

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING OF
Community Meeting Room, 177 First Street West
May 9, 2013
MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, May 3, 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, Felder, Tippell, Howarth, Willers (Alternate)
Absent:	Comm. Edwards
Others Present:	Planning Director Goodison, Associate Planner Atkins, 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. Tippell led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No Public Comment

APPROVAL OF MINUTES: Comm. Howarth made a motion to approve the minutes of April 11, 2013 with changes as noted. Comm. Felder seconded. The motion was unanimously approved 6-0.

CORRESPONDENCE: Late mail regarding Item #3: a petition from neighbors.

Item #1 – Public Hearing – Public Hearing – Consideration of a Use Permit allowing the conversion of a building onto a vacation rental as an adaptive reuse of an historic structure at 180 East Napa Street.

Applicant/Property Owner: Moona O’Toole

Associate Planner Atkins presented staff’s report.

The home is an historic structure eligible for adaptive reuse for a vacation rental with the approval of a Use Permit by the Planning Commission. The applicant has been using the property as a long term rental (over 30 days or more) but would like the opportunity to rent it for shorter time periods. The applicant has made a substantial investment into the property. Six parking spaces are proposed but only four spaces would be required with a four-room vacation rental. The application has not received any neighbor opposition.

Comm. Howarth confirmed with staff that no calls or correspondence was received on this item,

Comm. Howarth confirms that there are no ADA requirements since no building permit is being applied. ADA is required for changes in use.

The Development Code allows for one sign on the site.

Chair Roberson opened the public hearing.

Moona O'Toole, applicant, believes the best use of the property is as a vacation rental. A long term rental has not been practical and the home remains vacant. She has made a substantial investment into the site with the hope of generating income. It is an expensive property to maintain and there are still outstanding improvements including a fence along the City parking lot, termite work, gutters, insulation and landscaping. She is of the opinion that there is not a market for having a long-term rental or retail business (too far off the Plaza) She will manage the property and include the City's regulations in the lease agreement. Her discussions with the immediate neighbors were positive.

Comm. Tippell confirmed that the driveway is on the east side.

Comm. Howarth recalled someone in the wine industry wanting to use the space.

Comm. Henevald confirmed that the parking lot will be graveled and drivable.

Adrian Martinez, local architect, has been involved with the site for 28 years and commended Ms. O'Toole for her efforts.

Chair Roberson closed the public hearing.

Comm. Felder stated that he had toured the site and supports the use for the building. After further discussion, Comm. Felder made a motion to approve the use permit. Comm. Tippell seconded. The motion was unanimously approved, 6-0.

Item #2 – Public Hearing – Consideration of a Use Permit to operate a Nano-brewery in conjunction with an existing restaurant use at 400 First Street East.

Applicant/Property Owner: Carlo Cavallo/Richard Cuneo

Planning Director Goodison presented staff's report.

Comm. Howarth confirmed that the applicant intends to stay with the minimum brewing quantity necessary to support the ABC license.

Comm. Felder believes that the Use permit process is better than the ABC for regulating this type of activity.

Chair Roberson opened the public hearing.

Carlo Cavallo, applicant, plans to operate primarily a restaurant. The brewing component would be a minor adjunct to the primary use. Water is only used to clean and sterilize the tanks. He discussed the scope of the project with County Sanitation. The hops will be composted and he is of the opinion that it is a fairly green system.

Chair Roberson closed the public hearing.

Comm. Tippell confirmed with the applicant that ventilation is not an issue since it is an electric device and will be installed in the basement.

Comm. Willers concurred with Comm. Tippell that this is a creative idea and unique use.

Comm. Tippell encouraged everyone involved to make their best efforts to get the business opened soon.

Comm. Felder questioned whether the operating hours of the restaurant should be adjusted in light of the add-on of a full liquor license.

Chair Roberson re-opened the public hearing.

Cody Binkley, business associate, says that the approved music license has limitations on the hours. The operation cannot go past 2 a.m.

Chair Roberson closed the public hearing.

Comm. Felder is concerned that they want to serve liquor until 2 a.m. and would favor it on a temporary basis use permit.

Planning Director Goodison noted that the music license would be subject to a subsequent review by the Planning Commission.

Comm. Felder does not oppose the Nano brewery but wants to retain some control so it can be retracted if needed. He suggested that the Commission consider a temporary use permit and limits on the hours of operation.

Comm. Henevald feels this is a creative way to get a liquor license and suggested it will complement the restaurant.

Comm. Tippell appreciates Comm. Felder's concerns but thinks the music license limitations and associated review is sufficient.

Comm. Willers believes a fairer comparison is to Hopmonk rather than bars like Steiners or Town Square.

Comm. Howarth agrees with Comms.Tippell and Willers. He regards Mr. Cavallo as an experienced restaurateur.

Chair Roberson closed the public hearing.

Comm. Tippell made a motion to approve the use permit, subject to the conditions of approval. Comm. Willers seconded. The motion was passed unanimously. 6-0 (Comm. Edwards absent)

Item #3- Public Hearing-Consideration of a Use Permit to expand an auto service use by legalizing a repair bay and associated structure at 899 Broadway.

Applicant/Property Owner: Sonoma Truck & Auto Service/Stu Lambert Inc.

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

Planning Director Goodison presented staff's report.

Chair Roberson opened the public hearing.

Rlgoberto Bravo, applicant/co-owner of business/local resident, did not know that he needed a building permit for the carport structure. He stated that a lift had previously been in place at that location, but he replaced it because it was old. There is no electricity in the carport. He could lower the height of the carport by four feet if necessary. Cars typically only stay on the site for 1-2 days.

Carman Bravo, applicant's spouse, presented signatures from neighbors within 100 feet that support the use.

Fred O'Donnell, trying to help the applicant, confirmed with staff that he cannot operate the lift even if the carport is removed and that a demolition permit is not required if the proposal is denied.

Carol Marcus, neighbor, presented several signatures opposing the application. In her opinion, the uses on the site have been an eyesore for many years i.e.: cyclone fencing, landscaping & has observed cars parked for extended periods of time therefore she does not support the proposal.

Comm. Howarth confirmed with the applicant that the blue container tanks are for groundwater contamination cleanup and unrelated to the proposal presented for consideration.

Chair Roberson closed the public hearing.

Comms. Howarth and Tippell are sympathetic to the business owner but are unable to change the zoning regulations in order to approve the extra bay.

Comm. Howarth does not support an expansion of this business's operation in this particular location.

Comm. Henevald recalled that this third bay has been there a longtime.

Comm. Howarth made a motion to deny the application. Comm. Tippell seconded. The application was denied 5-0 (Comm. Willers recused, Comm. Edwards absent).

Comm. Willers returned to the dais.

Issues Update:

1. The City Council and Planning Commission Joint meeting on June 17, 2013.
2. A special meeting will be scheduled for the Mission Square project.
3. Wine Tasting regulations: The City Council voted 3-2 to have the Planning Commission continue work on drafting revisions.

4. Comm. Tippell requested that the monthly Planning Commission packets from Staff be sent in digital format instead of hand delivered. Planning Director Goodison noted an electronic version is always available on the City's website (excluding draft minutes)

Comm. Henevald says that Lake Mendocino is at historically low levels and does not provide enough water to service all areas of Sonoma County. The Sonoma County Water Board is doubling their budget to get the message out to conserve water now.

Comments from the Audience: No Public Comment.

Comm. Henevald made a motion to adjourn. Comm. Howarth seconded. The motion passed unanimously 6-0.

Adjournment: The meeting adjourned at 8:15 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, June 13, 2013.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Planning Commission on the 13th day of June, 2013.

Approved:

Cristina Morris, Administrative Assistant