

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING OF
Community Meeting Room, 177 First Street West
July 18, 2013
MINUTES**

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, July 12, 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 6:45 p.m. in the Community Meeting Room, 177 First Street West.

Roll Call:

Present: Chair Roberson, Comms.
Edwards, Henevald, Felder,
Tippell, Howarth, Willers

Absent:

Others Present: Planning Director Goodison,
Senior Planner Gjestland,
Administrative Assistant Morris,
Veronica Nebb Esq. (City Legal
Counsel)

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. Howarth led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No Public Comments

CORRESPONDENCE: Planning Director Goodison reviewed the late correspondence received on the Mission Square item, as well as the corrections to the draft resolutions, updated conditions of approval and responded to correspondence.

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

Item #1 – Public Hearing – Consideration and possible certification of the Revised Final Environmental Impact Report (RFEIR) for the Mission Square project. Consideration and possible action on planning approvals for the Mission Square project, including a Use Permit, an Exception to the parking standards and Site Design and Architectural Review.

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

Chair Roberson stated that due to the volume of late correspondence received, the Planning Commission would take some time to review the material before beginning the meeting.

Chair Roberson asked for the staff report.

Planning Director David Goodison and Senior Planner Rob Gjestland presented staff's report. Steve Noack, representing DC&E (the EIR consultant) reviewed various aspect of the revised final document.

Commissioner Howarth asked how the Commission should distinguish between the site plan that the EIR is based on versus site plan changes that the Commission may want to make when it reviews the project. Planning Director Goodison stated that as long as any changes made by the Commission do not introduce new significant environmental impacts it is free to make modifications to the site plan and other aspects of the project.

Commissioner Howarth asked about the sound wall mitigation. Planning Director Goodison stated that the mitigation in the EIR establishes a performance standard that could be met by either a properly designed wooden fence or a CMU wall.

Commissioner Howarth asked about the communications from the State of California Department of Parks and Recreation (Diablo Vista District). Planning Director Goodison addressed the concerns expressed in the letter regarding sidewalks, driveways, parking, traffic, and landscaping. There is no sidewalk proposed along the west side of the alley and access to the Blue Wing parking area will be preserved. City staff believes that the long-term residential use of the subject property will not increase vandalism in the area and in fact would likely discourage it. The applicants will be required to accommodate the request for fencing, but only on the shared property line. The issue of the parking standards is reviewed in the staff report. The circulation design meets emergency vehicle standards. A landscaping plan is not required at this time, but this would be reviewed at the design review stage. The State Parks comments do identify an errata that is corrected in the errata sheet distributed to the Commission.

Comm. Edwards confirmed that the First Street East drive that provides access to the Mercato lot currently operates as a two-way entrance/exit. He expressed concern that larger vehicles maneuvering in the parking lot could block access.

Comm. Tippell asked about the west side of the drive. Planning Director Goodison stated that the plan calls for a curb and a planter strip. However, the existing driveway cuts, including to the Blue Wing lot, will remain.

Commissioner Heneveld asked where State parks would like to have a fence and gate. Planning Director Goodison stated that apparently they are asking for a fence and gate on the southern property line of the Blue Wing parcel. However, that property line is not shared by the project site.

In response to a question from Commissioner Edwards, Planning Director Goodison stated that the conditions would require the applicants to provide a gate to the Blue Wing driveway on the west property line, if that is desired by State Parks.

Chair Roberson opened the public hearing.

Lori Brenner, property manager, represents the owners David and Marcus Detert. She introduced the project team. She stated that the Detert's are responsible property owners who have implemented sensitive seismic upgrades to historic adobes that they own. She asked that the Planning Commission certify the EIR and approve the project.

Cristina Lawson, ESQ. also representing the applicants, reviewed the EIR process and the changes that have been to the final document in response to the concerns previously expressed by the Planning Commission. She asked the Planning Commission to certify the EIR.

Carol Marcus, Marcus & Willers Architects, the project architect review the changes that have been made to the proposal. Stated that she understood that the project site was sensitive, which is why the applicants have provided every additional study that has been requested by the Commission and have made extensive changes through the review process to scale the project back and ensure compatibility. She asked the Planning Commission to certify the EIR and approve the project.

Commissioner Tippell asked about the cut/fill amounts. The project engineer, Tim Schram, stated that a detailed grading plan has not been prepared, but that the objective would be no net change. At most, the difference would amount a couple of hundred cubic feet.

Commissioner Howarth asked about a cut-out along the west side of the drive. Carol Marcus explained that the cut-out exists, but would be removed to increase the landscaped area.

Commissioner Howarth asked whether post tension slabs would be used in all the buildings. Carol Marcus stated that this was the case.

Commissioner Heneveld asked about the drainage concern raised regarding the landscaped area at the southwest corner. Planning Director Goodison stated that although landscaping would be used to filter storm water, flows in excess of the 10-year condition would ultimately be directed into a storm drain.

Commissioner Heneveld asked about the existing well. Carol Marcus stated that it had been filling up with debris and that the intent is to cap it.

Mary Martinez works in the area of the site and is very familiar with its drainage issues, expressed opposition to any parking exception. She expressed concern about traffic issues. She agrees that preserving the fig and the quince trees is very important. She appreciates the changes that have been to reduce the scale of the project, but wants to see careful scrutiny of the colors and materials.

Ned Forrest, local architect, is a resident of the neighborhood. In his view, unless the project can be shown to be equal in dignity to overall historic character of the area, it should not be approved. He noted that an EIR represents an opinion of "harm-defining boundaries". He does not feel the site is appropriate for "mass market housing" as referenced in the EIR. He would prefer that the project be held to a higher, local standard and in his view the project as designed does not yet achieve that level. This site represents one of the oldest settlements of Sonoma. The Commission needs to ask itself whether the project is appropriate to importance of the site.

Barbara Wimmer, resident and representing the League of Historic Preservation, will speak more about the project than the EIR. She appreciates the efforts made to reduce the scape of the project and address potential impacts on the Blue Wing Inn. The Board of the League continues to hold their position that the project needs to be held to the highest standards to ensure that Sonoma's historic legacy is protected.

Johanna Patri, owner of the historic Captain Peter Stover House, questioned the changes made to the width of the driveway. While she wants the trees to be preserved, the driveway width needs to be adequate. She agrees with Ned Forrest. In her view the project will have a

significant aesthetic impact. The colors and materials need to be part of the EIR review and the Commission should find that the use of these materials represents a significant impact. The example of MacArthur Place should be followed with respect to the quality of materials used.

Patricia Cullinan, resident, (424 Denmark St.) read the letter that she previously submitted.

Theresa Parks, neighbor, (431 Second St. East) expressed concern about the fire safety of the lot as it exists today. She recounted an unpleasant experience with fire and vandalism in the area. She supports the project and would like to see it move forward.

George McKale, City Historian and resident, (717 Lasuen St.) asked whether the suggestions proposed in the vibration analysis would be included in the conditions of approval. Planning Director Goodison stated that the language in question was included in condition of approval #13. Mr. McKale questioned the conclusion that that an increase in traffic would not harm the historic character of the Mission.

Earnestine Evans, Vischer Court, stated that it appeared that parking was an issue with respect to this property. She asked whether the architects had thought of placing parking under the buildings.

Chair Roberson invited the project architect, engineer, and the property manager to return to the podium to address questions raised in the public hearing.

Carol Marcus stated that underground parking had been considered. Regarding the issues raised about the cultural landscape, in her view the cultural landscape represents the entire history of an area, including changes that are made in the present. She disputed the assertion that the development would employ cheap materials. In her view, the venue for that evaluation is design review. The existing on-street parking spaces are striped at 20 feet and 18 feet. Finished floors will be as low as possible in order to facilitate ADA access.

Lori Bremner noted that the proposed apartments are small, studio spaces, which will reduce parking demand.

Tim Schramm, engineer, stated that a storm water mitigation has been prepared that follows Sonoma County's low impact development requirements. This includes both filtration and required retention.

Commissioner Tippell asked whether narrowing the driveway changed the hydrology. Mr. Schramm stated that it would not.

Commissioner Tippell asked whether the parking requirements would change if the area of the apartments were to increase. Planning Director Goodison stated that they would not change.

Chair Roberson closed the public hearing.

Chair Roberson asked the Planning Commission to first address the issue of certifying the EIR, before beginning a discussion of potential project approval.

EIR Discussion:

Comm. Felder is concerned with water issues that in his view were not fully addressed. The "Will serve" policy does not address cumulative impacts. He is also concerned about the issue

parking and how that is addressed in the EIR as in his view the proposed mitigation is not adequate and the actual shortfall may be under-estimated. He is concerned with the Blue Wing Inn since it is a valued historic resource unique to Sonoma's heritage. The additional studies that have been performed are only referenced in an appendix. Monitoring should be required. He is still struggling with issues having to do with maintaining the integrity of the historic district. In his view, Building #1 should not be higher than the Blue Wing.

Comm. Edwards feels that issues associated with the use of the alley have not been fully addressed. He is also concerned that events have overtaken the EIR to some degree, such as in the pending return of a restaurant at 400 First Street East. In his view the handicapped parking is too remote from some of the project buildings. In terms of impacts on historic character, in his view some the changes to and potential impacts on the neighborhood have not been adequately considered in the EIR. He expressed concern that the standards applied rely too much on outside sources rather than local experience.

Comm. Howarth focuses his analysis by differentiating between project issues and the standard of adequacy for certification of an EIR. For example, in his view, issues such as the location of the handicapped parking and the question of a parking exception are most appropriately addressed in the review of the project.

Comm. Henevald agrees with Comm. Howarth that making the distinction between EIR issues and project issues is important but sometimes difficult. He continues to be concerned about water and drainage.

Planning Director Goodison reviewed the changes made to the water section of the EIR. The Commission had asked that it be updated and that is what was done. It reflects the 2010 Urban Water Management Plan, which represents the City's adopted strategy for meeting its long-term water supply needs and addressing dry periods and droughts. The Planning Commission has previously adopted this same analysis in recent negative declarations prepared for other projects.

Commissioner Tippell stated while it can be difficult to separate the issues associated with certification of the EIR and the review of the project itself, this distinction has been well-described by staff. In his view, while he has a number of questions and issues regarding the project, to the point where he could not envision approving it tonight, he is prepared to certify the EIR.

Chair Roberson stated that the issues he has at this point are with the project, not the EIR. In terms of what an EIR is supposed to accomplish, the EIR meets that standard.

Commissioner Felder expressed the concern that if the EIR is certified, a different and lesser project might emerge if this one falls by the wayside.

Commissioner Howarth stated that the last time this matter was before the Commission he voted against certifying the EIR. However, with the changes and additional analysis that have been provided in response to the Commission's direction, he is prepared to support the revised final EIR. If the project does change, he believes that Commission will be able to deal with that.

Comm. Howarth made a motion to adopt the resolution certifying the FEIR for the Mission Square project and adopting a mitigation monitoring program. Comm. Tippell seconded. Roll call vote: Ayes: Chair Roberson, Comms. Howarth, Tippell, Henevald, Noes: Comms. Felder, Edwards (Comm. Willers recused). The motion passed 4-2.

Project Discussion:

Commissioner Edwards stated that he has not seen enough that would lead him to approve the project. As an example, he would like a great deal more information on the massing, elevations, colors, materials, and finishes of the buildings. He would like to see a full presentation.

Comm. Howarth stated that while he understands why the applicant may not have been focused on the project presentation in light of the EIR review, he too would like to see a full project presentation. As others have pointed out, now it is time to review the feel of the project in terms of local conditions. He would like to review the project as a package rather than dealing with the parking exception separately.

Commissioner Felder stated that just as he was not prepared to certify the EIR he is not in support of the project as it is currently presented.

Comm. Tippell concurred with Commissioner Edwards and Howarth. He believes that more information is needed in the following areas: topographical information, an estimate of cut/fill, design grade elevations. Due to the sensitivity of the site, the Planning Commission should review materials and finishes. He would like verification of the adequacy of the 20-foot driveway width. He would like to see a construction management plan that addresses how the alley will be kept open.

Comm. Howarth stated that he was OK with the overall site plan. While he does have some specific concerns, he will not be looking for major changes in the layout.

Comm. Henevald agreed that the site plan was sound, but he would like more information on massing and materials.

Comm. Felder likes the project comparison made to MacArthur Place as a good example of integrating the old with the new.

Chair Roberson is not concerned with the 20 ft. driveway and basically comfortable overall with the direction of the site plan. However, he agrees that more information is needed.

By consensus, the Planning Commission tabled their consideration of project, to be continued at another Public Hearing, with direction to the applicants to provide information addressing the following:

1. Colors and materials.
2. Massing (computer model acceptable); resolve height of Blue Wing.
3. Conceptual landscape plan.
4. Topographic information and cut/fill estimate.
5. Construction management proposal addressing access, dust control, and monitoring of The Blue Wing.
6. Location of ADA parking.
7. Verify adequacy of driveway width (City Engineer & Fire Department).
8. Traffic count on alleyway.
9. Neighbor outreach.
10. Updated presentation on water, conservation measures, and sustainable features.
11. Bicycle parking/bike lockers (given that there are no garages).

Counsel advised the applicant that City staff can provide the additional requirements in writing.

Issues/Updates:

Comm. Willers was re-appointed as the Planning Commission Alternate.

Comm. Howarth made a motion to continue the item to a future meeting. Comm. Henevald seconded. The motion was approved 6-0. (Comm. Willers recused)

Comm. Howarth made a motion to adjourn. Comm. Henevald seconded. The motion was unanimously approved.

Adjournment: The meeting adjourned at 9:55p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, August 8, 2013.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Planning Commission on the 10th day of October, 2013.

Approved:

Cristina Morris, Administrative Assistant