



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of January 9, 2014 -- 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
James Cribb (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.

MINUTES: Minutes from the meetings of November 14, 2013 and December 12, 2013.

CORRESPONDENCE

ITEM #1 – PUBLIC HEARING

RECOMMENDED ACTION:

ISSUE:

Consideration of amendments to the Development Code establishing definitions and zoning regulations for wine tasting facilities.

Forward recommendations to City Council.

Staff: David Goodison

ITEM #2 – PUBLIC HEARING

Project Location:

639 Third Street West

RECOMMENDED ACTION:

REQUEST:

Consideration of an Exception to the fence height standards to allow over-height fencing within the front and street-side yard setbacks of a residential property.

General Plan Designation:

Low Density Residential (LR)

Approve, subject to revisions and conditions.

Zoning:

Planning Area: Central-West Area

Applicant/Property Owner:

Montoya and Associates/Diann Sorenson

Base: Low Density Residential (R-L)

Overlay: N.A.

Staff: David Goodison

ITEM #3 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to construct three multi-family residential units.

Applicant/Property Owner:

Victor Conforti, Architect/Richard and Diane Merlo

Staff: Rob Gjestland

Project Location:

830 Broadway

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H) and
Creek Setback (/C)

RECOMMENDED ACTION:

Approve with conditions.

ITEM #4 – PUBLIC HEARING

REQUEST:

Consideration of an Exception to the side and rear yard setback requirements to construct a residential addition.

Applicant/Property Owner:

Victor Conforti, Architect/Patricia and John Scheel

Staff: Rob Gjestland

Project Location:

378 Second Street East

General Plan Designation:

Medium Density Residential (MR)

Zoning:

Planning Area: Northeast Area

Base:

Medium Density Residential (R-M)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve rear yard setback Exception; Commission discretion with respect to side yard setback Exception request.

ITEM #5 – PUBLIC HEARING

REQUEST:

Consideration of an Exception to the wall height standards to allow an over-height wall within the street-side yard setback of a residential property.

Applicant/Property Owner:

Rainscape Design/Rebecca Semic and James McCarthy

Staff: Wendy Atkins

Project Location:

492 Montini Way

General Plan Designation:

Sonoma Residential (SR)

Zoning:

Planning Area: Northwest Area

Base: Sonoma Residential (R-S)

Overlay: N.A.

RECOMMENDED ACTION:

Approve subject to revisions and conditions.

ITEM #6 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to operate a mobile coffee service trailer on a commercial property.

Applicant/Property Owner:

Rocio Fuentes/Northwest Dealerco Holdings LLC

Staff: Wendy Atkins

Project Location:

195 West Napa Street

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve temporary Use permit, with conditions.

ITEM #7 – PUBLIC HEARING

ISSUE:

Discussion of appeals of Planning Commission decisions.

Staff: David Goodison

RECOMMENDED ACTION:

Discuss.

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 January 3, 2014.

CRISTINA MORRIS, ADMINISTRATIVE ASSISTANT

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

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

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

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

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING OF
Community Meeting Room, 177 First Street West
November 14, 2013
DRAFT MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, November 8, 2013, on the bulletin board outside the front of Sonoma City Hall, No. 1 The Plaza, Sonoma, California. Chair Roberson called the meeting to order at 6:30 p.m. in the Community Meeting Room, 177 First Street West.

Roll Call:

Present: Chair Roberson, Comms. Edwards, Henevald, Roberson, Tippell,
Howarth, Willers, Cribb (Alternate)

Absent:

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

Chair Roberson stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made tonight can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers. Comm. Willers led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No Public Comments

APPROVAL OF MINUTES: Comm. Edwards made a motion to approve the minutes of September 12, 2013 Comm. Felder seconded. The motion was unanimously approved 6-0 (Comms. Roberson and Henevald abstained)

Comm. Edwards made a motion to approve the minutes of September 26, 2013 Chair Roberson seconded. The motion was unanimously approved 8-0.

Comm. Edwards made a motion to approve the minutes of October 10, 2013 Comm. Felder seconded. The motion was unanimously approved 7-0 (Comm. Howarth abstained)

CHANGES TO AGENDA ORDER: Item # 1 will not be heard tonight.

CORRESPONDENCE: Late mail was received regarding Item #2 from Daniel J. Parks, Kevin and Joanne Lely, Ned Forrest and Shelia Cole. Staff provided the Revised Conditions of Approval and Resolution relating to Use Permit Approval, Approval of an Exception to Parking Design Standards and Approval of Site Design and Architectural Review.

Comm. Willers recused himself due to a financial conflict of interest and left the room.
Comm. Cribb recused himself and left the room.

Item #1 – Public Hearing – Consideration of amendments to the Development Code establishing definitions and zoning regulations for wine tasting facilities.

The Item was postponed until the December 12th meeting.

Item #2 – Public Hearing – Consideration and possible action on an application for a Use Permit, Site Design and Architectural Review, and Parking Exception for the Mission Square project, a mixed-use development that includes 3,514 sq. ft. of office space, 14 apartments, and associated parking improvements at 165 East Spain Street.

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

Senior Planner Gjestland presented staff's report.

Comm. Howarth confirmed with staff that the proposed parking configuration meets current commercial standards, however the residential parking spaces are one foot less in width than would normally be required, which is why an Exception from the parking standards is being requested. Comm. Howarth noted that the Planning Commission has been considering amending the City's parking regulations, including reducing the dimensional standards for parking spaces.

Lori Bremner, the property owner's representative, introduced the project team.

Marcus Detert, co-property owner, (129 Clark Dr. San Mateo) indicated that Lori Bremner and project architects held a neighborhood meeting last week to discuss and view the project.. He feels the project team has adequately responded to the Planning Commission's request for more information at last meeting with the detailed design review submittal. He hopes the Planning Commission will approve the project which he feels respects the historic character of Sonoma.

Kristina Lawson ESQ., project attorney, agrees with the staff recommendation for project approval this evening. She noted that staff's brief oral presentation did not fully convey the lengthy review process for the Mission Square project, which began seven years ago following consideration of a separate hotel proposal for the site. The project has now been reduced to 14 residential units and 3,500 sq. ft. of office space. She emphasized that the Planning Commission certified the EIR for the Mission Square project in July 2013 and that a detailed design review submittal has been submitted for consideration this evening as requested. She addressed recent concerns raised about the well on the property, noting that this is not a new issue and that various cultural resource studies have been conducted, including an on-site archaeological investigation by Tom Origer & Associates, with participation by the Federated Indians of Graton Rancheria. She noted that these evaluations did not identify the well as a significant cultural resource and pointed out that the EIR includes mitigation measures addressing cultural resources.

Tim Schramm, project engineer (Adobe Associates, 1220 North Dutton Santa Rosa) addressed the grading and drainage plan for the project, which includes a vegetated swale along the south property line appropriately sized for the treatment/infiltration of runoff from the roofs and parking lot. He estimates there will be 30 trucks of exported soil from the site and referenced the fire truck turning template, noting the Autoturn program was used to confirm the City's fire apparatus parameters are met in terms of access.

Comm. Tippell confirmed with the project engineer that there would be 265 cubic yards of cut/export, including wet and dry trench spoils, but also 698 cubic yards of imported base rock for the drive and parking areas.

Mr. Schramm noted the drainage plan also includes a new catch basin with filterra unit on the west side of the driveway that would accommodate runoff from the driveway. The remainder of site runoff would be conveyed to the bioswale on the south side of the property through curb openings.

Comm. Felder asked for further clarification on the drainage system and expressed concern that surface runoff will flow onto the adjoining properties to the west. The project engineer confirmed the drainage plan includes a drain inlet in the southwest corner of the site to convey overflow from the bioswale north to the filterra unit on the west side of the drive and that these systems have been appropriately sized to meet applicable Low Impact Development stormwater regulations. Comm. Felder indicated that he remained skeptical about the drainage plan.

Comm. Tippell has scrutinized the drainage plan/design and feels it is adequate as designed. However, he noted that asphalt is proposed for all drive and parking areas and asked if the applicants would consider permeable pavers for the first 50-60 feet of driveway. Mr. Schramm noted that additional stormwater BMPs beyond the proposed bioswale and filterra unit are not necessary to meet applicable stormwater requirements and that the site's clay soils are highly expansive which can be problematic for pavers.

Comm. Felder confirmed with the project engineer that an underground storm drain goes from the north through the property and/or along its west side. The exact location has not been plotted yet.

Carol Marcus, project architect (Marcus & Willers Architects), anticipates DRC review of the landscape plan, exterior lighting, signage, and rehabilitation plan for the Pinelli bungalow if necessary. She requested the opportunity to address the Planning Commission at the end of the public hearing to answer questions and also for the project team to address any concerns or questions that may come up through the Planning Commission's discussion. She proceeded to play a virtual tour of the project proposal (an interactive 3D-model video) that illustrated the project features. In general, the architecture and details of the proposed buildings do not attempt to replicate the style of historic buildings in the area, which is consistent with the Secretary of the Interior's Standards. Rather they draw from forms, materials, finishes and textures that are familiar to the area and are designed as quiet, simple buildings that are sensitive to the historic district. The new buildings will exceed CALGreen building standards, feature Marvin integrity windows, and have the least invasive type of foundation system possible.

Ms. Marcus emphasized they will be rehabilitating the Pinelli bungalow for office use rather than restoring it. Not all windows will be replaced exactly in kind; however they do not expect major changes to the exterior of the bungalow. She noted they added a colonnade to the west side of Building 1 and selected exterior materials for longevity and low maintenance. She pointed out that the cement plaster proposed for the project is common in the historic district and presented a material and color board to the Planning Commission, as well as a roof sample and window sample. Ms. Marcus explained that Buildings 2, 3, and 4 have double-hipped roofs, and 6" by 6" chamfered porch/balcony posts to break down their mass. Buildings 5 and 6 would be differentiated by the use of board and batten siding. Building 7 would have "barn" doors on the east/enclosure side and the carports would be white and fully cantilevered to allow for maximum vehicle mobility. She noted the carport spaces would be fully functional with a width of nine feet and that nearby parking for the Mercato complex has 8' by 14' spaces that work. She emphasized there would also be an opportunity for shared parking and requested approval of the parking exception. She noted that neighbors would prefer a CMU wall rather than wooden fencing for the required noise barrier at the southeast corner of the site. They are happy to

accommodate this request; however the footing for a CMU wall could require a reduction in the length of adjoining parking spaces by 2 feet in order to maintain the bioswale on the south side of the site.

Comm. Edwards confirmed with the project architect that the backflow prevention device would likely be located in the landscape area northeast of the Pinelli bungalow and that the number of office tenants could range from one to seven.

Comm. Tippell commended the applicant on the video presentation, which he found very helpful. He inquired whether solar panels or pre-wiring for solar on the carports was considered. The project architect indicated that pre-wiring for solar could be considered and clarified that a common laundry facility is proposed as another “green” feature rather than laundry appliances in the individual units.

Comm. Heneveld confirmed the location of the sound wall required by Mitigation Measure NOISE-4 and that finish color of the carports would be factory applied.

Comm. Howarth does not like the location of backflow prevention devices within front yards, especially in the historic zone, and noted that other cities approach this differently. He does not want this feature to be prominent in the streetscape. The project architect indicated they were open to alternate locations provided the City would allow for it.

Comm. Howarth confirmed that windows proposed for Building 1 are not true divided lights. He noted the depth of the recess/reveal into the building wall for windows on Building 1 and asked the project architect why this detail was not brought into Buildings 2, 3, and 4. The project architect responded explained that it is because 2”x6” construction is proposed for Building 1 whereas the other buildings would employ 2”x4” construction.

Paul Harris, project landscape architect (Imagine Sonoma Landscape, 801 Camelia St. Berkeley) has designed a simple and practical landscape plan with medium to low water use plants and no lawn that uses crushed stone as mulch and boulders to delineate spaces. Different low fence options are presented that draw from local examples. The plan is conceptual at this point and would be refined for review by the DRC.

Comm. Howarth confirmed with the landscape architect that roof drainage would ultimately be directed to the bioswale on the south side of the property per the civil drainage plans. In addition, there would be drainage areas between the buildings lined with river cobble.

Chair Roberson opened the public hearing.

Karla Noyes, resident outside City limits, feels the project is much improved but urged the Planning Commission to keep their standards high to avoid bad and/or cheap designs.

Patricia Cullinan, 425 Denmark Street, has concerns about vibration impacts, drainage, and the design of Building 1. She feels the vibration analysis should have included the Pinni and Viviani buildings. In addition, there should be a pre-construction survey, insurance requirements, and monitoring plan to ensure that vibration levels do not exceed the threshold and cause damage. She has concerns about site drainage and a cone of saturation potentially affecting the Blue Wing Inn building. Building 1 will be the largest on the block and overwhelm the Blue Wing Inn and other structures on East Spain Street.

Mary Martinez, 414 First St. East, says the 100-year flood comes every 10 years to this area and the property currently functions as a drainage swale. She does not feel that drainage has been adequately addressed. She believes that no exceptions should be made to the parking standards, noting that up to seven tenants could occupy the office space thus exacerbating on-street parking impacts.

Barbara Wimmer, President of the Sonoma League for Historic Preservation and resident, at 19060 Junipero Serra Dr., stated it is the position of the League that the project needs further modification to achieve compatibility with the historic setting, particularly with respect to the design of Building 1. She indicated that the project should be designed in a "more historical manner."

Comm. Tippell asked Ms. Wimmer to clarify what a more historical manner would be. Ms. Wimmer stated she doesn't have an answer. She indicated the League is mainly concerned with the design of Building 1, which should be further refined. The remainder of the project is acceptable.

Bob Garant, Board member of the Sonoma League for Historic Preservation and resident at 617 First St. West, clarified that the League does not want to force any particular architectural style for Building 1. However, they feel Building 1 is a rather massive and will overwhelm adjacent buildings. He suggested that Building 1 should be raised on a plinth and concurred with previous comments about possibly recessing the windows and using a different exterior finish. He feels the building has no continuity with surrounding structures and emphasized the main concern is with its massing. The League requests that the Planning Commission to push on this issue.

Comm. Tippell confirmed with Mr. Garant that the primary concern is with the proportion and detailing of Building 1, not about wanting any particular architectural style.

Robert Demler, Vice-President of the Sonoma League for Historic Preservation and resident, at 649 First St. West, noted the importance of site's historic setting. He does not like the design of Building 1, which he feels does not harmonize with or enhance the historic district. In his personal opinion, employing an adobe architectural style for Building 1 like the Blue Wing or Ray adobe would better, preferably with a second floor balcony.

Kimberly Blattner, 426 Second St. East, feels that the project design is less than ordinary and needs more work, especially considering the unique and important location of the site. She believes the property owners are not demanding enough of the project architect. She commented that the residential buildings all look like cheap student housing and requested that the Planning Commission send it back.

Carol Marcus, project architect, disagrees with public comments that the project would overwhelm the Blue Wing Inn. She pointed out that Building 1 and the Blue Wing Inn would not be seen side by side given the intervening Pinni building and noted that Building 1 would be setback 20 feet from the property line along East Spain Street in contrast to the Blue Wing Inn which has no setback.

Tim Schramm, project engineer, argued against the use of permeable pavers to reduce stormwater runoff noting that site soils have been classified as Group C with low infiltration rates. He emphasized that the project Stormwater Mitigation Plan and Preliminary Grading and Drainage Plan employ bioswales in conjunction with other BMPs to meet applicable stormwater

requirements. He noted the drainage design will also need to demonstrate compliance with the SCWA Flood Design and Drainage Requirements through a plan check process.

Comm. Tippell is familiar with the site soil type and proposed drainage design approach, which he feels the project engineer did a good job with. He is suggesting the use of permeable pavers for only a portion of the driveway for aesthetics primarily and only secondarily for stormwater benefits.

Comm. Howarth agreed with some of the public comments about the design of Building 1 and asked the project architect if they had conducted a design study of exterior material/finish options that considered nearby buildings. The project architect indicated they did not perform such a study but considered the durability, sustainability, and overall compatibility of their exterior material/finish choices.

Chair Roberson closed the public hearing.

Comm. Tippell noted that the Planning Commission validated the site plan through the EIR certification process, so he feels the land plan is acceptable. He is also comfortable with the parking exception. He has three issues: 1) the applicant should consider an alternative surface for a portion of the driveway leading from East Spain St.; 2) prewiring of the carports should be required to accommodate future solar; and 3) he shares some of the concerns regarding the design of Building 1. With respect to Building 1, he does not want to direct a particular architectural style but would like to see something a bit different and feels that more design consideration should be required. He is comfortable approving the project tonight, including the parking exception, with the requirement that the design of Building 1 be subject to further consideration by the Design Review Commission.

Comm. Edwards agrees with Comm. Tippell's concerns about the design of Building 1, which he feels does not fit into the historic setting. He believes more work could be done to reduce its mass and suggested a balcony and possibly the use of stone or more wood. He is not convinced that pervious pavers for the driveway make sense given the high groundwater table on the property, as evidenced by the artesian well, which had hot water coming out of it at one time according to Bob Cunnard.

Comm. Felder indicated he no longer has concerns about parking but is skeptical that drainage is adequately addressed despite the project engineer's explanation. He feels that drainage needs to be looked at more closely. He has greater concern about vibration impacts on the Blue Wing Inn and Pinni building and would insist on a condition requiring documentation of their current condition and regular inspections/monitoring by a qualified consultant during grading to ensure that vibration levels do not exceed the threshold identified in the EIR. Regardless, he cannot support the project due to the massing and height of Building 1. He is not satisfied with the design approach given the important historic aspect of the streetscape.

Comm. Henevald concurs with some of the previous commissioner comments but disagrees about the design of Building 1, noting that the hipped roof helps soften it. He commented that the plainness of Building 1 seems to be the main concern of the commission overall. He is not concerned about drainage as applicable regulations and review of drainage plans by Sonoma County Water Agency are stringent. He feels that parking is adequate and that prewiring the carports for solar makes sense.

Comm. Howarth hears from the majority of the commission that there is concern with Building 1 not fitting in. He is comfortable with parking and drainage but cannot support the project without

modifications to Building 1. He likes the suggestion of pavers on a portion of the driveway for aesthetic reasons and feels that construction should be prohibited on weekends since associated noise may adversely impact neighbors during development of the project.

Planning Director Goodison clarified that Mitigation Measure NOISE-5 set forth in the EIR and MMRP prohibits construction activity on Sundays and designated Holidays.

Chair Roberson confirmed with Planning Director Goodison that drainage infrastructure was installed with the Mercato II complex to address flooding in the area and the infrastructure was sized to accommodate development of the subject property. He is predominantly in favor of the project, which he feels is respectful and compatible with the surrounding area in general. The parking exception is reasonable and he agrees that pre-wiring the carports for solar is a good idea. His concerns about drainage have been adequately addressed by the information provided and the drainage plan review process. With respect to Building 1, it should not replicate historic structures and must be a modern building that fits into its surroundings. He appreciates the applicant's efforts to keep Building 1 subordinate to historic buildings in the area, though it may be too muted. Regardless, this design issue should be referred to the DRC for consideration. He is impressed with the applicant's video, which is helpful visualizing the project.

A discussion ensued about the location of the backflow prevention device. Planning Director Goodison suggested a condition requiring that it be located outside the front yard setback subject to review and approval of the Fire Marshall and City Engineer.

Com Tippell indicated he is comfortable approving the project tonight with the requirement that the design of Building 1 be reviewed by the DRC.

Comm. Felder and Comm. Edwards feel the design of Building 1 is too significant of an issue to pass on to the DRC and that it should be resolved at the Planning Commission level.

Chair Roberson feels that the Planning Commission has conducted a thorough review of the project and that the design of Building 1 should be referred to the DRC since it is primarily an aesthetic concern, rather than an issue of placement or massing.

Comm. Tippell made a motion to approve the Use Permit, Site Design and Architectural Review, and Parking Exception with the following amendments to the conditions of approval:

1. The architectural concept, elevation details, exterior colors and materials of Building 1 shall be subject to review and approval by the DRC to address concerns raised by the public and the Planning Commission
2. The backflow prevention device shall be located outside the 20-foot front yard setback along the East Spain Street frontage, subject to review and approval by the Fire Marshall and City Engineer.
3. The carport structures shall be pre-wired to accommodate solar panels
4. The northerly segment of the driveway shall be designed and constructed with pavers for a minimum length of 50 feet from the driveway apron for aesthetic purposes and stormwater infiltration.
5. Weekly vibration monitoring inspections of the Blue Wing Inn and Pinni Building shall be conducted by a licensed structural engineer during earth-moving activities, contingent upon authorization by the owners of those properties.
6. The limitations on construction hours and other measures set forth in Mitigation Measure NOISE-5 shall be explicit within the conditions of project approval.

Comm. Howarth seconded the motion.

Roll Call Vote:

Ayes: Comms. Tippell, Henevald, Howarth, and Chair Roberson. Noes: Comms. Felder and Edwards. Comms. Willers and Cribb recused. The motion was approved 4-2.

Comm. Willers returned to the dais.

Comm. Cribb left the meeting.

Item #3- Public Hearing- Consideration of amendments to Title 19 of the Sonoma Municipal Code to: 1) clarify provisions related to density bonuses and inclusionary housing; 2) modify provisions pertaining to use permit requirements for emergency shelters in the “P” zoning district; 3) establish a definition for Agricultural Employee Housing”; and, 4) allow for residential care facilities in the Mixed Use zone.

Planning Director Goodison presented staff’s report.

Comm. Tippell discussed a hypothetical scenario in which a housing development provides for affordable unit referring to two moderate and one low income unit in a different zoning District.

Planning Director Goodison says it only applies to Sonoma Residential Housing.

Comm. Willers believes that clarity is always beneficial in business.

Planning Director Goodison conducted a staff straw poll with all the Commissioners favoring making the necessary changes.

Comm. Tippell made a motion to make a change as defined: Within the Sonoma Residential zone, in cases where the inclusionary requirement results in an odd number of units, the applicant shall have the option of priding the odd unit at either the moderate income level of the low income level. Comm. Willers seconded. The motion passed 6-1 (Comm. Edwards dissenting).

Issues Update:

1. The Planning Commissioners Conference is on 12-7 at Sonoma State University. Please R.S.V.P. to Cristina.
2. The AT&T cell tower was appealed to the City Council based on the issue of EMF.
3. The City Council upheld the Planning Commission’s decision to approve the Nicora Place project.
4. The Sonoma Valley Hospital reception/tour was held today for the completed expansion/addition. Another tour can be arranged for those that could not attend.

Comments from the Audience: Robert Garrant, Engineer, (617 First Street West) suggested that the City consider making changes to the placement of the fire sprinkler system requirements, by making an allowance for underground options to be considered.

Comm. Edwards made a motion to adjourn. Comm. Howarth seconded. The motion was unanimously approved 7-0. (Comm. Cribb abstained)

Adjournment: The meeting adjourned at 9:25 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, December 12, 2013.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Planning Commission on the day of , 2013.

Approved:

Cristina Morris, Administrative Assistant

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING OF
Community Meeting Room, 177 First Street West
December 12, 2013
DRAFT MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, December 6, 2013, on the bulletin board outside the front of Sonoma City Hall, No. 1 The Plaza, Sonoma, California. Chair Roberson called the meeting to order at 6:30 p.m. in the Community Meeting Room, 177 First Street West.

Roll Call:

Present:	Chair Roberson, Comms. Edwards, Roberson, Tippell, Willers, Cribb (Alternate)
Absent:	Comm. Henevald, Howarth
Others Present:	Planning Director Goodison, Administrative Assistant Morris, Police Chief Sackett

Chair Roberson stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made tonight can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers. Comm. Cribb led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No Public Comments

APPROVAL OF MINUTES: None

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Late mail was received regarding Item #1 & #2. Revisions to Item #1 & Draft zoning regulations are available for public review.

Item #1 – Public Hearing – Consideration of amendments to the Development Code establishing definitions and zoning regulations for wine tasting facilities.

Comm. Tippell confirmed that the proposed criteria for triggering a review of a non-conforming wine tasting rooms include a change in the type of the ABC license, but not the issuance of a music license.

Comm. Felder confirms that there is currently no limit on operating hours for wine tasting rooms in retail/commercial spaces.

Chair Roberson opened the public hearing.

Carla Noyes, local realtor, wants to limit the number of tasting rooms in the Plaza area. She recommends establishing some type of designated driver program for patrons.

Danny Faye, resident and co-owner Envolve winery, thanked the Commissioners for evaluating this issue. He agreed that tasting facilities operating with a type 42 permit should be subject to use permit regulation, but felt that tasting rooms operating with a type 2 ABC permit should not be subject to use permit review as they are sufficiently regulated by the ABC. With respect to limitations on hours, it is his experience that during the hours of 7-10 p.m. many tasting rooms would like the opportunity to allow customers wine taste and participate in wine-maker dinners. He believes that by requiring a Use Permit the free market is compromised and it will become a more expensive and timely process. He does not think that parking restrictions should be the same as for retail and restaurants. He noted that there is no data to suggest an increase in crime or DUI's associated with wine tasting facilities and he stated that current businesses are in compliance with all regulations.

Fred Allebach, resident, (19550 Eight St. East), wants discretion used to limit wine consumption on the Plaza. He feels that a balance needs to be maintained between economic development and social equity and he considers wine tasting as more of an "elite experience". He recognizes that Sonoma Valley is recognized as a top wine producing region in the world, but feels that its identity needs to be broader than that.

Patricia Cullinan, resident (425 Denmark St.), says that local zoning considers tasting rooms as places for "recreational drinking". She wants more of a distinction between retail activity and special events.

Mary Martinez, resident, (414 First St. East), feels that tasting rooms in the Historic District should better adhere to the regulations. She is concerned with parking and occupancy.

Regina Baker, resident, (673 First St. West), is disappointed with the increase of tasting rooms around the Plaza and that children are being brought into the facilities. With increased business activity and traffic, a traffic signal at the intersection of First Street West and West Napa Street is inevitable in her opinion. She questioned whether staff, the Planning Commission and the City Council have an appropriate vision for Sonoma.

Tom Hill, local winery owner, supports the comments of Mr. Faye and is considering opening a wine tasting room in Sonoma. He feels that tourists appreciate the wine tasting businesses. He agrees that the Planning Commission should evaluate this issue very carefully and more work should be done on the subtler issues associated with the use.

Robert Idell, resident and Wine Vintners Association member (1890 Carriage Street) had a productive meeting with Planning Director Goodison this afternoon which resulted in some positive revisions to the draft ordinance. However, he felt that additional discussions should be held in order to reach a consensus on appropriate regulations. He discussed the differences between an establishment operating under a type 2 ABC license and an establishment operating with a type 42 license. In his view, the ABC limitations on type 2 establishments are quite comprehensive, to the point where local regulations may be redundant. He stated that it was not clear what problems the new regulations are intended to solve. He noted that the wine industry is changing and that small winemakers need to have flexibility to respond to new conditions and find new ways to reach customers. In this regard, he feels that limiting after-hour wine-club events to two per month is arbitrary and overly-restrictive. He hopes that there can be some additional discussion to resolve these issues.

Chair Roberson closed the public hearing.

Comm. Edwards's requested that Chief Sackett obtain the number of existing type 42 licenses versus type 2 licenses. Chief Sackett stated that he would obtain the information from the ABC and report back.

Comm. Tippell confirmed with Mr. Goodison that the public cannot walk into the wine tasting business during special events (i.e. wine club member dinners).

Comm. Cribb recognizes the change in the wine industry. The smaller wine producers are focusing their resources on making the wine and introducing their selection to the public by operating small tasting rooms in order to have a presence. He believes that there is a valid distinction to be made between business operating under a type 2 permit and those operating with a type 42 permit, as the problem of morphing is much more of an issue with the latter.

Comm. Edwards says that the traditional way wine businesses owners promoted their goods and services was to partner with restaurants hosting small events. He continues to support free market enterprise. He recognizes that there is an increase in support staff and parking demand when tasting rooms host special events. He sees minimal of the rules since the City relies on complaints rather than being proactive, as a result of staffing resources. He does not want to see tasting rooms turning into restaurants or bars. He believes there is a good energy in the Plaza that can be preserved with limited and appropriate regulation. He feels that the use permit process is fair and allows for an evaluation of both business needs and potential impacts.

Comm. Tippell agrees with Comm. Edwards that the Commission is objective and fair in its implementation of use permit review.

Chair Roberson feels there is justification for a clearer focus since some tasting rooms conduct their businesses more as restaurants and bars. He agrees that certain types of tasting facilities should come before the Planning Commission.

Chief Sackett says there is a lapse in the wine bar/tap room distinction with respect to City regulations. He clarified that it includes on and off site sales of beer and wine.

Comm. Felder stated that tasting rooms having either type of license may currently operating until 2 a.m., as there are currently no local regulations to the contrary. In his view, this type of issue is an appropriate subject of local regulation.

Mr. Goodison states that there is no general limitation on retail hours built into the Development Code.

Comm. Willers stated that he supported with the revised definitions provided in the packet. He stated that Use Permits evaluate adjoining uses for compatibility on the neighborhood and community level and is an appropriate review when extended hours are proposed.

Comm. Tippell made a motion to continue the item to the meeting of January 9, 2014, in order promote further dialogue from staff and the public. Comm. Edwards seconded. The motion was unanimously approved 6-0. (Comm. Henevald and Comm. Howarth absent.)

Item #2 – Public Hearing – Application for a Use Permit allowing a formula restaurant to operate at a commercial property located at 711 Broadway.

Applicant/Property Owner: Lippow Development/RJF Enterprises, Inc. (dba Dutch Bros. Coffee)

Planning Director Goodison presented staff's report.

Chair Roberson opened the public hearing.

Robert Fulton, Franchisor, is proposing to purchase the business from Dave Mock of Hot Shots. Dutch Brothers Coffee is a small business based in the Northwest region. He will have local ownership, with his daughter and son-in-law operating.

Comm. Cribb asked whether products would be sourced locally. Robert Fulton stated that the milk would initially be trucked in from Oregon, but that ultimately a local supplier would be found. He stated that baked goods would be sourced locally.

Comm. Felder confirmed that the employees would not go out to drivers, but would instead only serve them from the drive-through window.

Johana Patri, property owner (621 Broadway), has a good relationship with the current operator, Dave Mock. She contacted Mr. Goodison who was very receptive and helpful and facilitated a productive conversation with the applicant. While many of her issues have been addressed, she remains concerned that the proposed building colors are somewhat garish, which would be inconsistent with the findings for the approval of a formula business.

Fred Allebach, resident, likes Dutch Brothers Coffee and hopes it might drive the prices down.

Regina Baker, neighbor, supports the use as long as there is no restaurant food service and no noise amplification.

Mr. Fulton confirms there will be no order box or window service and that food items will be strictly limited and incidental to the coffee service.

Dave Mock, owner of Hot Shots locally owned and operated, has been a Sonoma resident for 18 years. He prides himself on promoting personable service and endorses Dutch Brothers Coffee franchise for the site.

The prospective manager, who is a resident of Sonoma (18988 Carrillo Court), relocated to open Dutch Brothers, which he described as a unique coffee company. The color palette is flexible for the Franchise and they are happy to work with the Design Review Commission to ensure that the colors are appropriate.

Johanna Patrini, neighbor, asks about a single lane as opposed to two access points for the driveway access.

Chair Roberson closed the public hearing.

Comm. Edwards is familiar with the Dutch Brothers concept and has been to the Grants Pass Oregon store.

Comm. Tippell had never heard about Dutch Brothers Coffee before reviewing the proposal. He strongly feels that the findings for approval of a formula business need to be met and that the company's reputation and people associated with the business should not be the focus.

Comm. Cribb's main concern is with extended hours of operation and car noise for the neighbors. However, it appears from the staff report that these issues might not be significant.

Comm. Willers does not oppose the continued use of a coffee business on the site. He discussed the local identity of the community. He recommends that some changes to the color scheme be made so that the building visually recedes into the site rather than protruding out onto Broadway. He felt that the Planning Commission could highlight this issue, but that it could be addressed by the Design Review Commission. He agrees with Comm. Cribb about lights from cars and extended hours of operation being potential negatives.

Comm. Felder concurs with Comm. Willers about delegating the building color issue to the Design Review and Historic Preservation Committee for branding of the business.

Chair Roberson supports the change in use but has some concern about queuing.

Comm. Edwards made a motion to approve with revised Conditions of Approval to include language requiring "heightened scrutiny of color and corporate branding" as part of the requirement for design review. Comm. Willers seconded. The motion was approved 5-1. Comm. Tippell opposed. (Comm. Henevald and Comm. Howarth absent).

Issues Update:

1. The City Council will hear the appeal for the AT&T cell tower at its second meeting in December.
2. The City Council will hear the appeal of the Mission Square project at its first meeting in February.
3. A consultant team has been identified for the update of the Housing and Circulation elements of the General Plan and for the preparation of a downtown parking study.
4. Comm. Edwards thanked Cristina for organizing the annual Planning Commissioners conference at Sonoma State.

Comments from the Audience: None

Comm. Edwards made a motion to adjourn. Comm. Felder seconded. The motion was approved 6-0. (Comm. Henevald and Comm. Howarth absent)

Adjournment: The meeting adjourned at 9:00 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, January 9, 2013.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Planning Commission on the day of , 2013.

Approved:

Cristina Morris, Administrative Assistant

MEMO

To: Planning Commission

From: Planning Director Goodison

Re: Continued review of draft amendments to the Development Code implementing direction on options related to the regulation of wine tasting facilities

Background

In light of the increasing number of wine tasting facilities in the downtown area, the Planning Commission began a discussion of the possible increased regulation of such facilities. In the second of those discussions, which took place on March 14, 2013, the Commission voted to forward a series of recommendations to the City Council for the increased regulation of wine tasting facilities. These recommendations were reviewed by the City Council over the course of two meetings, at the second of which the City Council voted 3-2 to direct the Planning Commission to develop draft amendments to the Development Code, as follows:

- Establish definitions in the Development Code for wine tasting facilities that clearly distinguish between tasting rooms and wine bars.
- Create a two-tiered permitting system in which tasting facilities with limited hours would be permitted as of right, while facilities with extended hours and wine bars would be subject to use permit review.
- Establish operating standards for wine tasting facilities and wine bars.

Based on this direction, staff developed a set of draft amendments to the Municipal Code that the Planning Commission first reviewed in a study session at its meeting of July 11, 2013. There was considerable discussion of these amendments, both on the part of the Planning Commission and interested members of the public, including potentially affected business-people. At the conclusion of the discussion, the Planning Commission suggested that staff meet with representatives of the local wine community to discuss their concerns. Based on this direction, staff arranged a meeting with Richard Idell (associated with Sonoma Valley Vintners and Growers) and Danny Fay (Envolve Winery). Also attending were two members of the Planning Commission, as well as the Planning Director and the Police Chief.

At the meeting, the representatives of the wine community expressed concern that the regulation of wine tasting rooms did not, from their perspective, relate to any identified problem. They were concerned that some of the proposed restrictions addressed issues already regulated by the Department of Alcohol and Beverage Control (ABC), such as the size of pours. They were also concerned that requiring use permit reviews for already-established tasting rooms could devalue those businesses. They further noted that the business of wine was evolving, which was reflected in the changing nature of tasting rooms. Staff noted that other types of business that serve alco-

hol, such as restaurants and bars are subject to use permit review and that ABC regulations do not address issues such as hours of operation and parking requirements. It was also noted that as tasting rooms operating with a Type 42 ABC permit offer different types of experiences and extended hours, they have the potential to become de facto bars (“morphing”). There was general agreement by all in attendance that the type of license employed by a tasting room was a valid basis of regulatory distinction, as tasting rooms operating under a Type 2 license (in essence a duplicate license associated with a specific winery) are not subject to the problem of morphing. **Note:** the attached memo from the Police Chief (previously distributed to the Planning Commission) includes a discussion of the differences between the Type 2 and Type 42 ABC licenses.

Revised Draft Development Code Amendments

Following the ad-hoc meeting, planning staff developed revised draft regulations consistent with the overall approach suggested by the City Council, while responding to the concerns expressed by representatives of the wine industry. These were reviewed by the Planning Commission at its meeting of December 12, 2013. After holding a public hearing and conducting a discussion of the item, the Planning Commission continued the matter to its January meeting, directing staff to provide information on the breakdown of Type 2 and Type 42 liquor licenses within city limits and to hold additional discussions with representatives of tasting room facilities in order to further refine and clarify the proposed zoning revisions. Based on that direction, staff held a follow-up meeting with representatives of the local winery community that resulted in a number of positive suggestions. In light of those suggestions, staff has prepared additional revisions to the draft zoning regulations for the Planning Commission’s consideration. Generally speaking, the latest draft regulations (attached) are consistent with the original proposal, in that most wine tasting rooms operating with a Type 2 ABC permit would continue to be a permitted use in Commercial zoning districts, except when extended hours of operation or additional private events beyond a defined baseline are proposed. Facilities operating with a Type 42 license would be defined as Wine Bars/Tap Rooms that would be subject to use permit review. Local regulations would not address matters that are already subject to ABC control, such as the size of pours. Further details are as follows:

- A. *Definitions.* Draft definitions are provided for “Wine Tasting Room”, “Wine Tasting Room, Limited”, and “Wine Bar/Tap Room”. As suggested by the Police Chief, the former “Wine Bar” definition has been expanded to become “Wine Bar/Tap Room”, which is consistent with the allowances of the Type 42 ABC permit that such establishments operate under.
- B. *Permitting.* Per the City Council’s direction, “Wine Bars/Tap Rooms” and “Wine Tasting Rooms” would be subject to conditional use permit review by the Planning Commission. A facility meeting the definition of “Wine Tasting Room, Limited” would be permitted as of right, meaning that no use permit review would be required. To qualify under the definition of “Wine tasting Room, Limited,” the business would need to operate under a Type 2 license and its hours of operation would be limited. Two options are presented in this regard with respect to hours operation for the general public: 1) 11:00 a.m. to 7:00 p.m., or 2) 11 a.m. to 7 p.m. for the period of November 1 to March 30 and 11 a.m. to 9 p.m. for the period of April 1 to October 31. This second option was suggested by representatives of the

wine tasting facilities as reflecting the seasonal nature of the use. Note: In the Mixed Use zoning district, all types of wine tasting facilities would be subject to use permit review, which is the current rule.

- C. *Operating Standards and Findings.* Basic operating standards are proposed and these would be set forth in the “special use standards” section of the Development Code (Chapter 19.50). In a change from the previous draft, “Wine Tasting Facilities” and “Wine Bars/Tap Rooms” would be addressed in entirely separate sections. These provisions include additional findings that the Planning Commission would need to make in order to approve a use permit for a wine bar/tap room. These findings are modeled after the factors used in establishing the finding of “public convenience and necessity” that the Police Chief must make in order to approve an ABC license for that type of facility.
- D. *Food Service.* With respect to wine tasting facilities, a number of clarifications have been made with respect to food service. In essence, the service of food to the general public would be quite limited. However, more extensive food service would be an option for private events, such as occasional wine-maker dinners.
- E. *Private Events.* The allowance for private marketing and promotional events has been clarified. In addition, rather than limiting such events to no more than two per month (as the baseline for “Wine Tasting, Limited”), the allowance would be for no more than 26 such events per calendar year. The overall annual number is about the same as previously proposed, but allows for seasonal flexibility. Note: this allowance does not apply to or allow for third-party rentals of a facility.
- F. *Parking Standards.* On the matter of parking standards, at the previous meeting it seem that the Planning Commission agreed with the staff recommendation to apply the retail parking ratio of 1 space per 300 square feet of building area, while controlling the number of seats associated with an individual business through use permit review (which would be applicable to wine tasting facilities that exceed the “limited” definition and to wine bars/taprooms). This direction represents the status quo.

The proposed regulations on wine tasting uses would not impose training requirements that are not imposed on bars and on restaurants that serve alcohol. The City Council may want to consider responsible hospitality regulations that address all locations were alcohol served, but this would be addressed as a separate issue, depending on Council interest in the concept.

Review of Existing Non-conforming Businesses

Assuming that new regulations are ultimately adopted, with respect to wine tasting facilities already in operation, staff recommends that they be considered legal non-conforming, except that a use permit would be required in compliance with any new regulations under the following circumstances: 1) change in ABC license type; 2) violation of ABC license (one Commissioner suggested that two violations should be the threshold); and 3) any expansion or intensification involving factors subject to the regulation of the use. These factors include hours of operation and limits on private events, but would not include an application for a music license.

Recommendation

Staff recommends that the Planning Commission review the draft amendments to the Development Code and provide direction to staff on any necessary changes.

cc: Bret Sackett, Chief of Police
Laurie Decker, Economic Development Coordinator
Daniel Fay, Envolve
Richard Idell, Sonoma Valley Vintners and Growers

Attachments

1. Minutes of the Planning Commission meeting of December 12, 2013 (draft)
2. Memo from the Police Chief
3. Draft Definitions/Draft Operating Standards and Additional Use Permit Findings
4. Inventory of existing wine tasting facilities (*Note: this will be emailed to the Planning Commission on Tuesday*)

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING OF
Community Meeting Room, 177 First Street West
December 12, 2013
DRAFT MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, December 6, 2013, on the bulletin board outside the front of Sonoma City Hall, No. 1 The Plaza, Sonoma, California. Chair Roberson called the meeting to order at 6:30 p.m. in the Community Meeting Room, 177 First Street West.

Roll Call:

Present:	Chair Roberson, Comms. Edwards, Roberson, Tippell, Willers, Cribb (Alternate)
Absent:	Comm. Henevald, Howarth
Others	Planning Director Goodison, Administrative Assistant Morris, Police Chief
Present:	Sackett

Chair Roberson stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made tonight can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers. Comm. Cribb led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No Public Comments

APPROVAL OF MINUTES: None

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Late mail was received regarding Item #1 & #2. Revisions to Item #1 & Draft zoning regulations are available for public review.

Item #1 – Public Hearing – Consideration of amendments to the Development Code establishing definitions and zoning regulations for wine tasting facilities.

Comm. Tippell confirmed that the proposed criteria for triggering a review of a non-conforming wine tasting rooms include a change in the type of the ABC license, but not the issuance of a music license.

Comm. Felder confirms that there is currently no limit on operating hours for wine tasting rooms in retail/commercial spaces.

Chair Roberson opened the public hearing.

Carla Noyes, local realtor, wants to limit the number of tasting rooms in the Plaza area. She recommends establishing some type of designated driver program for patrons.

Danny Faye, resident and co-owner Envolve winery, thanked the Commissioners for evaluating this issue. He agreed that tasting facilities operating with a type 42 permit should be subject to use permit regulation, but felt that tasting rooms operating with a type 2 ABC permit should not be subject to use permit review as they are sufficiently regulated by the ABC. With respect to limitations on hours, it is his experience that during the hours of 7-10 p.m. many tasting rooms would like the opportunity to allow customers wine taste and participate in wine-maker dinners. He believes that by requiring a Use Permit the free market is compromised and it will become a more expensive and timely process. He does not think that parking restrictions should be the same as for retail and restaurants. He noted that there is no data to suggest an increase in crime or DUI's associated with wine tasting facilities and he stated that current businesses are in compliance with all regulations.

Fred Allebach, resident, (19550 Eight St. East), wants discretion used to limit wine consumption on the Plaza. He feels that a balance needs to be maintained between economic development and social equity and he considers wine tasting as more of an "elite experience". He recognizes that Sonoma Valley is recognized as a top wine producing region in the world, but feels that its identity needs to be broader than that.

Patricia Cullinan, resident (425 Denmark St.), says that local zoning considers tasting rooms as places for "recreational drinking". She wants more of a distinction between retail activity and special events.

Mary Martinez, resident, (414 First St. East), feels that tasting rooms in the Historic District should better adhere to the regulations. She is concerned with parking and occupancy.

Regina Baker, resident, (673 First St. West), is disappointed with the increase of tasting rooms around the Plaza and that children are being brought into the facilities. With increased business activity and traffic, a traffic signal at the intersection of First Street West and West Napa Street is inevitable in her opinion. She questioned whether staff, the Planning Commission and the City Council have an appropriate vision for Sonoma.

Tom Hill, local winery owner, supports the comments of Mr. Faye and is considering opening a wine tasting room in Sonoma. He feels that tourists appreciate the wine tasting businesses. He agrees that the Planning Commission should evaluate this issue very carefully and more work should be done on the subtler issues associated with the use.

Robert Idell, resident and Wine Vintners Association member (1890 Carriage Street) had a productive meeting with Planning Director Goodison this afternoon which resulted in some positive revisions to the draft ordinance. However, he felt that additional discussions should be held in order to reach a consensus on appropriate regulations. He discussed the differences between an establishment operating under a type 2 ABC license and an establishment operating with a type 42 license. In his view, the ABC limitations on type 2 establishments are quite comprehensive, to the point where local regulations may be redundant. He stated that it was not clear what problems the new regulations are intended to solve. He noted that the wine industry is changing and that small winemakers need to have flexibility to respond to new conditions and find new ways to reach customers. In this regard, he feels that limiting after-hour wine-club events to two per month is arbitrary and overly-restrictive. He hopes that there can be some additional discussion to resolve these issues.

Chair Roberson closed the public hearing.

Comm. Edwards's requested that Chief Sackett obtain the number of existing type 42 licenses versus type 2 licenses. Chief Sackett stated that he would obtain the information from the ABC and report back.

Comm. Tippell confirmed with Mr. Goodison that the public cannot walk into the wine tasting business during special events (i.e. wine club member dinners).

Comm. Cribb recognizes the change in the wine industry. The smaller wine producers are focusing their resources on making the wine and introducing their selection to the public by operating small tasting rooms in order to have a presence. He believes that there is a valid distinction to be made between business operating under a type 2 permit and those operating with a type 42 permit, as the problem of morphing is much more of an issue with the latter.

Comm. Edwards says that the traditional way wine businesses owners promoted their goods and services was to partner with restaurants hosting small events. He continues to support free market enterprise. He recognizes that there is an increase in support staff and parking demand when tasting rooms host special events. He sees minimal of the rules since the City relies on complaints rather than being proactive, as a result of staffing resources. He does not want to see tasting rooms turning into restaurants or bars. He believes there is a good energy in the Plaza that can be preserved with limited and appropriate regulation. He feels that the use permit process is fair and allows for an evaluation of both business needs and potential impacts.

Comm. Tippell agrees with Comm. Edwards that the Commission is objective and fair in its implementation of use permit review.

Chair Roberson feels there is justification for a clearer focus since some tasting rooms conduct their businesses more as restaurants and bars. He agrees that certain types of tasting facilities should come before the Planning Commission.

Chief Sackett says there is a lapse in the wine bar/tap room distinction with respect to City regulations. He clarified that it includes on and off site sales of beer and wine.

Comm. Felder stated that tasting rooms having either type of license may currently operating until 2 a.m., as there are currently no local regulations to the contrary. In his view, this type of issue is an appropriate subject of local regulation.

Mr. Goodison states that there is no general limitation on retail hours built into the Development Code.

Comm. Willers stated that he supported with the revised definitions provided in the packet. He stated that Use Permits evaluate adjoining uses for compatibility on the neighborhood and community level and is an appropriate review when extended hours are proposed.

Comm. Tippell made a motion to continue the item to the meeting of January 9, 2014, in order promote further dialogue from staff and the public. Comm. Edwards seconded. The motion was unanimously approved 6-0. (Comm. Henevald and Comm. Howarth absent.)

Item #2 – Public Hearing – Application for a Use Permit allowing a formula restaurant to operate at a commercial property located at 711 Broadway.


Sonoma Police Department
175 First St. West
Sonoma California 95476-6690
Phone (707) 996-3602 Fax (707) 996-3695
E-Mail: sonomafd@sonomacity.org



Date: December 10, 2012
To: David Goodison, Planning Director
From: Bret Sackett, Chief of Police
RE: Wine Tasting Facilities

Alcohol is an important contributor to the unique culture and vitality of Sonoma. However, alcohol can also impact the health and safety of our youth and adults – and play a role in a range of community problems, such as driving under the influence, underage drinking and alcohol related crimes. A recent survey of DUI drivers from Sonoma revealed that 56% obtained their final drink at an ABC licensed establishment, while youth focus groups routinely cite that alcohol is “fairly easy” to obtain from ABC licensed establishments.

According to criteria established by the California Department of Alcoholic Beverage Control, the City of Sonoma has a higher number of off-sale alcohol establishments than recommended (greater than 1 per 2,500 population). As such, each new license application for a retail outlet – such as liquor stores, convenience stores, and bars – require the local jurisdiction to make a determination that the new alcohol license will serve a “public convenience or necessity.” In Sonoma, the police chief makes that determination, but denials can be appealed to the City Council.

In order to obtain such a license, the applicant must obtain a “Letter of Public Convenience or Necessity” from the police chief. Unfortunately, the term “Public Convenience or Necessity” is not clearly defined by ABC, but the police chief considers some of the following criteria when making such a finding:

- The proposed use will not be detrimental to the character of immediate neighborhood
- Proximity to sensitive land use issues
- There are no conflicts with zoning regulations
- The economic benefit outweighs the negative impacts to the community
- The license will provide a needed service not currently being met in the community
- Unique and unusual circumstances to justify a new retail alcohol outlet when there are already similar alcohol uses existing nearby (this is much more difficult to establish)

While ABC has a wide variety of license types, it does not offer one specific to “wine tasting.” ABC allows a winery, which operates with Type 02 license, to operate an off-site tasting room under their existing Type 02 license. However, a wine tasting business that is not associated with a specific winery and wishes to provide tastings from multiple wineries – and subsequent purchase for on or off site consumption – must obtain a Type 42 license. It’s important to note that a Type 42 license authorizes the sale of beer and wine for consumption on or off the premise and is not limited to just “wine tasting.” In essence, a Type 42 license authorizes a business to operate like a bar or tavern, although they may call themselves a “tasting facility.”

The police chief would like to make the Planning Commission aware of the potential for a wine tasting business to morph into a “wine and beer bar” absent other regulatory criteria. In essence, we cannot rely on the ABC license to regulate wine tasting businesses without other local zoning regulations. In addition, the police chief respectfully requests the Planning Commission’s opinion as to what constitutes “Public Convenience or Necessity”, so he can take those opinions into consideration as he reviews additional requests for new ABC licenses.

Definitions

Wine Tasting Rooms, and Wine Tasting Rooms Limited. “Wine Tasting Rooms, Limited” are establishments licensed under a Winegrower Type 2 License from the Alcohol Beverage Control that sell wines and related products and enable customers to taste wine (with and without charge) on behalf of a single winery as a regular part of the sales process of the Winery’s products. Food may be provided if it is pre-prepared off-premises, or prepared by a caterer under the caterer’s license either off premises or on-premises in facilities approved by the Sonoma County Department of Health Services. Food served to the general public shall be subject to the following limitations: 1) food items are made off-premises; 2) food items provided for consumption on-site are limited to cheeses, crackers, charcuterie and similar items made available strictly in conjunction with and ancillary to the wine tasting experience; and, 3) operation of the facility as a restaurant is prohibited. “Wine Tasting Rooms” may be located within larger retail establishments. These establishments are limited to a Type 2 license from the Alcoholic Beverage Control Board and nothing in this definition or elsewhere in the Development Code pertaining thereto is intended to limit the rights and obligations imposed by the Alcohol Beverage Control with regard to issuance of a Winegrower Type 2 license. Additional standards and regulations applicable to this use are found in Section 19.50.XXX.

Wine Bar/Tap Room. “Wine Bar/Tap Room” means an establishment devoted to the sampling and sale of wine and/or beer produced by multiple wineries or breweries for consumption on- or off-premises and enable customers to taste wine (with and without charge) as a regular part of the sales process. Food may be served provided that: if it is at no cost to the consumer, 1) food items are made off-premises; 2) the facilities are approved by Sonoma County Department of Health Services; 3) food items provided for consumption on-site limited to cheeses, crackers, charcuterie and similar items made available strictly in conjunction with and ancillary to the wine tasting experience; and, 3) operation of the facility as a restaurant is prohibited. These establishments are limited to a Type 42 license from the Alcoholic Beverage Control Board and nothing in this definition or elsewhere in the Development Code pertaining thereto is intended to limit the rights and obligations imposed by the Alcohol Beverage Control with regard to issuance of a Type 42 license. Additional standards and regulations applicable to this use are found in Section 19.50.XXX.

Operating Standards and Additional Use Permit Findings

19.50.XXX—Wine Tasting Facilities. This Section sets forth requirements for the establishment and operation of Wine Tasting Facilities (~~defined as Wine Bars, Wine Tasting Rooms, and Wine Tasting Rooms, Limited~~) in zoning districts where they are allowed by Section 19.10.050 (Allowable Land Uses and Permit Requirements).

- A. *General requirements.* All Wine Tasting Facilities shall be subject to the following requirements:
1. For use permit or building permit applications for any wine tasting facility, the description of the premises shall match that provided to and approved by the California Department of Alcoholic Beverage Control.
 2. On-going compliance with applicable requirements and licensing of the California Department of Alcoholic Beverage Control and the Sonoma County Health Department is required.

3. Hours for visits by appointment and by invitation only wine functions (e.g., wine club events, marketing lunches, and wine-maker dinners) shall not exceed 8:00 a.m. to 10:00 p.m.

B. Wine Tasting Rooms, Limited. Wine Tasting Rooms, Limited shall be subject to the following requirements:

1. Hours of operation for general public access shall not exceed 11 a.m. to 7 p.m.
2. Invitation-only functions shall be limited to no more than 26 per year.

Optional Language suggested by representatives of the SVVGA:

1. Hours of operation for general public access shall not exceed 11 a.m. to 7 p.m. for the period of November 1 to March 30 and 11 a.m. to 9 p.m. for the period of April 1 to October 31, although more or less restrictive hours may be imposed through the use permit review process.

2. If operated as an accessory use located within a larger retail establishment, the area devoted to the use shall not exceed ~~600 square feet~~ 33% of the gross area of the tenant space.

C. Wine Tasting Rooms. Wine Tasting Rooms shall be subject to the following allowances and requirements:

1. Hours of operation for general public access shall not exceed 11 a.m. to 10 p.m., although more restrictive hours may be imposed through the use permit review process.

19.50.XXX—Wine Bars/Tap Rooms. This Section sets forth requirements for the establishment and operation of Wine Bars/Tap Rooms in zoning districts where they are allowed by Section 19.10.050 (Allowable Land Uses and Permit Requirements).

A. General requirements. All Wine Bar/Tap Rooms shall be subject to the following requirements:

1. For use permit or building permit applications for any Wine Bar/Tap Room, the description of the premises shall match that provided to and approved by the California Department of Alcoholic Beverage Control.
2. On-going compliance with applicable requirements and licensing of the California Department of Alcoholic Beverage Control and the Sonoma County Health Department is required.
3. Hours of operation for general public access shall not exceed 11 a.m. to 10 p.m., although more restrictive hours may be imposed through the use permit review process.

B. Additional Use Permit Findings. In addition to the findings set forth in section 19.54.040, the approval of a use permit for a ~~Wine Tasting Room~~ or a Wine Bar/Tap Room shall be subject to the following additional findings by the Planning Commission:

1. There are no sensitive land uses nearby that would experience significant adverse impacts associated with the proposed facility.

2. The proposed use would provide a needed service not currently available in the area that it would serve; or, unique or unusual circumstances justify a new Wine Bar/Tap Room in a location where there are similar uses nearby.

Agenda Item Title: Application for an exception from the fence height standards to allow a seven-foot tall fence within required street-side setback area.

Applicant/Owner: Montoya and Associates/Diann Sorenson

Site Address/Location: 639 Third Street West

Staff Contact: David Goodison, Planning Director
Staff Report Prepared: 10/07/13

PROJECT SUMMARY

Description: Application of Step One Construction for an exception from the fence height standards to allow seven-foot tall fencing within required street-side setback areas at 639 Third Street West.

General Plan Designation: Low Density Residential

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

Site Characteristics: The property is a ±7,200 square foot lot located at the corner of Third Street West and Vigna Street. The property is currently developed with a one-story residence.

Surrounding Land Use/Zoning: **North:** Single-family home/Low Density Residential (R-L)
South: Single-family home/Low Density Residential (R-L)
East: Shopping Center/Commercial (C)
West: Single-family home/Low Density Residential (R-L)

Environmental Review:

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

Staff Recommendation: Approve a fence height exception for the segment of fence on the south. Require modifications to the fenced courtyard on the north. At a minimum, the portion of the fence adjoining the driveway needs to be clipped back a minimum of 5 feet at 45-degree angle. The Planning Commission may also wish to consider requiring the entire length of the fence to be set back an additional 5 feet from Vigna Street or requiring its removal altogether.

PROJECT ANALYSIS

BACKGROUND

Although the subject property is a corner lot developed with a single-family residence, for many years it has been as a commercial office. The office use of the property had been approved by use permit under at a different zoning designation. The new owner of the property has returned it to use as a single-family residence. (Note: the driveway cut and the paving on the west side of the residence formerly provided limited off-street parking for the commercial use. That area now serves as the parking area for the residence as it does not have a garage.) In the course of implementing improvements to the building and property associated with its return to residential use, fencing was installed that does not comply with the normal fence height standards. When this issue was brought to the attention of the property owner, an application was filed to legalize the fencing through the fence height exception process. Note: This item was originally scheduled for review at the Planning Commission meeting of October 10, 2013. It was continued several times, however, for a variety of reasons: 1) the property owner had to unexpectedly travel out of state, 2) the property owner requested additional time to meet with neighbors, and 3) the original application, which had been made by the former contactor, was withdrawn, so a new application had to be submitted.

DETAILED PROJECT DESCRIPTION

The applicant is requesting an exception from the fence height standards in order to legalize two areas of fencing:

- 1) A 22-foot segment of fence south on the south side of the property (facing Third Street West) that extends 9.5 feet into the normal setback, plus a 12-foot length of fencing having a setback of approximately 17.5 feet that would connect the already-constructed segment to the residence.
- 2) A fenced courtyard, with dimensions of 18.5 feet x 31 feet, created on the north side of the property, adjoining both Third Street West and Vigna Street. The fencing in this area extends 6 feet into the normal setback on the east and 14 feet into the normal setback on the north.

The fencing on the southside of the property is intended to screen the only yard area that is available on the site. The fenced courtyard on the north is intended to provide privacy for the bedrooms in the residence and to create a screened outdoor space. All of the fencing in question is constructed of redwood, with a height of 7 feet (six feet solid with a one-foot trellis. The southern segment of fencing is partially screened by existing landscaping. On the north, the landscaping adjoining the fence is limited to a single shrub as landscaping in the vicinity this segment was recently removed in order to improve sight distance.

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

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

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

The only provisions of the Development Code relevant to this application are those related to fence heights and exceptions to the normal fence height standards.

Fence Height Requirements: A 20-foot front/street side yard setback is required within the R-L zoning district. Fences within required front/street side yards are limited to a maximum height of 3.5 feet, unless the Planning Commission approves an exception from the fence height standards. As pointed out in correspondence received on this item, the Development Code also specifies that fences at the intersections of streets, alley, and driveways “... *within traffic safety sight areas*” may not exceed 30 inches. In order to approve an exception, the Planning Commission must make the following findings:

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

While a majority of properties within the neighborhood comply with the fence height limitations that apply to front or street-side yard setbacks, there are some examples of lots with fencing somewhat similar to the subject application. Examples in this regard include:

- 555 Third Street West/556 Barrachi (on the south side of Banchemo). Approximately 6-8 feet in height, with a 5-10 setback.
- 579 Third Street West/580 Barrachi (on the north side of Robinson Street). Approximately 5 feet in height, 3-5 foot setback.
- 583 Barrachi Street and 601 Barrachi Street (on either side of Robinson Street at the entrance to Village Green). Approximately 6.5 feet in height, zero setback.

It should be noted that these fences appear to be legal non-conforming that they were developed prior to the existing regulations on fence height. Therefore, they do not provide any sort of procedural precedent for the current application. Their presence is noted here because they are part of the overall visual character of the neighborhood. That said, the fenced courtyard on the north is somewhat unusual for the neighborhood in its location and configuration. The fenced courtyard is also more visually obtrusive than the southern fence segment, for several reasons: 1) views of it are more extensive as it is located on the corner, 2) in comparison to the fencing on the south, it extends further into the normal setback area. These factors, in combination with its three-sided configuration, make it feel somewhat imposing in relation to the street. In terms of its basic construction, all of the fencing has been built of redwood in a traditional design. As discussed above, the segment of fence on the south is partially screened by landscaping. At the segment on the north, landscaping is limited to one shrub, as other landscaping was recently removed to improve sight distance. (It should also be noted that on the west side of the courtyard fence, the fence posts have not yet been cut down to a seven-foot height.)

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

In staff's view, the fence segment at the south end of the property does not raise any particular issues in this regard, the portion that would be closest to the sidewalk (at 10.5) has a relatively short run of approximately 21 feet. As noted above the applicant proposes to construct an additional segment of fence that would connect the already constructed portion to the residence. This new segment would be setback approximately 17.5 feet and would have a length of 9.5 feet. However, the fencing on the north is problematic with respect to this finding. Because it is designed as a courtyard enclosure it feels bulkier and more obtrusive and although it is setback 14 feet from the eastern property line, the setback from the northern property line (adjoining Vigna Street) is only six feet.

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

The fence is constructed of redwood and employs a traditional design. It is staff's view that length of fencing on the south—even with the connecting segment that has been proposed--would not dominate the site or overwhelm passersby. The fenced area on the north appears more obtrusive due to its design as a courtyard enclosure. Although there is sufficient room to add some landscaping, any shrubs would have to be compact and would need to be planted quite closely to the fence so as not to interfere with sight distance.

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

As mentioned above, fences located within “traffic safety sight areas” is limited to a height of 30 inches. Staff defines this term to mean any area in proximity to an intersection (including private driveways) that would interfere with sight distance. The length of fence on the south does not raise any sight distance or safety issues. On the north, however, the fenced courtyard adjoins the driveway that serves the subject property and it creates a sightline problem for any vehicle backing from the driveway onto Vigna Street. To correct this problem, it would be necessary, at a minimum, to clip the fence back 5 feet at 45-degree angle. In staff's view, having made use of this intersection a number times in the course of preparing the staff report, the courtyard fence does not create sight distance issues at the intersection of Vigna and Third Street West.

To summarize, it is staff's view that the required findings for a fence height exception may be made for the existing and proposed fences on the south. However, the fenced courtyard on the north is at least questionable with respect findings 2 and 3 and, at minimum, the fence would need to be altered in order to comply with finding #4, due to sight distance issues with the adjoining driveway.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15303 of the State CEQA Guidelines, construction of accessory structures, including fences, are categorically exempt from the provisions of CEQA (Class 3 – New Construction).

DISCUSSION OF PROJECT ISSUES

Findings for a Fence Height Exception. The primary issue in the review of this application is conformance with the findings required for the approval of a fence height exception. As a corner lot, the property is subject to more restrictive setback requirements than a typical interior lot. In certain cases, frequently involving rear yard areas, these constraints provide a basis for allowing a fence height exception. The fencing on the south is fairly typical in this regard and, in staff's view, the findings may be made with respect to this portion of the application. The fenced courtyard on the north, however, is problematic with respect to the required findings in terms of visual compatibility and design (findings 2 and 3) and it would need to be altered in order to comply with finding #4 (safety).

Covered Parking. In correspondence received on this item, questions about the lack of off-street covered parking available on the subject property have been raised. Although the availability (or lack thereof) of covered parking is not directly related to this application, staff has prepared background information that is attached as matter of information (see the attached letter from David Goodison to Janet Wedekind).

RECOMMENDATION

Staff has the following recommendations with respect to this application:

1. Approve a fence height exception for the segment of fence on the south.
2. Require modifications to the fenced courtyard on the north. At a minimum, the portion of the fence adjoining the driveway needs to be clipped back a minimum of 5 feet at 45-degree angle. The Planning Commission may also wish to consider requiring the entire length of the fence to be set back an additional 5 feet from Vigna Street or requiring its removal altogether.

Attachments

1. *Draft Findings and Conditions of Project Approval*
2. *Location map*
3. *Project narrative*
4. *Correspondence*
5. *Letter from David Goodison to Janet Wedekind*
6. *Site Plan*

cc: Diann Sorenson
639 Third Street West
Sonoma, CA 95476

Shawn Montoya, Montoya and Associates
5 Marlie Lane
Petaluma, CA 94952

John and Stephanie Peterson
313 Robinson Road
Sonoma, CA 95476

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

George and Patti Bradley
653 Third Street West
Sonoma, CA 95476

DRAFT

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Sorenson Fence Height Exception – 639 Third Street West

January 9, 2014

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

Findings for an Exception to the Fence Height Standards

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

DRAFT

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
Sorenson Fence Height Exception – 639 Third Street West

January 9, 2014

1. The project shall be constructed in conformance with the approved site plan and elevations, except that the following modifications shall be required to the courtyard enclosure on the north:
 - a. The portion of the fence adjoining the driveway shall be clipped back 5 feet at 45-degree angle. The evergreen tree/shrub adjoining the driveway shall be removed.

Alternate:

- a. The courtyard fence on the north shall be setback an additional five feet from the northern property line.

Alternate:

- a. The courtyard fence on the north shall be removed.

Enforcement Responsibility: Planning, Building and Public Works
Timing: To be completed within 30 days of approval.



Project Summary

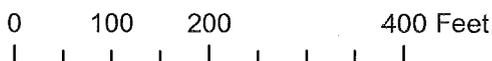
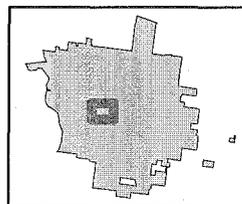
<i>Project Name:</i>	Step One Residential Design and Construction Fence Height Exception
<i>Property Address:</i>	639 Third Street West
<i>Applicant:</i>	Step One Residential Design and Construction
<i>Property Owner:</i>	Diann Sorenson
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	None

Summary:

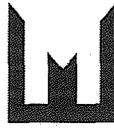
Application for an Exception to the fence height standards to allow over-height fencing within the front and street-site yard setbacks of the property.

Zoning Designations

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



1 inch = 200 feet



MONTOYA
AND ASSOCIATES

Project Narrative

Fence Height Exception 639 Third Street West Sonoma, California

The subject property is located on the Corner of Third Street West and Vigna Street. On the property is a single building of approximately 1200 square feet. This building was recently renovated and converted from a medical office building into a single family residence. During the renovation, the existing curb cut on Third Street West was removed and currently the only vehicular access to the property is from Vigna Street. The request of the Planning Commission is to allow a fence height exception on the property in two separate locations - one at the north of the property and one at the south.

The proposed fence addition at the south of the property includes extending the common fence (six foot solid wood fence with a 12" lattice top) at the southerly property line approximately 7 feet, turning north running parallel to Third Street West for approximately 22 feet, and then returning the fence back heading West 7 feet. The remainder of the proposed fence (that is not currently built) will extend north to the corner of the building (approximately 12 feet). At its closest point (in the front setback), the fence will be 10 feet from the front property line.

The proposed fence at the north of the property is designed to create private patio areas outside of the two bedrooms. Both bedrooms have doors that face directly on to Vigna Street and the patio areas created by the new fence allow for privacy and security. The fence in this location is identical to the new fence at the south side of the property (six foot solid wood fence with a 12" lattice top). The fence is setback 6 feet from the property line that runs parallel with Vigna Street. Recently, the owner removed two large shrubs to clear the sightline for pedestrian and vehicular traffic. The fence is setback 14 feet from Third Street West at the front of the property. The fence includes two gates - one for access to the street at the front and one to access the parking at the rear.

The owner has contacted many of the neighbors about the fence height exception and has included this information in her letter to the Planning Commission.

Diann Sorenson
639 Third Street West
Sonoma, CA 95476

December 10, 2013

Commissioners,

My name is Diann Sorenson and I have lived in the Town of Sonoma for 17 years. I recently purchased the property at 639 Third Street West for my teenage daughter and myself to live. We have just completed an extensive remodel. The property was previously used as a commercial building and our general contractor suggested we construct new fencing for aesthetics, privacy and security. We did not know at the time, and were not informed by our general contractor, that these fences required an exception from the zoning ordinance before they were built, or we would have certainly applied for an exception in advance.

When the property was used as a medical office building, there was access to and from the property from both Third Street West and from Vigna Street. With approval from the Planning Department and the Public Works Department, the curb cut on Third Street West was removed and the off street parking was limited to the rear of the property with access from Vigna Street. The fence built at the front of the home along Third Street West was to allow for screened outdoor living space where previously there was an unsightly paved parking area. The fence built at the North side of the property was to create privacy and security off of the two bedrooms, as these two rooms directly face Vigna Street. Safety was a serious concern, as both of these rooms have direct access via sliding glass doors.

The neighbors directly to the South of the property, George and Patti Bradley, are very supportive of the improvements to the property, and have no issues with the added privacy fencing adjacent to our shared property line, including the added section of common fencing directly on our shared property line.

The neighbors directly to the North of the Property, Cindy Horstman and her family, are also very supportive of the improvements to the property, and greatly appreciate the privacy fencing added to the North of the property, as, in the absence of this privacy, our respective bedroom windows would look directly at each other with no exterior screening.

The neighbor directly to the West of the Property, Janet Wedekind, is the only directly adjacent neighbor with any outstanding issues with our improvements. The primary issue being the relocation of the off street parking from the front of the house to the rear of the house, due to the possibility of noise and privacy issues (primarily related to the contractors during the remodel). We met with Janet recently to attempt to work together to resolve these issues, short of incurring the expense of again relocating

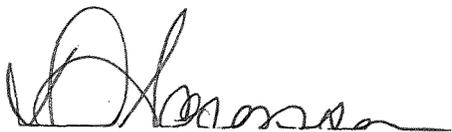
the approved off street parking. We have several proposals to mitigate any noise or privacy issues with Janet, including additional property line screening to address future noise or privacy concerns. We will continue to work with her in a good-neighborly fashion to mutual satisfaction, to the best of our abilities. As a good neighbor gesture, we have agreed to replace, at our expense, the deteriorated sections of the common property line fencing between our homes as soon as possible.

The additional issue Janet Wedekind has with our improvements related to safety – specifically visibility for vehicles and pedestrians near the corner of Third Street West and Vigna Street, and near our off street parking driveway – has been addressed and eliminated with the removal of several large shrubs and trees where they were creating the visibility issues Janet identifies in her letter(s). The removal of these shrubs and trees has created a much safer environment for vehicles and pedestrians than existed at the property previously. The added fence at the North side of the property has little or no visibility issue remaining, as any visibility issue was primarily with the now-removed vegetation. The only remaining visibility issue with vegetation is due to a large tree on Janet Wedekind's adjacent property, which she does not care to have removed.

We have read the previous staff report and understand that the Planning Commission can approve an exception to the fence height standards if proper findings can be made. We feel our submittal meets all of the findings as we understand them.

1. The fence is compatible with the site and there are numerous examples (see photos attached) of similar existing conditions in the surrounding neighborhood. Due to the number of similar fence locations, our fence location would not set a precedent.
2. The fence is in proper relation to the site. There is terraced vegetation planned to screen the fence. Because this is a corner lot, the fence is closer to the street than is customary, but there are many examples of similar fences in the neighborhood (see photos attached).
3. The fence is a planned architectural feature that blends well with the site, building, and neighborhood.
4. The fence is well built and the potential sightline issue mentioned by staff is eliminated by the removal of the shrubs and trees.

We have discussed these issues with several neighbors and they have provided letters in support of our project (please see attached). Thank you for your consideration in this matter.

A handwritten signature in black ink, appearing to read "Diann Sorenson". The signature is fluid and cursive, with a large initial "D" and "S".

Diann Sorenson

289 Bettencourt



391 Arroyo Way



391 Bettencourt



391 Nicoli Lane



392 Arroyo Way



601 Barrachi Way



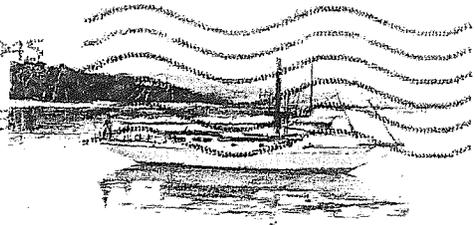
OAKLAND CA 946

RECEIVED

27 SEP 2013 PM 5

SEP 30 2013

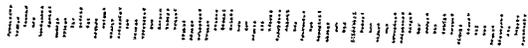
CITY OF SONOMA



FOREVER

USA

City Sonoma
The Plaza
Sonoma, Calif
95496



I walk my dogs and drive on
3rd street West everyday. The
posted notice regarding fence height
is of interest at the corner of
Vigna and 3rd. I hope the fence
is lowered. From what I know
it is out of compliance. Where
was the city when it was being
constructed?
Very concerned.

Item # 3

October 3, 2013

Planning Commission
c/o Sonoma City Hall
1 The Plaza
Sonoma, CA. 95476

RECEIVED

OCT 04 2013

CITY OF SONOMA

Re: 639 Third Street West; Application to allow over-height fencing.

Planning Commissioners,

We have resided at 313 Robinson Street, perpendicular to Third Street West, for over 20 years. Our home and the residence at 639 Third Street West are located in what is known as the Sebastiani Subdivision, which was created in 1948. There are three lots within the Subdivision (313 Robinson, 312 Vigna, and 313 Vigna) which are bordered on each side by corner lots. (See attached maps.)

These three lots have a narrow frontage, 55 feet (+-) and benefit greatly from the currently required 20 foot sideyard setbacks of the six corner lots along Third Street West and Barrachi Way. These corner lot setbacks are necessary to create an open appearance and feeling for us that are "stuck" in the middle lot. The vast majority of the homes in the Subdivision, if not all of the properties, maintain the 20 foot setback from the front and side yard lot lines. If the application to allow over-height fencing is approved at 639 Third Street West, a presedent will then be set to allow fence construction in the front and side setbacks that currently are not allowed.

Modifications to Fence Height Standards must meet Section 19.46.030 General height limitations, C. Findings and Decision numbers 1, 2, 3, 4.

Section C1, fence is not compatible with the characteristics of the site and other existing structures in the surrounding neighborhood. It is located within the front and side setbacks and is not consistant with other fence heights in the Subdivision.

Section C2, fence height, orientation and location is not in proper relation to the physical characteristics of the site and surrounding properties. The Vigna Street side fence has created a "compound" type of appearance. For some reason the front driveway was abandoned and the "backyard" of the property is now a driveway and parking area. I assume this created a need for encroachment into the side yard setback. Definitely not a feature of any of the other lots in the Subdivision. When the property was used as a commercial building, the rear driveway was used/required for traffic circulation and only as an entrance.

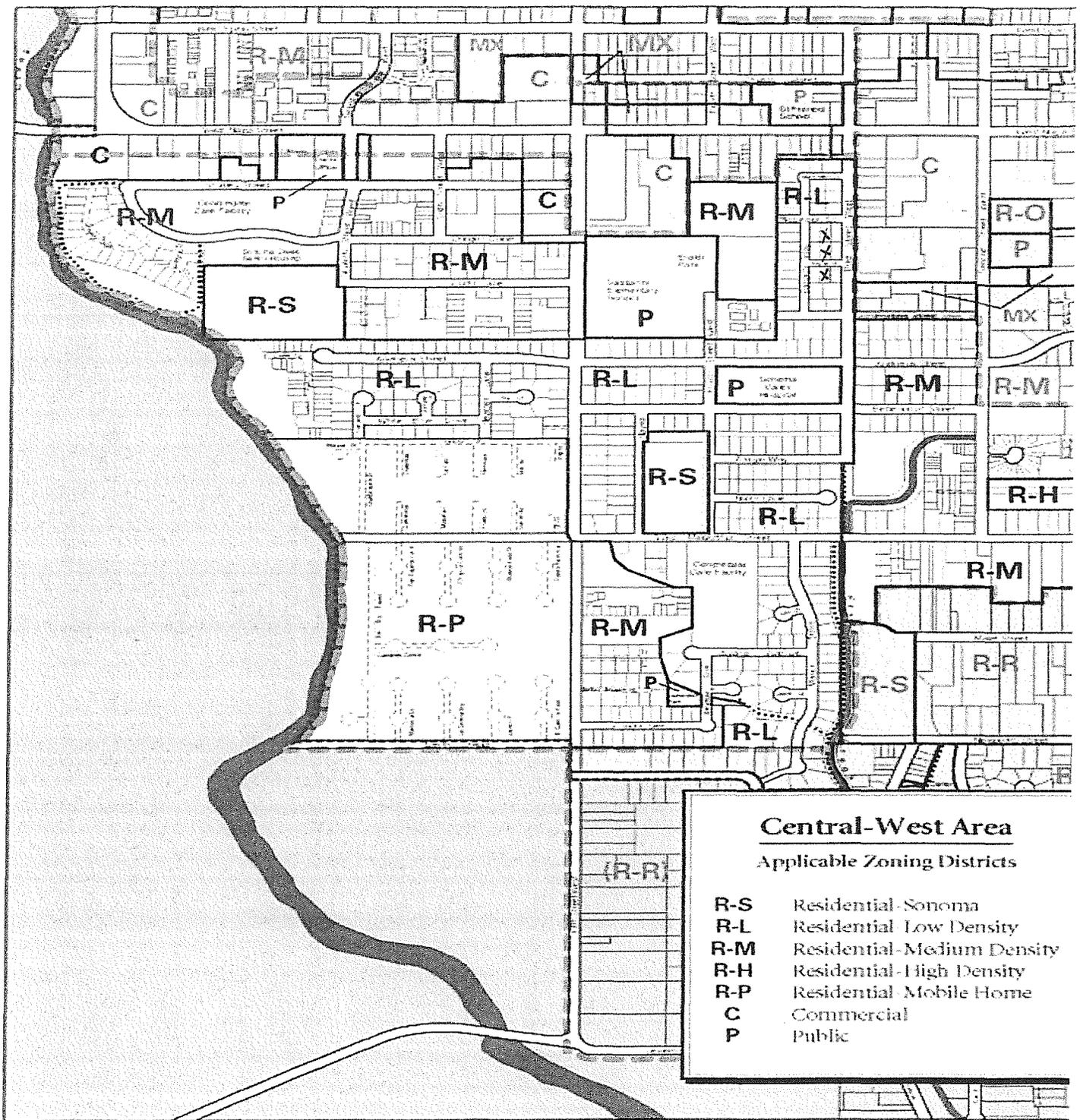
Section C3, the fence is obviously a planned feature that dominates the site and was constructed without City of Sonoma approval. Additionally the joint fence long the property line with 653 West Third Street was extended several feet into the front setback, at an increased height.

Section C4, the fence as located along Vigna Street creates a restricted visibility safety issue.

Sincerely,



John and Stephanie Peterson
313 Robinson Street
Sonoma, CA. 95476



X: 313 ROBINSON
 312 VIGNA
 313 VIGNA

: 639 THIRD ST. WEST



313 Robinson St, Sonoma, CA 95476, US

Google earth

Google earth



639 Third St. West

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476
707-938-1100
jpwsanoma@aol.com

RECEIVED
OCT 09 2013
CITY OF SONOMA

Item #3
LATE MAIL

October 8, 2013

Planning Commission
c/o Sonoma City Hall
No. 1 The Plaza
Sonoma, CA 95476

Re: 639 Third Street West

Commissioner Roberson and Members of the Planning Commission,

I have resided at 313 Vigna Street, Sonoma, CA 95476, directly behind the house at 639 Third Street West, for over twenty years. I would like to take this opportunity to applaud the new owner of the house for a wonderful remodel. The house is lovely and definitely a nice asset to the neighborhood.

I am deeply concerned though about the request of Design One for a height exception for the fence that was erected in excess of the height limitations as outlined by the City of Sonoma Municipal Code. While the fence itself is very good looking, my concern is *safety*. Driving on Vigna Street approaching Third Street West the fence, as built, greatly hinders the sight lines down Third Street West.

I had a very close call one morning after the fence was constructed. I had just backed out of my driveway and was headed east on Vigna Street approaching Third Street West. As I got to the intersection a dog walked off the curb into the street in front of me. I immediately braked and the person walking the dog yanked on the leash to get the dog back on the sidewalk. Due to the recently erected fence, I was not able to see the woman walking the dog and she could not see my car coming down Vigna Street. Fortunately, the dog was not hurt, but there is the potential for a serious accident.

It is imperative that drivers approaching the intersection of Vigna Street and Third Street West be able to see pedestrians, bicyclists and cars that are proceeding north on Third Street West.

Also, the fence, as built, completely obstructs the ability to see oncoming traffic, pedestrians or bicyclists on Vigna Street while attempting to exit the newly "created" parking space at 639 Third Street West.

I respectfully request that the fence be relocated or reduced to the 30" height as designated by the City of Sonoma, Municipal Code 19.46.030, Table 4 –3, for a solid fence at intersections of streets.

It is disconcerting to me that a building contractor working within the City of Sonoma was "not aware" of the height limitations, while seemingly being very aware of the setback requirements. It is also perplexing that a local fence company would build a fence that was not in compliance with the Municipal Code and even more disturbing that the plan was approved when reviewed by City of Sonoma staff.

Letter to Planning Commission

October 8, 2013

Page Two of Two

Additionally, I am dismayed by the newly "created" parking space for 639 Third Street West. There are no parking areas in the rear setback of any other houses in our Sebastiani subdivision. All of the homes have driveways in the front of the house.

639 Third Street West was originally built with a garage at the south end of the home. The City of Sonoma sanctioned the removal of the garage to allow for additional parking spaces, at the south end of the property, for the conversion of the home to a medical office. Also, a driveway was built along the back of the property to facilitate ease of entering the property and driving to the parking area. The driveway was for the commercial use of a business that operated Monday thru Friday from 9:00 am to 5:00 pm. *The driveway was never intended to be/or used for a parking space.*

I am profoundly concerned about **safety and health** issues regarding this newly "created" parking space, which is extremely close (within 8 feet) to my bedroom. Cars continue to emit radiation after being parked. I believe we can all agree that we want to have the lowest possible EMF levels near our bedrooms. The emissions would subject me, as well as the new home owner, to unhealthy conditions.

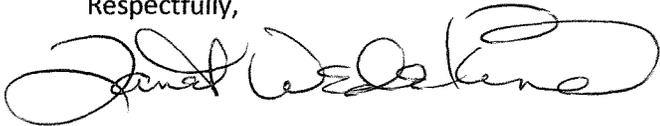
There is also a concern regarding the excessive noise that is created in a parking area when it is located so very close to my home.

But by far, the most important concern is that there is absolutely no visibility when exiting the new parking space. It is impossible to see pedestrians, bicyclists and/or traffic in either the easterly or westerly direction when exiting this new "created" parking space off Vigna Street.

The parking area for 639 Third Street West should be located at the south end of the property, off Third Street West, the way it was when the house was originally built and the locale that continued to be the parking area when the house was converted to a medical office. A covered parking area, as required by Municipal Code (Section 19.48.040, Table 4-4, Parking Requirement by Land Use) should be constructed at the south end of the home.

Thank you for listening to my concern for **safety** in our neighborhood.

Respectfully,

A handwritten signature in black ink, appearing to read "Janet Wedekind". The signature is fluid and cursive, with a large loop at the end.

Janet Wedekind

George Bradley
653 Third St. West
Sonoma, CA 95476

Planning Commission
C/o Sonoma City Hall
#1 the Plaza
Sonoma, CA 95476

Re- 639 Third St. West
Exception to fence height standards

Dear Planning Commission,

We have lived next door to 639 Third St. West for the last fifteen years. We have watched as the property sat vacant most of the time, slowly sliding into disrepair to the point of being a tear down. When the owner became ill and the bank took over, we thought for sure someone would tear it down, put up cheap construction and flip the house, leaving us with the consequences.

This did not happen. The current owner built a beautiful home we are proud to have next door. Not an eyesore but a custom home any neighborhood would be happy to welcome.

We are embarrassed that this is the welcome that some have presented to our new neighbor. The fence that was built provides a modicum of privacy from a shopping center directly across the street. It could easily be hidden by an 8' hedge like so many homes on the east side. Instead the new owner followed the same approach as the rest of the property and built a beautiful fence surrounding her very modest patio. It doesn't wall off the property or present a barrier to the yard. The front of the house is open and inviting. This is exactly what you would look for in a neighbor. Do we want to peer in her windows? Instead of congratulating the new owners and welcoming them to the neighborhood, we nitpick and find fault where there is none. This is a very wrong foot on which to start a new friendship and we are upset by it.

We wholeheartedly support the new project complete with new fence and urge you to issue whatever variance you need to let it stay so we can begin to try and welcome our new neighbors to our neighborhood with a thank you for a job well done.

Sincerely,

George & Patti Bradley
653 Third St. West

LATE MAIL

Item # 3

RECEIVED

OCT 07 2013

CITY OF SONOMA

October 23, 2013

City of Sonoma
Carol Giovanatto, City Manager
No. 1 the Plaza
Sonoma, CA. 95476

OCT 23 2013

RECEIVED

Re: 639 Third Street West

A staff report was created by Sonoma City Staff, in preparation for the October 10, 2013 Planning Commission Public Hearing, regarding an exception from the fence height standards to allow seven-foot tall fencing within required street-side setback areas at 639 Third Street West. This item has been rescheduled, to be continued at the November Planning Commission Meeting.

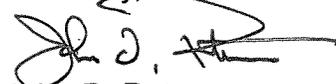
The staff report for this item was released to the public. I obtained my copy from the City Office in the Plaza, prior to the scheduled October Meeting. The concern is regarding the staff report reference to "...examples of lots with fencing somewhat similar to the subject application. Examples in this regard include:"

- "555 Third Street West/556 Barrachi (on the south side of Banchemo). Approximately 6-8 feet in height, with a 5-10 setback.
- 579 Third Street West/580 Barrachi (on the north side of Robinson Street). Approximately 5 feet in height, 3-5 foot setback.
- 583 Barrachi Street and 601 Barrachi Street (on either side of Robinson Street at the entrance to Village Green). Approximately 6.5 feet in height, zero setback."

It could argued the examples are not consistent with the exception request and the measurements are incorrect. More importantly, when the City Staff uses these locations as a potential justification for approval of the contractor/owner exception, it should be determined if they are all permitted fences and not illegally constructed. Since the City of Sonoma Staff has identified these specific locations, now is the time to make certain they are legal and if not, require compliance. The determination should be completed prior to a public hearing on this specific item and included in a revised staff report.

The Planning Commission is being asked to allow the first use of a corner lot side-yard as a fenced courtyard in the Sebastiani Subdivision. This is a huge issue for us and could set a precedent for the Central West Planning Area of Sonoma. The exception request for 639 Third Street West needs to be heard on solid, well thought out discussion, based on factual information.

Sincerely,



John D. Peterson
313 Robinson Street
Sonoma, CA. 95476

Janet Wedekind

313 Vigna Street
Sonoma, CA 95476
707-938-1100
jpwsonoma@aol.com

RECEIVED

NOV 04 2013

CITY OF SONOMA

November 4, 2013

Planning Commission
c/o Sonoma City Hall
No. 1 The Plaza
Sonoma, CA 95476

Re: 639 Third Street West

Commissioner Roberson and Members of the Planning Commission,

I previously wrote a letter regarding the property located at 639 Third Street West. The following are my comments in regard to the Staff Report that was prepared by City Staff, for the October 10, 2013 meeting.

The Staff Report contains several inaccuracies including:

1. On page two of the Staff Report under the heading Fence Height Requirements it states, "limited to a maximum height of 3.5 feet."

The City of Sonoma Municipal Code 19.46.030, Table 4-3 states maximum height at intersections of streets of 30" if solid.

2. The Plot Plan S1RDC prepared by One Step Residential Design, also noted on Page 2 of the Staff Report, shows Existing/Proposed Fence on the north side of the building.

There has never been an existing fence on the north side of the building (see Photo A attached, taken from google earth). The contractor's plan is inaccurate in its representation to the City of Sonoma Planning Department.

3. The Plot Plan S1RDC prepared by One Step Residential Design, also noted on Page 2 of the Staff Report, shows Existing/Proposed Fence on the south end of the property.

The neighboring fence located at 653 Third Street West had the correct setback, with the height of the fence lowered to the required 20 ft. setback from the street. The contractor for 639 Third Street West extended the existing 7' fence on the south end of the property, thus extending the joint property-neighboring fence making it non-compliant.

4. On page three of the Staff Report under 4. "In staff's view, the courtyard fence does not create sight distance issues at the intersection of Vigna and Third Street West.

For those of us that drive on Vigna daily, we know that the fence definitely impairs the sight lines of any oncoming pedestrians, bicyclists and cars proceeding north on Third Street West. I experienced a very close call one morning shortly after the fence was constructed. Having just backed out of my driveway, I was headed east on Vigna Street approaching Third Street West. As I reached the intersection a dog walked off the curb into the street in front of me. I immediately braked and the woman walking the dog yanked on the leash to get the dog back on the sidewalk. Because of the recently erected fence, I was not able to see the woman walking her dog and she could not see my

November 4, 2013

4. continued

SUV traveling down Vigna Street towards Third Street West. The lack of adequate sight lines at that intersection has the potential for a very serious accident to occur.

As a result of my personal experience, I respectfully request that you deny the fence exception and that you require the fence to be relocated or reduced to 30" as required by the City of Sonoma Municipal Code.

5. The Plot Plan S1RDC prepared by One Step Residential Design for Diann Sorenson, also noted on Page 2 of the Staff Report, shows Existing Off Street Parking.

That is not the case. That "Existing Off Street Parking" was a portion of one-way entrance, complete with a pavement arrow (see Photo B attached, taken from google earth), enter only driveway. This one-way, enter only driveway was added in 1978 to obtain a Conditional Use Permit from the City of Sonoma to convert the residence to a medical office. It was created to facilitate ease of entering the property and driving to the additional parking spaces required for the medical office. It was never used or intended as an exit or a parking area.

The contractor removed the original driveway and parking area for the house, which was located at the south end of the property. No other home in the Sebastiani Subdivision has the primary driveway located at the rear setback. That original driveway and parking area should have been retained.

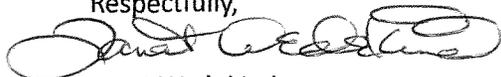
In addition, the Nonconforming Structures, Uses and Parcels Chapter of the Municipal Code under 19.82.030 Loss of nonconforming status states: "If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one year, it shall be concluded that the use has been abandoned. Without further action by the city, further use of the site or structure shall comply with all the regulations of the applicable zoning district and all other applicable provisions of this development code. Therefore, the entrance on Vigna Street is no longer valid. As part of this project, the driveway entrance on Vigna Street should have been removed and the sidewalk on Vigna Street, should have been restored

Also, as part of this project to comply with "further use of the site or structure shall comply with all the regulations of the applicable zoning district and all other applicable provisions of this development code, a covered parking area, as required by Municipal Code (Section 19.48.040, Table 4-4, Parking Requirement by Land Use) should have been constructed. The required covered parking area should be constructed at the south end of the home, where the driveway and garage were originally located.

Living adjacent to the west of 639 Third Street West, I am the most impacted. Ms. Sorenson's desire for a private courtyard on the north side of the house and lawn on the south side of her home should not negatively impact my privacy. Ms. Sorrenson chose to purchase this building on a corner lot that had at one time been converted to a Medical office. In doing so, she must be required to respect the obligatory rules and regulations that pertain to that property. I respectfully request that the non-compliant fence at the south end of the property be removed and that a driveway and covered parking area be constructed in that area, adjacent to the neighbor's driveway, where it was originally located.

Thank you for your time and attention to my concerns.

Respectfully,



Janet Wedekind

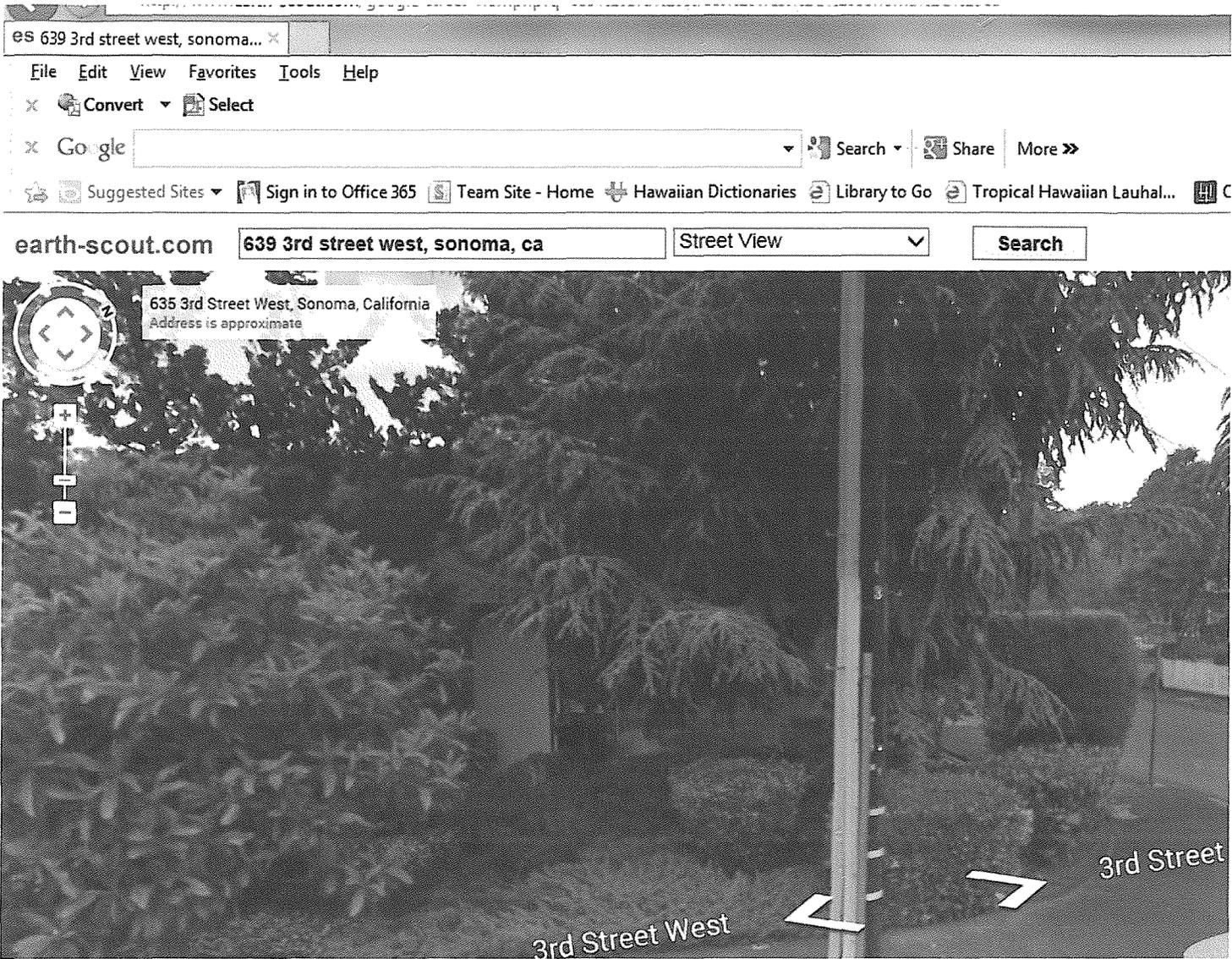


Photo A



Photo B

Regarding 639 Third St West exception
to height of fence - The height of the
fence does not block vision of
on coming traffic in any direction.
The project is a beautiful addition
to the neighborhood & should be
granted an exception.

Ed & Janice McLornick
935 3RD St West
24 year residents

DEC 05 2013

George Bradley
653 Third St. West
Sonoma, CA 95476

Planning Commission
C/o Sonoma City Hall
#1 the Plaza
Sonoma, CA 95476

Re- 639 Third St. West
Exception to fence height standards

Dear Planning Commission,

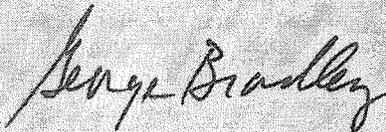
We have lived next door to 639 Third St. West for the last fifteen years. We have watched as the property sat vacant most of the time, slowly sliding into disrepair to the point of being a tear down. When the owner became ill and the bank took over, we thought for sure someone would tear it down, put up cheap construction and flip the house, leaving us with the consequences.

This did not happen. The current owner built a beautiful home we are proud to have next door. Not an eyesore but a custom home any neighborhood would be happy to welcome.

We are embarrassed that this is the welcome that some have presented to our new neighbor. The fence that was built provides a modicum of privacy from a shopping center directly across the street. It could easily be hidden by an 8' hedge like so many homes on the east side. Instead the new owner followed the same approach as the rest of the property and built a beautiful fence surrounding her very modest patio. It doesn't wall off the property or present a barrier to the yard. The front of the house is open and inviting. This is exactly what you would look for in a neighbor. Do we want to peer in her windows? Instead of congratulating the new owners and welcoming them to the neighborhood, we nitpick and find fault where there is none. This is a very wrong foot on which to start a new friendship and we are upset by it.

We wholeheartedly support the new project complete with new fence and urge you to issue whatever variance you need to let it stay so we can begin to try and welcome our new neighbors to our neighborhood with a thank you for a job well done.

Sincerely,



George & Patti Bradley
653 Third St. West

To the Sonoma Planning Commission -

We do not object to the fencing at 639 Third St. West and recommend that the planning commission issue whatever variance is needed to leave the fencing AS BUILT. -

Name - Gerald H Riley
Address - 697 3rd St. Sonoma
Signature - Gerald H. Riley

Name - LORETTA CARR
Address - 705 THIRD ST. WEST SONOMA
Signature - Loretta Carr

Name - Duane Aslakson
Address - 705 3rd St W, Sonoma
Signature - Duane Aslakson

Name - Ed McCormick
Address - 735 3rd St. West
Signature - E.D. McCormick

Name - Joanne McCormick
Address - 735 3rd St W
Signature - Joanne McCormick

Name - Julie Byrne
Address - 698 Barrachi way
Signature - Sonoma, CA

Name - Patrick FAVALE
Address - 670 BARRACHI
Signature - P. FAVALE

Name - Gail Alioto
Address - 644 3rd St. W.
Signature - GAIL ALIOTO

To the Sonoma Planning Commission -

We do not object to the fencing at 639 Third St. West and recommend that the planning commission issue whatever variance is needed to leave the fencing AS BUILT. -

Name - Anthony D. Alioto
Address - 639 3rd St W. Ale C
Signature - ANTHONY D. ALIOTO

Name - DAVID BOLOT
Address - 611 3rd St. West
Signature - [Handwritten Signature]

Name -
Address -
Signature -

No. 1 The Plaza
Sonoma, California 95476-6618
Phone (707) 938-3681 Fax (707) 938-8775
E-Mail: cityhall@sonomacity.org



Aswan, Arab Republic of Egypt
Chambolle-Musigny, France
Greve in Chianti, Italy
Kaniv, Ukraine
Patzcuaro, Mexico

December 18, 2013

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

Dear Janet,

You have raised several questions regarding the property located at 649 Third Street West and interactions by City staff concerning the reversion of use from office to single-family residence. Since you have received conflicting responses to these questions, at least in some cases, it seemed to me that it would be desirable to take some time to speak with the staff members who have been involved in the review of the property and respond to you in writing.

Covered Parking. A basic question is why covered parking was not required when the structure was converted from an office back to a single-family residence. This question was considered when the City reviewed the building permit submittal for the conversion. As you know, the office use was legal but non-conforming with respect to current zoning rules. In contrast, the use of the structure as a residence is permitted as of right given its R-L zoning, although the change to a residential use does make the structure non-conforming with respect to the requirement for covered parking. However, because the change from office to residence is considered to be a reduction in the intensity of use and because the interior area of the structure was not enlarged, the City had no basis on which to require covered parking.

Removal of Third Street Driveway. When I spoke about this to you before, it was my understanding that either the property owner or the contractor initiated the suggestion that the driveway on Third Street be removed. I was wrong about that, for which I apologize. The actual sequence of events was as follows. The contractor submitted building plans showing a new covered porch along the south side of the residence. In those plans, both the Third Street driveway and the Vigna Street driveway were shown as being retained. In reviewing the submittal, planning staff noted that the southeast corner of the porch extended into the driveway apron off Third Street West, which was of concern because a car parked in the shortened driveway would likely interfere with the sidewalk. This problem was brought to the attention of both the contractor and Public Works staff. The policy of the Public Works department (which I have to admit I was not aware of) is to require the elimination of redundant or secondary driveways on residential properties of less than two acres in conjunction with projects having a building valuation of \$40,000 or greater. The Third Street West driveway was considered to be the redundant one, because as set forth in section 19.48.100 of the Development Code, driveway access is generally supposed to be located on the street having the lowest traffic volume. Had the Third Street driveway actually served a garage, that would have been determinative, but this was not the case. In any event, according to the contractor, it was not the intention of the property owner to make use of that driveway and so she agreed to eliminate it.

Fences. The fences that are now the subject of the Exception application were not shown on the building plan submittal. City staff only became aware of them after they were installed, having been informed of that by a resident in the neighborhood who initiated contact with the Building Official. No one on planning staff has ever “approved” the height or placement of those fences. In the course of preparing the initial staff report on the Exception application, I visited the site. The contractor happened to be there that day and I did tell him that based on my initial observations, the fence along on the Third Street West side of the property did not appear to raise any significant issues and that I felt that staff would support a fence height exception for that element of the application. I also told him that, in my view, the fencing installed on the Vigna Street side of the property was of an unusual configuration, even for a corner lot, and that there was no telling whether the Planning Commission would approve it, even if cut back to address the sight distance problem with the driveway. On a related matter, the contractor also mentioned that the property owner might be interested in constructing a carport in conjunction with the Vigna Street driveway. I told him that this would require a setback exception that, in my opinion, was unlikely to be to be approved.

I hope this answers your questions. Please let me know if you need any additional information.

Sincerely,

David Goodison
Planning Director

Agenda Item Title: Application for a Use Permit to construct three residential units on a mixed-use property.

Applicant/Owner: Richard Merlo/Richard and Diane Merlo

Site Address/Location: 830 Broadway (APN 018-412-031)

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 01/06/14

PROJECT SUMMARY

Description: Application of Richard Merlo for a Use Permit to construct three residential units on the property located at 830 Broadway.

General Plan Designation: Mixed Use

Zoning: **Base:** Mixed Use (MX) **Overlay:** Historic; Creek Setback

Site Characteristics: The subject property is a long, narrow ±16,500-square foot parcel located on the east side of Broadway south of Chase Street. The site is currently developed with a residence fronting Broadway (constructed in 1939) and detached accessory structure behind. The eastern side of the property adjoins Nathanson Creek and is subject to a creek setback overlay zone. The property frontage is improved with curb, gutter and sidewalk. Two driveways currently access the property off Broadway.

Surrounding Land Use/Zoning: **North:** Office building/ Mixed Use
South: Mixed-use building with offices and two upstairs residential units/Mixed Use
East: Single-family home/Low Density Residential
West: Office building/Mixed Use

Environmental Review:

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

Staff Recommendation: Approve subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The project involves construction of three additional residential units on the property. The new units would take the form of a duplex toward the east side of the property adjacent to the creek setback area plus a unit over a carport in the middle of the site. The existing residence located on the Broadway frontage would remain (the existing accessory structure would be removed). The duplex is proposed as a two-story structure, setback 7.5 feet from both the north and south property lines. The carport with unit above, also two stories in height, is oriented toward the north side of the property with a 7-foot side yard setback. Access to the new units would be provided by a 13.5'-wide driveway along the south side of the residence that leads to carport parking (six spaces) and an emergency vehicle turnaround. Further details can be found in the attached narrative and accompanying materials.

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. 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>	
Encourage a variety of unit types in residential projects (CDE 4.2).	A variety of units are proposed, including a duplex with two townhome units, a smaller apartment over a carport, and retention of the existing residence.
Require pedestrian and bicycle access and amenities in all development (CDE-4.4).	Required bicycle parking would be subject to review and approval of the DRC per the conditions of approval.
<i>Goal CDE-5: Reinforce the historic, small-town characteristics that give Sonoma its unique sense of place.</i>	
Protect important scenic vistas and natural resources, and incorporate significant views and natural features into project designs (CDE-5.3).	The proposal respects the creek setback zone and incorporates the creek corridor as a visual amenity for the rear townhome units.
Preserve and continue to utilize historic buildings as much as feasible. (CD-5.4)	While there is conflicting information about the historic significance of the existing residence (constructed in 1939), the home will be preserved and incorporated into the development plan.
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 density is proposed at the middle range allowed for in the Mixed Use designation and building setbacks, orientation, and design are generally compatible with adjacent development.
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 (ERE-1.4).	The project provides a combination of private yards areas, decks, and patios for the residential units, consistent with open space standards.
<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 (ERE 2.4).	The project respects the creek setback and best practices in post-construction stormwater management will 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 require an erosion control plan that would be implemented over the course of construction.
Preserve existing trees and plant trees (ERE 2.6)	Some trees located on the site would be removed to accommodate the project, however many are in poor health and are non-native species. Regardless, replacement trees would be required consistent the Tree Committee's recommendation.
<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 GHG emissions (ERE 3.2)	The project will reduce vehicle trips by providing rental housing near the downtown area, in proximity to jobs, shopping, and transit. In addition, the project would be subject to the CA Green Building Code and the City's WELO ordinance, which requires low-water use landscaping and irrigation systems.
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, required bicycle parking would be subject to review and approval of the DRC per the conditions of approval.
<i>Goal CE-3: Minimize vehicle trips while ensuring safe and convenient access to activity centers and maintaining Sonoma's small-town character.</i>	
Encourage a mixture of uses and higher densities where appropriate to improve the viability of transit and pedestrian and bicycle travel (CE-3.2).	The proposed development is an infill project with a density at the middle range allowed for in the Mixed Use designation. In addition, the project site is located in proximity to downtown on an arterial street, near commercial services, jobs, and public transportation.
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>	
Ensure that all development projects provide adequate fire protection (PSE-1.3).	The site plan has been reviewed by the SVFRA and is acceptable. The private drive has been designed as a fire lane and includes an emergency vehicle turnaround as required by the SVFRA. In addition, fire sprinklers would be required in the new buildings.
Housing Element	
<i>Goal HE-1: To provide a mix of housing types affordable to all income levels, allowing those who work in Sonoma to also live in the community.</i>	
Encourage diversity in the type, size, price and tenure of residential development in Sonoma, while maintaining quality of life (HE-1.1).	A variety of unit types and sizes are proposed, including a duplex with two townhome units, a smaller apartment over a carport, and retention of the existing residence.
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 11 units per acre.
<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 proposed infill development respects the creek setback, and provides needed rental housing in proximity to commercial services, jobs, and public transportation.
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).	The proposed development is an infill project near public transportation and commercial services to reduce vehicle trips. In addition, the project would be subject to the CA Green Building Code and the City's WELO ordinance, which requires low-water use landscaping and irrigation systems.

In general, the proposal is consistent with the Mixed Use land designation and General Plan goals and policies that promote infill development and housing opportunities.

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: The property is zoned Mixed Use (MX). The MX zone is intended to allow for higher density housing types, such as apartments and condominiums, in conjunction with commercial and office development, in order to increase housing opportunities, reduce dependence on the automobile, and provide a pedestrian presence in commercial areas. Multi-family dwellings are allowed in the MX zone, subject to review and approval of a Use Permit by the Planning Commission.

Density: The maximum residential density allowed in the MX zone is 20 dwellings units per acre. The project would result in four units on the 0.38-acre site (the existing residence plus three new apartments), representing a density of ±11 units per acre.

Front Yard Setback: The minimum front yard setback for new development in the MX zone is 15 feet. The new residential buildings are proposed behind the existing residence, well beyond the required front yard setback.

Side Yard Setbacks: The minimum side yard setback in the MX zone is 7 feet for two-story structures with the proposed exterior wall height. In addition, combined side yard setbacks must total 15 feet. These requirements are met in that the rear duplex would be setback 7.5 feet from both the north and south property lines with a 15-foot combined setback, while the central building would be setback 7 feet from the north property line and 27 feet from the south property line with a 34-foot combined setback.

Rear Yard Setback: In this case, a minimum rear yard setback of 20 feet applies because the rear of the property abuts a Low-Density Residential zone to the east. Regardless, the rear duplex is setback ≥70 feet from the rear property line due to the location of Nathanson Creek and more stringent creek setback requirement.

Floor Area Ratio (FAR): The maximum FAR in the MX zone is 1.0. The project would result in a FAR of 0.38.

Coverage: The maximum coverage in the MX zone is 60% of the total lot area. The project would result in lot coverage of 25%.

Building Height: The maximum building height in the MX zone is 30 feet. The rear building would have a maximum height of 26 feet and the central building would have a maximum height of 24.5 feet (height measured to roof peak).

Open Space: Within the MX zone, 300 square feet of shared and/or private open space is required per unit. The existing residence would be provided with a ±400-square foot private rear yard, the central unit would have a private deck of ±180 square feet with additional common open space to the east of the structure, and the rear townhomes would each have a rear deck and patio totaling ±240 square feet and plus access to the creek setback area beyond. In staff's view, the open space requirements are adequately addressed by the plan.

On-Site Parking Requirements: Under the Development Code, multi-family development must provide 1.5 parking spaces per residential unit (one of which must be covered) plus an additional 25% of the total required parking spaces as guest parking. Accordingly, a total of six on-site parking spaces are required for the proposed apartment units. The required parking is provided in the form of a six-car carport comprising the ground floor of the central building. In addition, the existing residence at the front of the site includes an attached one-car garage in compliance with standards and requirements related to space dimension and back-up distances are also met. The 13.5-foot wide driveway on the south side of the property is somewhat constrained and less than the typical 20-foot standard for a two-way drive, however this is a function of preserving the existing residence and the proposed width and low traffic volumes associated with three units should not result in significant conflicts for vehicle entering or exiting the site.

Bicycle Parking: Bicycle parking is required for new multi-family development subject to review on a case-by-case basis (§19.48.110). Bicycle parking is not identified on the site plan, however this element of project can be deferred to the Design Review Commission for consideration as typical. A draft condition of approval has been included to this end.

Creekside Development: The eastern part of the property is subject to a creek setback overlay zone, measured 30-feet from the top of bank along Nathanson Creek (the creek setback line is identified on the site plan). The purpose of the creek setback is to provide an adequate buffer area between the creek corridor and adjacent development in order to protect this resource as a natural, scenic, and recreational amenity. Grading and the removal of native vegetation are normally prohibited within the creek setback area, although the City's Planning Commission may modify the creek development standards subject to approval of a use permit. As shown on the site plan the project respects the creek setback area in that the rear wall of the easternmost building would be at least five feet from the creek setback line, with the rear patios/deck adjoining the line. In addition, the project would not require the removal of any riparian vegetation or trees. Nonetheless compliance with erosion control and stormwater requirements will ensure that Nathanson Creek is not adversely affected by the project (see "Discussion of Project Issues" below).

Inclusionary Units: Under Section 19.44.020.B of the Development Code, projects with less than five residential parcels or units are not required to provide any affordable housing units.

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 multi-family developments, encompassing elevation details, exterior colors and materials, landscaping (including fences and walls), lighting, site details (such bike racks), and any other issues specifically referred to the DRC by the Planning Commission (§19.54.080E). This requirement has been included in the conditions of approval.

CONSISTENCY WITH OTHER

CITY ORDINANCES/POLICIES (Not Applicable to this Project)

Tree Ordinance: As required by the City's Tree Ordinance, an arborist report was prepared evaluating all 16 trees on the project site, which include some native species and a variety of fruit and ornamental species (most have been poorly maintained and several are in poor health). The report indicates that two birches in front of the existing residence and four native trees adjacent to the creek can be preserved while the remainder will require removal due to development impacts. The Tree Committee reviewed the arborist report on December 19, 2013 and ultimately made the following recommendations to the Planning Commission, which have been included in the draft conditions of approval:

1. Adhere to the recommendations and standards set forth in the Tree Preservation and Mitigation Report prepared by Horticultural Associates (dated December 12, 2013), except to allow for removal of the coast redwood, Tree #1.
2. During project construction, implement measures to protect the bay tree located on the adjoining property to the north as necessary.
3. For the replanting program require a 1:1 replacement ratio using 15 gallon trees or alternately allow for a 50% reduction in the number of required replacement trees if 24"-box size trees are used.

Water Demand Analysis & Will-Serve Letter: Pursuant to Resolution No. 46-2010, the project will be subject to the requirement for a water demand analysis and will-serve letter from the City Engineer to confirm that adequate water capacity exists prior to the issuance of a building permit for the project. These items have been included in the draft conditions.

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15332 of the State CEQA Guidelines, infill development projects on properties of less than five acres in urban areas are Categorically Exempt from the provisions of CEQA (Class 32 – In-Fill Development Projects) provided that they would not have any significant environmental effects, and are consistent with planning policies. Staff would note that a cultural resource evaluation prepared by Baseline Consulting (attached) concludes that the residence on the property does not qualify as an historical resource under CEQA, although this contradicts a previous survey. Regardless, the home has been incorporated into the development plan for continued residential use.

DISCUSSION OF PROJECT ISSUES

Emergency Vehicle Access: SVFRA staff has reviewed the plans and are allowing flexibility from their typical access standards due to the narrow width of the property (55 feet) and location of the existing residence. As shown on the site plan, SVFRA is allowing a 13.5' wide driveway on the south side of the home; however, an emergency vehicle turnaround is required behind the residence and both the turnaround and drive areas must be identified as a fire lane with parking prohibited. In addition, fire sprinklers must be provided in the new structures. The requirements have been included in the draft conditions of approval.

Stormwater and Erosion Control Requirements: Proposed construction would occur in a flat area outside the required creek setback area and no riparian vegetation or trees would be removed. Nonetheless, an erosion control plan will be required for the project as well as compliance with applicable stormwater standards [i.e., the 2005 Storm Water and Standard Urban Water Mitigation Plan (SUSMP) Guidelines], which call for the implementation of post-construction measures to treat and prevent increases in storm water runoff. Compliance with these standards will ensure that Nathanson Creek is not adversely affected by the project.

Compatibility with Surrounding Land Uses: In staff's view, the project does not raise significant issues in terms of compatibility with adjoining land uses. The subject property is located in a mixed-use setting that includes a variety of building types (both one and two-story structures) and uses, including residential and commercial. The central building would be setback significantly from the mixed-use building to the south given the site layout, and while it would be closer to the office building to the north, an intervening driveway helps provide additional separation. The rear building abuts a creek corridor and is not in proximity to other structures. Views of the new buildings from the public right of way would also be somewhat limited given their substantial setback from Broadway and location behind the existing residence.

Sonoma County PRMD Sanitation Requirements: The project was referred to Sonoma County PRMD Engineering Division for review and comment. Their recommended conditions with respect to sanitary sewer facilities and fees have been incorporated into the draft conditions of project approval.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Use Permit, subject to the attached conditions of approval.

Attachments

1. *Draft findings of project approval*
2. *Draft conditions of approval*
3. *Location map*
4. *Project narrative*
5. *Addendum to Historic Resource Evaluation dated October 22, 2013*
6. *Historic Resource Evaluation prepared by Baseline Consulting dated October 17, 2013*
7. *Site plan, topo map, floor plans, and building elevations*

cc: Victor Conforti, Architect (via email)
755 Broadway
Sonoma, CA 95476

Richard Merlo (via email)
19125 Seventh Street East
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Merlo Apartments
830 Broadway

January 9, 2014

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

Use Permit Approval

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

Site Design and Architectural Review

1. The project complies with applicable policies and regulations, as set forth in this development code (except for approved variances and exceptions), other city ordinances, and the general plan;
2. On balance, the project is consistent with the intent of applicable design guidelines set forth in this development code; and
3. The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.
4. The project will not impair the historic character of its surroundings;
5. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site;
6. The project substantially complies with the applicable guidelines set forth in Chapter 19.42 SMC (Historic Preservation and Infill in the Historic Zone); and
7. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through SMC 19.42.020.

City of Sonoma Planning Commission
**CONDITIONS OF PROJECT APPROVAL AND
MITIGATION MONITORING PROGRAM**

Merlo Apartments
830 Broadway

January 9, 2014

1. The development shall be constructed in conformance with the project narrative, approved site plan, floor plans and building elevations, except as modified by these conditions.

Enforcement Responsibility: *Planning Department; Building Division; Public Works Division, City Engineer*
Timing: *Ongoing*

2. 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. A Stormwater Mitigation Plan (SMP) for the project shall also be prepared and submitted in conjunction with the grading plans for approval, and the measures identified in the SMP shall be incorporated into the grading and drainage plans consistent with the 2005 Storm Water and Standard Urban Water Mitigation Plan (SUSMP) guidelines as applicable. The required plan 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. Applicable erosion control measures shall be identified on the erosion control plan and shall be implemented throughout the construction phase of the project: soil stabilization techniques such as hydroseeding and short-term biodegradable erosion control blankets or wattles, silt fences and/or some kind of inlet protection at downstream storm drain inlets, post-construction inspection of all facilities for accumulated sediment, and post-construction clearing of all drainage structures of debris and sediment. The plans shall conform to the City of Sonoma Grading Ordinance (Chapter 14.20 of the Municipal Code). The improvement plans (see Condition #3 below) will not be accepted by the City Engineer for review without first reviewing and approving the SMP

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

3. 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." Plans and engineering calculations for drainage improvements, and plans for sanitary sewer facilities, shall be submitted to the Sonoma County Water Agency (and a copy of submittal packet to the City Engineer) for review and approval.
 - a. The driveways on Broadway shall be constructed as required by the City Engineer and Caltrans. Existing paving, curb, gutter, and sidewalk along the Broadway frontage that is damaged or deemed to be in disrepair shall be replaced to City/Caltrans standards. The new project driveways shall be constructed in conformance with ADA requirements.
 - b. Storm drains and related facilities, including off-site storm drain facilities as necessary to connect to existing storm drain facilities and on-site drainage systems.
 - c. Stormwater BMPs as approved in the applicant's 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 Sonoma County PRMD/Sonoma County Water Agency; water conservation measures installed and/or applicable mitigation fees paid as determined by the Sonoma County Water Agency.

- f. Separate water service lines, connections, and meters shall be required for the residential component, landscape irrigation, and fire suppression. In addition, 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. Fire hydrants in the number and at the locations specified by the Fire Chief. Fire hydrants shall be operational prior to beginning combustible construction.
- h. The emergency vehicle access and turnaround shall be designed to support a 40,000 lb. load. Documentation demonstrating compliance with this requirement shall be required
- i. Private underground utility services, including gas, electricity, cable TV and telephone, to all residential units in the development.
- j. Signing and striping plans shall be submitted to the City Engineer for review and approval. Said plans shall include "No Parking Fire Lane" signs, red-curbings or other markings/measures as prescribed by the SVFRA/Fire Chief for the south driveway, emergency vehicle turnaround, and back-up area south of the carport.
- k. Street trees as required by the Planning Administrator and the Public Works Director. All street trees shall be planted concurrently with completion of street construction and shall be consistent with the City's Tree Planting Program, including the District Tree List. The developer shall provide for irrigation of the trees until occupancy of houses on a lot-by-lot basis within the project.
- l. All driveways, parking areas and drive aisles shall be surfaced with an all-weather surface material as approved by the Building Department.
- m. The address numbers shall be posted at the public street and on the individual structures in a manner visible from the public/private street. Type and location of posting are subject to the review and approval of the City Engineer, Fire Chief and Planning Administrator.
- n. 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
- o. 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.
- p. 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 the approval of the Final Map and issuance of the grading and encroachment permits

- 4. An encroachment permit from the Department of Transportation (Caltrans) shall be required for all work within the Highway 12 (Broadway) right-of-way. The applicant shall provide proof of the Caltrans encroachment permit prior to City Engineer approval of improvement plans for frontage improvements.

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

Timing: Prior to City approval of public improvement plans

5. 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.

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

6. 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

7. The project shall comply with the standards set forth in the 2005 SUSMP Guidelines (i.e., the City-adopted document entitled "Guidelines for the Standard Urban Storm Water Mitigation Plan" for the Santa Rosa Area and Unincorporated Areas around Petaluma and Sonoma, dated June 3, 2005) herein referred to as SUSMP guidelines. Applicant shall submit a preliminary and final Stormwater Mitigation Plan (SWP) in accordance with the SUSMP guidelines to the City's Stormwater Coordinator and City Engineer for review and approval. Said SMP shall identify specific BMPs and include the BMPs in the project drainage and improvement plans.

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

8. Prior to the issuance of any building permit, water demand analysis shall be prepared by a licensed civil engineer and submitted by the applicant and shall be subject to the review and approval of the City Engineer. Said analysis shall be in compliance with the City's current policy on water demand and capacity analysis as outlined in Resolution 46-2010. Building permits for the project shall only be issued if the City Engineer finds, based on the water demand analysis in relation to the available water supply, that sufficient capacity is available to serve the proposed development, which finding shall be documented in the form of a will-serve letter, prepared by the City Engineer. Any will-serve letter shall remain valid only so long as the use permit for the project remains valid.

Enforcement Responsibility: City Engineer; Public Works Department
Timing: Prior to issuance of any building permit

9. A soils and geotechnical investigation and report, prepared by a licensed civil engineer, shall be required for the development 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 a grading/building permit or recording of the Final Map

10. Any septic systems on the site shall be removed or closed in place, consistent with the permit requirements of the Sonoma County Department of Environmental Health. Said septic system(s) shall be shown on the grading plans with details for removal.

Enforcement Responsibility: Sonoma County Department of Environmental Health; City Engineer
Timing: Prior to issuance of the Grading and Improvement Plans

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

Enforcement Responsibility: City Engineer; Public Works Department
Timing: Prior to approval of the Grading Plans and Improvement Plans

12. 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:
- Sonoma County Water Agency [For sewer connections and modifications and interceptor requirements, and for grading, drainage, and erosion control plans];
 - Sonoma County Department of Public Health [For closure and removal of septic tanks]
 - Sonoma County Department of Environmental Health [For abandonment of wells]
 - Sonoma Valley Unified School District [For school impact fees]
 - Caltrans [For encroachment permits and frontage improvements on State Highway 12/Broadway]

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

13. 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

14. The applicant/developer shall comply with all public sanitary sewer requirements of the County of Sonoma Permit and Resource Management Department (PRMD) as outlined in their letter dated December 16, 2013 (attached).

Enforcement Responsibility: PRMD; City Engineer; Public Works Department; Planning Department
Timing: As set forth in the letter dated 12/16/2013; Prior to final occupancy

15. All Building Department requirements shall be met, including Building Code requirements related to firewall separation, compliance with CALGreen standards and applicable ADA requirements. A building permit shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

16. All Fire Department requirements shall be met, including any code modifications effective prior to the date of issuance of any building permit. Automatic fire sprinkler systems shall be provided in the new buildings. "No Parking Fire Lane" signs, red-curbings or other markings/measures as prescribed by the SVFRA shall be provided for the south driveway, emergency vehicle turnaround, and back-up area south of the carport. 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

17. The following dust control measures shall be implemented as necessary during the construction phase of the project: 1) all exposed soil areas (i.e. building sites, unpaved access roads, parking or staging areas) shall be watered at least twice daily or as required by the City's construction inspector; 2) exposed soil stockpiles shall be enclosed, covered, or watered twice daily; and 3) the portion of Broadway providing construction vehicle access to the project site shall be swept daily, if visible soil material is deposited onto the road.

Enforcement Responsibility: Building Inspector; Public Works Inspector
Timing: Ongoing during construction

18. The project shall be constructed in accordance with the following requirements related to tree preservation, mitigation and replacement:
- a. The recommendations and standards set forth in the Tree Preservation and Mitigation Report prepared by Horticultural Associates (dated December 12, 2013) shall be adhered to, except removal of the coast redwood, (Tree #1) is allowed.
 - b. During project construction, measures to protect the bay tree located on the adjoining property to the north shall be implemented as necessary.
 - c. For the replanting program a 1:1 replacement ratio shall be required if 15 gallon replacement trees are used. Alternately, a 50% reduction in the number of required replacement trees shall be allowed if 24"-box size trees are used. Any trees planted along the Broadway/Highway 12 frontage shall be consistent with the City's Street Tree Planting Program, including the District Tree List.

Enforcement Responsibility: Planning Department, Design Review Commission
Timing: Throughout construction; Prior to the issuance of any occupancy permit

19. The project shall be subject to architectural review by the Design Review Commission (DRC), encompassing elevation details, exterior colors and materials, any rehabilitation activities proposed for the existing residence, and site details, including bicycle parking.

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

20. Solid wood fencing with a minimum height of 6 feet shall be installed along the north and south property lines, except within the required front yard setback and creek setback areas in compliance with Development Code §19.40.100 (Screening and Buffering) and §19.46 (Fences, Hedges, and Walls). The fencing 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 is adequate or may be repaired.

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

21. 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 replacement tree plantings), hardscape improvements, and fencing. Street trees proposed along the Broadway frontage shall be consistent with the City's Tree Planting Program, including the District Tree List. Landscaping within the creek setback zone shall focus on native riparian plantings, and the removal of exotic/non-native species within the creek setback zone shall be considered subject to the appropriate permitting. 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

22. Onsite lighting shall be addressed through a lighting plan, subject to the review and approval of the Design Review Commission (DRC). All proposed exterior lighting for the buildings and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines contained under Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security. Light standards shall not exceed a maximum height of 15 feet.

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



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

RECOMMENDED SANITATION CONDITIONS

Date: December 16, 2013

Planner: Rob Gjestland, Senior Planner, City of Sonoma
From: Keith Hanna

File Number: _____
Applicant: Victor Conforti, Architect
755 Broadway
Sonoma, CA
707.996.7923

Site Address:
A.P.N. 018-412-031

Project description: The application involves constructing three additional residential units on the property at 830 Broadway (APN 018-412-031). The new units would be in the form of a duplex plus a unit over a carport. The existing residence located along the Broadway frontage would remain.

1. The applicant shall be required to extend the main to the property per SCWA Design and Construction Standards for Sanitation Facilities. The main can be extended from the 6" Main Line in Chase Street, or possibly, with special permission and conditions from the Water Agency, from the Trunk Line in Broadway. The Applicant shall submit improvement plans to the Sanitation Section of PRMD for review and approval of the sanitary sewer design. Improvement plans shall be blue line or black line drawings on standard bond paper, 24 inch by 36 inch in size, and prepared by a licensed civil engineer registered in the State of California. Sanitary sewer facilities shall be designed and Improvement Plans prepared in accordance with SCWA Design and Construction Standards for Sanitation Facilities. The Applicant shall pay Plan Checking fees to the Sanitation Section of PRMD prior to the start of Improvement Plan Review.

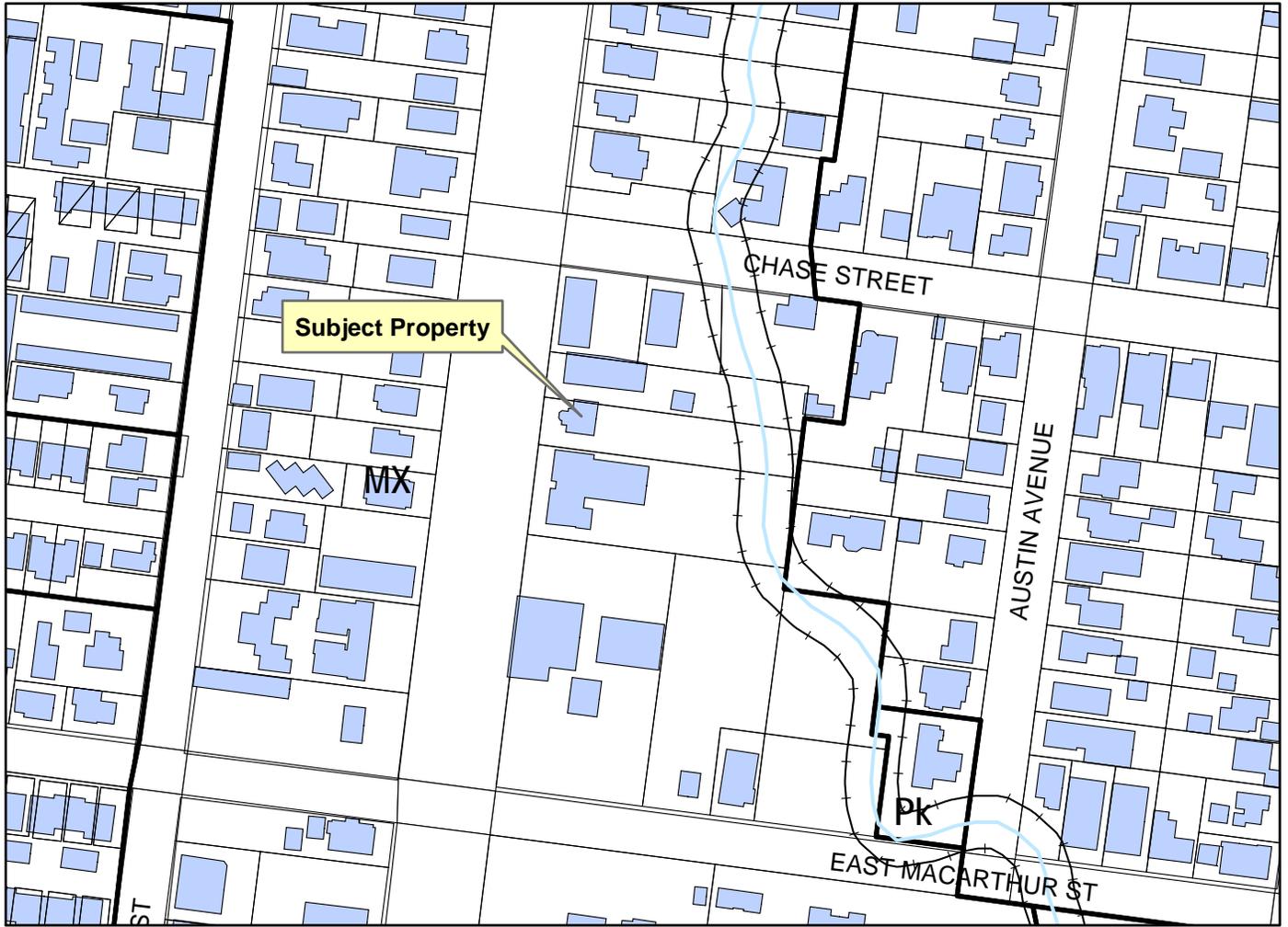
Please note that review of the sanitary sewer design is a separate review from that of the buildings, drainage and frontage improvements, and shall be performed by the Sanitation Section of the Permit and Resource Management Department under a separate permit.

The sewer design originals shall be signed by the SCWA General Manager/Chief Engineer prior to the issuance of any permits for construction of the sanitary sewer facilities. The design engineer shall submit improvement plans to the Sanitation Section of PRMD on 24 inch by 36 inch mylar or vellum originals for signature by SCWA. All sanitary sewer inspection permits shall be obtained from the Sanitation Section of PRMD prior to the start of construction.

2. All required easements necessary for the installation of proposed sewer facilities shall be granted to the (*district or zone*) by separate document, and shall be shown on the required Improvement Plans prior to (*approval of the Improvement Plans by the Engineering Division of PRMD*) signing of improvement plans by the Sonoma County Water Agency. A copy of each and any easement for sewer construction shall be submitted with the Improvement Plans for the initial sewer design review.

3. The Applicant shall construct sanitary sewer mains and appurtenances or post securities to ensure that sewer facilities are installed in accordance with Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities, where applicable, and/or specific details, as shown on approved improvement plans.
4. No building shall be connected to the mainline sewer until the mainline sewer has been inspected and accepted by the Engineering Division of the Sonoma County Permit and Resource Management Department (PRMD), and a Sewer Connection Permit has been issued for the building. A Sewer Completion Certificate is required PRIOR to Occupancy.
5. Prior to the start of construction within the Right-of-Way of Broadway/Hwy 12, the Applicant shall have a licensed general contractor in possession of a valid Encroachment Permit. Encroachment Permits shall be issued by the City of Sonoma and/or Caltrans.
6. The Applicant shall obtain a permit to construct sanitary sewer facilities prior to occupancy of the proposed three additional residential units. All sewer work shall be inspected and accepted by the Engineering Division of PRMD, and a Sewer Completion Notice shall be issued by the Inspector before occupancy or temporary occupancy is approved for this project.
7. Sewer Use Fees for sewer service shall be calculated at the prevailing Sewer Connection and Annual Sewer Service Charge rates in effect at the time of sewer permit issuance. The estimated Connection and Annual Service Charges for fiscal year 2013/14 are approximately \$32,000 and \$2,100 respectively.
8. All Sewer Fees per Sonoma Valley County Sanitation District Ordinances (latest revision) shall be paid to the Sanitation Section of the Sonoma County Permit and Resource Management Department (PRMD) prior to occupancy of the three additional residential units.
9. The Applicant shall be responsible for the restoration of existing conditions including, but not limited to surfacing, landscaping, utilities and other public improvements that have been disturbed due to the construction of sanitary sewer facilities. Restoration shall be completed prior to the issuance of a Completion Notice, unless otherwise specifically approved in advance by the Permit and Resource Management Department.
10. The Applicant shall have "record drawings" prepared by the project engineer, in accordance with Section 6-05, of the Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities. The record drawings shall be submitted to the Engineering Division of the Permit and Resource Management Department (PRMD) for review and approval prior to acceptance of the sanitary sewer facilities.
11. Prior to approval of this project by the Sonoma County Permit and Resource Management Department (PRMD), the Applicant shall provide the Sanitation Section of PRMD with a statement from the Sonoma County Water Agency (SCWA), operators of the Sonoma Valley County Sanitation District, addressing the current and future levels of collection and treatment capacity within the (district/zone). If it is determined by SCWA that a "Sewer Capacity Study" is warranted and required for the proposed project, the Applicant shall undertake to have this study prepared prior to final approval of the development.

Vicinity Map

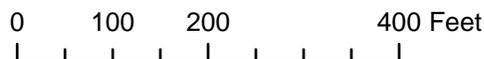
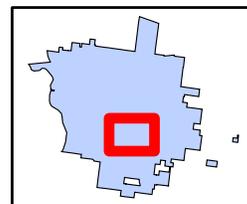


Project Summary

<i>Project Name:</i>	Merlo Apartments
<i>Property Address:</i>	830 Broadway
<i>Applicant:</i>	Victor Conforti, Architect
<i>Property Owner:</i>	Richard & Diane Merlo
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic; Creek Setback
<i>Summary:</i>	Application for a Use Permit to construct three multi-family residential units.

Zoning Designations

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



1 inch = 200 feet

NARRATIVE

Three Unit Residential Rental Project

830 BROADWAY
Sonoma, CA 95476
November 18, 2013

This is an application for a Use Permit to add three residential rental units to an infill parcel on Broadway. The two units at the rear and the one unit over the carport are proposed as long-term rental units.

An existing historic home is located at the front of the property, which will remain. The building is listed as a part of the State of California, Department of Parks and Recreation, Primary Record, Broadway Street Historical District. The house has an existing single car attached garage on the north side of the house with driveway apron parking for an additional car.

The site is deep and narrow (55' x 299' +/- = 16,448 sf or 0.377 acres) and backs up to Nathanson Creek on the east. Two 2-story attached townhouse style units are planned at the rear, overlooking the tree covered riparian area. The third unit and private deck area is located over a 6-car carport, which provides required unit parking (4.5 cars) and guest parking spaces (1.125 cars). The guest space will be marked and signed for guests only. With four units total, the density is 10.6 units/acre, well below the maximum of 20 units/acre.

An Emergency Vehicle Access turning area is provided behind the existing house. An existing driveway on the south side of the house will be widened to the maximum extent possible to provide access. We have met with the Fire Department and developed an acceptable design maximizing the turning area within the given constraints of driveway and lot widths.

Private open space for each of the two rear units will be provided with both at grade patio space and second floor bedroom deck space over looking the creek area. The third unit over the carport will have a private second floor deck at the east end of the unit (200 sf) that will have a view to the north-east over an adjacent neighbor's accessory building to the riparian area beyond.

Trash areas will be located at the side yards to the north and south of the units, behind gates for each unit. The trash cans will be taken out for curbside pickup.

Coverage is 3894 sf / 16,448 sf = 24%, well below the 60% maximum, and the FAR is 6294 sf / 16,448 sf = 0.38, well below the 1.0 FAR maximum.

This is an opportunity to add to the rental housing stock in Sonoma, and is well located for pedestrian access to shopping and the Plaza for vacationing visitors.

Thanks you for your consideration.

Victor Conforti - Architect



13750 Arnold Drive, Suite 3
P.O. Box 207
Glen Ellen, CA 95442

October 22, 2013

Rich Merlo
P.O. Box 260
Sonoma, CA 95476

Re: Addendum to Survey and Evaluation for 830 Broadway (APN 018-412-031)

Dear Rich,

This addendum is intended to clarify what is known about the structure behind the residence on your property at 830 Broadway, Sonoma (sources cited are listed in Baseline Consulting's evaluation letter for the property, dated October 17, 2013):

- Neither of the earlier historical resource surveys identify the structure behind the house as a historical resource. In fact this structure is not mentioned at all in these surveys (CALTRANS 2002; DePetris 1978).
- The structure behind the house, labeled as connected 'Carports,' 'Existing building' and 'Coop' on the existing site plan, does not appear in the records of the County Assessor or Recorder's Office. It does not appear on the 1941 update of the Sanborn map of Sonoma (which does show the house). It also does not appear on the earliest available aerial photo of the property from 1942, so must have been built after that date (Aero Service Corporation 1942; County of Sonoma 1938, 1949; Ford 2004; Sanborn Map Company 1941).
- Assessor Records researched for the property covered the period between 1948 and 1978. The fact that the structure behind the house does not appear in these records suggests that it was built after this date and thus is 35 years old or less (County of Sonoma 1949).
- No evidence was found to indicate this structure was ever used as a residence (all sources cited above).

Sincerely,

Arthur Dawson
Historical Consultant



13750 Arnold Drive, Suite 3
P.O. Box 207
Glen Ellen, CA 95442

October 17, 2013

Rich Merlo
P.O. Box 260
Sonoma, CA 95476

Re: Survey and Evaluation for 830 Broadway (APN 018-412-031)

Dear Rich,

This letter and the attached Department of Parks and Recreation (DPR) 523 forms comprise the evaluation of your property at 830 Broadway as required by the City of Sonoma in order to proceed with planned construction on the property. Because two previous surveys found the property eligible for listing in the California Register of Historical Resources, it is considered a historical resource under CEQA (Section 15064.5). However, Baseline Consulting's independent research and evaluation found a preponderance of evidence demonstrating that it is not historically or culturally significant. The 'Summary and Recommendations' section on page 5 includes a discussion of the discrepancies between Baseline's findings and the surveys done in 1978 and 2002. (These surveys are included for reference, beginning on page 9.)

Previous Surveys

A survey of the property at 830 Broadway was completed in May, 1978. The year of initial construction was listed as 1939 'Factual' (rather than estimated). The house was recorded as the 'Lester and Katherine Tynan residence' and described as follows:

Craftsman, hipped roof, cottage. Built in 1939 by Tynan has a slanted bay window with double hung glass with trim. There is a trellis in wood on either side of the front door porch. The large front window has multi-panes. There are two brick chimneys, one in the middle and the other on the gable side. Green hedge in front. Large trees at the back.

The 1978 survey also made the following determination of the property's "historical and/or architectural" significance:

Is a fine example of a small cottage with large slanted bay window. Is in the middle of older homes and bungalow style.

It was given an old National Register (NR) status code of 5; "Ineligible for the National Register but still of local interest." No updates were recorded by the League after its initial survey.

The property was also surveyed in 2002 as part of the Broadway Street Historic District delineated by CALTRANS during a historic resource evaluation for a project on Broadway/Highway 12. This survey for the District stated that:

The Broadway Street Historic District appears eligible for the National Register of Historic Places at the local level of significance under Criteria A and C, for its association with the development of the town during its tourism and post gold-rush period and for its design and concentration of architectural styles. The concentration of buildings and period of significance date between 1890 and 1930.

During the delineation of District, an intensive survey of 830 Broadway was completed. The survey described the property as follows:

This one story residence has end gables, with an octagonal, hip-roof projecting wing on the front. There is an exterior, brick chimney on the south wall, as well as a brick chimney extending from the roof ridge at the center of the building. On the left side of the façade is an attached garage at the rear of the building, and there is a small recessed porch on the right side. The exterior walls are clad in horizontal wood siding with corner boards, and the windows are 1/1 wood sash in wood frames.

There are shrubs and a young tree adjacent to the building façade, while the rest of the yard is grass, with a driveway to the garage and a curving, concrete walkway to the front porch.

830 Broadway was listed as a “Contributor” to the Broadway Street Historic District and given an old NR status code of 5S; “Eligible for Local Listing Only.”

Research & Field Methods

Research for this survey and evaluation was conducted at the Depot Museum in Sonoma; the Sonoma League for Historic Preservation; the History and Genealogy Annex of the Sonoma County Library in Santa Rosa; the U.S. Geological Survey website; the Bob Curtis aerial photograph collection housed at DraftTech in Santa Rosa; the Sonoma County Assessor and Recorder’s Office in Santa Rosa; the City of Sonoma; the Bancroft Library in Berkeley; the Northwest Information Center in Rohnert Park; and online at www.ancestry.com.

Interviews were conducted with the current owners, Rich and Diane Merlo. Sources of information include: 19th century deeds and maps; U.S. Census records; Voter Registers; early aerial photos; legal descriptions and deeds; and several books on local history. The site was recorded, photographed and investigated in March 2013 by Arthur Dawson, Kara Brunzell, and George McKale.

Historical Overview

While the parcel at 830 Broadway has changed hands a number of times over the last 155 years, it remained undeveloped well into the 20th century, when the current dwelling was constructed.

The earliest record for the property appears in an 1858 deed from a Sheriff's sale for failure to pay taxes. The transaction included over one hundred lots scattered throughout the City of Sonoma; one of these was Town Lot 112, of which the owner was listed as 'unknown.' The current parcel at 830 Broadway makes up a portion this lot. The purchaser of these properties was William Atterbury (County of Sonoma 1858).

The day after the sheriff's sale, Atterbury sold Lot 112 to S.W. Davies. Two years later, Davies and his wife Mary sold the property to George McConnell. At that time, many of the city's streets existed only on paper. After the city lost its incorporation in the 1860s, trustees of the "ex-City of Sonoma" sold off many of these undeveloped streets, including the portion of First Street East which had been planned to run along the eastern border of Town Lot 112. George McConnell acquired this land from the city, thus extending his property by a street-width to the east (County of Sonoma 1858, 1860; Trustees of the former City of Sonoma 1863).

The next owner, Gilbert Shattuck, purchased Town Lot 112 in 1869 from McConnell and his wife Mary. Shattuck lived in San Francisco and like the previous owners, apparently did not develop the property. After Shattuck died in 1876, his widow, Hannah, sold the property to David Wooster, a well-known San Francisco surgeon (County of Sonoma 1869, 1877; San Francisco Call 1894).

Wooster owned the lot for about twenty years, selling it in the late 1890s to Jean Taylor and Francis Burtis. Taylor and Burtis began subdividing the lot; in 1899 they sold the southerly 200 feet of Lot 112 to Blanche Weems. Weems sold the undeveloped property to Samuel and Ella Woodworth in the early years of the 20th century. The Woodworths further subdivided the lot and, in 1919, Samuel granted Ella a deed of gift for the southerly 148 feet. By 1923 the boundaries of the current parcel at 830 Broadway had been established; however there were still no structures on it. After Samuel died, Ella deeded the parcel to their son, Reuben in 1924 (County of Sonoma 1895 - c. 1925, 1899, 1919, 1924, Sanborn Map Company 1888 – 1941).

In 1938 Reuben sold the property to Lester Tynan, who built the house the following year. As far as is known, the house has served as a residence since its construction. The 1941 update of the Sanborn map of Sonoma shows the house with the same footprint it has today, which also matches the County Assessor's record from 1949. The structure behind the house, labeled as connected 'Carports,' 'Existing building' and 'Coop' on the existing site plan (Ford 2004), does not appear in the records of the County Assessor or Recorder's Office and cannot be easily dated. It does not appear on the earliest available aerial photo of the property from 1942, so must have been built after that date (Aero Service Corporation 1942; County of Sonoma 1938, 1949; DePetris 1978; Sanborn Map Company 1888-1941).

The Tynan family became the longest owners of the property, holding it for more than 65 years. In 2004 the Tynan Family Trust sold it to the Merlo Family Trust. Current owners

Rich and Diane Merlo have not made any substantive changes to the property since that time (County of Sonoma 2004; Merlo 2013).

Evaluation

(The following is our independent evaluation of the house and parcel; the ‘Summary and Recommendations’ discusses the conclusions reached by other researchers.)

There are four ‘tests’ for the historical significance of a property or site in the State of California. These Criteria for Evaluation are modeled after the National Criteria for Evaluation. They are used by the State of California and many local agencies to determine whether, under the California Environmental Quality Act (CEQA), impacts to a historical site as a result of a project proposal have the potential to create substantial adverse change to the resource. They are also used by many local agencies to determine the historical significance of a property.

In order to be determined significant, a historical resource must meet one or more of the following four criteria. The following is an evaluation of the site and structures at 830 Broadway with respect to these criteria:

1. *It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or*

The house at 830 Broadway occupies a neighborhood with a “high concentration of buildings . . . constructed between 1880 and 1930, whose plan and physical development reflect the day-to-day activities during this period.” (CALTRANS 2002). These older buildings were constructed during the City of Sonoma’s expansion and development in the early 20th century and represent a significant contribution to this broad pattern of local history. The majority of these buildings were built between 1890 and 1910, ~~90% were in existence by 1925~~. The house at 830 Broadway was constructed in 1939, decades after the peak of Sonoma’s early 20th-century development and well outside the period of significance for the Broadway Street Historic District as defined by the 2002 Caltrans report. Thus it was not part of a broad historical pattern and is not eligible for listing in the CRHR under Criterion 1.

2. *It is associated with the lives of persons important to local, California, or national history; or*

The parcel at 830 Broadway was owned by a number of people who were citizens of Sonoma and San Francisco in the latter 19th and early 20th centuries. The most prominent of these was Dr. David Wooster. Born in New York State, he became an assistant surgeon in the army during the Mexican War. When the war was over, he completed medical school and came to California overland in 1850. After working as both a surgeon and a miner in Yuba City, he moved to San Francisco and began practicing medicine there in 1856. When the Civil War broke out, he enlisted in the Union Army and served in Arizona and New Mexico. Later he became the Examiner of Drugs for the City of San Francisco. He was especially interested in heart disease

and published a book on it, as well as another on hip joint diseases. He founded the Pacific Medical and Surgical Journal in 1858 and served as its editor for four years. He also was the author of the first work on diphtheria ever published in the United States. When he died in 1894, his obituary called him “one of the oldest and best-known surgeons” in San Francisco (San Francisco Call 1894).

While Dr. Wooster meets the criteria for a person important to local, California, and perhaps even national history, there is no visible evidence to convey his association with the property, which was not developed during his ownership. Therefore the house at 830 Broadway is not eligible for listing in the CRHR under Criterion 2.

3. *It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or*

The house at 830 Broadway does not embody distinctive characteristics of type, period, or method of construction; is not the work of a master architect; nor does it possess high artistic values. Therefore the house at 830 Broadway is not eligible for listing in the CRHR under Criterion 3.

4. *It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.*

A field review did not identify prehistoric or historical archaeological resources within the project area. Given that the property at 830 Broadway is not immediately adjacent to known significant historical resources, the possibility for archaeological resources being identified during ground-disturbing activities is moderate.

Therefore the property is not eligible for listing in the CRHR under Criterion 4.

Summary and Recommendations

Our evaluation concluded that 830 Broadway does not meet any of the current criteria for historical significance. The buildings and property do not hold a significant association with patterns of local history. They are not associated with persons known to be significant in local, state or national history. Additionally, we did not find them qualified as historical resources under Criterion 3 for architectural significance, or Criterion 4 for archaeological significance. Thus Baseline Consulting determined 830 Broadway to be “ineligible for NR, CR or Local designation through survey evaluation,” the definition for California Historical Resource (CHR) Status Code 6Z (Office of Historic Preservation 2004).

Following current standards, Baseline Consulting does not agree with previous evaluations (both completed more than ten years ago) which found the property to be a historical resource based on its architectural significance (current Criterion 3). Previous surveys described the house as a “Craftsman, hipped roof, cottage.” The house does not exhibit the commonly accepted elements of a Craftsman building, such as low-pitched roof with wide eaves, exposed rafter tails, decorative braces at open eaves, and heavy battered porch columns. Its construction date of 1939 is nine years after the end of the Craftsman period,

which is usually defined as 1905 – 1930 (McAlester, 1984). In addition, the house's construction date is outside the period of significance, 1890 – 1930, determined by CALTRANS for the Broadway Street Historic District. Thus Baseline Consulting finds it ineligible for "contributor" status to the District as it is currently defined.

Given the property at 830 Broadway is not immediately adjacent to archaeological resources, no further study for such resources is recommended at this time. If archaeological resources in the project area are encountered during the course of the project, they should be avoided or evaluated for their California Register significance. If human remains are encountered during the course of the project, the County Coroner and an archaeologist should be contacted immediately to evaluate the situation. Project personnel should not collect or move any archaeological material. Fill soils that may be used for construction purposes should not contain archaeological materials.

Evaluators Qualifications

I have 15 years professional experience as a historian based in Sonoma County, have a degree in Natural Resources with an emphasis in history and am listed as a qualified historical consultant on the roster on file with the State of California Office of Historic Preservation's Eastern Information Center at the University of California at Riverside. Kara Brunzell holds a Master's degree in Public History and has worked multiple facets of historic preservation and cultural resource evaluation. She is listed as an architectural historian on the California Office of Historic Preservation's roster of qualified consultants. George McKale has worked for many years as a professional archaeologist. He holds a Master's Degree in Cultural Resources Management and has conducted prehistoric and historical cultural studies throughout California. In his role as Sonoma's official City Historian, he has developed extensive knowledge of the town's history and preservation efforts, and works closely with local government in these areas.

Sincerely,

Arthur Dawson
Historical Consultant

Sources

- Aero Service Corporation. 1942. "COF-4-45." Aerial photo taken May 19 for the U.S. Department of War. Philadelphia (central office).
- California Department of Transportation (CALTRANS). 2002. "Historic Resource Evaluation Report for the Visual Enhancement-Pedestrian and Street Lighting Project in Sonoma County in the City of Sonoma on Broadway (State Route 12) Between West Napa Street and MacArthur Street. 04-SON-12-KP 60.4/61.2; EA 299100 (TEA HB1)."
- County of Sonoma. 1895 – c. 1925. "Sonoma SW" breadboard map 89 and associated book: "Vol. 61." Recorder's Office.
- County of Sonoma. 1858. "Sheriff's Tax Deed." Conveys property to William Atterbury. March 10. Recorder's Office.
- County of Sonoma. 1858. "This Indenture" Conveys property from William Atterbury to S.W. Davies. March 11. Recorder's Office.
- County of Sonoma. 1860. "This Indenture" Conveys property from S.W. Davies to George McConnell. March 27. Recorder's Office.
- County of Sonoma. 1869. "This Indenture" Conveys property from George McConnell to Gilbert Shattuck. September 1. Recorder's Office.
- County of Sonoma. 1877. "This Indenture" Conveys property from Gilbert Shattuck to David Wooster. September 1. Recorder's Office.
- County of Sonoma. 1899. "This Indenture" Conveys property from Jean and James Taylor to Blanche Weems. January 24. Recorder's Office.
- County of Sonoma. 1919. "Deed of Gift" Conveys property from Samuel Woodworth to his wife, Ella. October 29. Recorder's Office.
- County of Sonoma. 1924. "Deed of Gift" Conveys property from Ella Woodworth to her son, R. Mac Woodworth. February 21. Recorder's Office.
- County of Sonoma. 1938. "This Indenture" Conveys property from R. Mac Woodworth to Lester Tynan. February 3. Recorder's Office.
- County of Sonoma. 1948-1971. "Residential Building Record." Assessor's Office.
- County of Sonoma. 2004. "Grant Deed" Conveys property from Lester Tynan to Rich and Diane Merlo. June 30. Recorder's Office.
- De Petris. 1978. "Historical Resources Inventory" for 830 Broadway, Sonoma, CA. Brief survey done for the Sonoma League for Historic Preservation.
- Merlo, Rich and Diane. 2013. Personal communication. Current owners of property at 830 Broadway.

- Michael Ford Land Surveying Inc. 2004. "830 Broadway, Sonoma, California. Topographic Map." Kenwood, California.
- Office of Historic Preservation. 1995. Instructions for Recording Historical Resources. California Office of Historic Preservation.
- Office of Historic Preservation. 2004. Technical Assistance Bulletin #8: User's Guide to the California Historical Resource Status Codes & Historic Resources Inventory Directory. California Office of Historic Preservation.
- McAlester, Virginia and Lee. 1984. *A Field Guide to American Houses*. Random House. New York, New York. Page 453.
- Parmelee, Robert. 1972. *Pioneer Sonoma*. Published by the Sonoma Valley Historical Society. Sonoma, California. Page 122.
- Rosenus, Alan. 1999. *General Vallejo and the Advent of the Americans: A Biography*. Heyday Books/Urion Press. Berkeley, California.
- Sanborn Map Company. 1888-1941. "Sonoma, Calif." Insurance maps and updates published by Sanborn Map Company. New York in 1888, 1891, 1897, 1905, 1911, 1923, 1934 and 1941.
- San Francisco Call. 1894. "Dr. Wooster Dead." Volume 76, Number 113. September 21. Newspaper.
- Smilie, Robert S. 1975. The Sonoma Mission; The Founding, Ruin and Restoration of California's 21st Mission. Valley Publishers. Fresno, CA. Page 96.
- State of California. 1866-1898. *Great Register of Voters*. Accessed online at ancestry.com. March 2013 [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2011.
- State of California. 1900-1916. *Great Register of Voters*. Accessed online at ancestry.com. March 2013 [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2011.
- Trustees of the former City of Sonoma. 1863. "Know all men by these presents." Delineates streets which have not been developed and will be abandoned. June 27.
- U.S. Bureau of the Census. 1870 – 1940. Decennial Censuses of the United States. Washington, D.C.: National Archives and Records Administration. Accessed through Ancestry.com. 2013.
- vonGeldern, Otto. 1875. "Plan of Sonoma." Bancroft Library, University of California, Berkeley. Map.

State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION

HISTORIC RESOURCES INVENTORY

(State use only)
 Ser _____ Site _____ Mo. _____ Yr. _____
 UTM _____ Q _____ NR 5 SHL _____
 Lat _____ Lon _____ Era _____ Sig _____
 Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Fed _____

IDENTIFICATION

1. Common name: TYNAN, Lester and Katherine
2. Historic name, if known: _____
3. Street or rural address 830 Broadway
 City: Sonoma ZIP: 95476 County: Sonoma
4. Present owner, if known: Tynan, L and K Address: 830 Broadway
 City: Sonoma ZIP: 95476 Ownership is: Public Private
5. Present Use: Residence Original Use: Residence
 Other past uses: _____

DESCRIPTION

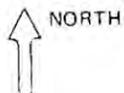
6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

Craftsman, hipped roof, cottage. Built in 1939 by Tynan, has a slanted bay window with double hung glass with trim. There is a trellis in wood on either side of the front door porch. The large front window has multi-panes. There are two brick chimneys, one in the middle and the other on the gable side.

Green edge in front. Large trees at the back.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):

See City Map Area 13.



UTM (SONOMA QUAD)
 10/547,560/4,238,570
 10/548,700/4,238,420
 10/548,420/4,236,210
 10/547,300/4,236,340

8. Approximate property size:

Lot size (in feet) Frontage 45
 Depth 300
 or approx. acreage _____

9. Condition: (check one)

- a. Excellent b. Good c. Fair
 d. Deteriorated e. No longer in existence

10. Is the feature a. Altered? b. Unaltered?

11. Surroundings: (Check more than one if necessary)

- a. Open land b. Scattered buildings
 c. Densely built-up d. Residential
 e. Commercial f. Industrial
 g. Other _____

12. Threats to site:

- a. None known b. Private development
 c. Zoning d. Public Works project
 e. Vandalism f. Other _____

13. Date(s) of enclosed photograph(s): May 1978

NOTE: The following (Items 14-19) are for structures only.

14. Primary exterior building material: a. Stone b. Brick c. Stucco d. Adobe e. Wood
 f. Other _____
15. Is the structure: a. On its original site? b. Moved? c. Unknown?
16. Year of initial construction 1939 This date is: a. Factual b. Estimated
17. Architect (if known): _____
18. Builder (if known): Tynan
19. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)
 f. Windmill g. Watertower/tankhouse h. Other _____ i. None

SIGNIFICANCE

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):

Is a fine example of a small cottage with large slanted bay window.

Is in the middle of older homes and bungalow style.

21. Main theme of the historic resource: (Check only one): a. Architecture b. Arts & Leisure
 c. Economic/Industrial d. Exploration/Settlement e. Government f. Military
 g. Religion h. Social/Education

22. Sources: List books, documents, surveys, personal interviews, and their dates:

23. Date form prepared: May 31, 1978 By (name): Carla De Petris
 Address: _____ City Sonoma ZIP: 95476
 Phone: 938-0510 Organization: Sonoma League for Historic Preservation

(State Use Only)



State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD	Primary # _____ HRI # _____ Trinomial _____ NRHP Status Code _____
Other Listings _____ Review Code _____	Reviewer _____ Date _____

Caltrans ID, County/Route/Postmile/EA: 04-SON-12; KP 60.4/61.2 EA 299100/ TEA HB1) Map Ref. # N/A

P1. Resource name(s) or number: Broadway Street Historic District

***P2. Location: *a. County:** Sonoma

***c. Address:** see continuation sheet

City: Sonoma

Zip: 95476

***e. Assessor's Parcel Number:** see continuation sheet

***P3a. Description:**

There is a high concentration of buildings that face Broadway Street that were constructed between 1880 and 1930, whose plan and physical development reflect the day-to-day activities during this period. These buildings are mostly one and two-story residential building constructed in the Victorian, Queen Anne, Craftsman, and Tudor Revival styles. They all sit on large lots with large set-backs, and face the very wide Broadway Street. The character-defining features of this district include planting strips, stone gutters and curbs, large mature street trees, sidewalks, mature landscaping, side driveways with rear detached garages or backhouses, and low fences and rock walls. This was a pedestrian-oriented neighborhood, with the homes looking out onto the wide boulevard, Broadway Street, and toward the Plaza at its terminus. This neighborhood is contained within the four-block radius planned by Vallejo in the 1830s. The district includes forty-one (41) buildings facing Broadway Street, and is roughly bounded by Patten Street to the north, and midway between Chase Street and MacArthur Street to the south.

***P3b. Resource Attributes:** HP-39 (district)

***P4. Resources Present:** Building Structure Object Site District Element of District Other



P5b. Photo date:

September 17, 2002

View looking northeast

***P6. Date Constructed/Sources:**

1880-1930

***P7. Owner and Address:**

See individual primary records

***P8. Recorded by:**

Andrea Galvin
Department of Transportation
Division of Environmental Analysis
Cultural & Community Studies Office
1120 N Street
Sacramento, CA 95814

***P9. Date Recorded:**

September 26, 2002

***P10. Survey Type:**

Intensive

***P11. Report Citation:** Historic Resource Evaluation Report for the Visual Enhancement-Pedestrian and

Street Lighting Project in Sonoma County in the City of Sonoma on Broadway (State Route 12) Between West Napa Street and MacArthur Street. 04-SON-12-KP 60.4/61.2; EA 299100 (TEA HB1)

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Photograph Record Other

DPR 523A (1/95)

***Required information**

State of California—The Resources Agency DEPARTMENT OF PARKS AND RECREATION BUILDING, STRUCTURE, AND OBJECT RECORD	Primary # _____ HRI# _____
---	-------------------------------

*Resource Name or # Broadway Street Historic District

- B1. **Historic name:** Broadway Street
- B2. **Common name:** Broadway Street
- B3. **Original Use:** Residential Neighborhood
- B4. **Present use:** Mixed Use
- *B5. **Architectural Style:** Victorian, Queen Anne, Craftsman, Tudor Revival
- *B6. **Construction History:** Broadway Street laid out in 1840s, section of Broadway between Patten Street and MacArthur Street developed between 1880 and 1930. **A few recent buildings constructed on prior vacant lots.**
- *B7. **Moved?** No Yes Unknown **Date:** N/A **Original Location:** N/A
- *B8. **Related Features:** Roadway, sidewalks, stone gutters, planting strips, street trees, fences, yards and view shed of Plaza
- B9a. **Architect:** various
- b. Builder:** various
- *B10. **Significance:** **Theme:** Residential Development **Area:** Sonoma
Period of Significance: 1880-1930 **Property Type:** Residential **Applicable Criteria:** A, C -local

The Broadway Street Historic District appears eligible for the National Register of Historic Places at the local level of significance under Criteria A and C, for its association with the development of the town during its tourism and post gold-rush period and for its design and concentration of architectural styles. The concentration of buildings and period of significance date between 1880 and 1930. The houses along Broadway Street represent a high concentration of good examples of architectural styles popular between this period. Additionally, the size of the street, and the view shed of the Plaza represent the planning and small town values as a main residential street. Broadway Street is exceptional in its width for a small town, and still retains the stone gutters, street trees, planting strips and sidewalks that were installed in the 1920s. Most importantly, it still retains the feeling of prominence with its axis directed toward the historically significant Plaza, drawing the visitor down the street toward the center of town.
 (see continuation sheet)

B11. Additional Resource Attributes:

*B12. **References:**

- Sonoma Assessor's Records
- Historic Maps
- Interview; Newton Dal Poggetto, lawyer & long time resident, September 23, 2002

B13. Remarks:

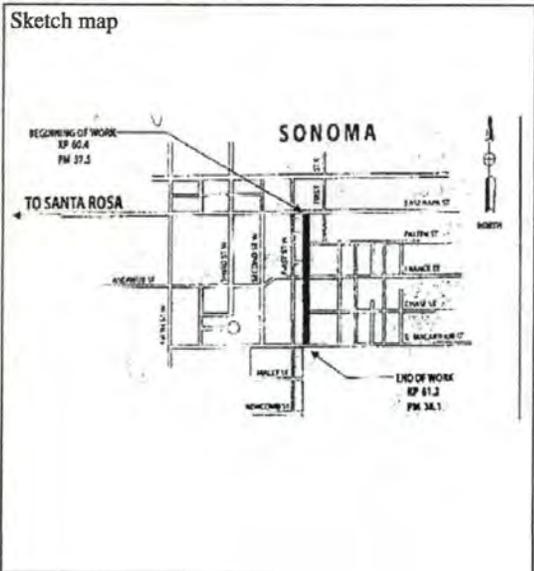
** Several properties located within this historic district have been previously evaluated in a city survey completed by the Sonoma League for Historic Preservation in 1976; the status of this survey is listed in the matrix of properties under P2c.

*** The city of Sonoma has an historic overlay zone that included Broadway Street. In conformance with the City of Sonoma Housing Element (Updated August 28, 2002), new residential development are subject to architectural guidelines to ensure compatibility with the qualities and character of neighboring development.

*B14. **Evaluator:** Andrea Galvin, Caltrans

***Date of Evaluation:** September 26, 2002

(This space reserved for official comments.)



State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION CONTINUATION SHEET	Primary # _____ HRI# _____ Trinomial _____
--	--

Continuation Update

Resource Name or # Broadway Street Historic District

P2c.-e. Address & Assessor's Parcel Numbers (continued):

Map ID #	Street #	APN #	Description/ Use	Year Built	Prior OHP Designation (** B13)	District Status
12	620	018-302-019	Office Building	1868	3S	Contributor
13	640	018-302-020	Office Building- Pacific Union	1997		Historically compatible new construction *** B13.
14	654	018-302-007	Office Building- Broadway Realty	1956		Non-contributor
15	662	018-302-008	SFR	1900/1890s	3S	Contributor
16	678	018-302-009	Vacation Rentals	1928		Contributor
17	688	018-302-012	SFR-Studio	1998		Historically compatible new construction *** B13
18	698	018-302-018	SFR	1904/1906	3S	Contributor
19	702-708	018-352-031	Office Building	1963		Non-contributor
20	720	018-352-003	SFR	1905/1890s	5S	Contributor
21	730	018-352-004	Office Building	1897/1910	4S	Contributor
22	746	018-352-005	Commercial (NEC)- law offices	1910/1880s	4S	Contributor
23	752	018-352-006	Commercial Building	1886/1906	4S	Contributor
24	762	018-352-007	Commercial Building	1900/1900	4S	Contributor
25	770	018-352-008	Quadruplex	1905/1890	3S	Contributor
26	778	018-352-039	SFR	1912/1910	4S	Contributor
27	786	018-352-043	B&B	1889/1907	3S	Contributor
28	790	018-352-044	B&B	1965		Non-contributor
29	800	018-412-028	Office Building	1978		Non-contributor
30	822	018-412-006	Office Building- Fidelity National Title	1912/1917	3S	Contributor
31	830	018-412-031	SFR	1939	5S	Contributor
37	853	018-411-020	SFR- business	1900/1910	4S	Contributor
38	843	018-411-013	Commercial (NEC)	Ca. 1910		Contributor
39	835	018-411-022	Office Building	1906		Contributor
40	827	018-411-004	SFR	1904/1900	4S	Contributor
41	819/823	018-411-024	Duplex	1989		Historically compatible new construction *** B13
42	809	018-411-002	Office Building	1909	4S	Contributor
43	801	018-411-018	Bookkeeping	Ca. 1980s		Historically compatible new construction *** B13
44	793	018-351-009	Office Condo	Ca. 1990s		Historically compatible new construction *** B13
45	783	018-351-008	Halby Marketing Inc.	1925/	4S	Contributor

				1880		
46	779	018-351-007	SFR	1911		Contributor
47	771	018-351-023	SFR	1920		Contributor
48	763	018-351-014	Medical Building	1937		Non-contributor
49	755	018-351-015	SFR- Architect's Office	1910		Contributor
50	735	018-351-018	Stores & Residential- Hospice	1909/ 1900	4S	Contributor
51	725	018-351-025	Triplex- State Farm	1905	3S	Contributor
52	711	018-351-021	Bancroft's Flowers	1967		Non-contributor
53	691	018-303-022	Restaurant Building	1870	4S	Non-contributor
54	681	018-303-021	Motel- Inn	1889/ 1870	3S	Contributor
55	669	018-303-002	Office Building-Sonoma Masonic Temple	1973		Non-contributor
56	645/ 651	018-301-006	Commercial Building- Broadway Hair Co.	1928		Contributor
57	635	018-301-005	Apartment	1905		Contributor

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI# _____
Trinomial _____

Continuation Update

Resource Name or # Broadway Street Historic District

***B10. Significance: (continued):**

Context for Significance:

Guadalupe Vallejo laid out the village of Sonoma in 1835. The Pueblo of Sonoma was laid out according to the plans of the Laws of the Indies, established in 1573 by King Phillip II of Spain, and was the last town to be laid out according to his standards for planning. The gridiron arrangement of the blocks surrounding the main Plaza radiated out four blocks in each direction and included a wide boulevard, *El Calle Grande*, (now Broadway Street) that acted as a view shed for the Plaza at its terminus. The original planning of Vallejo's Plaza and streetscape still exists today, and a portion of the town, including the Plaza has been designated as a National Historic Landmark District.

The town of Sonoma was slow to develop until the gold rush, as it was not easily accessible by water or land. Despite these limitations however, it did attract the new elite who were enamored with the respectability, wealth and sophistication of General Vallejo. Sonoma became the social center of Alta California. Sonoma grew steadily until the end of the century, due largely in part to the rush of gold seekers and many new agricultural-related industries. The 1880s marked a large period of development for the region, as the valley became known as one of the finest vineyard sections in the State. The Sonoma Valley, in particular was well suited for the cultivation of premium wine grapes, and as this industry grew, the town prospered.

The direction of Sonoma's development during this period is defined by the architectural style and materials used as wood, brick, and stone buildings of two and three stories replaced a number of the crumbling adobe structures from the prior Mexican era. The houses along Broadway Street were mostly constructed during this period. Most of the buildings are one or two story, single family residences built in the Victorian and Queen Ann style. Some of the buildings were constructed after the turn of the century in the Craftsman and Tudor Revival styles that reflected the changing trends in architecture of following decades. This street historically served as the main residential street. Some of the families who lived there were pioneer families of Sonoma but most residents were ordinary citizens who contributed to the community as shop owners, teachers, mailmen, and mayors. It is a stereotypical main street for a turn-of-the century town. What is not stereotypical is the size of the street. This street is wider than most, and remains so, reflecting the Laws of the Indies, established in 1573 by King Phillip II of Spain.

Although Broadway Street was laid out in Vallejo's day, this section of town did not develop until the post-gold rush and tourism period. The concentration of turn-of-the century houses close to the town center defines the size and development pattern of the early town. The life and values of a newly established small-town destination can be seen in the size and architectural style of the houses facing this main street into town. Unlike other California towns that were developing after the gold rush (mining towns, agricultural communities, etc.), the types of businesses and houses represented around the Plaza and along Broadway Street reflect an image of higher society that attracted tourists, wine connoisseurs, and respectable citizens. The size of the buildings, the architectural styles, attention to design and ornament, the size of the lots, the streetscape, and its location all indicate the values of the new elite that populated the area. Even today, though the town remains small, its design and attention to architecture within the town core reflect the same desire for a reputation of respectability, wealth and sophistication that Vallejo, and the pioneers sought toward the end of the nineteenth century.

Integrity:

Of the forty-one (41) buildings that make up the potentially eligible historic district, twenty-eight (28) were constructed between the period of significance and possess sufficient integrity to merit inclusion to the National Register of Historic Places as contributors to the historic district. Of the remaining thirteen (13) non-contributing buildings, five were constructed within the past decade and were subject to design review under a City Overlay Zone. In compliance with the City of Sonoma's Housing Element, these properties were designed using architectural guidelines to ensure compatibility with the qualities and character of neighboring development. Therefore, these buildings, although non-contributing to the historic district, are historically compatible in design and do not substantially diminish the sense of time and place the district provides. Therefore, there are only seven buildings of the forty-one located within the historic district that lack cohesive association to the district's period of significance.

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
 CONTINUATION SHEET

Primary # _____
 HRI# _____
 Trinomial _____

Continuation Update

Resource Name or # Broadway Street Historic District

***B10. Significance: (continued):**

Recently, the commercial section of Broadway Street (first block south of Plaza) has filtered into the residential section of the street. However, instead of demolishing the turn-of-the-century residences, they have adapted the use to non-intrusive offices that have attracted businesses such as law offices and realtors. This has protected the historic character of Broadway Street. Additionally, historically compatible free-standing signage for these businesses now adorn the front yards of the historic homes, that although not historically appropriate, adds to the feeling and continuity of the district. The fact that these older homes are preserved and are subject to design review attests to the ongoing values that Sonoma residents hold; that Broadway Street and the buildings facing it are important visually, as they provide a first impression of the town for visitors entering town from the south.



Photo showing historically compatible new construction (left) next to District Contributor built in 1904 (right). View taken looking northeast at the intersection of Broadway and France Streets.



Photo showing free-standing historically compatible signage, low fences and rock walls, and mature landscaping. View taken looking southwest toward Andrieux Street.

Resource Name or # Broadway Street Historic District

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
 CONTINUATION SHEET

Primary # _____
 HRI# _____
 Trinomial _____

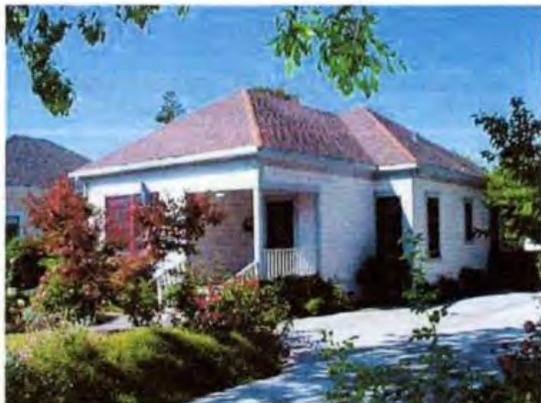
P5a. Photos of Contributors (continued):



#31 830 Broadway Ca.1905 5S, Contributor



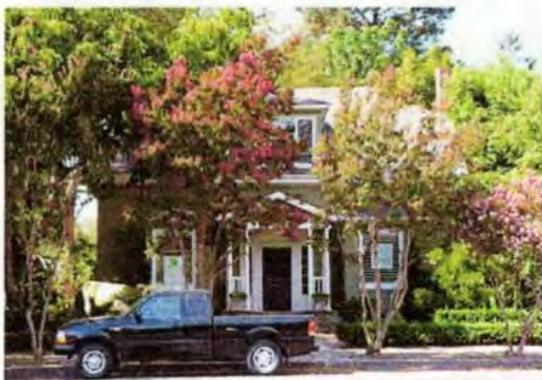
#37 853 Broadway 1900/1910 4S, Contributor



#38 843 Broadway Ca.1910 Contributor



#39 835 Broadway 1906 Contributor



#40 827 Broadway 1904 4S, Contributor



#42 809 Broadway 1909 4S, Contributor

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD		Primary # _____ HRI # _____ Trinomial _____ NRHP Status Code _____
Other Listings Review Code _____	Reviewer _____	Date _____

Caltrans ID, County/Route/Postmile/EA: 04-SON-12; KP 60.4/61.2 EA 299100/ TEA HB1) Map Ref. # 31

***P1. Resource name(s) or number:** Broadway Street Historic District (contributor)

***P2. Location: *a. County:** Sonoma

***c. Address:** 830 Broadway Street

City: Sonoma

Zip: 95476

***e. Assessor's Parcel Number:** 018-412-031

***P3a. Description:**

This one story residence has end gables, with an octagonal, hip-roof projecting wing on the front. There is an exterior, brick chimney on the south wall, as well as a brick chimney extending from the roof ridge at the center of the building. On the left side of the façade is an attached garage at the rear of the building, and there is a small, recessed porch on the right side. The exterior walls are clad in horizontal wood siding with corner boards, and the windows are 1/1 wood sash in wood frames.

There are shrubs and a young tree adjacent to the building façade, while the rest of the yard is grass, with a driveway to the garage and a curving, concrete walkway to the front porch.

***P3b. Resource Attributes:** HP2 – single family residence

***P4. Resources Present:** Building Structure Object Site District Element of District Other



P5b. Photo date:
September 17, 2002
View looking east

***P6. Date Constructed/Sources:**
1939 (assessor's records)

***P7. Owner and Address:**
William & Mildred Tynan
3573 Mariposa Court
Napa, CA 94558

***P8. Recorded by:**
Andrew Hope
Department of Transportation
Division of Environmental Analysis
Cultural & Community Studies Office
1120 N Street
Sacramento, CA 95814

***P9. Date Recorded:**
September 26, 2002

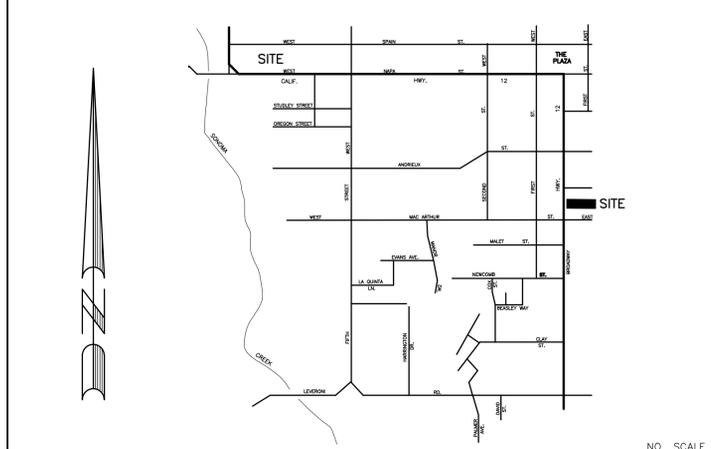
***P10. Survey Type:**
Intensive

***P11. Report Citation:** Historic Resource Evaluation Report for the Visual Enhancement-Pedestrian and Street Lighting Project in Sonoma County in the City of Sonoma on Broadway (State Route 12) Between West Napa Street and MacArthur Street. 04-SON-12-KP 60.4/61.2; EA 299100 (TEA HB1)

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Photograph Record Other

DPR 523A (1/95)

***Required information**



LOCATION MAP

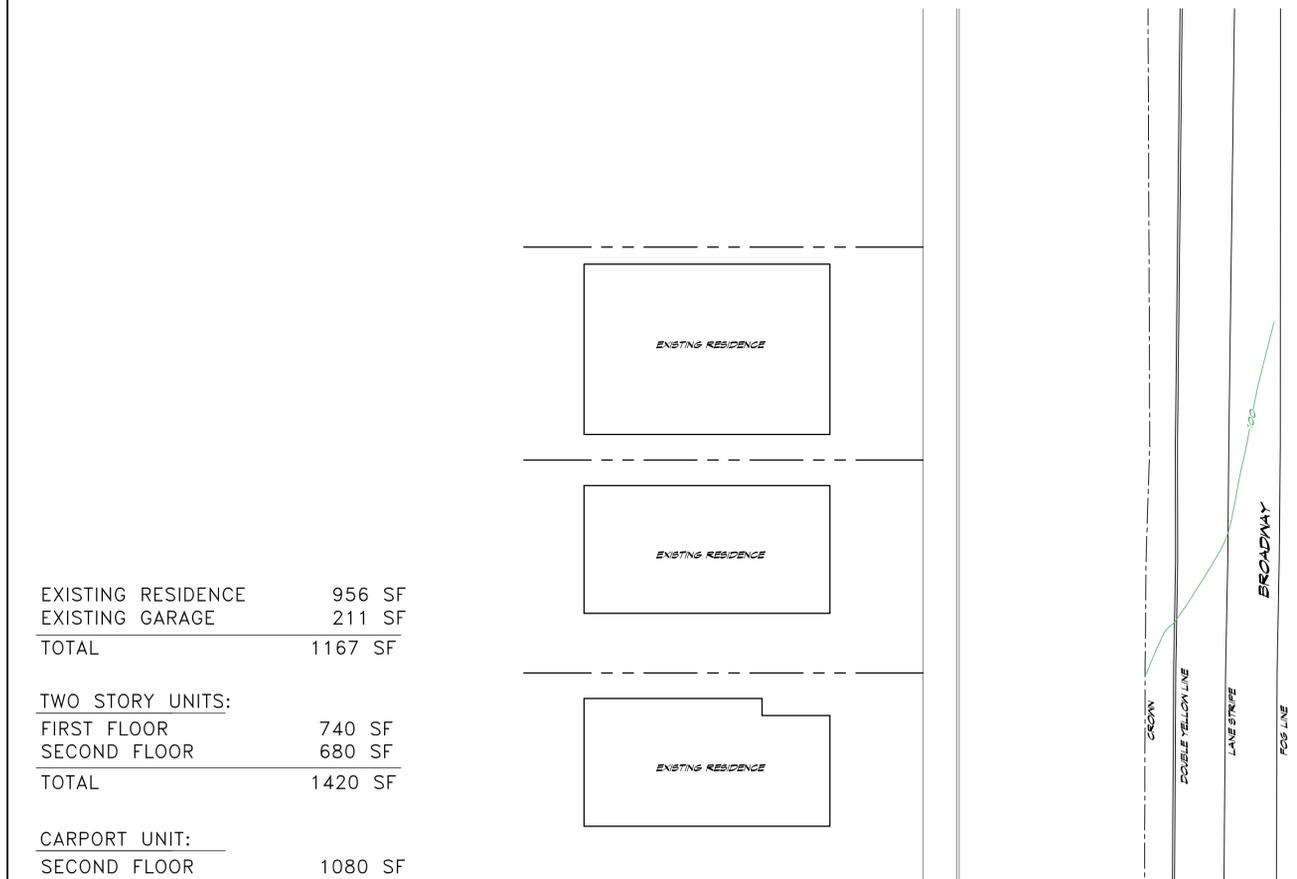
NO SCALE

ZONING: RESIDENTIAL R-M
 TOTAL LOT SIZE: 16,448 SF
 TOTAL ACREAGE: 0.377 ACRES
 DENSITY: 10.6 UNITS/ACRE (MAXIMUM 20 UNITS/ACRE)

TOTAL BLDG AREA = EXISTING RESIDENCE & GARAGE = 1,167 SF
 1420 X 2 TWO STORY UNITS = 2,840 SF
 CARPORT UNIT = 1,080 SF
 CARPORT FOOTPRINT = 1,240 SF
 TOTAL: 6,327 SF TOTAL F.A.R. = 0.38 (MAX. F.A.R. ALLOWED 1.0)

PROPOSED BUILDING AREA: (E) RESIDENCE & GARAGE = 1,167 SF
 COVERAGE = 24 % (MAX. COVERAGE ALLOWED 60%) 740 SF X 2 BDLGS = 1,480 SF
 CARPORTS = 1,240 SF
 TOTAL SF = 3,887 SF

PARKING REQUIRED: COVERED 3 UNITS X 1 PER = 3
 UNCOVERED 3 UNITS X 1/2 PER = 1.5
 GUEST 25% X 4.5 = 1
 TOTAL REQUIRED 5.5
 COVERED PROVIDED: 4.5
 GUEST PROVIDED: 1.5
 TOTAL PROVIDED 6



EXISTING RESIDENCE 956 SF
 EXISTING GARAGE 211 SF
 TOTAL 1167 SF

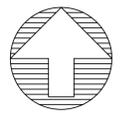
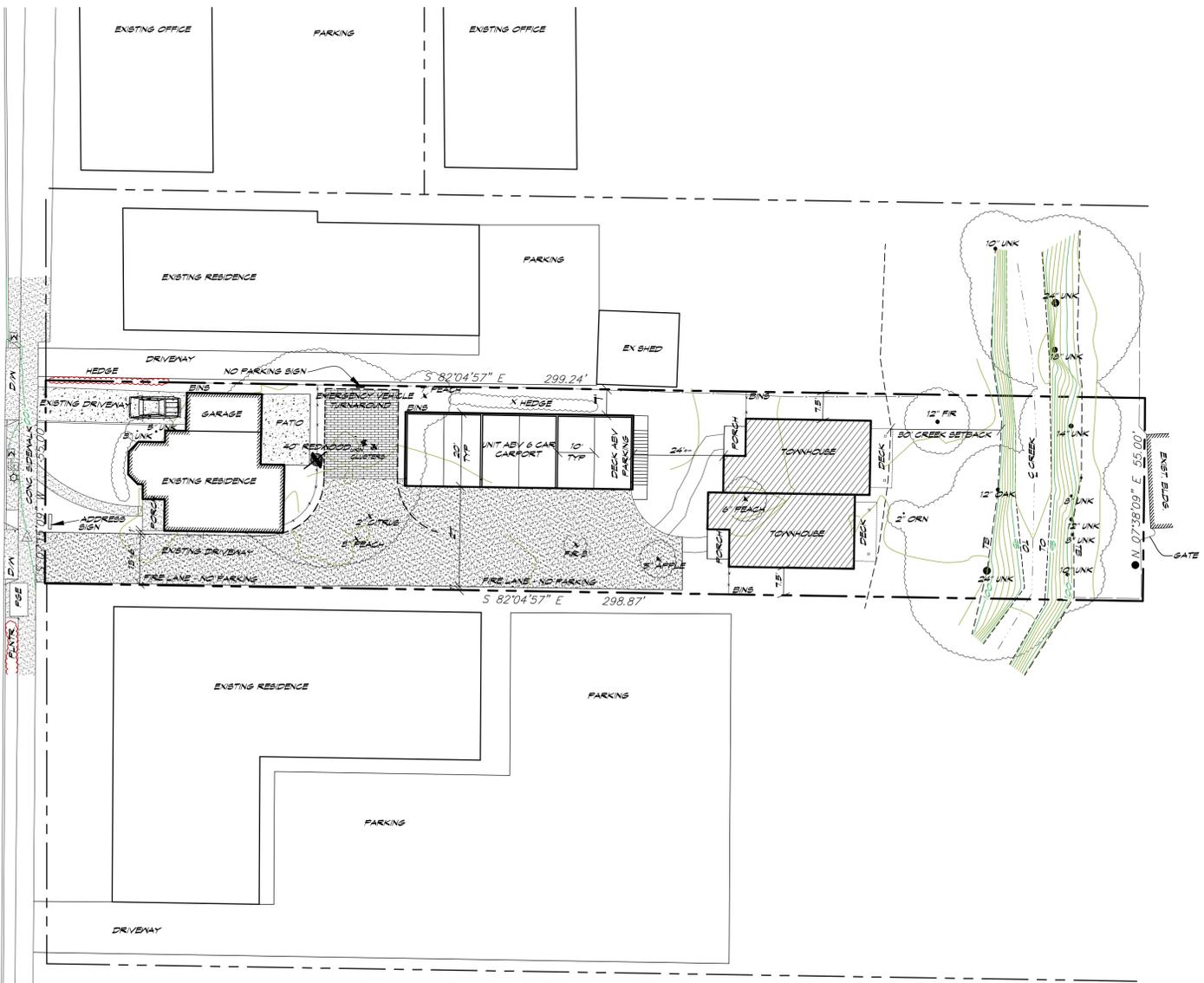
TWO STORY UNITS:
 FIRST FLOOR 740 SF
 SECOND FLOOR 680 SF
 TOTAL 1420 SF

CARPORT UNIT:
 SECOND FLOOR 1080 SF

CARPORTS: 1240 SF

NOTE: All construction on this project shall conform to the 2010 CALIFORNIA BUILDING CODE (TITLE 24), CALIFORNIA ELECTRICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA FIRE CODE, CALIFORNIA GREEN BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ENERGY CODE & shall comply with all local codes & ordinances, whether shown on these plans or not.

The arborist's report shall clearly describe in writing all trees on the property. The report shall indicate the genus and species, the shape, the trunk diameter of each tree and the nonintrusion zone around each tree as determined by the table in SMC 12.03.020(H) and shall indicate those trees which are proposed to be altered, removed, or relocated and the reasons therefore. Tree delineations by trunk location and an accurate outline of each tree's nonintrusion zone must be shown on the project site plan or tentative map, and on every page of the development and improvement plans where any work is proposed within the nonintrusion zone of any protected tree. The property owner of the property and the person in control of the proposed development shall protect and preserve each tree situated within the site of the proposed development during the period the application(s) for the proposed development is being considered by the city.



PROPOSED SITE PLAN

SCALE: 1"=20'-0" A.P. No. 018-412-031

EXISTING DIMENSIONS ARE APPROXIMATE
 VERIFY EXISTING DIMENSIONS AND CONDITIONS IN FIELD

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
 755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

PROPOSED SITE PLAN



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE, ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & ARE NOT TO BE USED IN WHOLE OR IN PART BY OTHERS OR FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

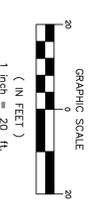
MERLO
 830 BROADWAY
 SONOMA CALIFORNIA 95476

Date	12-2-2018
Scale	AS NOTED
Drawn	DVA
Job	
Sheet	A1.1
Of	Sheets



LEGEND

- FOUND IRON PIPE
- IRON PIN
- ⊠ POST
- △ SURVEY CONTROL POINT
- ⊙ TREE SYMBOL & DRIP LINE
- UNK UNKNOWN SPECIES
- GRN GRAMINENTAL
- RWD REDWOOD
- TC TOP OF CURB
- FL FLOWLINE
- TW TOP OF WALL
- BSW BACK OF SIDEWALK
- NG NATURAL GROUND
- TO TOE OF SLOPE
- TB TOP OF BANK
- EP EDGE PAVING
- BOH BUILDING OVERHANG
- POH PATIO OVERHANG
- D/W DRIVEWAY
- ▨ BRICK WALL
- ▩ ROCK WALL
- + 100.00 SPOT ELEVATION
- SURVEY CONTROL POINT
- WIRE FENCE
- WOOD FENCE
- CONCRETE
- ⊙ WATER VALVE
- ⊙ GAS METER
- ⊙ ELECTRIC METER
- ⊙ FUSE PANEL
- ⊙ STREET LIGHT BOX
- ⊙ STREET LIGHT
- ⊙ P, G & E



BENCHMARK:
 CONTROL POINT #1 EL. 100.00 (ASSUMED)

NOTE:
 ADDITIONAL INFORMATION SHOWN HEREON TAKEN FROM RECORD DATA AND
 FOUNDATION RECORDS. THIS MAP IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY
 SUPERVISION AND REPRESENTS THE VISUAL SURFACE CONDITIONS AS OF THE DATE OF SURVEY.

SUPERVISOR'S STATEMENT
 THIS MAP IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY
 SUPERVISION AND REPRESENTS THE VISUAL SURFACE CONDITIONS AS OF THE DATE OF SURVEY.

MICHAEL E. FORD, PLS 7237 DATE _____

NOTE:
 BASIS OF BEARING:
 N62°30'E BETWEEN FOUND IRON PIPES CALCULATED PER PARCEL MAP NO.
 113 FILED IN BOOK 574 OF MAPS, PAGE 15.

michael
land
surveying

8910 sonoma hwy suite 12b
 po box 1243, kennett, ca 95452
 p 707.833.6488 - f 707.833.5744
 www.michaelfordinc.com

830 BROADWAY SONOMA, CA		DRAWN BY: MF	CHECKED BY: MF
SCALE: 1" = 20'		DATE: 10/04/04	JOB NUMBER
TOPOGRAPHIC MAP		DWG. FILE	SHEET
		041119	1191P-DWG 1 OF 1



NORTH SIDE YARD ELEVATION
1/8" = 1'-0"



FRONT WEST ELEVATION
1/8" = 1'-0"



SOUTH SIDE YARD ELEVATION
1/8" = 1'-0"



REAR EAST ELEVATION
1/8" = 1'-0"

REVISIONS	BY

VICTOR CONFORTI – ARCHITECT
755 BROADWAY, SONOMA, CA 95476 – (707) 996-7923

TOWN HOME
ELEVATIONS



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI – ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI – ARCHITECT. ALL RIGHTS RESERVED.

MERLO
830 BROADWAY
SONOMA CALIFORNIA 95476

Date: 9-27-2013

Scale: AS NOTED

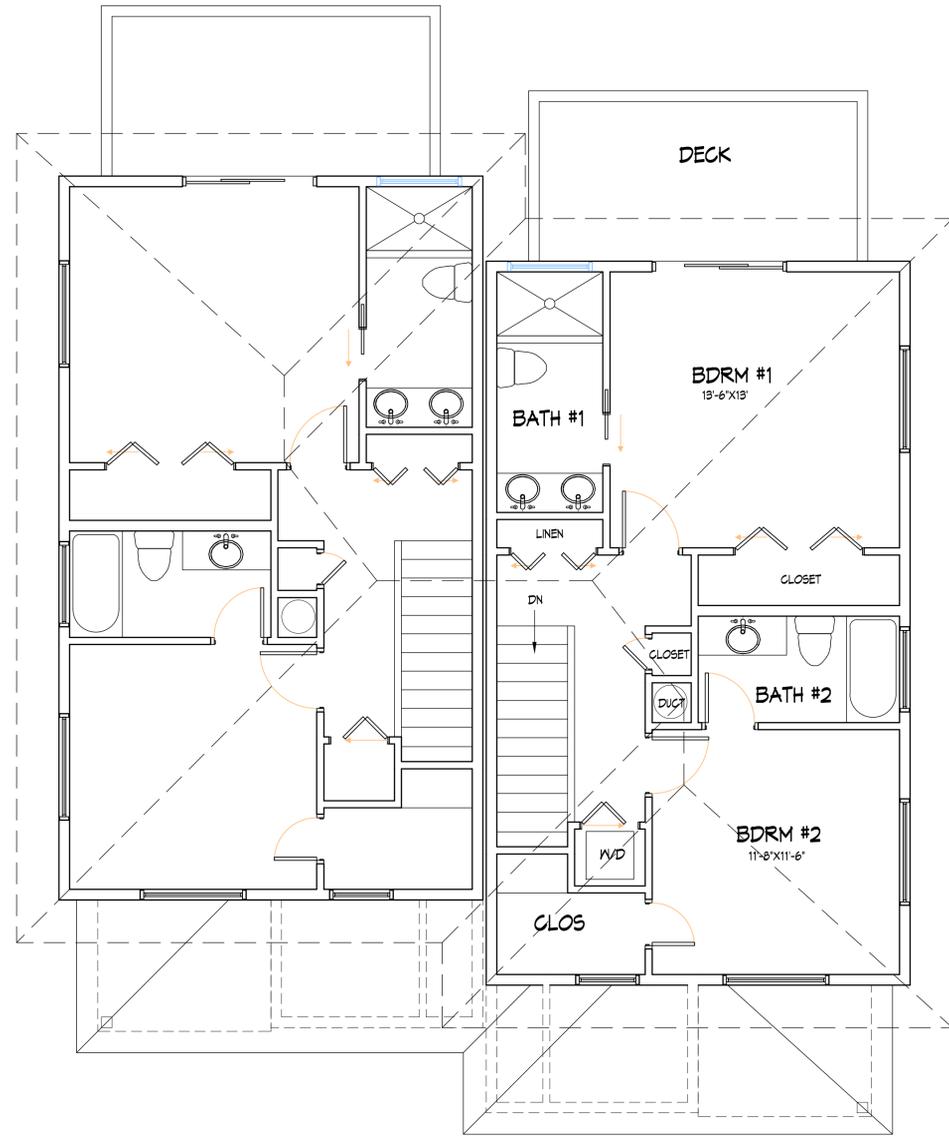
Drawn: DVA

Job:

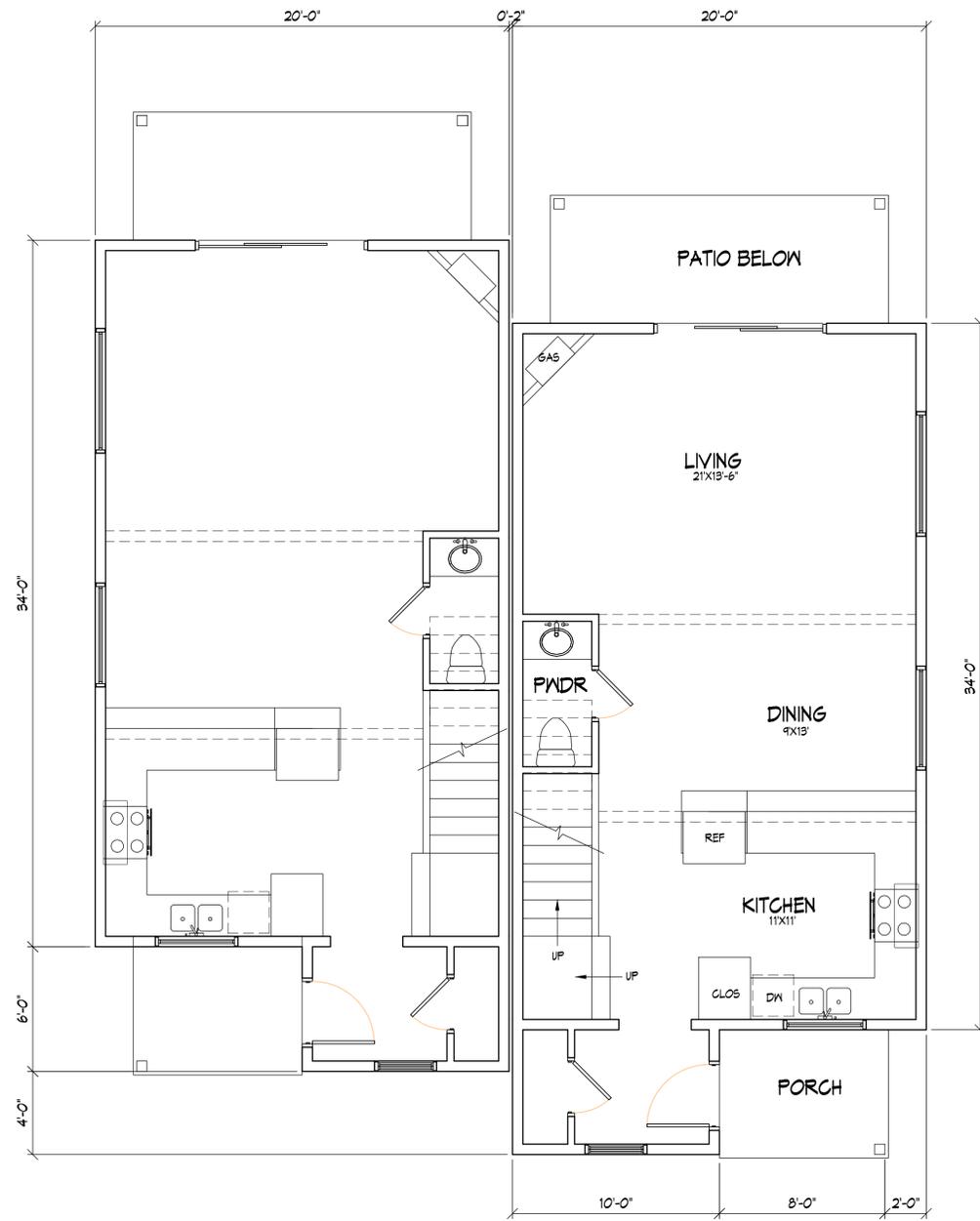
Sheet:

A3.1

Of Sheets



 **SECOND FLOOR PLANS**
680 SF 1/4" = 1'-0"



 **FIRST FLOOR PLANS**
140 SF 1/4" = 1'-0"

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

TOWN HOME FLOOR PLANS



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

MERLO
830 BROADWAY
SONOMA CALIFORNIA 95476

Date: 9-11-2013
Scale: AS NOTED
Drawn: DVA
Job:
Sheet:

A2.1

Of Sheets



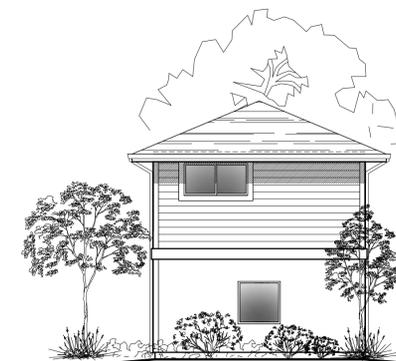
THIRD UNIT & TOWNHOME SOUTH ELEVATION
1/8" = 1'-0"



THIRD UNIT EAST ELEVATION
1/8" = 1'-0"



THIRD UNIT NORTH ELEVATION
1/8" = 1'-0"



THIRD UNIT WEST ELEVATION
1/8" = 1'-0"

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

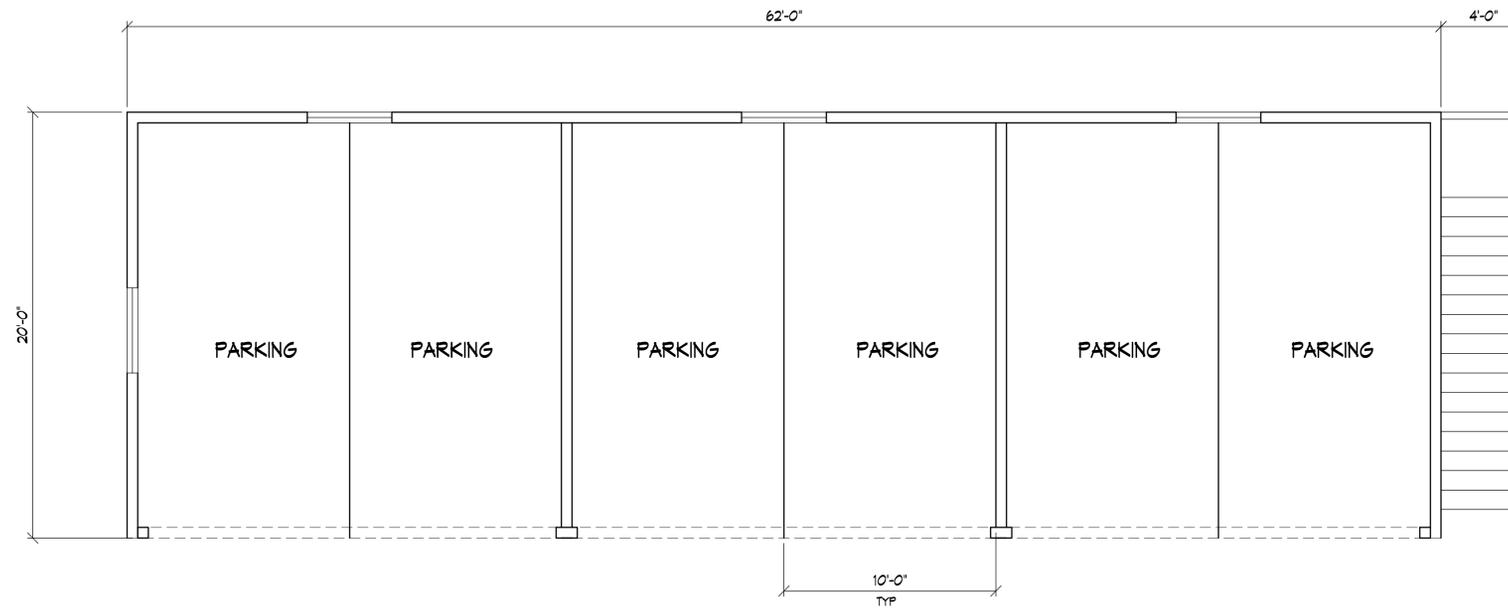
THIRD UNIT
ELEVATIONS



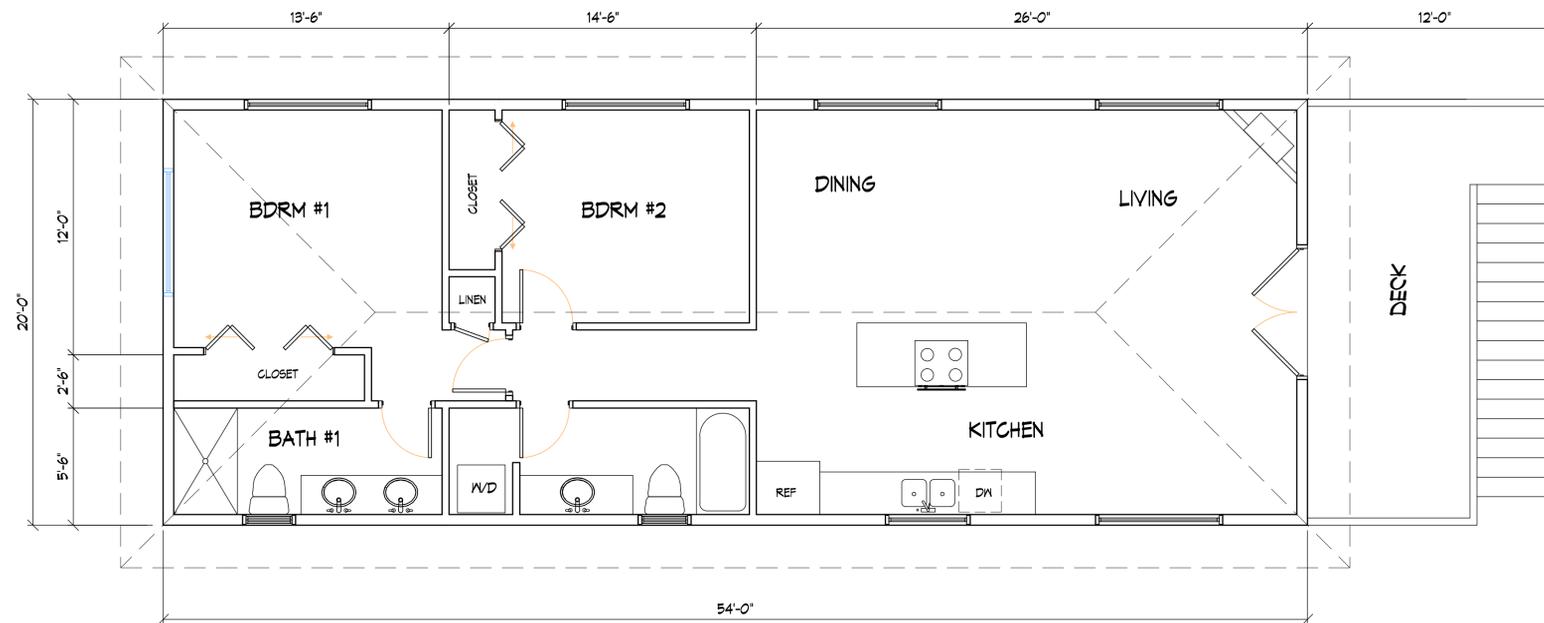
THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

MERLO
830 BROADWAY
SONOMA CALIFORNIA 95476

Date: 2-12-2013
Scale: AS NOTED
Drawn: DVA
Job:
Sheet: A3.2
Of: Sheets



FIRST FLOOR CARPORT PLAN
1240 SF 1/4" = 1'-0"



SECOND FLOOR UNIT PLAN
1080 SF 1/4" = 1'-0"

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

CARPORT UNIT FLOOR PLANS



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE, ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

MERLO
830 BROADWAY
SONOMA CALIFORNIA 95476

Date: 12-9-2013
Scale: AS NOTED
Drawn: DVA
Job:
Sheet: **A2.2**
Of: Sheets

Agenda Item Title: Application for an Exception to the side and rear yard setback requirements to construct a residential addition.

Applicant/Owner: Victor Conforti, Architect/Patricia Scheel

Site Address/Location: 378 Second Street East

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 01/03/14

PROJECT SUMMARY

Description: Application of Victor Conforti, Architect, for an Exception to the side and rear yard setback requirements to construct an addition to the residence at 378 Second Street East.

General Plan Designation: Medium Density Residential

Zoning: **Base:** Medium Density Residential (R-M) **Overlay:** Historic

Site Characteristics: The subject property is a ±5,625 square foot parcel located on the east side of Second Street East, north of East Spain Street. The site is currently developed with a residence constructed in 1962 and a detached garage constructed in 2011. The property is located within the Sonoma Plaza National Register Historic District, however the house is considered a “non-contributing building” to the District. The property frontage is improved with curb, gutter and sidewalk.

Surrounding Land Use/Zoning: **North:** Single-family home/Medium Density Residential
South: Single-family homes/Medium Density Residential
East: Single-family home/Medium Density Residential
West: Single-family home, barns (across Second St. East)/Medium Density Residential

Environmental Review:

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

Staff Recommendation: Approve rear yard setback Exception subject to conditions; Commission discretion with respect to the side yard setback Exception.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicant is requesting an Exception from the side and rear yard setback requirements to construct a 396-square foot addition on the north side of the existing residence. The one-story addition would be setback ± 20 feet from the front property line, 5.5 feet from the north property line, and 13 feet from the rear property line (the addition is proposed in line with front porch columns and rear wall of the structure). The simple gable roof form would be extended over the addition and exterior materials and finishes would be consistent with existing. The purpose of the project is to expand and improve the floor plan of the modest 2-bed/1.5 bath home, which currently has an area of $\pm 1,140$ square feet. The number of bedrooms would not increase under the proposal. Further details can be found in the attached project narrative and accompanying material.

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

The project site is designated Medium Density Residential by the General Plan. This designation is intended to provide opportunities for multi-family housing and related public improvements, especially in transition areas between higher density and single-family development. The proposed residential addition does not raise any issues of consistency with the *City of Sonoma 2020 Sonoma General Plan*.

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

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

Front Yard Setback: A 15-foot front yard setback is required for additions in the R-M zone. The addition would be setback ± 20 feet from the front property line exceeding this standard.

Side Yard Setback: A minimum 7-foot side yard setback is required in the R-M zone, and combined side yard setbacks must total 18 feet. The project does not comply with the first part of this requirement in that the addition would be setback 5.5 feet from the north property line. The applicant is requesting an Exception from this standard.

Rear Yard Setback: A minimum 20-foot rear yard setback is required in the R-M zone. The project does not comply with this requirement in that the addition would be setback 13 feet from the east property boundary, in line with the rear of the existing home. The applicant is requesting an Exception from this standard.

Floor Area Ratio (FAR): The maximum FAR in the R-M zone is 0.50 (or 50% of the total lot area). The addition would increase the area of the home from 1,142 sq. ft. to 1,538 sq. ft., resulting in an FAR of 0.27. Under the Development Code, detached garages up to 400 square feet in area are excluded from FAR calculations.

Coverage: The maximum coverage in the R-M zone is 60% of the total lot area. The addition would result in a lot coverage of 32%. Under the Development Code, front porches and detached garages are excluded from coverage calculations.

Height: Primary structures are limited to a maximum height of 30 feet in the R-M zone. The proposed one-story addition would extend the existing gable roof to the north, maintaining a maximum height of 17 feet to the roof peak.

Design Review: Pursuant to Section 19.54.080.B.1 of the Development Code, subsequent design review by the DRC is not required for the addition because the residence was constructed after 1945.

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

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

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

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

In part, the exception request relates to site conditions and the historic development pattern of the property. The property is constrained in that it has a substandard depth of ± 72 feet versus the normal 90-foot depth requirement for the R-M zone. In addition, the existing residence has a non-conforming 13-foot rear yard setback, which was approved by the Planning Commission in 1960 because of the constrained lot depth. These conditions provide a basis for allowing an exception from the rear yard setback requirement. However, there is less of a physical justification for the side yard setback exception as the lot exceeds width and size standards and the neighbors to north, who would be most impacted by the project, have expressed concerns to staff about the loss of light on the south side of their home with the addition at a 5.5-foot setback as proposed (see "Discussion of Project Issues" below).

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

In staff's view, granting the rear yard exception would not significantly impact other properties or residents in the vicinity. The 13-foot rear yard setback proposed for the addition is consistent with the rear setback of the existing home that was established in 1962. However, the adjoining neighbors to the north have expressed compatibility concerns specific to the side yard setback exception that is being requested (see "Discussion of Project Issues" below).

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

ENVIRONMENTAL REVIEW (**Not Applicable to this Project**)

Pursuant to Section 15305 of the State CEQA Guidelines, minor side yard and setback variances not resulting in the creation of a new parcel are Categorical Exempt from the provisions of CEQA (Class 5 – Minor Alterations in Land Use Limitations). Staff would note that a cultural resource evaluation prepared by Baseline Consulting (attached) determined that the property does not qualify as an historical resource under CEQA.

DISCUSSION OF PROJECT ISSUES

Side Yard Setback Exception: As noted above, the adjoining neighbors to the north (Dennis and Mary Collins) have expressed concerns to staff about the side yard setback exception request. In general, the project will noticeably change the current open condition along part of their property and they are most concerned about the loss of light on the south side of their home (affecting a kitchen area) with the addition at a 5.5 setback and north facing gable end as proposed. While a 1.5 foot encroachment into the 7-foot side yard setback is relatively minor, an addition achieving the same goal can be constructed in compliance with the 7-foot setback standard and thus minimize impacts on the property to the north. As a result, staff is recommending commission discretion with respect to this aspect of the request. Staff also considered the possibility of a hipped roof over the addition to address the compatibility concern; however such an approach would appear incongruous with the design of the residence given the existing gable end on the south side of the structure.

RECOMMENDATION

Staff recommends approval of an Exception to the rear yard setback requirements and commission discretion with respect to the side yard setback Exception. As written the draft conditions of approval (attached) include a requirement for the addition to comply with the minimum 7-foot side yard setback from the north property line.

Attachments

1. *Draft findings of project approval*
2. *Draft conditions of approval*
3. *Location map*
4. *Project narrative*
5. *Ariel photo*
6. *Exterior Photos Noting Proposed Materials/Finishes*
7. *Historic Resource Evaluation prepared by Baseline Consulting dated December 9, 2013*
8. *Site plan, floor plans, and building elevations*

cc: Victor Conforti, Architect (via email)
205 East Spain Street
Sonoma, CA 95476

Patricia Scheel (via email)
378 Second Street East
Sonoma, CA 95476

Dennis and Mary Collins
360 Second Street East
Sonoma, CA 95476

DRAFT

City of Sonoma Planning Commission
FINDINGS FOR PROJECT APPROVAL
Scheel Setback Exception– 378 Second Street East

January 8, 2014

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

Exception Approval:

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

DRAFT

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Scheel Setback Exception– 378 Second Street East

January 8, 2014

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

- a. The addition shall be modified to provide the minimum 7-foot side yard setback from the north property line.

Enforcement Responsibility: Planning Department; Building Department

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

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

Enforcement Responsibility: Building Department

Timing: Prior to construction

3. All Fire Department requirements shall be met, including the provision of fire sprinklers if necessary.

Enforcement Responsibility: Fire Department; Building Department

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

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

- a. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department

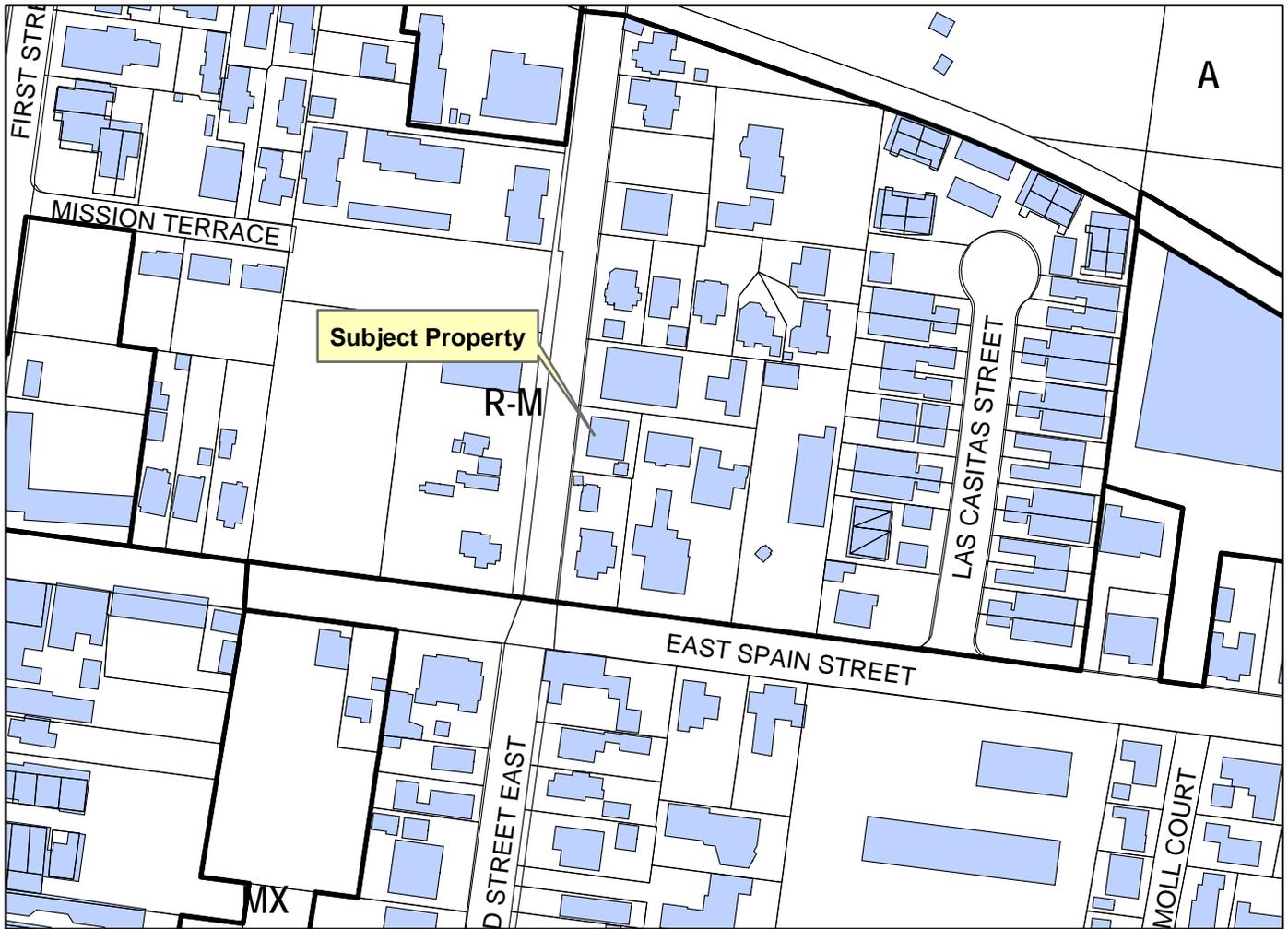
Timing: Prior to issuance of a building permit

5. If archaeological resources in the project area are encountered during the course of the project, all work in the immediate vicinity shall halt until a qualified archaeologist can evaluate the finds and make recommendations. If human remains are encountered during the course of the project, the County Coroner and an archaeologist shall be contacted immediately to evaluate the situation. Project personnel shall not collect or move any archeological material. Fill soils that may be used for construction purposes shall not contain archaeological materials.

Enforcement Responsibility: Building Department; Project Contractor

Timing: Ongoing through construction

Vicinity Map



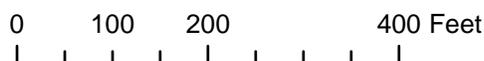
Project Summary

<i>Project Name:</i>	Scheel Setback Exception
<i>Property Address:</i>	378 Second Street East
<i>Applicant:</i>	Victor Conforti, Architect
<i>Property Owner:</i>	Patricia Scheel
<i>General Plan Land Use:</i>	Medium Density Residential
<i>Zoning - Base:</i>	Medium Density Residential
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	

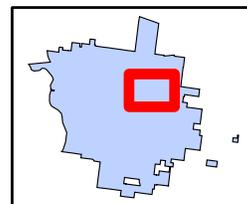
Application for an Exception to the side and rear yard setback requirements to construct a residential addition.

Zoning Designations

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



1 inch = 200 feet



NARRATIVE

December 3, 2013

Reduced Side and Rear Yard Setbacks
Residential Addition for
Patty Scheel
378 Second St. East
Sonoma, CA 95476

This is a request for an exception to side and rear yard setbacks to provide for an addition to the existing home at 378 Second St. East.

The parcel is zoned RM, Residential Medium Density, and is a small size lot, 75' wide x 72' deep. The existing home is a small two bedroom one and one-half bath, set back approximately 15'-6" from the north side property line and 13' from the rear property line. The proposed 10' wide addition along the north side of the house, would provide for the expansion into a two bedroom two and one-half bath home, with an expanded master bedroom, a new master bath and a relocated second bedroom. The space of the current second bedroom would be used for the second bathroom and hallway. The rear of the addition would align with the current rear of the house, which has a 13' rear setback.

The simple existing gable roof form would be extended over the addition, and materials used would match the existing board and batt wood siding and windows to blend with the existing home's architecture.

Patty has owned the home for many years, and is hoping the move back to Sonoma next year and make this her permanent home. We feel this is a reasonable proposal, and is justified by the small size of the lot and the historic development of the property and neighborhood.

Thank you for your consideration.

Victor Conforti – Architect



378 2nd St E, Sonoma, CA 95476, USA 378 2nd St E, Sonoma, CA 95476, USA

© 2013 Google

Google earth

129 ft

Imagery Date: 4/16/2013 38°17'38.46" N 122°27'13.22" W elev 96 ft eye alt 686 ft

1993



EXISTING FRONT WEST ELEVATION @ SECOND STREET EAST

NOTE: WE ARE MATCHING ALL EXISTING MATERIALS & COLORS



EXISTING REAR EAST ELEVATION WITH COVERED PATIO & BEDROOM PROJECTION



MATCH EXISTING NORTH & SOUTH GABLE END WITH SCREENED GABLE VENT AND BOARD & BATT WOOD SIDING



MATCH EXISTING 16" OVERHANG WITH 2X6 EXPOSED RAFTER TAILS & PAINTED GALV. SHEET METAL FASCIA GUTTER



MATCH EXISTING WINDOW TRIM & MILGARD TUSCANY SERIES VINYL WINDOWS WITH 5/8" FLAT GRIDS



MATCH EXISTING BOARD & BATT WOOD SIDING



MATCH EXISTING SHAKE STYLE COMPOSITION ROOFING



P.O. Box 207
13750 Arnold Drive, Suite 3
Glen Ellen, CA 95442

December 9, 2013

Patty Scheel
1224 Grey Fox Run
Weldon Spring, MO 63304

Re: Survey and Evaluation for 378 Second Street East (APN 018-172-003)

Dear Patty,

This letter and the attached Department of Parks and Recreation (DPR) 523 forms comprise the survey and evaluation of your property at 378 Second Street East, which was required by the City of Sonoma in order to proceed with planned construction on the property. The DPR 523B form contains an evaluation or Determination of Historic Significance for the property.

Previous Surveys

The Sonoma Plaza was listed as a Historic District in the National Register of Historic Places (NRHP) in 1973. In 1992, additional areas were successfully nominated for inclusion within the Sonoma Plaza Historic District. The property at 378 Second Street East fell within the proposed boundary increase and was evaluated at that time. The house was determined to be a "non-contributing building" to the District because it "was built outside of the period of significance" (1835-1944). No further information was included in the documentation of the building (U.S. Department of Interior 1973, 1992).

Research & Field Methods

Research for this survey and evaluation was conducted at the Depot Museum archives in Sonoma; the U.S. Geological Survey website; the Bob Curtis aerial photograph collection housed at DraftTech in Santa Rosa; the Sonoma County Recorder's Office in Santa Rosa; the Bancroft Library in Berkeley; the Northwest Information Center (NWIC) in Rohnert Park, and online at www.ancestry.com. The Sonoma League for Historic Preservation provided access to a relevant 1953 Sanborn Company insurance map and also performed a search of the organization's database.

Sources of information include: 19th and 20th century deeds, legal descriptions, and maps; early aerial photos; archeological reports for nearby properties; newspapers; and several books on local history. The site was recorded, photographed and investigated in November, 2013 by Arthur Dawson, Kara Brunzell, and Kate Green.

Historical Setting & Context

The parcel at 378 Second Street East was part of Town Lot 22, a two-acre parcel within the original boundaries of the City of Sonoma as surveyed by Mariano Vallejo in 1835. Its location, about 500 feet east of the Sonoma Mission, suggests that it may have been used during the early years of Mexican settlement, possibly for grazing livestock or growing crops. A small, probably ephemeral, water channel flowed across the northwest corner of the lot (Smilie 1975; von Geldern 1875).

Town Lot 22 first came under private ownership in the 1840s or '50s. The earliest owner identified during this research effort was Charles Meyer of San Francisco. Meyer sold Lot 22 (and several others) to Lewis Adler in 1859. Adler was living with his family in what is now known as the 'Ray-Adler Adobe' on the south side of Spain Street. Adler was a German immigrant who arrived in California in 1847. Gold was discovered in the Sierras the following year, and the Gold Rush began. At first, one of the two main routes to the gold fields went through the town of Sonoma. While many men from Sonoma went prospecting, Adler stayed behind to tend his general merchandise store on the Plaza. For a short time, the few merchants in Sonoma enjoyed an 'exceedingly lucrative' business providing supplies to the miners—though by 1849 most miners were bypassing Sonoma in favor of traveling to Sacramento by boat (County of Sonoma 1859; Parmelee 1972; U.S. Census 1850 - 1940).

Adler was one of the few early pioneers who stayed in Sonoma after the Gold Rush. He eventually moved out of the general merchandise business—by 1880 his occupation was recorded as 'Saloonkeeper.' No records were found indicating that he built any structures on Town Lot 22 during his ownership, which continued up until his death in 1896. The property may have been used for agriculture during this period. Adler's wife Martha inherited the estate, which included Town Lot 22. In 1900 she deeded the property to her son, Adam Adler (County of Sonoma 1895, 1900; Parmelee 1972; Sanborn Insurance Company 1888, 1891, 1897; U.S. Census 1850 - 1940).

By 1905, Town Lot 22 had at least two dwellings on it as well as Adam Adler's furniture factory and planing mill. However, the property at what is now 378 Second Street East remained undeveloped until at least 1942. Adam Adler died in 1944. By 1951, 378 Second Street East had a small dwelling in the southeast corner of the property, occupying about the same footprint as the current garage. Monroe Wasson acquired 378 Second Street East around this time and probably lived in this dwelling. Wasson spent most of his life in the Midwest, where he worked as a farmer and farm laborer. He moved from Colorado to Sonoma in the early 1940s (Sanborn Insurance Company 1905, 1953; U.S. Census 1850 - 1940; U.S. Department of War 1942; U.S.G.S. 1951; U.S. Selective Service 1942).

Wasson sold 378 Second Street East to Cecilia and Charles Shegog in 1960. Cecilia was a great-great granddaughter of Mariano Vallejo as well as the descendant of a number of other California families going back to the beginnings of Spanish settlement. The Shegogs designed the existing residence to resemble an adobe home and hired long-time Sonoma

resident John Moll as contractor. The house was constructed in 1962. To add to its historical feel, turn-of-the-century doorknobs and interior fixtures were used. Like much of the United States during the post-war era, the City of Sonoma was growing rapidly at this time, its population doubling between 1950 and 1970. This fueled a corresponding building boom; during the 1950s, the city's housing units increased nearly 50%, from 773 to 1,129 (1960s data not available. Bay Area Census 2013; County of Sonoma 1960; Santa Rosa Press Democrat 1987; Scheel 2013).

Cecilia and Charles Shegog operated beauty salons in San Francisco, the East Bay and Sonoma for many years. Cecilia served for four decades as the costumer and choreographer of the Sonoma Valley Vintage Festival pageant. Drawing on her family background, she designed and sewed historically accurate costumes for this event. She also designed scenes and acted in the pageant. Charles Shegog died in 1981. In 1983, Cecilia sold 378 Second Street East to Lee and Marian Tunkis, who had been tenants in the house since the 1970s. The Tunkises deeded the property to their daughter, current owner Patty Scheel, in 1998. The only substantial change to the property in recent years was the construction of a new garage in about 2009. This garage was built more or less on the same footprint as the older garage which it replaced (County of Sonoma 1983, 1998; Santa Rosa Press Democrat 1987; Scheel 2013; U.S. Social Security Administration 1935-current).

Evaluation

There are four 'tests' for the historical significance of a property or site in the State of California. These Criteria for Evaluation are modeled after the National Criteria for Evaluation. They are used by the State of California and many local agencies to determine whether, under the California Environmental Quality Act (CEQA), impacts to a historical site as a result of a project proposal have the potential to create substantial adverse change to the resource. They are also used by many local agencies to determine the historical significance of a property.

In order to be determined significant, a historical resource must meet one or more of the following four criteria. The following is an evaluation of the site and structures at 378 Second Street East with respect to these criteria:

1. *It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;*

While only 500 feet from the Sonoma Mission and likely used for agriculture or other purposes during the mission era, the site does not convey any association to significant events connected with the mission. Likewise, although the parcel at 378 Second Street East was owned by Lewis Adler, a prominent merchant during the Gold Rush, it does not convey any association with that event.

The house at 378 Second Street East is an example of a residence constructed as part of the City of Sonoma's expansion and development in the era after World War Two. While part of a broad pattern of local history, the construction of an individual

house does not meet the bar for a ‘significant contribution’ to this pattern. Therefore, 378 Second Street East is not eligible for listing in NRHP or CRHR under Criterion A/1.

2. *It is associated with the lives of persons important to local, California, or national history;*

As mentioned above in the ‘Historical Setting’ section, the parcel at 378 Second Street East has connections to several people who achieved a degree of local prominence. These include California pioneer and merchant Lewis Adler, and Cecilia Shegog, who was a descendant of Mariano Vallejo.

Outside of his ownership of the land, Lewis Adler’s association with the parcel at 378 Second Street East is not particularly strong. His property included at least six town lots, comprising twelve acres or more. The property at 378 Second Street East made up one-percent or less of Adler’s total holdings. There is no evidence that he built any structures on it or put it to any use.

The house at 378 Second Street East has strong associations with Cecilia Shegog. The design of the house, which resembles adobe, reflects her family background as a descendant of Mariano Vallejo and several other old California families. Her involvement with the Vintage Festival pageant as choreographer and costumer for four decades, also gave her local prominence. These factors, while of interest and value to the local community, do not meet the bar for a “person important to local, California, or national history.”

Because the property does not convey its association with pioneer Lewis Adler, and because Cecilia Shegog is not a historically important figure, the house and garage at 378 Second Street East are not eligible for listing in the NRHP or CRHR under Criterion B/2.

3. *It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or*

The house at 378 Second Street East and its garage do not embody distinctive characteristics of type, period, or method of construction; are not the work of a master architect; nor do they possess high artistic values. The materials and layout of the house, which was constructed in 1962, mimic those of Sonoma’s historic adobes. Although it references a historic building type, the house was constructed over a century after the adobe period, and is not itself historic. Therefore 378 Second Street East is not eligible for listing in the NRHP or CRHR under Criterion C/3.

4. *It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.*

A field review of 378 Second Street East on 25 November 2013 did not identify prehistoric or historic-era archaeological resources within the project area. A large portion of the ground surface at the location was covered by asphalt, concrete, non-

native fill, and landscaping and thus unable to be examined. Areas of exposed soil on the north side of the residence, and a small portion on the eastern and southern side were examined by scraping away top soil and duff. A diffuse concentration of historic-era artifacts consisting of colorless, amethyst, brown, and window glass fragments, ferrous metal fragments, and ceramics was observed over the entire property. A single worn obsidian projectile point midsection was also observed on the north side of the residence. These artifacts did not appear to come from an intact deposit, but indicate that there may be such deposits present at 378 Second Street East.

Background research at the Northwest Information Center indicated that four previous studies have been conducted at three similar properties within a 500-foot radius of the project area, but that no archaeological sites have been recorded on these properties. As noted above, several significant resources are located nearby within the Sonoma Plaza Historic District. The closest to 378 Second Street East is Mission San Francisco de Solano. The land encompassing 378 Second Street East was likely utilized during the mission period. However, the location appears to have been primarily agricultural until the late 1940s. While significant resources lie within the immediate project vicinity, the project area is not adjacent to known archaeological or significant historical resources.

Given the presence of both prehistoric and historic-era artifacts on the surface and proximity of the site to several significant resources, the possibility of archaeological deposits being identified during ground disturbing activities is considered high. However, as no intact significant archaeological resources were identified as part of this study, the property is not eligible for listing in the CRHR under Criterion 4.

Summary and Recommendations

The property and structures at 378 Second Street East do not meet any of the criteria for historical significance. The house, garage, and parcel do not qualify as significant under Criteria 1 and 2 for their association with broad historical patterns or the lives of people important to local, regional and national history. The property also does not qualify under Criterion 3 for architectural significance or under Criterion 4 for archeological significance. Thus it is not considered a historical resource for the purposes of CEQA.

It is recommended that changes to the property be reviewed only for compatibility with the existing neighborhood. Given that no archaeological resources were identified at 378 Second Street East, and it is not immediately adjacent to archaeological resources, no further study for such resources is recommended at this time. However, the existence of prehistoric and historic-era artifacts at the location may indicate the presence of subsurface deposits not visible during survey. If archaeological resources in the project area are encountered during the course of the project, it is recommended that all work in the immediate vicinity halt until a qualified archaeologist can evaluate the finds and make recommendations. If human remains are encountered during the course of the project, the

County Coroner and an archaeologist should be contacted immediately to evaluate the situation. Project personnel should not collect or move any archaeological material. Fill soils that may be used for construction purposes should not contain archaeological materials.

Evaluators' Qualifications

I have 16 years professional experience as a historian based in Sonoma County, have a degree in Natural Resources with an Emphasis in History and am listed as a qualified historical consultant on the roster on file with the State of California Office of Historic Preservation's Eastern Information Center at the University of California at Riverside. Kara Brunzell holds a Master's degree in Public History and has worked multiple facets of historic preservation and cultural resource evaluation. She is listed as an architectural historian on the California Office of Historic Preservation's roster of qualified consultants. Kate Green is a Staff Archaeologist at the Anthropological Studies Center and has over 7 years of experience in California archaeology. She holds a Master's degree in Cultural Resource Management from Sonoma State University and is a Registered Professional Archaeologist (RPA).

Sincerely,

Arthur Dawson
Historical Consultant

Sources

- Bay Area Census. 2013. 'City of Sonoma' webpage. Provided by the Metropolitan Transportation Commission and the Association of Bay Area Governments. Accessed December 2013 at: <http://www.bayareacensus.ca.gov/cities/Sonoma70.htm>
- Beard, Vicki. 2002. "An Archaeological Survey for the Artesian Lodge Project at 165 East Spain Street, Sonoma, Sonoma County, California." Tom Origer & Associates. Prepared for Ellen Clark, Design, Community & Environment. Berkeley, CA. Northwest Information Center file # S-26344.
- Bowers, A.B. 1867. "Map of Sonoma County California." Housed at the Sonoma County Recorder's Office.
- County of Sonoma. 1859. "This Indenture . . ." Transfer of Sonoma Town Lot 22 from Charles Meyer of San Francisco to Lewis Adler of Sonoma. February 2. Recorder's Office. B 468.
- County of Sonoma. 1896. Transfer of Sonoma Town Lot 22 from the estate of Lewis Adler to Martha Adler. Recorder's Office. Volume 60 of Breadboard map books. November 9.
- County of Sonoma. 1900. Transfer of Sonoma Town Lot 22 from Martha Adler to Adam Adler. Recorder's Office. Volume 60 of Breadboard map books. June 19.
- County of Sonoma. 1895 – c. 1925. "Sonoma NE, Map 88." Breadboard map.
- County of Sonoma. 1926. "This Deed of Trust. . ." Mortgage for Sonoma Town Lot 22 between Adam Adler and Liberty Bank. Recorder's Office. February 8. 130/237.
- County of Sonoma. 1960. "Joint Tenancy Deed" between Monroe A. Wasson and Charles and Cecilia Shegog. Recorder's Office. February 18. 1746/577.
- County of Sonoma. 1983. Grant Deed transferring property from Cecilia Shegog to Lee and Marian Tunkis. Recorder's Office. September 22. 83064821.
- County of Sonoma. 1998. Gift Deed transferring Marian Tunkis' interest in the property to Patricia Scheel. 1998 0133803.
- County of Sonoma. 1998. Trustees Deed transferring Marian Tunkis' interest in the property to Patricia Scheel. 1998 0133804.
- Irvine, Leigh H. 1905. *History of the New California Its Resources and People, Volume I*. The Lewis Publishing Company. New York and Chicago.
- Munro-Fraser, J.P. 1880. *History of Sonoma County: including its geology, topography, mountains, valleys and streams; together with a full and particular record of the Spanish grants; its early history and settlement*. Published by Alley, Bowen & Co., San Francisco.
- Murphy, Celeste G. 1937. *The People of the Pueblo: The Story of Sonoma*. Binfords & Mort, Publishers. Portland, Oregon.

- Office of Historic Preservation. 1995. Instructions for Recording Historical Resources. California Office of Historic Preservation.
- Office of Historic Preservation. 2004. Technical Assistance Bulletin #8: User's Guide to the California Historical Resource Status Codes & Historic Resources Inventory Directory. California Office of Historic Preservation
- Origer, Thomas. 1979. "A Cultural Resources Study of the Proposed Cobblestone Inn Project Area, Sonoma, Sonoma County, California." Cultural Resources Facility, Sonoma State University. Prepared for Walt Smith of Walt Smith and Associates, Environmental Planners, Santa Rosa. Northwest Information Center file # S-1567.
- Origer, Thomas. 1991. "A Cultural Resources Study for the Sonoma Affordable Housing Site, City of Sonoma, Sonoma County, California." Thomas M. Origer, Sharon A. Waechter, Consulting Archaeologists. Northwest Information Center file # S-12508.
- Parker, John. 1976. "Archaeological Evaluation of a parcel of land in the City of Sonoma." Prepared for the City of Sonoma Planning Department by John Parker working under the auspices of Dr. Dave A. Frederickson, California State College, Sonoma. Northwest Information Center file # S-348.
- Parmelee, Robert. 1972. *Pioneer Sonoma*. Published by the Sonoma Valley Historical Society. Sonoma, California. Pages 65, 66, 78, 124.
- Praetzellis, Adrian. 1979. "A Cultural Resources Evaluation of the Site of the Proposed Cobblestone Inn in Sonoma, California." Cultural Resources Facility. Sonoma State University. Northwest Information Center file #S-1959.
- Praetzellis, Adrian. 1987. "A Cultural Resources Study of the Site of the Proposed 'Vintage House' Center, Sonoma, California." Prepared for Brock Arner, City Manager, City of Sonoma. Northwest Information Center file # S-9312.
- Reynolds and Proctor. 1898. *Illustrated Atlas of Sonoma County, California*. Published by Reynolds and Proctor, Santa Rosa, CA.
- Rosenus, Alan. 1999. *General Vallejo and the Advent of the Americans: A Biography*. Heyday Books/Urien Press. Berkeley, California.
- Santa Rosa Press-Democrat. 1987. Obituary for Cecilia Shegog. December 4. Santa Rosa, California.
- Scheel, Patty. 2013. Personal communication by phone and email.
- Smilie, Robert S. 1975. *The Sonoma Mission; The Founding, Ruin and Restoration of California's 21st Mission*. Valley Publishers. Fresno, CA. Page 96.
- Smith, Diane Moll, Valerie Sherer Mathes & Sonoma Valley Historical Society. 2004. *Images of America: Sonoma Valley*. Arcadia Publishing. San Francisco.
- Sonoma Index-Tribune. 1986. "A Vallejo Descendant Visits Sonoma." Photo and caption about visit by Cecilia Shegog. January 3. Sonoma, California.

- Thompson, Thomas H. 1877. *Historical Atlas of Sonoma County, California*. Published by Thomas H. Thompson. Oakland. Reprinted by the Sonoma County Historical Society.
- U.S. Bureau of the Census. 1850 – 1940. Decennial Censuses of the United States. Washington, D.C.: National Archives and Records Administration. Accessed through Ancestry.com. 2013.
- U.S. Department of Interior. 1973. 'National Register of Historic Places Inventory – Nomination Form' for Sonoma Plaza Historic District.
- U.S. Department of Interior. 1992. 'National Register of Historic Places Inventory – Registration Form' for Sonoma Plaza Historic District Boundary increase.
- U.S. Department of War. 1942. "COF-4-45." Aerial photo taken May 19. From Bob Curtis collection, Draftech, Santa Rosa.
- U.S. Geological Survey. 1902. "Napa Quadrangle." 30-minute quad surveyed in 1896 and 1899.
- U.S. Geological Survey. 1951. "Sonoma Quadrangle." 7.5-minute quad published in 1951. Photo revisions in 1968 and 1980.
- U.S. Selective Service System. 1942. *Registration Cards, World War II: Fourth Registration*. Record Group Number 147. National Archives and Records Administration. Provo, UT, USA: Ancestry.com Operations, Inc., 2010. Accessed online, December 2013.
- U.S. Social Security Administration. 1935-Current. *Death Index*. Provo, UT, USA: Ancestry.com Operations Inc., 2011. Accessed online, December 2013 through Ancestry.com.
- vonGeldern, Otto. 1875. "Plan of Sonoma." Bancroft Library, University of California, Berkeley. Map.

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
 HRI #
 Trinomial
 NRHP Status Code 6Z

Other Listings
 Review Code

Reviewer

Date

Page 1 of 11

*Resource Name or #: 378 Second Street East

P1. Other Identifier: APN 018-172-003

***P2. Location:** Not for Publication Unrestricted

***a. County:** Sonoma

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** Sonoma **Date:** 1980 **T** 5N; **R** 5W; (Pueblo of Sonoma; non-sectioned) **Mt. Diablo B.M.**

c. Address: 378 Second Street East **City:** Sonoma **Zip:** 95476

d. UTM: Zone: 10 ; **mE/** **mN (G.P.S.)**

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) **Elevation:**

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Site. The house at 378 Second Street East is located on a 0.12-acre lot that includes the residence and a garage. The property is located on Second Street East approximately 750 feet northeast of the Sonoma Plaza.

The dwelling at 378 Second Street East is single story and rectangular in plan, with its primary façade on the west. It is topped with a side-gabled roof of moderate pitch. The building is constructed primarily of painted brick, with board-and-batten at the gable ends. Fenestration consists of vinyl replacement windows with false interior muntins. The primary entrance, which is fitted with paneled double doors, is at grade and north of center in the full-width porch. A large chimney, constructed of the same bricks as the walls, projects onto the porch south of the entrance. The chimney, along with simple chamfered porch supports, are the building's only decorative elements. A secondary entrance is at the center of the rear (east) elevation, and is sheltered by a partial-width integral porch. The rear elevation of the house is fully clad in board-and-batten.

A garage with an asymmetrical front gable is located to the rear (southeast) of the house. It is accessed via a roll-up metal garage door.

Continued on sheet 2 of 11

***P3b. Resource Attributes:** (List attributes and codes) HP2—Single family property; HP4—Ancillary Building

***P4. Resources Present:** Building Structure Object Site District Element of District Other

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) House, south façade, May, 2013

***P6. Date Constructed/Age and Sources:** Historic 1962
 Prehistoric Both
 (Sonoma County Recorder's Office)

***P7. Owner and Address:**
 Patty Scheel
 1224 Grey Fox Run
 Weldon Spring, MO 63304

***P8. Recorded by:** (Name, affiliation, and address)
 Arthur Dawson
 Baseline Consulting
 13750 Arnold Drive, Suite 3
 P.O. Box 207
 Glen Ellen, CA 95442

***P9. Date Recorded:** Dec 2013

***P10. Survey Type:** (Describe)
 Intensive for Determination of Historic Significance

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") **Sources listed on Sheet 7 of 11.**

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List)

CONTINUATION SHEET

Trinomial

Page 2 of 11

*Recorded by: Arthur Dawson

*Resource Name or # 378 Second Street East

*Date: December, 2013 ■ Continuation

Update

Continued from sheet 1 of 11

The house at 378 Second Street East and its garage do not embody distinctive characteristics of type, period, or method of construction; are not the work of a master architect; nor do they possess high artistic values. The materials and layout of the house, which was constructed in 1962, mimic those of Sonoma's historic adobes. Although it references a historic building type, the house was constructed over a century after the adobe period, and is not itself historic.



House, west façade



House, east façade



House & Garage, west façade

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 4 of 11

*NRHP Status Code 6Z

*Resource Name or # 378 Second Street East

- B1. Historic Name: Shegog Home
- B2. Common Name: 378 Second Street East
- B3. Original Use: Residence

B4. Present Use: Vacant residence

*B5. **Architectural Style:** Vernacular

*B6. **Construction History:** (Construction date, alterations, and date of alterations)

The earliest owner identified during this research effort was Charles Meyer of San Francisco. Meyer sold Town Lot 22 (and several others) to Lewis Adler in 1859. It appears to have been a bare lot at that time. No records were found indicating that Adler built any structures on Town Lot 22 during his ownership, which continued up until his death in 1896 (County of Sonoma 1859; Sanborn Insurance Company 1888, 1891, 1897; von Geldern 1875).

After Adler died, the lot passed to his wife Martha and then to his son, Adam. By 1905, Town Lot 22 had at least two dwellings on it as well as Adam Adler's furniture factory and planning mill. However, the property at what is now 378 Second Street East remained undeveloped until at least 1942. Adam Adler died in 1944. By 1951, 378 Second Street East had a small dwelling in the southeast corner of the property, occupying about the same footprint as the current garage. Monroe Wasson acquired 378 Second Street East around this time and probably lived in this dwelling (County of Sonoma 1895, 1900; Sanborn Insurance Company 1905, 1953; U.S. Census 1850 – 1940; U.S. Department of War 1942; U.S.G.S. 1951).

Wasson sold 378 Second Street East to Cecilia and Charles Shegog in 1960. The Shegogs designed the existing residence to resemble an adobe home and hired long-time Sonoma resident John Moll as contractor. The house was constructed in 1962. To add to its historical feel, turn-of-the-century doorknobs and interior fixtures were used. The only known change to structures on the property since 1962 was the construction of a new garage in about 2009. This garage was built more or less on the same footprint as the older garage which it replaced (County of Sonoma 1960; Santa Rosa Press Democrat 1987; Scheel 2013).

*B7. **Moved?** No Yes Unknown **Date:** N/A **Original Location:** N/A

*B8. **Related Features:** Garage

B9a. Architect: Unknown

b. Builder: John Moll

*B10. **Significance: Theme:** Community Planning & Development

Area: City of Sonoma

Period of Significance: 1945 - 1970

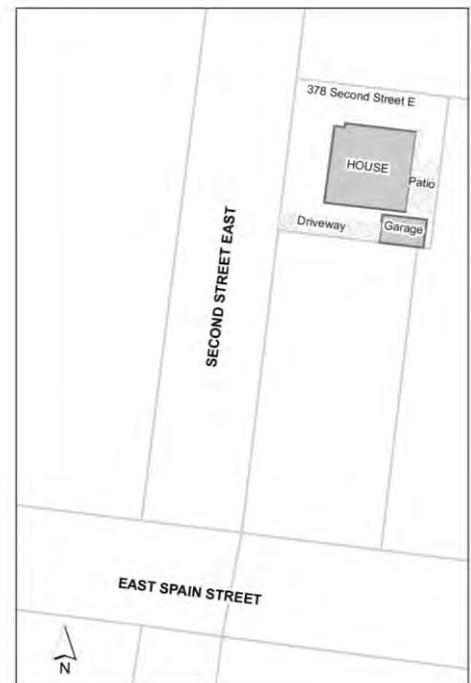
Property Type: Residence

Applicable Criteria: N/A

Early History

The parcel at 378 Second Street East was part of Town Lot 22, a two-acre parcel within the original boundaries of the City of Sonoma as surveyed by Mariano Vallejo in 1835. Its location, about 500 feet east of the Sonoma Mission, suggests that it may have been used during the early years of Mexican settlement, possibly for grazing livestock or growing crops. A small, probably ephemeral, water channel flowed across the northwest corner of the lot (Smilie 1975; von Geldern 1875).

Town Lot 22 first came under private ownership in the 1840s or '50s. The earliest owner identified during this research effort was Charles Meyer of San Francisco. Meyer sold Lot 22 (and several others) to Lewis Adler in 1859. Adler was living with his family in what is now known as the 'Ray-Adler Adobe' on the south side of Spain Street. Adler was a German immigrant who arrived in California in 1847. Gold was discovered in the Sierras the following year, and the Gold Rush began. At first, one of the two main routes to the gold fields went through the town of Sonoma. While many men from Sonoma went prospecting, Adler stayed behind to tend his general merchandise store on the Plaza. For a short time, the few merchants in Sonoma enjoyed an 'exceedingly lucrative' business providing supplies to the miners—though by 1849 most miners were bypassing Sonoma in favor of traveling to Sacramento by boat (County of Sonoma 1859; Parmelee 1972; U.S. Census 1850 - 1940).



Continued on sheet 5 of 11

B11. Additional Resource Attributes: N/A

*B12. **References:** See Sheet 7 of 11

B13. Remarks: None

*B14. **Evaluator** Arthur Dawson, Baseline Consulting; P.O. Box 207; 13750 Arnold Drive, Suite 3; Glen Ellen, CA 95442

***Date of Evaluation:** December, 2013

Continued from sheet 4 of 11

Adler was one of the few early pioneers who stayed in Sonoma after the Gold Rush. He eventually moved out of the general merchandise business—by 1880 his occupation was recorded as ‘Saloonkeeper.’ No records were found indicating that he built any structures on Town Lot 22 during his ownership, which continued up until his death in 1896. The property may have been used for agriculture during this period. Adler’s wife Martha inherited the estate, which included Town Lot 22. In 1900 she deeded the property to her son, Adam Adler (County of Sonoma 1895, 1900; Parmelee 1972; Sanborn Insurance Company 1888, 1891, 1897; U.S. Census 1850 - 1940).

By 1905, Town Lot 22 had at least two dwellings on it as well as Adam Adler’s furniture factory and planning mill. However, the property at what is now 378 Second Street East remained undeveloped until at least 1942. Adam Adler died in 1944. By 1951, 378 Second Street East had a small dwelling in the southeast corner of the property, occupying about the same footprint as the current garage. Monroe Wasson acquired 378 Second Street East around this time and probably lived in this dwelling. Wasson spent most of his life in the Midwest, where he worked as a farmer and farm laborer. He moved from Colorado to Sonoma in the early 1940s (Sanborn Insurance Company 1905, 1953; U.S. Census 1850 – 1940; U.S. Department of War 1942; U.S.G.S. 1951; U.S. Selective Service 1942).

Period of Significance

Wasson sold 378 Second Street East to Cecilia and Charles Shegog in 1960. Cecilia was a great-great granddaughter of Mariano Vallejo as well as the descendant of a number of other California families going back to the beginnings of Spanish settlement. The Shegogs designed the existing residence to resemble an adobe home and hired long-time Sonoma resident John Moll as contractor. The house was constructed in 1962. To add to its historical feel, turn-of-the-century doorknobs and interior fixtures were used. Like much of the United States during the post-war era, the City of Sonoma was growing rapidly at this time, its population doubling between 1950 and 1970. This fueled a corresponding building boom; during the 1950s, the city’s housing units increased nearly 50%, from 773 to 1,129. (1960s data not available. Bay Area Census 2013; County of Sonoma 1960; Santa Rosa Press Democrat 1987; Scheel 2013).

Cecilia and Charles Shegog operated beauty salons in San Francisco, the East Bay and Sonoma for many years. Cecilia served for four decades as the costumer and choreographer of the Sonoma Valley Vintage Festival pageant. Drawing on her family background, she designed and sewed historically accurate costumes for this event. She also designed scenes and acted in the pageant. Charles Shegog died in 1981.

Recent History

In 1983, Cecilia sold 378 Second Street East to Lee and Marian Tunkis, who had been tenants in the house since the 1970s. The Tunkises deeded the property to their daughter, current owner Patty Scheel, in 1998. The only substantial change to the property in recent years was the construction of a new garage in about 2009. This garage was built more or less on the same footprint as the older garage which it replaced (County of Sonoma 1983, 1998; Santa Rosa Press Democrat 1987; Scheel 2013; U.S. Social Security Administration 1935-current).

Summary

While only 500 feet from the Sonoma Mission and likely used for agriculture or other purposes during the mission era, the site does not convey any association to significant events connected to this era. Likewise, although the parcel at 378 Second Street East was owned by Lewis Adler, a prominent merchant during the Gold Rush, it does not convey any association with that event. The house at 378 Second Street East is an example of a residence constructed as part of the City of Sonoma’s expansion and development in the era after World War Two. Though part of a broad pattern of local history, the construction of an individual house does not meet the bar for a ‘significant contribution’ to this pattern. The garage was determined to be less than 50 years old and thus not a historical structure. Therefore, 378 Second Street East is not eligible for listing in NRHP or CRHR under Criterion A/1.

As mentioned above in the ‘Historical Setting’ section, the parcel at 378 Second Street East has connections to several people who achieved a degree of local prominence. These include California pioneer and merchant Lewis Adler, and Cecilia Shegog, who was a descendant of Mariano Vallejo. Outside of his ownership of the land, Lewis Adler’s association with the parcel at 378 Second Street East is not particularly strong. His property included at least six town lots, comprising twelve acres or more. There is no evidence that he built any structures on the property at 378 Second Street East, or put it to any use.

CONTINUATION SHEET

DEPARTMENT OF PARKS AND RECREATION

Trinomial

HRI#

Page 6 of 11

*Recorded by: Arthur Dawson

*Resource Name or # 378 Second Street East

*Date: December, 2013 ■ Continuation

Update

Continued from sheet 5 of 11

The house at 378 Second Street East has strong associations with Cecilia Shegog. The design of the house, which resembles adobe, reflects her family background as a descendant of Mariano Vallejo and several other old California families. Her involvement with the Vintage Festival pageant as choreographer and costumer for four decades, also gave her local prominence. These factors, while of value to the local community, do not meet the bar for a "person important to local, California, or national history." Because the property does not convey its association with pioneer Lewis Adler, and because Cecilia Shegog is not a historically important figure, the house at 378 Second Street East is not eligible for listing in the NRHP or CRHR under Criterion B/2.

The house at 378 Second Street East and its garage do not embody distinctive characteristics of type, period, or method of construction; are not the work of a master architect; nor do they possess high artistic values. The materials and layout of the house, which was constructed in 1962, mimic those of Sonoma's historic adobes. Although it references a historic building type, the house was constructed over a century after the adobe period, and is not itself historic. Therefore 378 Second Street East is not eligible for listing in the NRHP or CRHR under Criterion C/3.

A field review of 378 Second Street East on 25 November 2013 did not identify prehistoric or historic-era archaeological resources within the project area. A large portion of the ground surface at the location was covered by asphalt, concrete, non-native fill, and landscaping and thus unable to be examined. Areas of exposed soil on the north side of the residence, and a small portion on the eastern and southern side were examined by scraping away top soil and duff. A diffuse concentration of historic-era artifacts consisting of colorless, amethyst, brown, and window glass fragments, ferrous metal fragments, and ceramics was observed over the entire property. A single worn obsidian projectile point midsection was also observed on the north side of the residence. These artifacts did not appear to come from an intact deposit, but indicate that there may be such deposits present at 378 Second Street East.

Records at the Northwest Information Center indicate that four previous studies have been conducted at three similar properties within a 500-foot radius of the project area, but that no archaeological sites were recorded on these properties. As noted above, several significant resources are located nearby within the Sonoma Plaza Historic District. The closest to 378 Second Street East is Mission San Francisco de Solano. The land encompassing 378 Second Street East was likely utilized during the mission period. However, the location appears to have been primarily agricultural until the late 1940s. While significant resources lie within the project vicinity, the project area is not adjacent to known archaeological or significant historical resources. Given the presence of both prehistoric and historic-era artifacts on the surface and proximity of the site to several significant resources, the possibility of archaeological deposits being identified during ground disturbing activities is considered high. However, as no intact significant archaeological resources were identified as part of this study, the property is not eligible for listing in the CRHR under Criterion 4.

The property and structures at 378 Second Street East do not meet any of the criteria for historical significance. The house and parcel do not qualify as significant under Criteria 1 and 2 for their association with broad historical patterns or the lives of people important to local, regional and national history. The property also does not qualify under Criterion 3 for architectural significance or under Criterion 4 for archeological significance. The garage was determined to be less than 50 years old and not a historical structure. Thus 378 Second Street East is not considered a historical resource for the purposes of CEQA.

CONTINUATION SHEET
DEPARTMENT OF PARKS AND RECREATION

Trinomial
HRI#

Page 7 of 11

*Recorded by: Arthur Dawson

*Resource Name or # 378 Second Street East

*Date: December, 2013 ■ Continuation

Update

P12. References

Bay Area Census. 2013. 'City of Sonoma' webpage. Provided by the Metropolitan Transportation Commission and the Association of Bay Area Governments. Accessed December 2013 at: <http://www.bayareacensus.ca.gov/cities/Sonoma70.htm>

Beard, Vicki. 2002. "An Archaeological Survey for the Artesian Lodge Project at 165 East Spain Street, Sonoma, Sonoma County, California." Tom Origer & Associates. Prepared for Ellen Clark, Design, Community & Environment. Berkeley, CA. Northwest Information Center file # S-26344.

Bowers, A.B. 1867. "Map of Sonoma County California." Housed at the Sonoma County Recorder's Office.

County of Sonoma. 1859. "This Indenture . . ." Transfer of Sonoma Town Lot 22 from Charles Meyer of San Francisco to Lewis Adler of Sonoma. February 2. Recorder's Office. B 468.

County of Sonoma. 1896. Transfer of Sonoma Town Lot 22 from the estate of Lewis Adler to Martha Adler. Recorder's Office. Volume 60 of Breadboard map books. November 9.

County of Sonoma. 1900. Transfer of Sonoma Town Lot 22 from Martha Adler to Adam Adler. Recorder's Office. Volume 60 of Breadboard map books. June 19.

County of Sonoma. 1895 – c. 1925. "Sonoma NE, Map 88." Breadboard map. Recorder's Office.

County of Sonoma. 1926. "This Deed of Trust. . ." Mortgage for Sonoma Town Lot 22 between Adam Adler and Liberty Bank. Recorder's Office. February 8. 130/237.

County of Sonoma. 1960. "Joint Tenancy Deed" between Monroe A. Wasson and Charles and Cecilia Shegog. Recorder's Office. February 18. 1746/577.

County of Sonoma. 1983. Grant Deed transferring property from Cecilia Shegog to Lee and Marian Tunkis. Recorder's Office. September 22. 83064821.

County of Sonoma. 1998. Gift Deed transferring Marian Tunkis' interest in the property to Patricia Scheel. 1998 0133803.

County of Sonoma. 1998. Trustees Deed transferring Marian Tunkis' interest in the property to Patricia Scheel. 1998 0133804.

Irvine, Leigh H. 1905. *History of the New California Its Resources and People, Volume I*. The Lewis Publishing Company. New York and Chicago.

Munro-Fraser, J.P. 1880. *History of Sonoma County: including its geology, topography, mountains, valleys and streams; together with a full and particular record of the Spanish grants; its early history and settlement*. Published by Alley, Bowen & Co., San Francisco.

Murphy, Celeste G. 1937. *The People of the Pueblo: The Story of Sonoma*. Binfords & Mort, Publishers. Portland, Oregon.

Office of Historic Preservation. 1995. Instructions for Recording Historical Resources. California Office of Historic Preservation.

P12. References

Continued from sheet 7 of 11

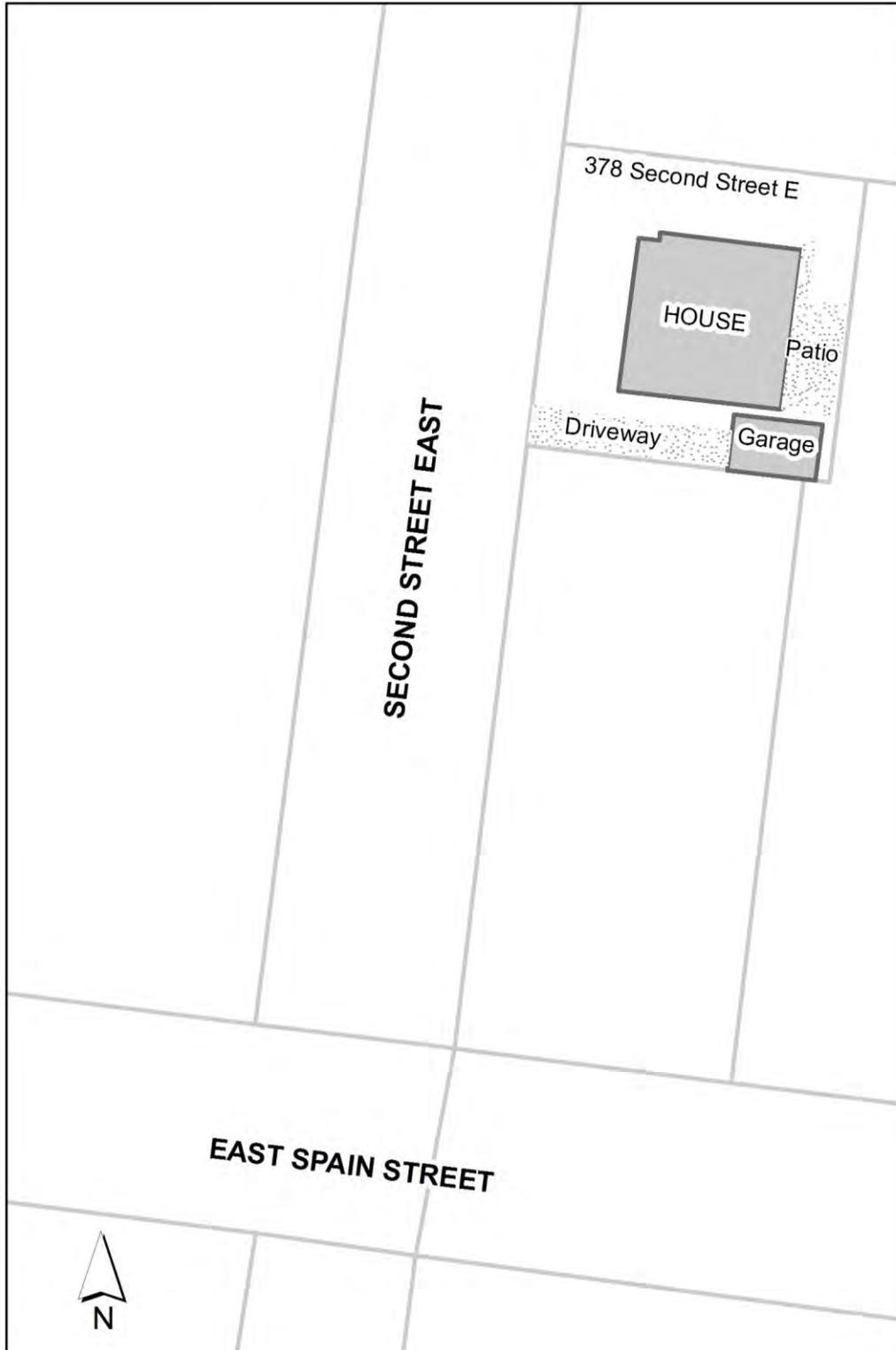
- Office of Historic Preservation. 2004. Technical Assistance Bulletin #8: User's Guide to the California Historical Resource Status Codes & Historic Resources Inventory Directory. California Office of Historic Preservation.
- Origer, Thomas. 1979. "A Cultural Resources Study of the Proposed Cobblestone Inn Project Area, Sonoma, Sonoma County, California." Cultural Resources Facility, Sonoma State University. Prepared for Walt Smith of Walt Smith and Associates, Environmental Planners, Santa Rosa. Northwest Information Center file # S-1567.
- Origer, Thomas. 1991. "A Cultural Resources Study for the Sonoma Affordable Housing Site, City of Sonoma, Sonoma County, California." Thomas M. Origer, Sharon A. Waechter, Consulting Archaeologists. Northwest Information Center file # S-12508.
- Parker, John. 1976. "Archaeological Evaluation of a parcel of land in the City of Sonoma." Prepared for the City of Sonoma Planning Department by John Parker working under the auspices of Dr. Dave A. Frederickson, California State College, Sonoma. Northwest Information Center file # S-348.
- Parmelee, Robert. 1972. *Pioneer Sonoma*. Published by the Sonoma Valley Historical Society. Sonoma, California. Pages 65, 66, 78, 124.
- Praetzellis, Adrian. 1979. "A Cultural Resources Evaluation of the Site of the Proposed Cobblestone Inn in Sonoma, California." Cultural Resources Facility. Sonoma State University. Northwest Information Center file #S-1959.
- Praetzellis, Adrian. 1987. "A Cultural Resources Study of the Site of the Proposed 'Vintage House' Center, Sonoma, California." Prepared for Brock Amer, City Manager, City of Sonoma. Northwest Information Center file # S-9312.
- Reynolds and Proctor. 1898. *Illustrated Atlas of Sonoma County, California*. Published by Reynolds and Proctor, Santa Rosa, CA.
- Rosenus, Alan. 1999. *General Vallejo and the Advent of the Americans: A Biography*. Heyday Books/Urion Press. Berkeley, California.
- Santa Rosa Press-Democrat. 1987. Obituary for Cecilia Shegog. December 4. Santa Rosa, California.
- Scheel, Patty. 2013. Personal communication by phone and email.
- Smilie, Robert S. 1975. *The Sonoma Mission; The Founding, Ruin and Restoration of California's 21st Mission*. Valley Publishers. Fresno, CA. Page 96.
- Smith, Diane Moll, Valerie Sherer Mathes & Sonoma Valley Historical Society. 2004. *Images of America: Sonoma Valley*. Arcadia Publishing. San Francisco.
- Sonoma Index-Tribune. 1986. "A Vallejo Descendant Visits Sonoma." Photo and caption about visit by Cecilia Shegog. January 3. Sonoma, California.
- Thompson, Thomas H. 1877. *Historical Atlas of Sonoma County, California*. Published by Thomas H. Thompson. Oakland. Reprinted by the Sonoma County Historical Society.

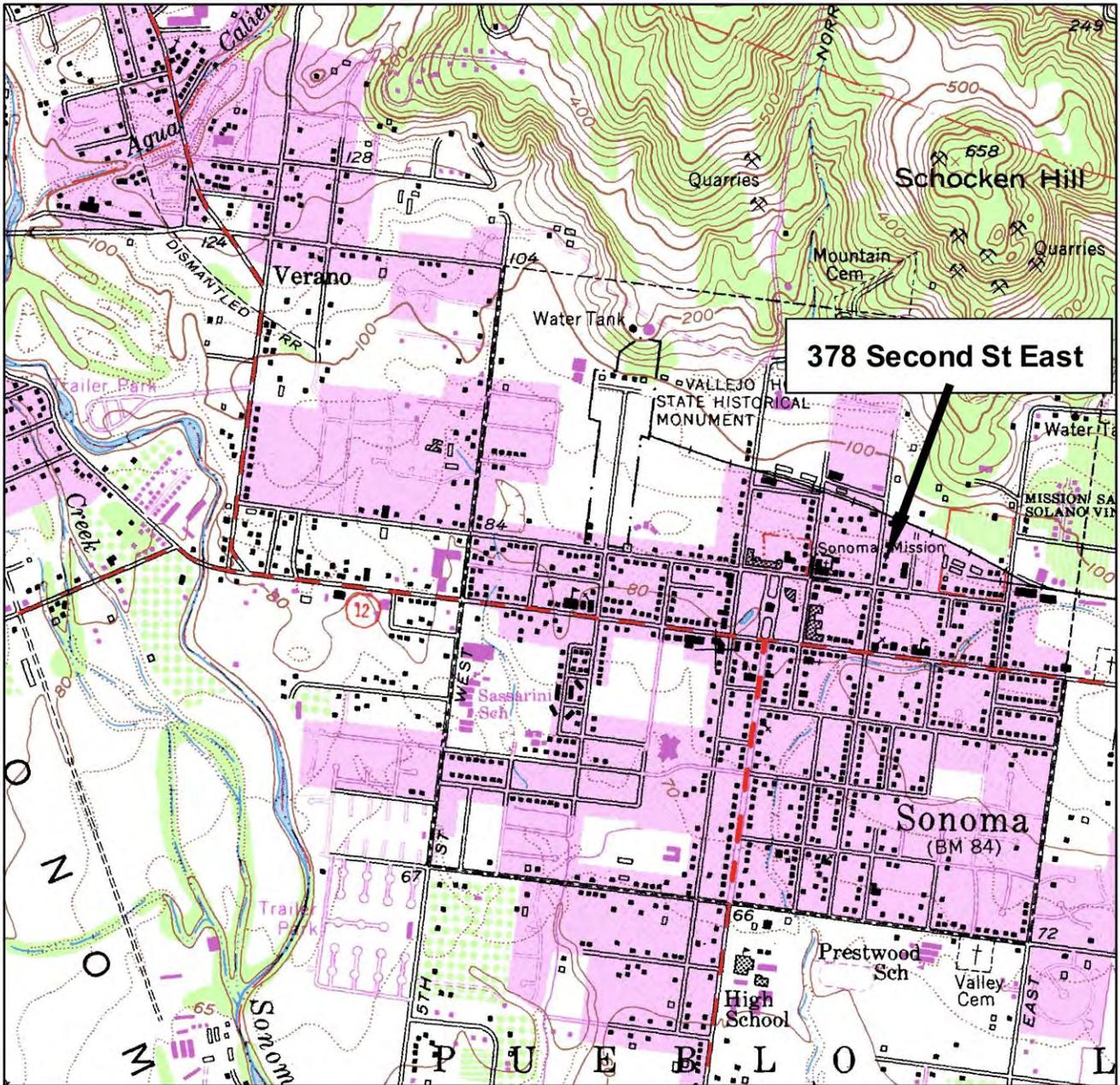
P12. References

Continued from sheet 8 of 11

- U.S. Bureau of the Census. 1850 – 1940. Decennial Censuses of the United States. Washington, D.C.: National Archives and Records Administration. Accessed through Ancestry.com. 2013.
- U.S. Department of Interior. 1973. 'National Register of Historic Places Inventory—Nomination Form' for Sonoma Plaza Historic District.
- U.S. Department of Interior. 1992. 'National Register of Historic Places Inventory—Registration Form' for Sonoma Plaza Historic District Boundary increase.
- U.S. Department of War. 1942. "COF-4-45." Aerial photo taken May 19. From Bob Curtis collection, Draftech, Santa Rosa.
- U.S. Geological Survey. 1902. "Napa Quadrangle." 30-minute quad surveyed in 1896 and 1899.
- U.S. Geological Survey. 1951. "Sonoma Quadrangle." 7.5-minute quad published in 1951. Photo revisions in 1968 and 1980.
- U.S. Selective Service System. 1942. *Registration Cards, World War II: Fourth Registration*. Record Group Number 147. National Archives and Records Administration. Provo, UT, USA: Ancestry.com Operations, Inc., 2010. Accessed online, December 2013.
- U.S. Social Security Administration. 1935-Current. *Death Index*. Provo, UT, USA: Ancestry.com Operations Inc., 2011. Accessed online, December 2013 through Ancestry.com.
- vonGeldern, Otto. 1875. "Plan of Sonoma." Bancroft Library, University of California, Berkeley. Map.

SKETCH MAP





ZONING: RESIDENTIAL - RM
 HISTORIC OVERLAY

TOTAL LOT SIZE: 5,625 SF

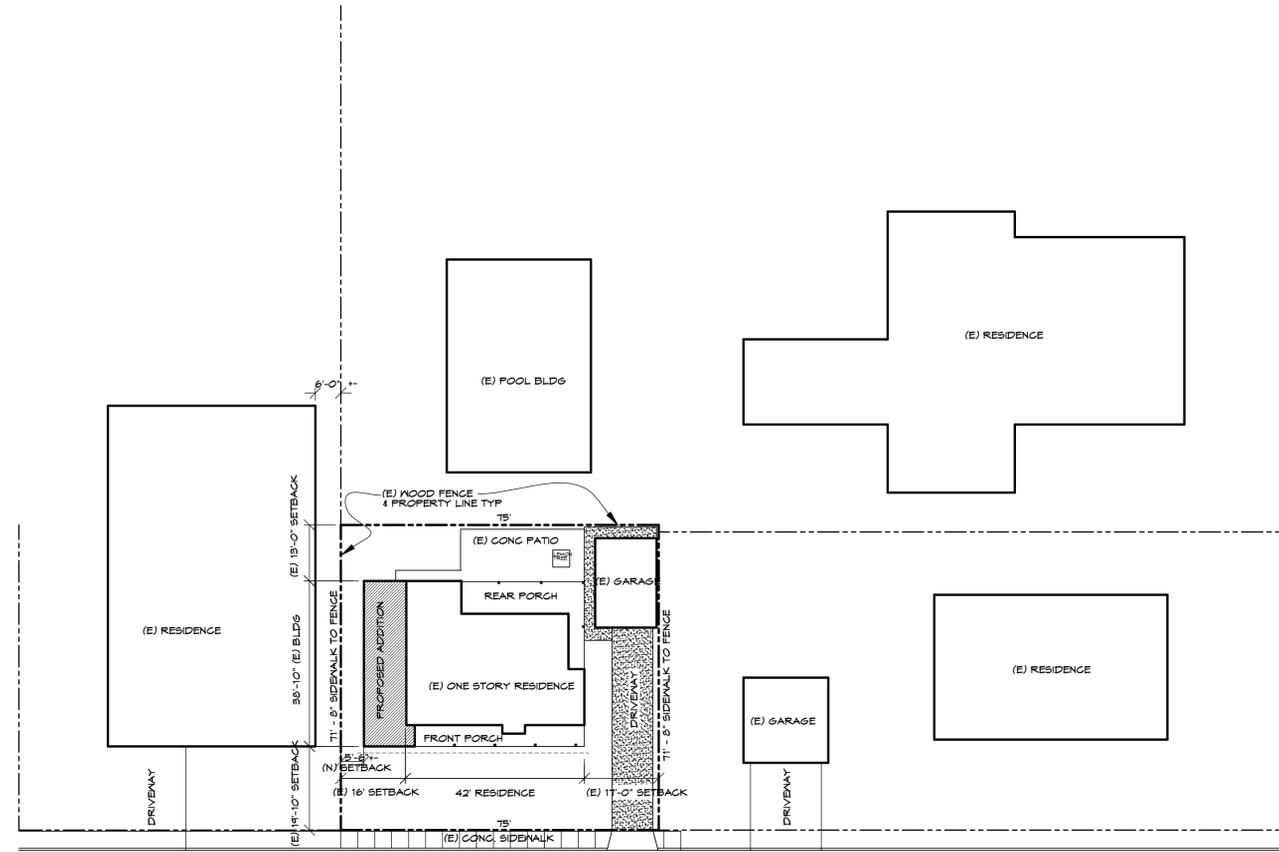
EXISTING BUILDING AREA: 1,142 SF
 PROPOSED ADDITION: 396 SF

TOTAL BUILDING SIZE: 1,538 SF

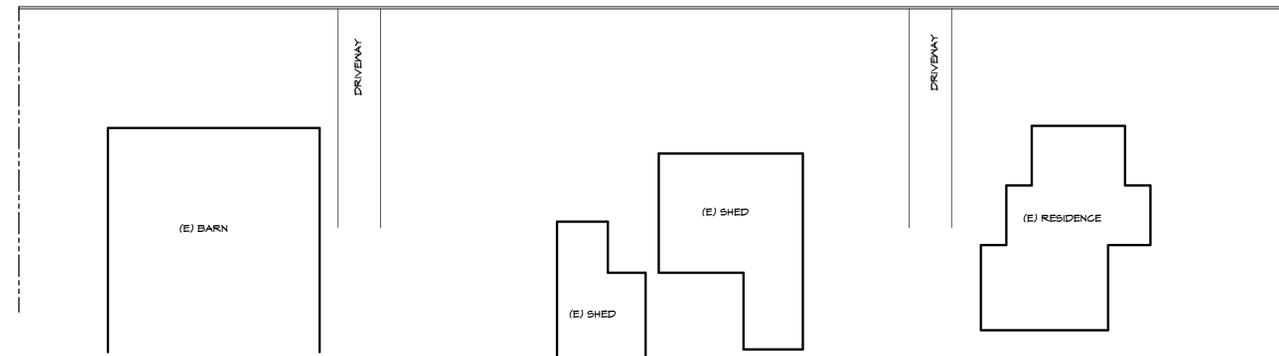
EXISTING DETACHED GARAGE: 300 SF

TOTAL F.A.R. = 0.28 (MAX. F.A.R. ALLOWED 0.50)

COVERAGE = 33 % (MAX. COVERAGE ALLOWED 60%)



SECOND STREET EAST



PROPOSED SITE PLAN

1" = 20'-0"

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
 755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

SITE PLAN



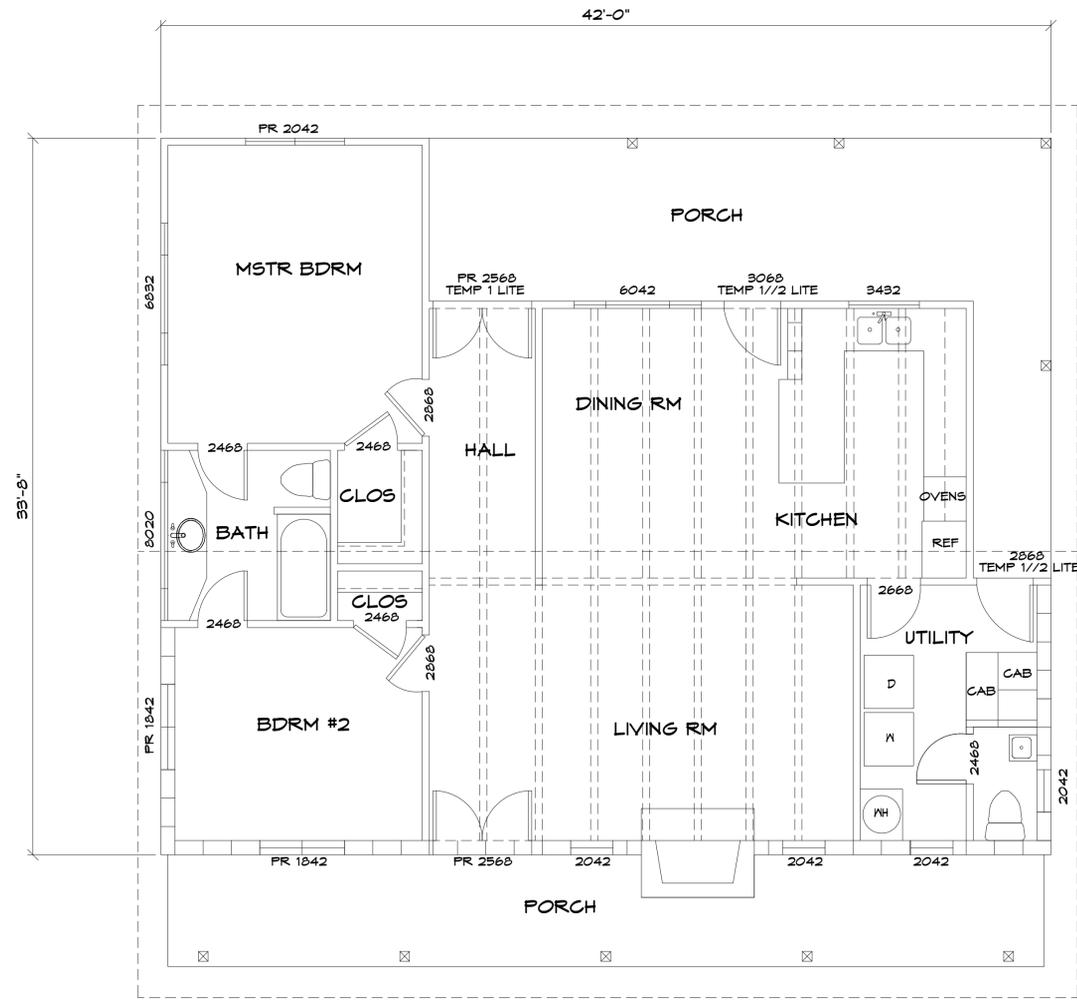
THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

REMODEL FOR: PATTY & JOHN SCHEEL
 378 SECOND STREET EAST
 SONOMA CALIFORNIA 95476

Date 12-9-2013
 Scale AS NOTED
 Drawn DWA
 Job
 Sheet

A1.1

Of Sheets



EXISTING FLOOR PLAN

1/4"=1'-0"

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
 755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

EXISTING FLOOR PLAN



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

REMODEL FOR: PATTY & JOHN SCHEEL
 378 SECOND STREET EAST
 SONOMA CALIFORNIA 95476

Date	8-12-2013
Scale	AS NOTED
Drawn	DWA
Job	
Sheet	A2.1
Of	Sheets

REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
 755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

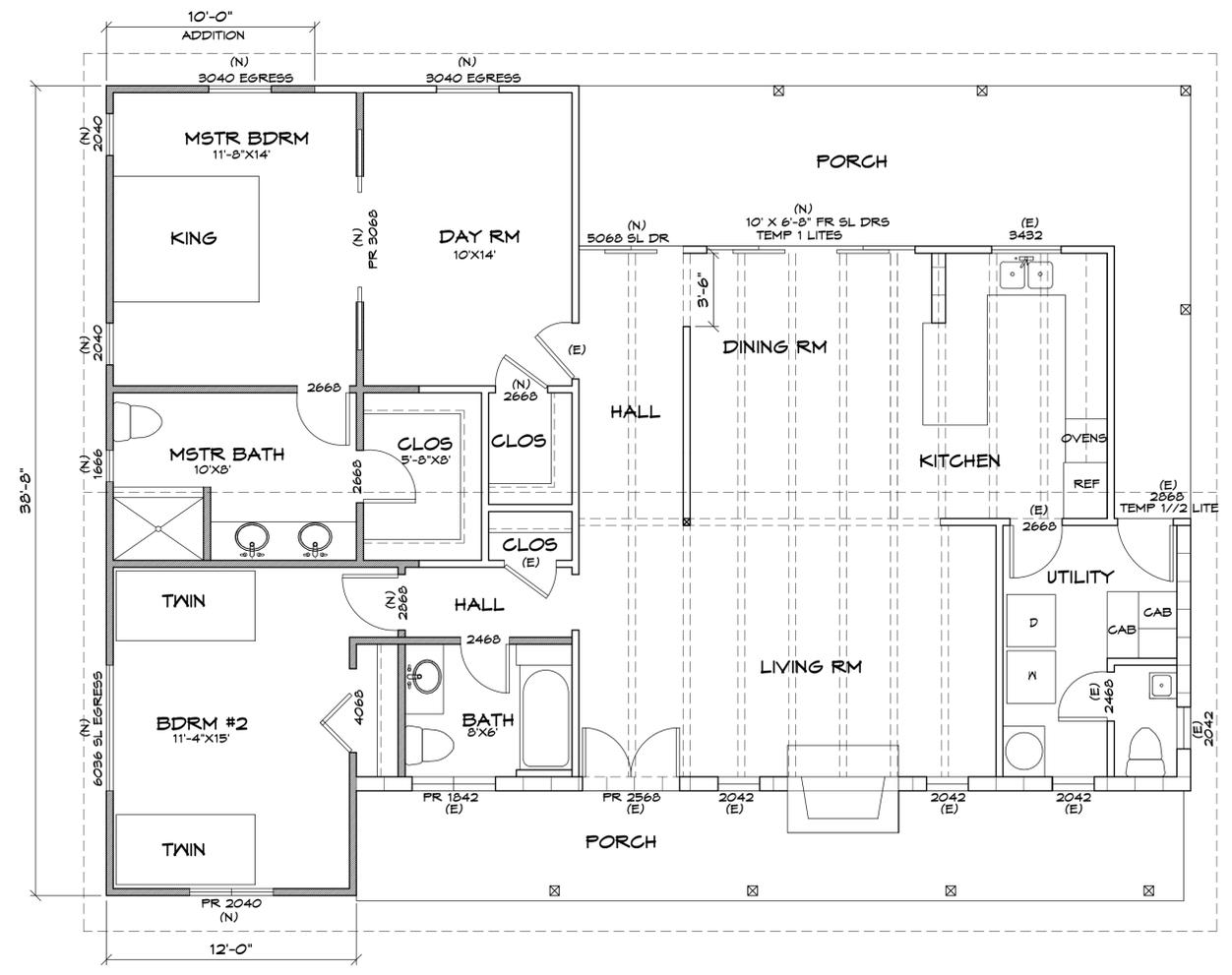
PROPOSED FLOOR PLAN



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & ASSOCIATES. IT IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

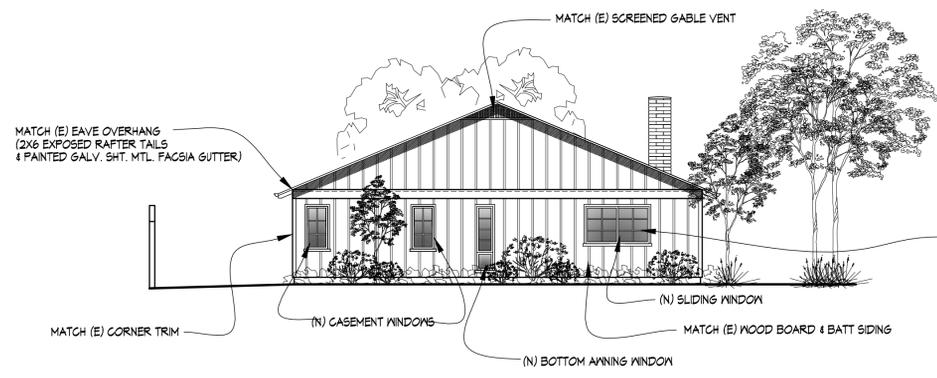
REMDEL FOR: PATTY & JOHN SCHEEL
 378 SECOND STREET EAST
 SONOMA CALIFORNIA 95476

Date **12-9-2013**
 Scale **AS NOTED**
 Drawn **DWA**
 Job
 Sheet
A2.1



PROPOSED FLOOR PLAN
 EXISTING BLDG 1,142 SF
 PROPOSED ADDITION 396 SF
 TOTAL: 1,538 SF
 1/4"=1'-0"
 (N) WALLS (SHADED)

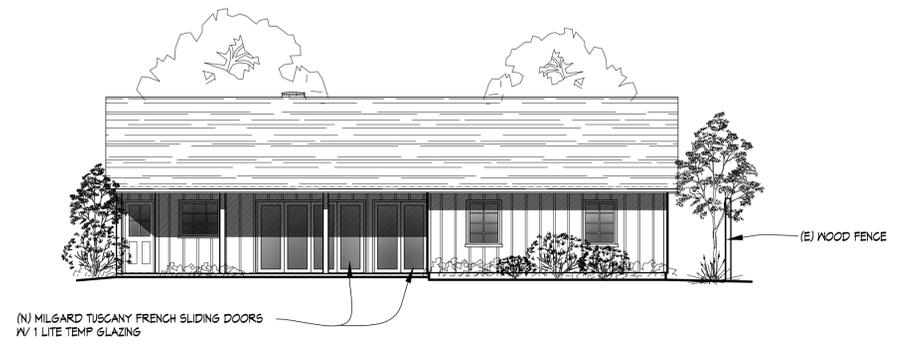
REVISIONS	BY



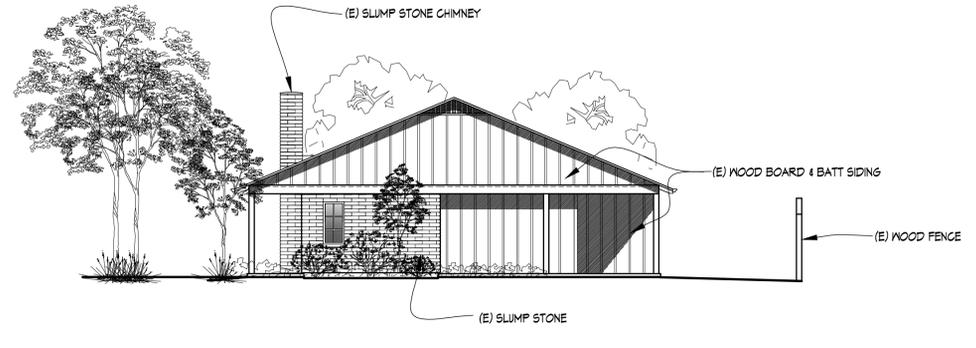
SIDE NORTH ELEVATION
PROPOSED ADDITION SIDE 1/8" = 1'-0"



FRONT WEST ELEVATION
1/8" = 1'-0"



REAR EAST ELEVATION
1/8" = 1'-0"



SIDE SOUTH ELEVATION
1/8" = 1'-0"

VICTOR CONFORTI - ARCHITECT
755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

EXTERIOR ELEVATIONS



THIS DOCUMENT AND THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE ARE THE PROPERTY OF VICTOR CONFORTI - ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF VICTOR CONFORTI - ARCHITECT. ALL RIGHTS RESERVED.

REMODEL FOR: PATTY & JOHN SCHEEL
378 SECOND STREET EAST
SONOMA CALIFORNIA 95476

Date 12-16-2013
Scale AS NOTED
Drawn DVA
Job
Sheet
A3.1
Of Sheets

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

Applicant/Owner: Rainscape Design/Rebecca Semic and James McCarthy

Site Address/Location: 492 Montini Way

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 12/31/13

PROJECT SUMMARY

Description: Application of Rainscape Design for an Exception from the wall height standards to allow an over-height wall within the street-side yard setback of the property at 492 Montini Way.

General Plan Designation: Sonoma Residential (SR)

Zoning: **Base:** Sonoma Residential (R-S) **Overlay:** None

Site Characteristics: The property is a ±7,405-square foot lot located at the northeast corner of Fifth Street West and Montini Way. The property is currently developed with a single-family home.

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

Environmental Review:

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

Staff Recommendation: Approve subject to conditions, including relocating the wall to meet a minimum setback of seven feet and a reduction in the height of the wall to six feet.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicant is requesting an exception from the fence height standards in order to construct an eight-foot tall stucco wall within the required 20-foot street-side yard setback along Fifth Street West. The stucco wall would be painted to match the color of the existing residence. The proposed wall consists of two segments: 1) a section adjacent to Fifth Street West, approximately fifty-five feet in length, that is proposed to be setback five feet from the property line; and, 2) a section perpendicular to Fifth Street West, approximately fourteen feet in length, that is proposed to be setback between five and thirteen feet from the property line. The fence would be comprised of concrete block with a stucco finish, along with a pattern of glass blocks inserted at the upper portion of the wall with a stone band and cap. According to the project narrative (attached), the purpose of the fence is to provide privacy and noise screening from Fifth Street West.

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

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

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

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

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

In staff's view this finding cannot be made in that the height of the fencing is unusually tall in comparison to other fencing within the area. In addition, with a length of 55 feet, the wall could appear overwhelming to passersby. The majority of properties along Fifth Street East comply with the fence height limitations that apply to front or street side yard setbacks. However, approximately 11 percent of the lots surveyed incorporate over-height fences or trellises within the required 20-foot front setbacks. The following is a list of three properties in the surrounding neighborhood that have fences or hedges taller than 3.5 feet within the required front yard setbacks:

- 505 Fano Lane (7.5-foot fence), located 9 feet from the sidewalk within the street-side setback.
- 192 Fifth Street West (6-foot fence), located 10 feet from the sidewalk within the front yard setback.
- 496 Haraszthy Drive (8-foot trellis), located 4 feet from the sidewalk within the front yard setback.

Even in comparison to these fences, the combination of the length and the height of the proposed fence seems anomalous.

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

The location and orientation of the wall is not in proper relation to the physical characteristics of the site nor is it in proper relation to the surrounding properties. The wall is proposed to be setback 5 feet from the street-side property line, encroaching 15 feet into the required 20-foot street-side setback. In staff's view, this setback is insufficient. The height of the wall is also not compatible with the other fencing in the neighborhood and the fencing does not provide sufficient area for landscape plantings adjacent to sidewalk.

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

The stucco design of the wall and associated street-side landscaping has an attractive appearance. However, in staff's view the height of the fencing excessive. The landscaping is attractive, but would do little to screen and buffer the wall to reduce its overwhelming appearance.

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

It does not appear that the wall would create a safety issue by obstructing vehicle or pedestrian sight lines at the corner.

In summary, it is staff's view that the findings necessary to approve the proposed fence as designed cannot be made and that in order to approve a fence height exception it would be necessary to reduce the height of the fence and increase the setback from Fifth Street West.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

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

DISCUSSION OF PROJECT ISSUES

Exception from Fence Height Standards: As a corner lot, the property is subject to more restrictive setback requirements than a typical interior lot. This physical constraint provides a basis for allowing an exception from the fence height limitations in order to provide noise and privacy screening, as does the location of the property adjoining Fifth Street West, which is a busy collector street. However, depending on various factors such as the amount of setback from the property line, height and type of fencing, and vegetative screening, fences within street side setbacks have the potential to appear overwhelming from the public right of way and out of character with neighborhood conditions. In general, the design of the wall is attractive, although it is staff's view that the associated landscape plantings are insufficient. In staff's view, the issue raised by the application is the height of the fence within the street side yard setback. As discussed above, staff does not feel that the fencing meets the required findings in that it appears obtrusive from the public right of way due to its height and length. That said, because the property is a corner lot that fronts a collector street, it is staff's view that a scaled back design could be supported. As a result, staff is recommending that the fence be reduced to a maximum height of six feet and relocated to meet a minimum setback of 7 feet to the west property line. Normally, staff would recommend a ten-foot setback, but in this case a reduced setback is proposed in order to preserve trees on the property.

RECOMMENDATION

Approve subject to design changes and conditions, including relocating the wall to meet a minimum setback of seven feet and a reduction in the height of the wall to six feet.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Pictures of existing conditions*
6. *Pictures of example wall located at 410 Fifth Street West*
7. *Site Plan*
8. *Wall Elevations*

cc: Rebecca Semic and James McCarthy
492 Montini Way
Sonoma, CA 95476

Rainscape Design
Attn: Ira Johnson
3987 19th Street
San Francisco, CA 94114

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Semic/McCarthy Fence Height Exception – 492 Montini Way

January 9, 2014

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

Findings for an Exception to the Fence Height Standards

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

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Semic/McCarthy Fence Height Exception – 492 Montini Way

January 9, 2014

1. The project shall be constructed in conformance with the approved site plan and building elevations except as modified by these conditions:
 - a) The fence shall be constructed at a height not to exceed six feet.
 - b) The fence shall be setback at least seven feet from the west property line.

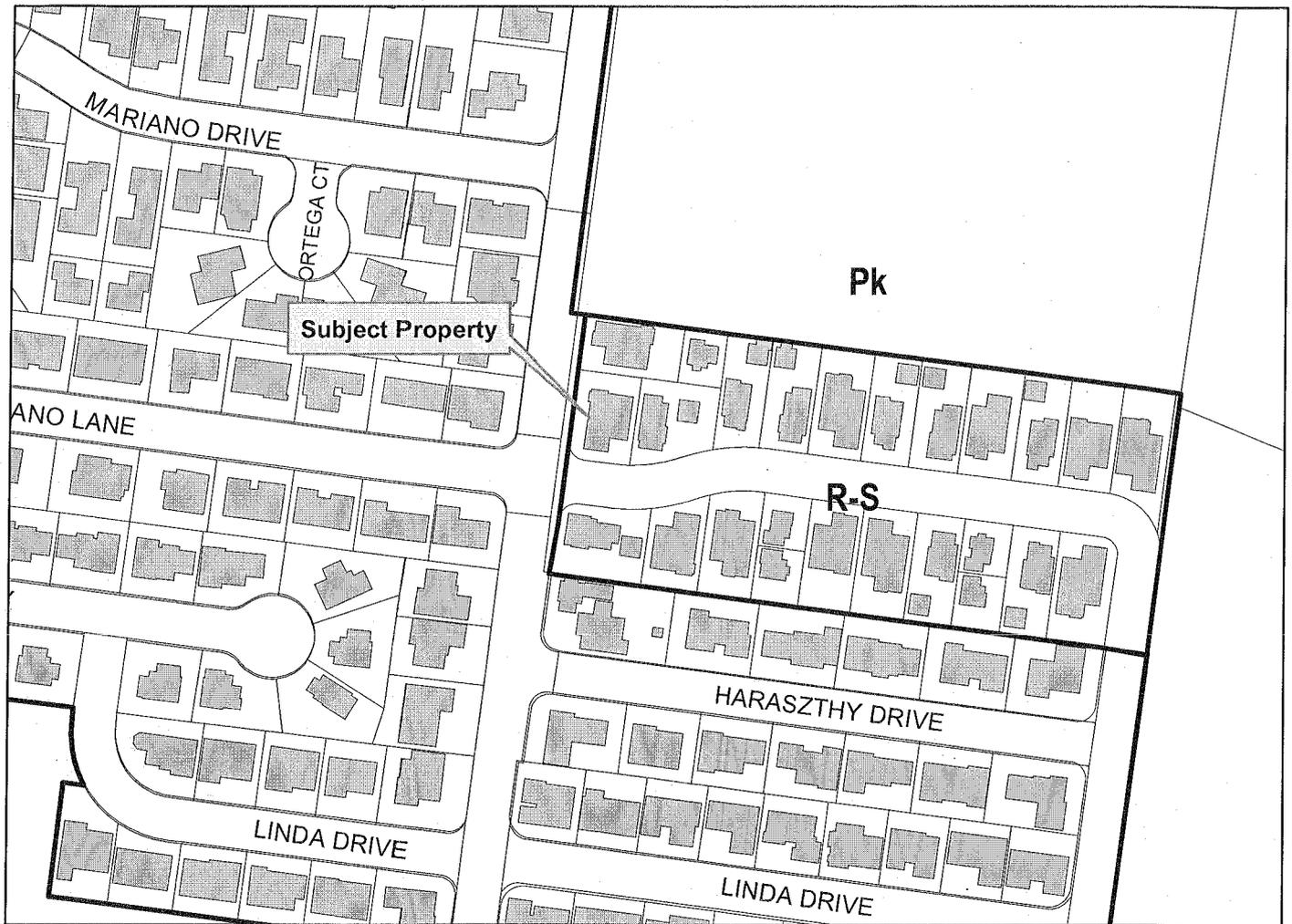
Enforcement Responsibility: Planning, Building and Public Works

Timing: Ongoing

3. The applicant shall submit a landscape and irrigation plan for staff review and approval for the area along Fifth Street West between the fencing and the public right-of-way (west property line).

Enforcement Responsibility: Planning

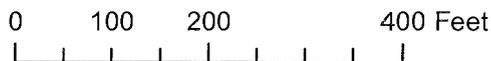
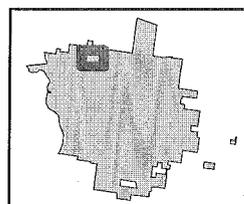
Timing: Prior to installation



Project Summary	
<i>Project Name:</i>	Semic Wall Height Exception
<i>Property Address:</i>	492 Montini Way
<i>Applicant:</i>	Rainscape Design
<i>Property Owner:</i>	Rebecca Semic and James McCarthy
<i>General Plan Land Use:</i>	Sonoma Residential
<i>Zoning - Base:</i>	Sonoma Residential
<i>Zoning - Overlay:</i>	None
<i>Summary:</i>	Application for an Exception from the wall height standards to allow an over-height wall within the street-side yard setback of the property.

Zoning Designations

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



1 inch = 200 feet

RECEIVED
DEC 12 2013
CITY OF SONOMA

To: Members of the City of Sonoma Planning Commission

Project Narrative for 492 Montini Way

This project consists of constructing an 8' tall sound wall just behind the west property setback line. The wall would be constructed of concrete block and have a stucco finish painted to match the house color. It would also have a pattern of glass blocks inserted at the upper portion of the wall with a stone band and cap on top. The space between the new wall and sidewalk will have a series of 1' high raised planters constructed out of the same material as the wall. The areas between the raised planters will be covered with a complimentary pebble. Only proposed planting seen from outside the wall is identified on the site plan.

The owner of the property, Ms. Rebecca Semic, would like to have the wall constructed to remediate the uncomfortable sound level that comes from traffic on 5th Street West. The level of traffic noise makes enjoying their garden unobtainable, and even affects their comfort level within the home.

There is a precedent for a sound wall of this height in the neighborhood at 5th Street West and West Spain. The height of that wall from the sidewalk to the top of wall is 8 feet. To view this wall please see photos labeled 5th Street West and West Spain, (A) and (B).



View from Fifth Street West

(13)



View from Fifth Street West

©



492 Montini Way
View from intersection
of Fifth Street West



View from Fifth Street west

(A)



5th Street and West Spain A



5th Street and West Spain (B)

WALL STEPS DOWN TO 6'

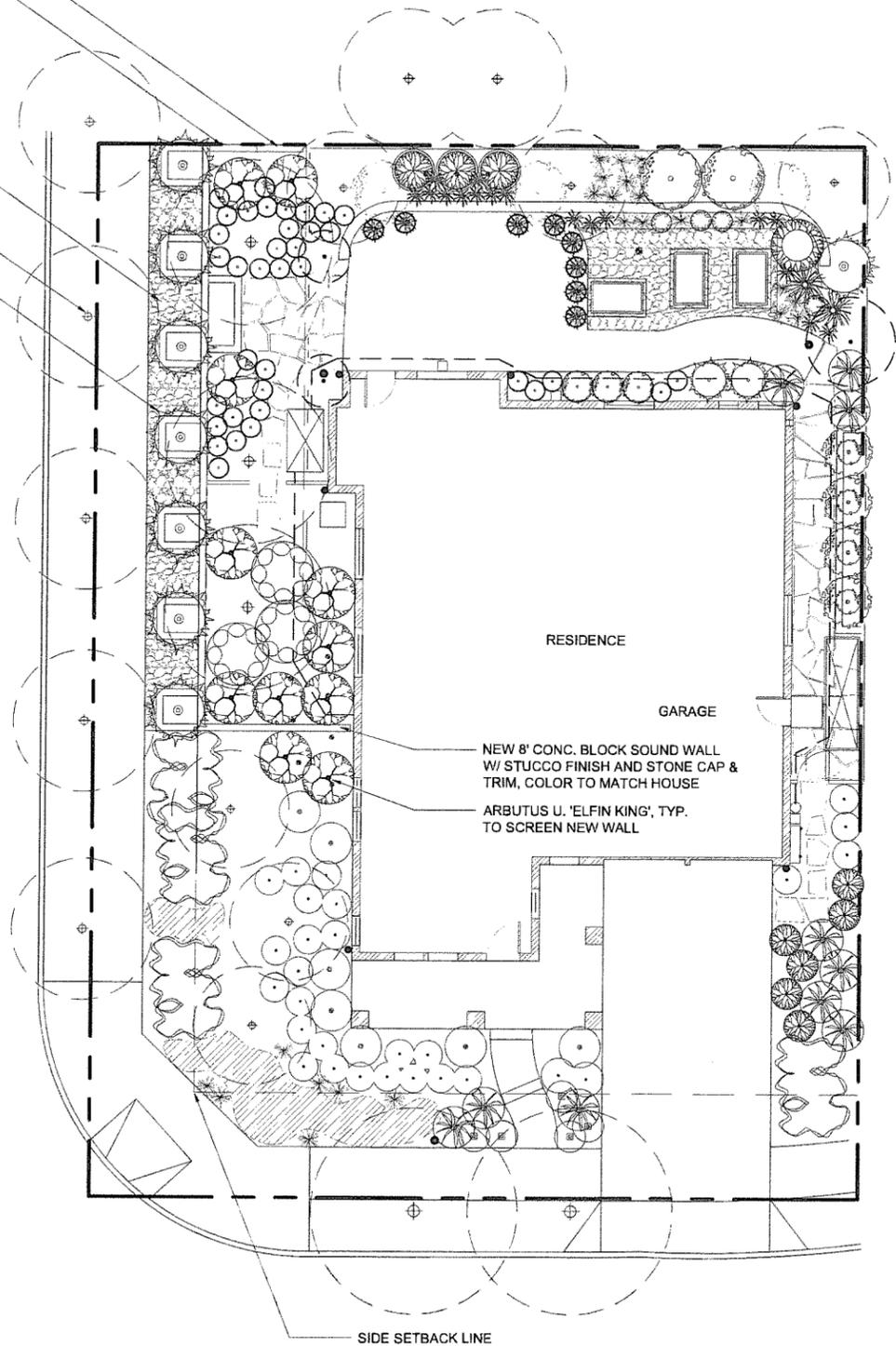
WALL STEPS DOWN TO 7'

PEBBLE GROUND COVER, TYP.

EXISTING TREE, TYP.

4' X 4' X 12" HT. RAISED PLANTER
BUILT INTO SOUND WALL W/
CHOISYA 'AZTEC PEARL', TYP.

FIFTH STREET WEST



RESIDENCE

GARAGE

NEW 8' CONC. BLOCK SOUND WALL
W/ STUCCO FINISH AND STONE CAP &
TRIM, COLOR TO MATCH HOUSE

ARBUTUS U. 'ELFIN KING', TYP.
TO SCREEN NEW WALL

SIDE SETBACK LINE

MONTINI WAY

LEGEND

- T TELEPHONE LINE
- G GAS LINE
- E ELECTRIC LINE
- W WATER LINE
- CONC. CONCRETE
- D.G. DECOMPOSED GRANITE
- EX. EXISTING
- W/ WITH
- TYP. TYPICAL
- HT. HEIGHT
- TSILL TOP OF SILL
- TSTEP TOP OF STEP
- BSTEP BOTTOM OF STEP
- TW TOP OF WALL
- BW BOTTOM OF WALL
- FG FINISH GRADE
- FS FINISH SURFACE
- RE RIM ELEVATION
- IE INVERT ELEVATION
- FL FLOW LINE
- RET. RETAINING
- ⊕ EX. TREE TO BE REMOVED
- ⊞ EX. SHRUB TO BE REMOVED
- APPROXIMATE TREE CANOPY
- ⊕ ELECTRIC METER OR OUTLET
- ⊗ GAS METER
- ⊙ WATER METER
- ⊖ HOSEBIB
- ⊙ DOWNSPOUT
- ⊙ CONNECTED DOWNSPOUT
- ⊙ UP LIGHT
- ⊙ PATH LIGHT

Revisions:

Drawn By: IJ

Date: 09-01-13

RAINSCAPE DESIGN, LANDSCAPE ARCHITECTURE & WATER USE PLANNING
CA LICENSE: 4745 WWW.RAINSCAPEDESIGN.COM TEL: 415 218 4058
3987 NINETEENTH STREET, SAN FRANCISCO, CA 94114



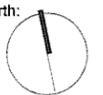
Semic Residence
Site Plan

492 Montini Way Sonoma,
CA 95476 APN: 18-870-024

Job #: 13-07

Scale: 1/8" = 1'-0"

North:



Sheet #:

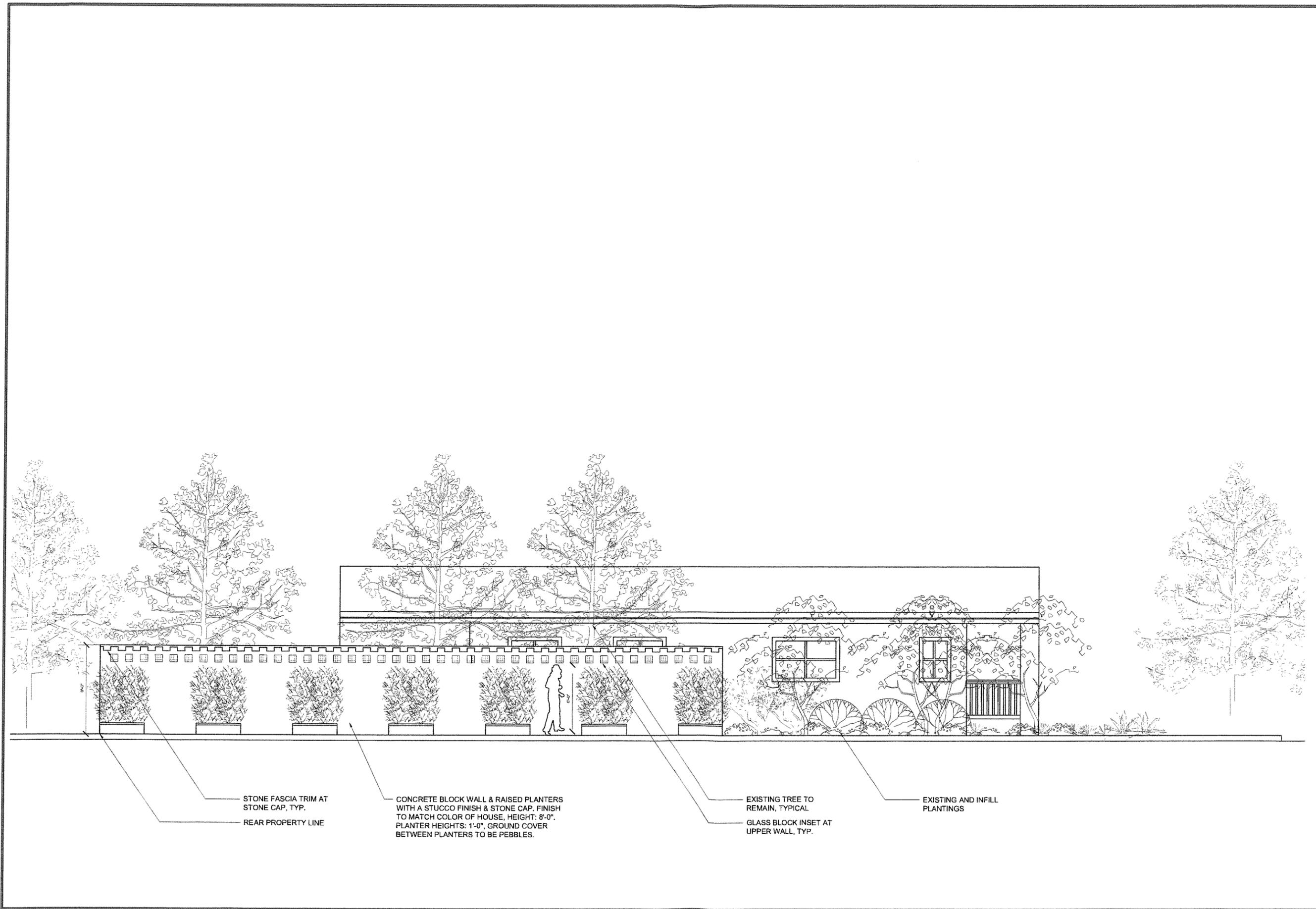
S1

Client: Semic

NOTE:
THIS PLAN IS FOR COST ESTIMATING AND
PLANNING PURPOSES ONLY, IT IS NOT FOR
CONSTRUCTION.

NOTE:
BASE INFORMATION FROM MONTINI RANCH DEVELOPMENT
PLANS SUPPLIED BY THE TOWN OF SONOMA AND SITE
MEASUREMENTS BY RAINSCAPE DESIGN

DEC 12 2013



STONE FASCIA TRIM AT
STONE CAP, TYP.
REAR PROPERTY LINE

CONCRETE BLOCK WALL & RAISED PLANTERS
WITH A STUCCO FINISH & STONE CAP. FINISH
TO MATCH COLOR OF HOUSE, HEIGHT: 8'-0".
PLANTER HEIGHTS: 1'-0", GROUND COVER
BETWEEN PLANTERS TO BE PEBBLES.

EXISTING TREE TO
REMAIN, TYPICAL
GLASS BLOCK INSET AT
UPPER WALL, TYP.

EXISTING AND INFILL
PLANTINGS

Revisions:

Drawn By: IJ

Date: 09-16-13

RAINSCAPE DESIGN, LANDSCAPE ARCHITECTURE & WATER USE PLANNING
CA LICENSE: 4745 WWW.RAINSCAPEDESIGN.COM TEL: 415 218 4068
3987 NINETEENTH STREET, SAN FRANCISCO, CA 94114

Semic Residence
Elevation From 5th Street West
492 Montini Way, Sonoma,
CA 95476 APN: 18-870-024

Job #: 13-07

Scale: 1/4" = 1'-0"

North:

Sheet #:
E1

Client: Semic

Agenda Item Title: Application for a use permit to operate a mobile coffee service trailer on the property.

Applicant/Owner: Rocío Fuentes/ Northwest Dealerco Holdings LLC

Site Address/Location: 195 West Napa Street

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 01/02/14

PROJECT SUMMARY

Description: Application for a use permit to operate a mobile coffee service trailer on the property located at 195 West Napa Street.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Creek Setback
Site

Characteristics: The property is located on a ±0.51-acre parcel located on the southeast side of West Napa Street at the corner of West Napa Street and Second Street West. It is currently developed with a service station building (Sonoma 76), one accessory structure, a storage container, and associated parking and landscaping.

Surrounding Land Use/Zoning: **North:** 7-Eleven/Commercial (C)
South: Best Western Sonoma Valley Inn/Commercial (C)
East: Meritage Restaurant/Commercial (C)
West: Sonoma Marketplace/Commercial (C)

Environmental Review:

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

Staff Recommendation: Approve with conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicant is proposing to operate a self-contained, mobile coffee service trailer adjacent to the Sonoma 76 building. According to the project narrative (attached), staffing would be limited to three employees (including the owner). Proposed hours of operation are 6 a.m. to 6 p.m. seven days a week, including food deliveries. The trailer would be located next to the existing Sonoma 76 building to serve coffee and premade food items. Specifically, the trailer would be located on the west side of the building facing Second Street West. As proposed, the mobile coffee trailer would remain next to the building at all times. Customers would drive to the property, park, and purchase products at the trailer location. No seating is proposed.

GENERAL PLAN CONSISTENCY (Not Applicable to this Project)

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

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: The property is zoned Commercial (C). Restaurants are allowed in the Commercial Use land use designation with a use permit.

Building Height/Setbacks/Other Development Standards: The mobile coffee service trailer is not considered a permanent structure; therefore, it is not required to meet setback standards.

Parking: The City's Parking and Loading Regulations for restaurants and other food serving uses are based on seating. Because no seating is proposed with this application, there is no specific parking requirement. The applicants have indicated that at most the mobile coffee trailer would require the use of seven parking spaces for employee and customer parking.

Service Station Parking Regulations: Section 19.50.100 of the Development Code states that on-site parking shall be provided at a minimum ratio of one space for each pump island, plus one space for each service bay. Accordingly five on-site parking spaces are required for the service station use. Sixteen parking spaces are provided on-site, of which five are required for the service station use, which means that eleven spaces are available for the mobile coffee service trailer. According to the project narrative, it is estimated that a maximum of seven spaces would be needed for the coffee service (including employee parking). Based on the City's parking standards, the number of on-site parking spaces exceeds the requirements for the existing service station and proposed mobile coffee service trailer.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

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

DISCUSSION OF PROJECT ISSUES

Parking: As previously mentioned, no seating is proposed with this application; however, the applicants have indicated that at most the mobile coffee trailer would use seven parking spaces (for customer and employee parking). A condition of approval has been included to limit the amount of parking spaces that the mobile coffee service trailer may use to seven. The existing service station use requires five on-site parking spaces. Currently the site contains sixteen parking spaces, which amounts to a surplus of four spaces. The existing on-site parking spaces are not clearly defined as the pavement markings have faded; therefore, a condition of approval has been included to require that the parking spaces be restriped subject to the City of Sonoma Parking Regulations.

Trailer Use: The coffee service trailer shall not be used as a drive-through. Customers shall be required to either park in one of the parking spaces in the southern portion of the property or at the pump island. A condition of approval had been included to require that customers park before approaching the coffee service trailer. In addition, to ensure that the coffee service trailer is not used as a drive-through, a condition of approval has been included to require subsequent review six months after date of occupancy.

Electrical Connection: It is unclear to staff as to the manner in which power is proposed to be supplied to the coffee service trailer. Staff review of this element of the project, as well as a requirement for a Building Permit, if applicable, would be mandated as a condition of approval.

RECOMMENDATION

Staff recommends approval of the Use Permit on a provisional basis subject to the attached conditions of approval.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location Map*
4. *Project narrative*
5. *Pictures of proposed trailer*
6. *Pictures of design options for trailer*
7. *Correspondence*
8. *Site maps*

cc: Rocio Fuentes
88 Loma Vista Drive
Sonoma, CA 95476-3250

Northwest Dealerco Holdings LLC
30343 Canwood Street #200
Agoura Hills, CA 91301-4329

Bret Sackett, Police Chief

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Use Permit for Mobile Coffee Service Trailer – 195 West Napa Street

January 9, 2014

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

Use Permit Findings

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

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Use Permit for Mobile Coffee Service Trailer – 195 West Napa Street

January 9, 2014

1. The use shall be operated in a manner consistent with the project narrative, except as modified by these conditions. The hours of operation, including deliveries, shall be limited to the following hours: 6 a.m. to 6 p.m. seven days per week. The maximum number of employees shall not exceed three (including the owner).

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. All Building Division requirements shall be met. A building permit may be required.

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

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

Enforcement Responsibility: Fire Department
Timing: Prior to operation

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

Enforcement Responsibility: Planning Department; DRHPC
Timing: Ongoing

5. The project shall be subject to the review and approval of the DRHPC. This review shall encompass trailer elevations, colors, and materials, the trash enclosure design, and landscaping.

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

6. No table or chairs shall be allowed.

Enforcement Responsibility: Planning Division
Timing: Ongoing

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

Enforcement Responsibility: Planning Division
Timing: Prior to occupancy

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

Enforcement Responsibility: Planning Division
Timing: Ongoing

9. The electrical connection for the mobile food service trailer shall be subject to the review and approval of the Building Official. A Building Permit shall be required, if applicable.

Enforcement Responsibility: Planning Division; Building Division
Timing: Ongoing

10. On-site parking spaces shall be restriped to include sixteen spaces subject to the City of Sonoma Parking Regulations. The seven parking spaces available for the coffee service shall be clearly marked for that use.

Enforcement Responsibility: Planning Division; Building Division
Timing: Prior to occupancy

11. The coffee service trailer shall not be used as a drive-through use. Customers shall be required to either park in one of the parking spaces in the southern portion of the property or at the pump island.

Enforcement Responsibility: Planning Division
Timing: Ongoing

12. Signs shall be required (subject to the review and approval of the DRHPC) directing customers to park in parking spaces in the southern portion of the property or at the pump island.

Enforcement Responsibility: Planning Division; DRHPC
Timing: Prior to occupancy

13. The allowance for a mobile coffee service use as provided herein shall be permitted strictly on a temporary basis, subject to reconsideration by the Planning Commission within six months following the date of occupancy and shall be of no further force and effect unless extended by the Planning Commission prior to the date of expiration.

Enforcement Responsibility: Planning Division
Timing: Ongoing

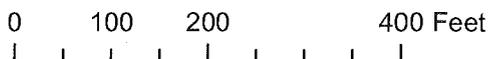
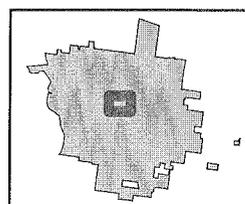
Vicinity Map



<i>Project Summary</i>	
<i>Project Name:</i>	Fuentes Mobile Coffee Service Trailer
<i>Property Address:</i>	195 West Napa Street
<i>Applicant:</i>	Rocio Fuentes
<i>Property Owner:</i>	Northwest Dealerco Holdings LLC
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Application for a use permit to operate a mobile coffee service trailer on the property setback of the property.

Zoning Designations

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



1 inch = 200 feet

Coffee & Coco

Products & Services:

Coffee & Coco will offer high quality of coffee, tea, hot coco for a fair price. We will also sell homemade cookies, brownies, and pastries using our local ingredients. We will strive to be a leader in coffee experience this means we will provide customer service bar none, and support our community. We believe customer service is key.

Fair trade coffee farm to cup

Operation:

Coffee & Coco proposed hours of operation are Monday – Sunday 6am – 6pm.

Staff:

Coffee & Coco will have highly trained staff and friendly usually 2-3 employees at different times. Coffee & Coco staff will try to put the best quality of product for our consumer.

Mobile Unit:

Mobile coffee unit dimensions are 6 x 12 x 83 inches high. Custom trailer that we will make fit in with the look of Sonoma. A walk up coffee unit.

Plan with leaving cart at location:

The plan with leaving cart at location is to have the cart looking clean every day and the area around the cart.

Note : Page with photos ideas for plants and vegetation.

Parking:

Coffee & Coco will make sure there is parking available for customers. Owner of 76 gas station Jeff Martinez has giving us use of 7 spots or more if needed.

195 WEST NAPA STREET

PROPOSED TRAILER



195 WEST NAPA STREET

PROPOSED TRAILER

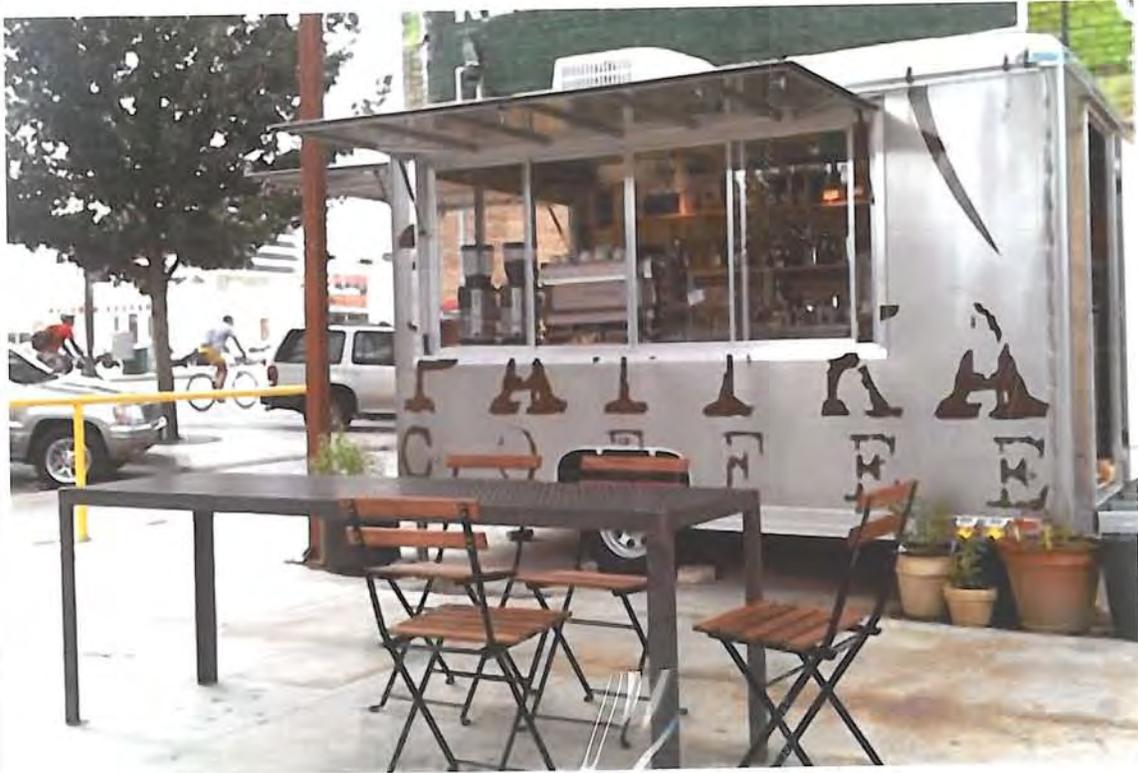


195 WEST NAPA STREET
DESIGN OPTIONS



195 WEST NAPA STREET

DESIGN OPTIONS



COFFEE & COCO



Our story

With a passion for coffee and baking we decided to open our own coffee mobile

And share our passion with everyone else to enjoy!

Why not pump your gas and also enjoy a cup of coffee

We will be using Temple coffee and Gharadhile chocolate to make our drinks
and baked goods we will also have seasonal drinks as well

We invite you to stop by

Coffee & Coco

195 W Napa St

Sonoma Ca

www.coffee-coco.com

To whom it may Concern:

The purpose of this letter is to introduce myself and my family and our coffee business proposal. A little about us

My husband Dave has been a Sonoma resident for quite some time he attended school there at Sassarini, Altamira, and Sonoma High. His parents still live there my Father in law loves Sonoma he says it's a great place to live as a morning ritual he always goes for coffee and meets up with the locals. My husband Dave had a restaurant in Napa called Tuscany it was downtown Napa for 15 years. It was Italian Restaurant on the corner of first and main st the restaurant was a great way for our family and friends to enjoy our food.

Truly a family run restaurant my father in law is 84 we think it's one of the reasons why he still going so strong with two heart surgeries. Just a good reason to get up in the morning and feel needed.

Then the unexpected happened to Tuscany we lost our lease not by choice they had sold the building I could still remember like it was yesterday there was an article in paper. It was like something just stuck me from left field so I called my husband and told him the news. No letter or phone call to let us know what was happening to the building.

We had always been promised that there would be advanced notice that they would let us know of anything was going too happened to the building and the handshake agreement that we will take care of us. My husband had eight hundred thousand invested in the building. Another tenant in the building shik kita watch repair shop was a tenant of theirs for 45 years and how he found out by receiving an eviction notice.

we made some phone calls and then found out it was true they listed the building it was bitter sweet days to come but we had to tell our customers and employees and make every day the best we could I believe in my heart that sometimes things happen for a reason.

JAN 03 2014

So decisions had to be made we decide we would move to Santa Barbara CA my husband has a friend that has been wanting him to move to Santa Barbara to start a high end restaurant that's where my husband was born, but one day we went to Sonoma, we parked on the square and talked how nice it is here and talked maybe we should start a business here. So we left downtown and went to see nana and papa as my kids call them .Maybe we could do a business downtown we told dad what we had just talked about my father in law is older and wants to see his grandchildren all the time .

He Loves to help my husband so he said why don't you move to Sonoma and start something here I will help you. We always enjoy our time in Sonoma it's a great town, locals are friendly and it feels like a true community I have two children of my own Tyler and Sophie and every time we go to the square they enjoy the park and the bike trail and don't want to leave. When leaving the square earlier we stopped to get gas I asked my husband what kind of business would you like to start?

While putting gas in our car at the gas station I said to myself would it be great if you could pump your gas and get a really good cup of coffee. I love coffee and baking so the two make a great combo. I was the pastry chef at Tuscany.

Now at the in laws, I told my mother in law about an idea her response was I now someone that has a gas station all talk to him that's how we met Jeff Martinez owner of 76 gas station my husband and Jeff talked about the idea and found out Jeff has been wanting to do something for a long time so Jeff was very excited about the idea. We told he this is going to be quality we would like to provide this service to locals and tourist makes drinks using Temple coffee and Ghirardelli chocolate. My husband ran a very nice high end restaurant in the heart of Napa. I now his passion he will do the same for his coffee.

A little about Temple coffee is a quality -focused retail and roasted in Sacramento CA since 2005 there sourcing program is farm to cup . Temple is currently involved in Costa Rica, Panama, El Salvador, Guatemala, Kenya, Uganda, and Ethiopia. temple views roasting as art balanced and explained by science typically there are two types of roasters the artists, and the scientist Temple is both the believe artistry the romance ,the use of your senses to create a perfect roast and science to ensure that the perfect roast is created time after time. Ghirardelli chocolate a premium chocolate company for more 160 years.

Each day is an opportunity to get better than the day before.

We look forward to meeting with you with the purpose of discussing the possibilities of the coffee business at whatever time is convent for you.

Sincerely

Rocio Fuentes Leuschner

Dave Leuschner

Email rociroleuschner@yahoo.com

Phone: 707-363-9721

JAN 08 2014

Here are some ideas of our uniforms and business cards

Examples



COFFEE & COCO



195 W Napa Sonoma CA

www.coffee-coco.com

follow us on twitter

COFFEE & ESPRESSO

Espresso	2
Americano	2.5
Macchiato.....	2.5
Latte.....	3.5
Cappuccino.....	3.5
Mocha	4

DRINKS

Steamer.....3

(Steamed milk with honey, or add flavor shot for .50)

Hot Coco..... 3

(Rich and creamy made with Ghirardelli chocolate and topped with whipped cream)

Herbal Tea..... 2.5

(Chamomile, vanilla or peach)

Yummy Treats

Bagels3.25

(With cream cheese)

Pastries3.25

(Donuts, slice of orange cake, cinnamon bun or vanilla bean coffee cake)

Muffins..... 2.95

Bran, banana nut or chocolate chip

JAN 03 2014

RECEIVED

DEC 27 2013

CITY OF SONOMA

To Whom It May Concern:

The City of Sonoma DOES NOT NEED ANOTHER coffee vendor mobile or otherwise.

This mobile coffee cart will do NOTHING TO IMPROVE THE CITY It brings in more familial and there gangs.

There is enough competition and Rocio Fuentes, can find a real job and pay REAL taxes like the rest of us.

I'm tire of immigrants getting paid in CASH, not reporting the income and using fake names and social security numbers.

Will you verify that he is legally here?

This has got to stop.

Please, let's try and save Sonoma while we still can.

The graffiti in this City is getting worse. Look at the back of the dish behind the Best Western Hotel, Safeway parking lot, across from the Post Office etc. etc.

I SAY NO.

It is a FACT that the immigrants have disrupted the entire balance of the City, especially the school system.

You cater to non english speaking people. Now only the rich kids can get a good educations here in Sonoma.

English speaking children are suffering academically for those that do not.

Help Sonoma thrive. Say no to this vendor.

RECEIVED
DEC 13 2013
CITY OF SONOMA

