements) and continues to fail in mitigating the loss of on-street public parking (refer to Response 11-1, page 6-44 and Table 2-1).

Loss of Public Parking and Proposed Mitigation Measure Traffic-1

The loss of two on-street public parking spaces on East Spain Street needs to be mitigated. This loss is due to private development with no benefit to the public. This loss is due to construction of a 24-foot wide, two-way driveway access from East Spain Street to the project and implementation of Mitigation Measure TRAFFIC-1 requiring the addition of a minimum of 20 feet of red curb on East Spain Street. A Mitigation Measure (Mitigation Measure Traffic-1) that results in a known loss of public on-street parking and an impact to a public benefit cannot be considered a viable mitigation measure. Mitigation of the loss of public parking must be included in the project. This can be accomplished by requiring a revision to the project that consists of construction of a minimum of two on-site dedicated public parking spaces directly off East Spain Street, designated exclusively as 2-hour public parking, thus requiring modifications to the project, before the *Final EIR* can be certified.

Parking Exceptions and Proposed Mitigation Measure Traffic-2

The project applicant is seeking a parking exception from the City because the proposed intensity and size of the development results in on-site parking that does not comply with City code requirements in parking space dimension and further parking spaces than required. The *Final EIR* concludes that the proposed residential parking spaces would fail to meet City code requirements for parking space dimensions, which is a significant impact. Mitigation Measure Traffic -2 offers that an exception be sought from the City, which is "allowed by some nearby jurisdictions". An exception is not a mitigation measure for inadequate on-site parking, including dimensions and numbers of spaces. It simply means that the impact cannot be mitigated and the *California Environmental Quality Act (CEQA)* requires that findings and over-riding considerations must be made to approve a project resulting in a significant impact.

Alternatively, Mitigation Measure Traffic-2 states: "if (*in the future*) a parking exception is not granted, the project applicant shall revise the project so that all parking spaces meet the parking space dimensions of City code. CEQA does not allow future, after-the-fact mitigations. Furthermore, Table 1-4 shows that a total of 42 parking spaces are required, while a total of 40 spaces is provided, a shortage of two on-site parking spaces. The *Final EIR* provides no mitigation for the shortage of on-site parking.

In order to find that the significant impact of failure to meet City code requirements for on-site parking is reduced to less-than-significant, and to certify the *Final EIR*, the project must be revised before certification so that on-site parking meets City code requirements.

Parking Survey Results (Table 4.3-2) and Need for Current Parking Survey

It is not clear in the *Final EIR* if the parking survey included the potential cumulative effects of on-street parking, once the restaurant at the corner of First Street East and East Spain Street is built-out and opened for business. This building provides no on-site parking and has not been in operation for many years, thereby currently not utilizing any of the available on-street parking. The *Final EIR* parking survey needs to include the potential need for on-street parking of the future restaurant in the project site vicinity.

Furthermore, the parking survey in the *Final EIR*, Table 4.3-2 is now seven (7) years old (conducted on Friday, August 19 and Saturday, August 20, 2006, refer to page 4.3-9). Subsequently, the City of Sonoma requested that additional parking surveys be conducted and the more recent surveys were conducted on Friday, April 27 and Saturday, April 28, 2007. The *Final EIR* states "In comparison to surveys conducted in August, 2006, overall parking availability was less in the survey area, but not to a substantial degree" and reference is made to a more complete description of the results in Appendix A of the *Final EIR*. The more recent Parking Survey (2007) is now six (6) years old. Current (2013) parking studies for the revised project need to be conducted.

Site Plan and Topography

The 2006 Project Site Plan is laid over the topography of the site (Figure 1-1), while the Modified Project Site Plan is not (Figure 1-2). Therefore, it is not possible to analyze the implications of the proposed revised project in relationship to finished grade, the grade transitions to adjacent properties and finished grade of the residential/office site relative to the access driveway.

Pedestrian Linkage to the Plaza

Currently there exists a one-way driveway access along the west side of the site that serves as a one-way exit route from an adjacent commercial parking lot behind the Mercado to East Spain Street. This access driveway will be widened and improved to serve as a two-way access and exit route from and to East Spain Street serving the project and the Mercado. The project fails to provide a pedestrian walkway linking East Spain Street to First Street East to further pedestrian linkage and meaningful relationship with the Plaza (*City of Sonoma General Plan (GP) 2006-2020 Circulation Element Goals 1 and 2*). While the "absence of connections in all directions" is not required here, the current project by-passes the potential for pedestrian linkage between East Spain Street and First Street East. (refer to Response 11-3, page 6-44) Before certification of the *Final EIR*, to be found consistent with *GP Goals 1 and 2*, the project must be revised to include a public pedestrian linkage from East Spain Street to East First Street.

Hydrology and Drainage

The *Final EIR* recognizes significant impacts relative to hydrology, water quality and run-off. Mitigation Measures should require and assure that all water run-off is retained on-site during construction, post-construction, and for the duration of the life of the finished project. In addition, no ponding of water should be allowed on-site during the life of the finished project. Mitigation Measures should require the use of permeable pavers, (i.e. Eco-Stone) with a permeable subgrade resulting in direct flow of surface water into the

subgrade throughout the project, including the access driveway, walkways, and patio areas. (NOTE: an example of an Eco-Stone installation can be seen at 725 Broadway.)

Biology, Tree Preservation and Landscaping

The *Final EIR* erroneously states that no significant impacts associated with biological resources have been identified relative to the revised project (refer to Table 2-1, page 2-21) However, *Final EIR Response 11-3* (refer to Response 11-3, page 6-44) states: "Existing trees along the west side of the shared driveway, including an oak with a 15-inch diameter trunk, would be retained. These trees are not shown on the Modified Project Site Plan, Figure 1-2. Nor does it appear possible to preserve these trees as the 24-foot wide access driveway is proposed directly at the western property line. There is no mention of, nor is it sited on the Modified Project Site Plan, Figure 1-2, of the existing mature maple tree street tree just east of the existing curb cut. Before certification of the *Final EIR*, the applicant must revise and correct the Site Plan to show the "existing trees along the west side the shared driveway" that are to be preserved as stated in *Final EIR Response 11-3*. In addition, the applicant must provide an Arborist Report that addresses the health of all trees to be preserved, including the existing trees along the west side of the shared driveway and the pecan tree located behind the Pinelli building, and required Mitigation Measures needed during construction, post-construction, and maintenance to ensure the long-term preservation of these trees. Preservation of the trees on the west side may require moving the 24-foot wide access driveway to the east and modifications to the office building. In addition, the *Final EIR* must address the preservation, or loss, of the aforementioned street tree and how the loss of this tree would be mitigated.

As there is no landscape plan provided with the revised project, the revised project cannot be analyzed for adequacy of new landscaping, including the provision for street trees, as well as consistency with *City of Sonoma General Plan 2006-2020 Goal ER-3*), which encourages landscaping that promotes water conservation.

Noise and Six-foot High Sound Wall on East Side

Final EIR Response 11-4 (refer to Response 11-4, page 6-44) states that the 6-foot high wall will "block the line of sight and thus the direct sound path, from the typical sources of automobile noise...." What is the correlation between blocking the line of sight and directing the sound path of automobile noise? Mitigation Measure NOISE-4 (refer to Table 2-1) requires construction of a sound wall. Before certification of the *Final EIR* the design of the sound wall needs to be included in the project and analyzed for compatibility. Mitigation Measures need to be included in the *Final EIR* for testing of the sound wall post-construction to assure that the required sound wall complies with the City's Noise Ordinance and noise standards.

Design Aesthetics and Compatibility with the Existing Historic Streetscape and Transition to the Residential Neighborhood.

The *Final EIR* in reference to Buildings 2 and 3 defines some architectural elements as "typical of contemporary, mass-market housing" as though this was acceptable. It goes on to state: "However, because only part of Building 2 would be in the district (reference to *National Register District*), and even that part would be relatively inconspicuous, only the scale, massing, and major design characteristics of Building 2 would be sensitive." (refer to page 4.10-37) It appears that the *Final EIR* concludes that it is acceptable in this

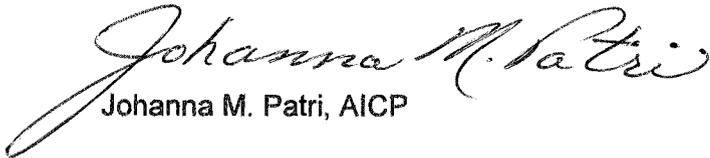
nationally-recognized historic neighborhood to propose residential units characteristic of "contemporary mass-market housing". Before certification of the *Final EIR* the project should be revised to provide architectural design, elements, details and materials that will not provide the appearance of "contemporary, mass-market housing", but will rise to a level of compatibility with the nationally-recognized historic district and add to the architectural quality and integrity of the neighborhood.

Staff and the Commissioners must provide the project applicant with architectural and material criteria to assure that revisions to the project will result in a quality and authentic project before the *Final EIR* can be certified.

The revised design and height of the proposed office building impacts the existing historic setting and streetscape and needs mitigation. The height of the office building should be less than the height of the Blue Wing Adobe, thereby resulting in the Blue Wing Adobe being the featured structure on the block.

Thank you for your serious consideration of these issues.

Sincerely,



Johanna M. Patri, AICP



Gary Kozel, Consultant to the National Trust for Historic Preservation
(former Communications Director, the National Trust for Historic Preservation)

RECEIVED

JUL 12 2013

CITY OF SONOMA

Mr. David Goodison, Director
City of Sonoma Department of Planning
1 The Plaza
Sonoma, CA

July 11, 2013

RE: "Mission Square" Final EIR

Dear Mr. Goodison and Honorable Planning Commissioners,

As a local citizen I have reviewed the FEIR for the proposed "Mission Square" project on East Spain Street and have some questions and comments.

Of primary concern for me is the preservation of the cultural resources of the Sonoma National Registry District.

There are a variety of issues that will be effected by the proposed project:

Geotechnical Report

The Geotechnical Report initially acknowledges that there is no Site Grading and Drainage plan provided to the geotechnical consultant. Therefore the geotechnical consultant assumed the site grading will 'probably consist of minor cuts and fills of two feet or less'.

That said the Geotechnical Report recommends stripping (removing) any existing fill (identified in the report as comprising 1 to 3 feet below existing fill grade) and any "weak soil surfaces", certainly implying excavation greater than 2 feet.

The Geotechnical Report provides comments on the affect of construction to the historic Blue Wing Inn but does not provide comments about the affect of the construction on the adjacent Pinni buildings that is only feet from the construction site. (Appendix D: Construction Vibration Impact Assessment Pg 4). There is no reason given for not considering the historic property from the potential construction impacts.

The Pinni Building is listed as a contributor to the National Registry District, both the Pinni building and the Blue Wing are within the 50-foot threshold for vibratory compaction recommended criteria (Appendix C: Geotechnical Report pg 7).

The report recommends that 'compaction within 50 feet of the existing historic building should be achieved by *static means only*' (italics mine)

The Figure 1 in Appendix D, illustrates the vibration assessment of adjacent sensitive buildings the site plan showed the distances fro the Blue Wing and again nothing was said about the affects on the Pinni Building (Appendix C: Geotechnical Report pg 7) and no reason given for the exception.

I suggest a mitigation measure be included in the FEIR that insures the protection of the Blue Wing Adobe and the Pinni buildings with the buildings monitored for potential cracking or other damage to those buildings during the entire construction process. Industry standards include crack monitoring and vibration monitoring equipment. In addition, a threshold for stop work in the case of damage to the surrounding historic buildings be incorporated in the conditions of approval before certification of the FEIR.

Storm Water

It is my personal observation that there is evidence of a high water table on the east side of the Plaza including the 'Mission Square' site. For example: in the Blue Wing Inn, there is evidence of high ground water all year; the proposed building site is often saturated during the winter with water running onto the adjacent egress lane; during storm events the street area in front of the proposed site has a history of flooding; and the Pinni building adjoining the site has a sump pump that operates year around. (Note the one of the names of iterations of this project was Artesian Lodge.)

The proposed project provides for storm water mitigation according to 'Best Management Practices'.

That said, "What are the implications of putting storm water in the ground at the proposed project site?" A Filterra system is intended to capture the storm water from the driveway/public alley and charge the ground with the run-off water.. The parking area storm water is to be directed into an infiltration basin at the southwest corner of the property. Since there is evidence of high ground water and soil saturation I question the implication of putting storm water into the ground at the proposed building site. What assurances can the owners of the Pinni Building and the Blue Wing Inn have that the addition of the storm water from the site will have on the future stability of those buildings?

Currently the undeveloped 'Mission Square' property naturally infiltrates storm water over the entire property and the proposed project will concentrate the project runoff on the west side near sensitive historic buildings creating hydrologic cones of saturation.

At previous public meetings, city staff has acknowledged that the high water table in areas of Sonoma will render storm water proposals similar to the proposed method ineffective except during the very beginning of the rainy season.

Future of the National Registry District.

As stated in the FEIR the Sonoma National Registry district has lost a contributing building on the Plaza and there has been other construction in the District. There are factors that undermine the eligibility of the district.

The Pinni Building and cottage directly adjacent to the project is a contributor to the Sonoma National Registry District. The proposed project, although the applicants have carefully

considered the existing Pecan and Sycamore trees on the site, the FEIR has not identified the existing fig and quince trees that line the side of the Pinni building. The Project carefully considers the setting of the Pinelli bungalow but not the Pinni building. One of the elements of eligibility for National Registry is the setting in the district. The removal of the existing trees along the Pinni building changes the bucolic setting of that building.

The installation of a 24-foot wide roadway with all the necessary curbing, stripping, handicapped indicators and signage abutting within several feet the Pinni building will provide a radical departure from the existing bucolic nature of the block of East Spain Street between First Street East and Second Street East. Therefore undermine the areas setting and impacting the ongoing eligibility of the National Registry District.

It in discussion of historic resources spread through the FEIR I would like to point out some of the inconsistencies. On Page 4.10-33 the first paragraph makes unsubstantiated statements describing how the Secretary of Interiors Standards are used for evaluation of surrounding properties “only if there were a physical effect on the second property”. That statement is directly contradicted by quotations from CEQA guidelines on the same page and numerous other times in the document (including the first section on Pg 4.10-35).

Within the FEIR there are variety of statements made about historic resources that should be substantiated by new Historic Resource Studies or Evaluations. Additional survey or evaluations of cultural resources would have clarified potential impacts on the nearby existing resources and defined impact levels and mitigations options. An example of a needed evaluation is the Pinni property to adequately define the resources, affect of the Mission Square project on the resource.

I frequently walk down East Spain Street and am amazed at the feeling the bucolic setting of the historic buildings of our town retain on East Spain Street. The definition bucolic means rural or pastoral and maintaining an adequate setting for existing historic structures of the National Registry District is important to retaining historic character of our town.

I request that you look carefully at the impacts of the project on the National Registry District and I request defined mitigations be included in the FEIR that will provide the necessary protections for all the surrounding resources.

Respectfully,
Patricia Cullinan
425 Denmark St.
Sonoma CA 95476
patriciacullinan@att.ent

Adrian Martinez / Architect
Mary Martinez
414 First Street East, No. 2
Sonoma, California
95476

11 July 2013

Mr. David Goodison Planning Director
City of Sonoma Planning Department
#1 The Plaza
Sonoma, California
95476

By Hand Delivery

RE: Mission Square Revised Final EIR

Dear Mr. Goodison and Planning Commissioners:

After careful review of the Final EIR for the Mission Square project, I would like to submit the following comments:

PARKING

The loss of on-street parking due to the widened driveway as part of the project should have to be mitigated by project sponsor i.e. provision for public parking on the site.

The project should be reduced in size and intensity of use with no variance given to the required on-site parking as the project site is in a neighborhood where on-street parking is impacted during various times of the day. The current parking survey results do not take into account the business in the old Sonoma Creamery that was closed during the survey and will shortly reopen without any off-street parking.

As noted under C. "Standards of Significance" the EIR specifically states that the proposed project would have a significant impact with regard to traffic and circulation if "5. There would be insufficient on-site parking to accommodate the project's peak use and meet City code requirements." and "6. The project would conflict with the City of Sonoma's adopted policies, plans or programs."
(Pg. 4.3-12)

The current site plan shows 100% of the parking spaces meeting City code requirements for commercial uses ONLY. 72% of the current project components are residential. Therefore, 72% of the ON-SITE parking spaces must meet the City Parking Code for residential parking.

As stated in the EIR, page 4.3-21 "Parking space dimensions would not meet City code requirements for residential use.....".

For a project of this scale in the historic district there should be NO exceptions to the City code.

TRAFFIC

The traffic at the existing ONE- WAY driveway out of the Pinni building, Blue Wing Inn, El Paseo, Vella building and Mercado is already dangerous. During the construction of the Mercado I & II complex an emergency vehicle turn-out was created to allow for safer easement. At the time, the "planting strip" directly adjacent to the Pinni property allowed for the security of the historic landscaping, including the last of the historic Quince TREES that have since been allowed to flourish along the ONE-way driveway. In addition to the Quince there is also a historic Fig tree in the same planting strip. This "planting strip" also serves as a protection for the foundation of the Pinni building. Should the driveway be widened for 2-way it should be part of the mitigation that under no circumstance should this area be disturbed. These trees are just as much a part of the historic district as the buildings. (See Page 3 Photo #1 & #2)

A 2-way driveway at Park Villas at 154 West Spain is a great example of accidents waiting to happen. Despite the loss of precious on-street parking, the line of site is not safe enough either to the East or the West when exiting the driveway. Traffic moves rapidly and frequently around and away from the Plaza. Any new driveway for this project should be moved away from the historic buildings and landscaping.

Site Improvements

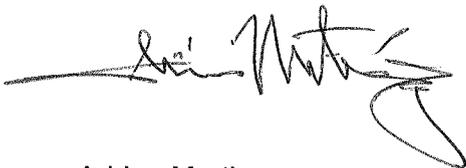
The project should use permeable surfaces for driveways and parking areas in order to reduce surface runoff. The material(s) used need to be strong enough to support emergency vehicles. The Bay Area Stormwater Management Agencies Association (BASMAA, 1999) "Start at the Source" manual lists 8 alternative materials that can be used as permeable pavement.

There's an opportunity here to restore, rather than to further destroy, existing site amenities including the creek, trees and cactus plant.

Aesthetics and Historic Resources

The project should be designed and scaled, including height, bulk and mass, to maintain the overall architectural and physical integrity of the National Historic Landmark District. The architectural drawings do not provide enough information to make any suggestions but would compliment the historic district by reducing the height of the commercial building facing Spain Street either to a single story building or not exceed the height of the Blue Wing Inn.

Thank you for your consideration,



Adrian Martinez
Architect



Mary Martinez



ONE-WAY Driveway at East Spain Street showing historic landscaping.



Historic Quince TREES adjacent to Pinni building at ONE-WAY Driveway

NED FORREST ARCHITECT
LESLIE WHITELAW INTERIOR DESIGN

525 BROADWAY SONOMA, CALIFORNIA 95476
707-935-1570 FAX 707-935-1575

Mr. David Goodison, Director
City of Sonoma Department of Planning
1 The Plaza
Sonoma, CA

By Hand Delivery and Email

RE: Spain Street Apartments "Mission Square" Final EIR

July 12, 2013

Dear Mr. Goodison and Honorable Commissioners:

While I accept the construction of housing on this site, I ask the Commission to not certify this FEIR as it is written. There are other unacceptable impacts of this project, but I will limit myself here to impacts on our cultural resources.

The project sits upon and within an especially rare part of the Historic District where historic buildings and pasture animals exist immediately adjacent to the very center of our town.

It is not an accident that on this block of Spain Street indigenous local people built their village. That on this block the Mission complex was built. That on this block the first Californio in our region built his home. The earliest residents had all of Northern California in which to settle and yet they chose this very block.

In spite of this heritage, the ambitions of this developer have yielded buildings typical of contemporary mass-market housing. In my opinion, the project proposed here lacks any pride of place. It not only squanders its potential, but also seems disrespectful or at least blind to the stature of this place.

While some would say that Design Review is the proper venue for this discussion, the project plans and elevations included in the FEIR surely must be considered to demonstrate some reasonable assurance of aesthetic safety, and that the project will not degrade our cultural resources.

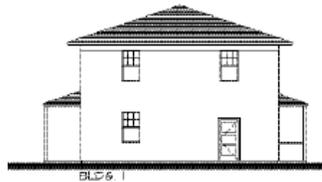
Drawing exhibits intended to show the appearance of the project are notably spare. Landscaping drawings that could mitigate it are not shown at all.

The FEIR (page 6-35) states that a building may be high and not be impactful, or low and be impactful. Shown below is the high version from this FEIR. I believe that the proposed street building is both tall and impactful, but not just because it is tall.

From the FEIR (pages 4.10-36) we learn that this building is stucco, with fiberglass clad windows, asphalt shingles and porch columns “painted to look like wood”. While there are buildings in the district that are similar to this simple drawing, they are of finer materials and detailing. Guidelines discourage imitation history, but shouldn’t new infill in the Historic District approach the level of quality and dignity of that district?



View while chatting with the Clydesdales



View from Pinni and Blue Wing Buildings while sidewalking

Buildings in a heritage context can show themselves to be sensitive to that context. Is there sufficient information here to evaluate this? Taken exactly as shown, isn't there something that shows a lack of sensitivity? If so, how is this FEIR certifiable?

I believe that a culture itself determines its own cultural treasures. That the vulnerability and health of those treasures is measured by our sensitivity. Not by the property owner, not by markets, not by art historians, not by EIR authors. Not even by the Department of the Interior or by the National Trust. This is our culture, not theirs, inherited from those who lived here before us. We must judge this.

We don't need to agree with others. It is up to our community, and at this juncture through you, to decide whether our cultural resources are being degraded or not.

Thank you for your consideration.

Respectfully,

Ned Forrest

PROJECT DESCRIPTION

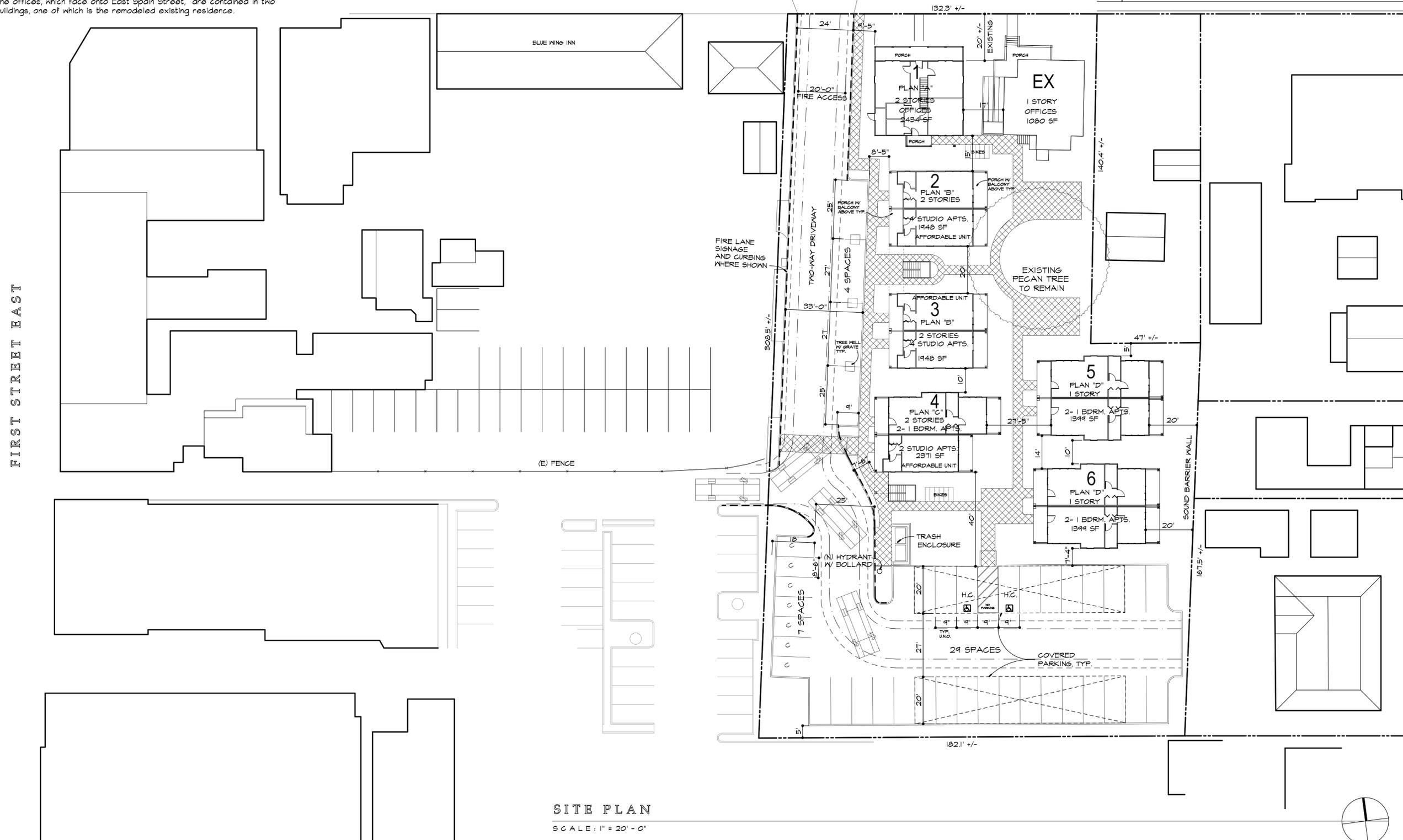
Project Site
The Project site consists of a 1.13 acre parcel. The zoning for this parcel is MX Mixed Use.

Existing Conditions
There is currently one existing residence on the parcel. This building will be retained and remodeled. The surrounding land uses are single family residences to the north and east with commercial uses to the south and west. The surrounding zoning is MX to the north, LDR to the east and CO to the west and south.

Proposed Project
The proposed project consists of 16 studio and one-bedroom apartments contained in 5 one and two-story buildings, and two office buildings. The apartments face onto the driveway access, or back to existing single family residences on Second Street East with rear yard setbacks of 20 feet to match the adjacent LDR zoning. The offices, which face onto East Spain Street, are contained in two buildings, one of which is the remodeled existing residence.

PROJECT DATA

USE AND ZONING	GROSS BUILDING AREAS	PARKING REQUIREMENTS	SITE COVERAGE	OPEN SPACE
USE: MIXED USE : COMMERCIAL AND HOUSING ZONING MX SITE AREA: 1.13 ACRES 49,244 S.F. DENSITY: 14.2 UNITS / ACRE	OFFICES (INCLUDING EXISTING HOUSE) 3514 S.F. 10 STUDIO APARTMENTS 4870 S.F. 6 ONE-BEDROOM APARTMENTS 4195 S.F. TOTAL FLOOR AREA 12,579 S.F. FLOOR AREA RATIO .26 RESIDENTIAL TO BUILDING AREA RATIO 72%	OFFICE USE: 1 SPACE / 300 SF = 12 SPACES APARTMENT PARKING: 1.5 SPACE / UNIT = 24 SPACES 25% GUEST PARKING: 6 SPACES TOTAL PARKING REQUIRED: 42 SPACES COVERED PARKING 19 SPACES SURFACE PARKING 21 SPACES TOTAL PARKING PROVIDED: 40 SPACES	BUILDING COVERAGE: 10,584 S.F. COVERED PARKING 3,600 S.F. TOTAL SITE COVERAGE: 14,184 S.F. PERCENT OF SITE AREA COVERED 29%	SURFACE PARKING (NON COVERED INCL. DRIVEWAY) 14,985 S.F. COMMON OPEN SPACE PAVED, PEDESTRIAN AREA 4,002 S.F. LANDSCAPED AREA 14,390 S.F. PRIVATE YARDS 1,765 S.F. PORCHES AND BALCONIES 3,474 S.F. TOTAL 29,631 S.F.



SITE PLAN
SCALE: 1" = 20'-0"

MARCUS
WILLERS ARCHITECTS
423 FIRST STREET WEST
SONOMA, CA 94960
707-996-2396
www.marcuswillers.com

LICENSED ARCHITECT
WILLIAM J. WILLERS
C-21505
REN. DATE JULY 31 2013
STATE OF CALIFORNIA

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MISSION SQUARE
165 EAST SPAIN STREET
SONOMA, CALIFORNIA

SITE PLAN
PROJECT DESCRIPTION
PROJECT DATA
SCALE: 1" = 20'-0"

DATE: MARCH 10, 2008
REVISIONS:
SITE PLAN MAY 14, 2008
PROJECT DATA NOV 19, 2009
MISC. SITE PLAN REVS. 10-28-10

SP1

Wednesday, June 26, 2013



NORTH ELEVATION (SPAIN STREET)

SCALE: 1" = 10' - 0"



WEST ELEVATION (DRIVEWAY)

SCALE: 1" = 10' - 0"



SOUTH ELEVATION (FROM PARKING AREA)

SCALE: 1" = 10' - 0"



EAST ELEVATION

SCALE: 1" = 10' - 0"

MARCUS



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LICENSED ARCHITECT
WILLIAM J. WILLERS
C-21505

REN. DATE JULY 31 2011
STATE OF CALIFORNIA

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MISSION SQUARE

165 EAST SPAIN STREET
SONOMA, CALIFORNIA

SITE ELEVATIONS

SCALE: 1" = 10'

DATE: MARCH 10, 2008

REVISIONS: MAY 14, 2008

E1