

**CITY OF SONOMA  
DESIGN REVIEW COMMISSION  
REGULAR MEETING  
January 15, 2013  
Community Meeting Room, 177 First Street West**

**MINUTES**

**CALL TO ORDER:** Chair Anderson called the meeting to order at 6:30 p.m.

**ROLL CALL:** **Present:** Comms. Anderson, Barnett, McDonald, Randolph,  
Tippell  
**Absent:** None  
**Others Present:** Associate Planner Atkins

**COMMENTS FROM THE PUBLIC:** None.

**COMMENTS FROM THE COMMISSION:** None.

**APPROVAL OF MINUTES:** Comm. McDonald made a motion to approve the minutes of November 20, 2012, as submitted. Comm. Randolph seconded the motion. The motion carried unanimously.

**CORRESPONDENCE:** None.

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**ITEM #1 – DESIGN AND SIGN REVIEW:** Consideration of sign and design review for a restaurant (Burgers & Vine) located at 400 First Street East. Applicant: Carlo Cavallo.

Chair Anderson stated he has performed structural work for the owners of 400 First Street East, and continues to do so, but has no involvement with the applicant.

Associate Planner Atkins presented staff's report.

Comm. McDonald asked if the awning sign along First Street East will have the same exact text as the East Spain Street side. Associate Planner Atkins stated there is more lettering on the awning along East Spain Street frontage.

Comm. Tippell verified that the application is for 12 signs. Associate Planner Atkins confirmed that there are 11 awning signs and one wall sign.

**Chair Anderson opened the public hearing.**

Carlo Cavallo, applicant, was present to discuss the application. Basically, the proposed signs are the same as for the previous business, Cucina Viansa. He will utilize the existing main sign frame and lights.

Comm. Barnett thanked the applicant for taking on this exciting project. He asked why the font on the main sign seems to be different from the fonts on the awning. Mr.

Cavallo noted that more than likely the font on the awnings will be different than the font on the main sign. The main sign will be identified by a different font, as no logo is being used.

Comm. Tippell questioned whether the awnings will cover the roof tile; the applicant responded in the negative. While Cucina Viansa had a striped awning, the proposed awning will be black with white lettering.

Comm. McDonald thanked the applicant for starting something in this space. Although the signage does require a variance, given the frontage of the building and the size of the lettering on the awning, he doesn't see why a variance can't be granted.

**Chair Anderson closed the public hearing.**

Chair Anderson confirmed with Associate Planner Atkins that all of the items can be taken as one vote.

Comm. McDonald made a motion to approve the application as submitted. Comm. Randolph seconded the motion. The motion carried unanimously.

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**ITEM #2 – DEMOLITION REVIEW:** Demolition of a duplex constructed in 1944 located at 140-142 West MacArthur Street. Applicant: Ryan Tatarian.

Associate Planner Atkins presented staff's report.

Comm. McDonald asked what the zoning is in this area. Associate Planner Atkins stated it is medium-density residential. He also questioned whether accessory structures are allowed in the front yard setback. Associate Planner Atkins noted that accessory structures are not allowed within the 20-foot front yard setback, and the existing accessory structure is outside of the setback area.

**Chair Anderson opened the public hearing.**

Ryan Tatarian, applicant, was present to discuss the application. With regard to the shed structure in the front, in the event it conflicts with modern code, it could be removed. He noted that most of the exterior finishes on the structure have been changed since original construction and the windows are mismatched. He was unable to locate any information in Sonoma's history that is pertinent to this structure. He is planning on constructing a new single-family residence on the site.

Comm. Barnett asked if there was a plan or design for the new residence. Associate Planner Atkins noted that as this property is not in the Historic Overlay Zone, no design review is required for the new residence. Comm. McDonald confirmed that the replacement structure would comply with all setbacks.

Comm. Tippell questioned whether the shed structure would remain. The applicant stated that it depends on where the house will be placed on the lot, and he is uncertain of the building envelope location at this time.

**Chair Anderson closed the public hearing.**

Comm. McDonald noted that this application is for approval of demolition only, as the property is not in Historic Overlay District. His one reservation is the accessory structure in the front yard area. He would hope it could be moved to the rear of the property.

Comm. McDonald made a motion to approve the application as submitted, with the condition that the duplex not be demolished until the building permit for the replacement structure has been issued. Comm. Barnett seconded the motion. The motion carried unanimously.

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**ITEM #3 – DEMOLITION REVIEW:** Demolition of a single-family residence constructed in 1951 located at 771 Donner Avenue. Applicant: Austin Peterson.

Comm. Randolph recused due to proximity and left the dais.

Associate Planner Atkins presented staff's report.

Comm. McDonald confirmed that the zoning in this area is low-density residential and the replacement structure would have to comply with all setbacks. He reviewed the existing trees on the property and noted a large tree at the rear-left side. Comm. Barnett confirmed with Associate Planner Atkins that no Design Review approval would be required for the replacement structure.

Comm. Tippell referred to a letter submitted by a neighbor stating concerns about the landscaping and a rodent problem. Associate Planner Atkins stated the DRC is just reviewing the demolition of the existing structure. Chair Anderson noted that the neighbor's letter mentioned the issue of privacy, but the replacement structure will be one-story.

**Chair Anderson opened the public hearing.**

Karen Bragg, architect with Blu Homes, was present to discuss the application. Blu Homes will be the designers and builders of the new home. They are very excited about this project and believe it will be a benefit to the neighborhood. Chair Anderson stated the renderings look very nice.

George McKale, City Historian, wanted to address a slight concern. Associate Planner Atkins noted that some projects may be a historical resource for CEQA. The DRC is making an evaluative statement and making a determination that they are not. He feels the City needs to develop a better method of some kind of consistent protocol in streamlining these evaluations. Given past demos, which primarily look at architecture, he noted there are three other criteria that are not being addressed. He believes it would be nice to see protocol for demolitions and development projects as well.

Chair Anderson believes that different criteria are used when a property is located in the Historic Overlay Zone. He asked Mr. McKale if he could paraphrase a loose statement that the DRC could follow. Mr. McKale stated he would appreciate the opportunity to write something and present it to the DRC at their next meeting.

Comm. McDonald understands Mr. McKale's concerns. For those structures that are over 50 years old, but outside the Historic Overlay District, standardized language is needed when a demo is requested.

Marilyn Coccia lives behind proposed demo area and submitted a letter regarding this project. She noted that the privacy issues appear to have been resolved. While the landscaping is not a consideration here, there is the issue of rats to be dealt with. She wondered where the garage will be located. Associate Planner Atkins noted the garage will be located at the northwest side of property. Ms. Coccia also asked when the demolition would start. Chair Anderson noted the building permit application for the new structure will have to be submitted and approved before the existing structure can be demolished.

**Chair Anderson closed the public hearing.**

Comm. McDonald made a motion to approve the application as submitted, with the following conditions:

- 1) The existing single-family residence shall not be demolished until a building permit for the replacement structure has been issued.
- 2) The rodent issue shall be abated prior to demolishing the structure and scarifying the lot.

Comm. Barnett seconded the motion. The motion carried unanimously, Randolph absent.

Comm. Randolph returned to the dais.

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**ITEM #4 – DISCUSSION ITEM:** Discussion of the Commissioner recusal process.

Associate Planner Atkins presented staff's report.

Generally, if a Commissioner has an economic interest in a property or resides in a property within 500 feet of the property subject to discussion, they must recuse. If a Commissioner resides in a month-to-month rental, there is no need to recuse. When in doubt, ask.

**Chair Anderson opened and closed the public hearing with none received.**

Chair Anderson thanked staff for providing the helpful memo on this subject. He questioned why the proximity is 500 feet, when it was previously 300 feet, as this sometimes eliminates Commissioners from speaking on issues. He suggested keeping the noticing to 500 feet and reducing the Commissioner proximity to 300 feet; Comm. Barnett concurred. Comm. Randolph asked if a recused Commissioner could sit in the audience and make comments. Associate Planner Atkins noted that it is policy for a recused Commissioner to leave the room, and then come back in to speak as a member of the public. Comm. Randolph suggested inviting one or two of the past Councilmembers who voted on the resolution changing from 300 feet to 500 feet to come and explain the reason(s) for the change.

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Comm. McDonald asked if the State mandates the 500 foot threshold. Associate Planner Atkins noted that this is the figure used in our Municipal Code, and each jurisdiction has its own radius. She will find out the reason for the change and inform the Commission at the next meeting.

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**ITEM #5 – DISCUSSION ITEM:** Update on the Certified Local Government (CLG) application status.

Associate Planner Atkins presented staff's report. Planning Director Goodison prepared a staff report to update the application status. The Planning Commission has discretion over changes to the Development Code. The application may be heard by the Planning Commission in February, based on input received from CLG and the City Attorney.

Comm. McDonald asked when the draft Planning Commission minutes of that meeting will be ready, as the DRC would like to review them.

**Chair Anderson opened the public hearing.**

Patricia Cullinen thanked the DRC for their consideration of this item. One of the issues of State law says that properties over 50 years old should be considered historically significant. An initial study should be filled out for a property over 50 years old. If the City becomes a CLG, the City will be eligible for applying for grants. This will help the City to guide people who want to do development as to what is significant to Sonoma and better understand the historic significance of the city, what is the character of our city and how to enhance it. Another benefit of being a CLG is that the State provides classes for residents and Commissions. Experts could come and explain the elements of being a CLG.

Chair Anderson asked the source of the grant money and what is a practical approach as an applicant to utilize those resources. Ms. Cullinen noted the federal government has money to allocate to historic preservation groups in individual states. Those monies are only allocated to CLGs. Comm. Randolph commented that becoming a CLG does not ensure we get what we want. While it will allow us to be recognized and possibly qualify for funds, we still need to embrace what we really want to see happen here. Becoming a CLG is not a panacea. Comm. Barnett believes this is a great idea. Comm. McDonald questioned whether this would assist us in updating the Historic Survey.

Patricia Cullinen stated that the League survey was never meant to be totally inclusive and that we really have to look at each property individually and see if it meets one of the Secretary of Interior Standards. The more modern way of doing the survey is to make a context statement. The DRC will benefit from having an updated survey.

Chair Anderson stated that, in summary, we are waiting for further comments from the City Attorney and State Office of Historic Preservation. The item will then go back to the Planning Commission for their review of the proposed changes, and then on to the City Council for their approval.

**Chair Anderson closed the public hearing.**

**ITEM #6 – DISCUSSION ITEM:** Update on the modification of the Staples Sign.

Associate Planner Atkins presented staff's report. The change to the sign was a requirement of the City Engineer due to visibility issues and was approved administratively. Comm. McDonald asked whether the replacement sign complies with the height requirement. Associate Planner Atkins replied in the affirmative.

**Chair Anderson opened and closed the public hearing with none received.**

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**ITEM #7 – DISCUSSION ITEM:** Review of the Architectural (Design) Review Application Handout.

Associate Planner Atkins presented staff's report. She noted the necessity of a higher degree of review in the Historic Overlay District. With regard to the quality of paint samples, she recommended getting the actual manufacturer's sample with the name on it, as opposed to a photocopy of the color. The applicant should also state if the proposed color has to do with a corporate logo or branding.

Comm. Randolph thanked staff for their efforts and noted this will be a huge help. Providing a list of expectations to applicant(s) is a great idea, as is encouraging them to prepare a verbal presentation stating the reasons for the choices made, and how the project will benefit the community. Comm. Tippell concurred. A site plan and photos would also be helpful. Associate Planner Atkins stated that when demo applications are received in the future, we will get the applicant's contact information out to the DRC so they can make an appointment to view the project.

Chair Anderson would be interested in encouraging businesses to find out what types of applications can be approved over-the-counter. Associate Planner Atkins noted that certain signs, wall signs less than 10 sq. ft. in area, and in-kind replacement signs may be approved administratively.

**Chair Anderson opened and closed the public hearing with none received.**

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**ISSUES UPDATE:** Associate Planner Atkins mentioned concerns about the signage at the 7-11 and Jack in the Box on West Napa. She has been working with 7-11 on their sign application. She has not had much success communicating with Jack in the Box, and will send a letter to their corporate office.

With regard to the second round of proposed changes to the sign regulations, Associate Planner Atkins is working with the City Attorney on language and should receive his comments by the end of the month.

The City Council will appoint a new alternate DRC Commissioner at the end of the month.

**COMMENTS FROM THE COMMISSION:** The Commissioners requested a status update on the Maysonave Cottage. The City Council may have heard or will soon hear recommendations on this matter from the Facilities Committee.

Comm. Randolph noticed that most of the feather flag signs are gone, and believes people aren't aware there are regulations with regard to that type of sign.

**COMMENTS FROM THE AUDIENCE:** Pat Pulvirenti, citizen, would hope that the City would have enforceable codes and ordinances in place that enforce a property's condition. Sometimes there is no other choice but to demolish, but there should be a way for health and safety issue items are addressed. She pointed out the house in disrepair at the corner of Fifth Street West at West Spain, and can't believe no code or ordinance is in place to take care of it.

Following what Ms. Pulvirenti mentioned, Patricia Cullinen noted that demolition by neglect impacts historic houses. Becoming a Certified Local Government might include ordinances about that.

Associate Planner Atkins noted that the City does do code enforcement on a complaint-generated basis. While the City does not go out and randomly inspect properties, the Building and/or Planning Departments do investigate upon receiving a complaint.

The meeting adjourned at 8:40 p.m. to the regular meeting scheduled for Tuesday, February 19, 2013.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Design Review Commission on the 19<sup>th</sup> day of February 2012.

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Robin Evans, Administrative Assistant