



**City of Sonoma  
Design Review Commission  
AGENDA**

**Regular Meeting of January 15, 2013 - 6:30 P.M.  
Community Meeting Room, 177 First Street West  
Sonoma, CA 95476**

Meeting Length: **No new items will be heard by the Design Review 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** – Tom Anderson, Chair

Commissioners: Kelso Barnett  
Robert McDonald  
Leslie Tippell  
Micaelia Randolph

**COMMENTS FROM THE PUBLIC**

*Presentations by audience members on items not appearing on the agenda.*

**APPROVAL OF MINUTES**

Minutes from the meeting of November 20, 2012.

**CORRESPONDENCE**

**ITEM #1 – Design and Sign  
Review**

**Project Location:**  
400 First Street East

**RECOMMENDED ACTION:**

Commission discretion.

**REQUEST:**  
Consideration of sign and design review for a restaurant (Burgers & Vine).

**General Plan Designation:**  
Commercial (C)

**Zoning:**  
**Planning Area:**  
Downtown District  
**Base:** Commercial (C)  
**Overlay:** Historic (/H)

**Applicant:**  
Carlo Cavallo

Staff: Wendy Atkins

**ITEM #2 – Demolition Review**

**Project Location:**  
140-142 West MacArthur Street

**RECOMMENDED ACTION:**

Commission discretion.

**REQUEST:**  
Demolition of a duplex constructed in 1944.

**General Plan Designation:**  
Medium Density Residential (MR)

**Zoning:**  
**Planning Area:**  
Central-West Area  
**Base:**  
Medium Density Residential (R-M)  
**Overlay:** None

**Applicant:**  
Ryan Tatarian

Staff: Wendy Atkins

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**ITEM #3 – Demolition Review**

**REQUEST:**

Demolition of a single-family residence constructed in 1951.

**Applicant:**

Austin Peterson

Staff: Wendy Atkins

**Project Location:**

771 Donner Avenue

**General Plan Designation:**

Low Density Residential (LR)

**Zoning:**

**Planning Area:**

Central-East Area

**Base:**

Low Density Residential (R-L)

**Overlay:** None

**RECOMMENDED ACTION:**

Commission discretion.

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**ITEM #4 – Discussion Item**

**ISSUE:**

Discussion of the Commissioner recusal process.

Staff: Wendy Atkins

**RECOMMENDED ACTION:**

Discuss.

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**ITEM #5 – Discussion Item**

**ISSUE:**

Update on the Certified Local Government (CLG) application status.

Staff: David Goodison

**RECOMMENDED ACTION:**

Receive.

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**ITEM #6 – Discussion Item**

**ISSUE:**

Update on the modification of the Staples Sign.

Staff: Wendy Atkins

**RECOMMENDED ACTION:**

Receive.

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**ITEM #7 – Discussion Item**

**ISSUE:**

Review of the Architectural (Design) Review Application Handout

Staff: Wendy Atkins

**RECOMMENDED ACTION:**

Receive and provide feedback.

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**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 11, 2013.

ROBIN EVANS, ADMINISTRATIVE ASSISTANT

Rights of Appeal: **Any decision of the Design Review Commission may be appealed to the City Council.** Appeals must be filed with the City Clerk within fifteen (15) calendar days following the Design Review 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.

***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 Design Review 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 Design Review 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**  
**Design Review Commission**  
**Agenda Item Summary**

<b>DRC Agenda Item:</b>	<b>1</b>
<b>Meeting Date:</b>	<b>01/15/13</b>

<b>Applicant</b> Carlo Cavallo	<b>Project Location</b> 400 First Street East
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**Historical Significance**

- Listed on National Register of Historic Places, including Sonoma Plaza district (Significant)
- Listed on California Register of Historic Resources (Significant)
- Listed within Local Historic Resources Survey (Potentially Significant)
- Over 50 years old (Potentially Significant)  
(Year build 1910)

**Request**

Consideration of design review and sign review for a restaurant (Burgers & Vine).

**Summary**

**Design Review:** The applicant is proposing to paint the main body of the building Ralph Lauren antique lace (VM77) and the window trim and doors would be painted Ralph Lauren dark forest green (VM119) (see attached color samples). It should be noted that staff encouraged the applicant to paint brush-out samples on the building prior to the Design Review Commission (DRC) meeting. In addition, the applicant is proposing to recover the existing awnings with a black canvas material (see attached color and material sample).

**Findings for Project Approval:** For projects within the Historic Overlay zone, the Design Review Commission may approve an application for architectural review, provided that the following findings can be made (§19.54.080.G):

1. The project complies with applicable policies and regulations, as set forth in this Development Code, other City ordinances, and the General Plan.
2. On balance, the project is consistent with the intent of applicable design guidelines set forth in the Development Code.
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 (Historic preservation and infill in the Historic Zone).

**Sign Review:** The applicant is proposing one wall sign and eleven lettering signs that would be placed on the black awnings.

**Wall Sign:** One wall sign is proposed above the front entrance of the building with an area of 16 square feet. The sign would have a height of 2 feet and a width of 8 feet. The sign would be constructed of an AMC aluminum poly material. Copy on the sign would consist of black, red, and green copy on a white background with a black border. Illumination is proposed in the form of three 50 watt halogen narrow beam focus light bulbs (to avoid light spillage) that would be directed onto the sign. The applicant has indicated that the sign would be illuminated from 5 p.m. to 2 a.m. seven days per week. Normal business hours for the restaurant are Monday through Wednesday 11 a.m. to 10 p.m., Thursday and Friday 11 a.m. to 1 a.m., Saturday 9 a.m. to 1 a.m., and Sunday 9 a.m. to 10 p.m.

**Wall Sign Regulations:** Wall signs projecting over the property line, including a light box or other part thereof, shall not exceed a thickness of 12 inches (§18.20.190).

**Awning Signs:** Eleven lettering signs are proposed to be placed on the awnings along First Street East and East Spain Street. All of the awning signs will be 6-inches in height and consist of all capital white lettering. The total area for the awning letters would be 17.9 square feet.

**Aggregate Sign Area:** Based on the property's frontage on First Street West (48 feet), and secondary frontage on East Spain Street (80 feet) the maximum aggregate sign area allowed for the parcel is 41.2 square feet. The total aggregate sign area for the property would be ±33.9 square feet, including the wall sign (18 square feet of aggregate sign area) and the awning signs

(17.9 square feet of aggregate sign area). The proposal is consistent with this requirement.

*Size Limitations:* Each face of a one-sided sign shall not exceed 48 square feet in area (§18.16.022). The proposal is consistent with this requirement.

*Number of Signs:* A maximum of two signs are permitted for any one business (§18.16.010). The proposal is not consistent with this requirement in that there would be 12 signs for the property including the wall sign and awning signs. The applicant is requesting a variance from this requirement.

*Variances:* As noted above, the proposal would exceed the number of signs normally permitted for any one business. The DRC may grant variances from the provisions of the sign ordinance provided that certain findings can be made (see below).

1. Exceptional or extraordinary circumstances or conditions, not resulting from any act of the owner or applicant, apply to the location under consideration and not generally to other businesses or properties in the vicinity.
2. Strict adherence to a regulation may cause unnecessary hardship or prohibit the exercise of creative design, and the application submitted is extraordinary and outstanding in design;
3. The exception is the minimum necessary to serve its intended use;
4. The exception is in conformance with the purpose and intent of this title;
5. The granting of the variance will not be detrimental to the public interest or welfare, or injurious to properties or improvements in the vicinity.

*Other permits required:* In addition to the requirements of this title, all signs and lighting shall be in conformance with applicable requirements of the 2010 California Building Code and where required by the 2010 California Building Code, shall obtain a building permit prior to installation. A building permit shall be required for the installation of the new awing.

### Commission Discussion

### Design Review Commission Action

Approved     Disapproved     Referred to: \_\_\_\_\_     Continued to: \_\_\_\_\_

Roll Call Vote:    \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent

### DRC Conditions or Modifications

Attachments

1. *Paint color samples.*
2. *Awning color and material samples.*
3. *Sign information.*
4. *Picture of existing wall sign lighting.*
5. *Site plan.*

cc: Carlo Cavallo  
165 West Napa Street  
Sonoma, CA 95476

400 First Street LLC  
400 First Street East  
Sonoma, CA 95476-6702

# C<sup>2</sup> Hospitality Partners LLC dba **B**urgers & **V**ine

## **Front Entrance:**

Burgers & Vine- sign will be made of ACM- Aluminum Poly Material it is 8'x2' = 16 sq ft

It will be illuminated by 3 x 50 Watt Halogen lights directed onto the sign (existing) from 5pm till 2AM

Awnings Lettering: BBQ JOINT 6" x 40"=240"=1.66 sq Ft

## **Awnings Lettering on Spain St. Awning**

Gourmet Burger Bar- 49"x6"=294=2.04 sq ft

Homemade Pies, Shakes & Ice Cream-56"x6"=336=2.33 sq ft

Whiskey Bar=30"x6"=180= 1.25 sq ft

Live Music=30"x6"=180=1.25 sq ft

Smokehouse=30"x6"=180=1.25 sq ft

Dine In or Take Out=49"x6"=294=2.04 sq ft

## **Awnings Lettering on First St.**

Homemade Pies, Shakes & Ice Cream-56"x6"=336=2.33 sq ft

Whiskey Bar=30"x6"=180= 1.25 sq ft

Live Music=30"x6"=180=1.25 sq ft

Smokehouse=30"x6"=180=1.25 sq ft

400 First St East  
Sonoma, CA 95476

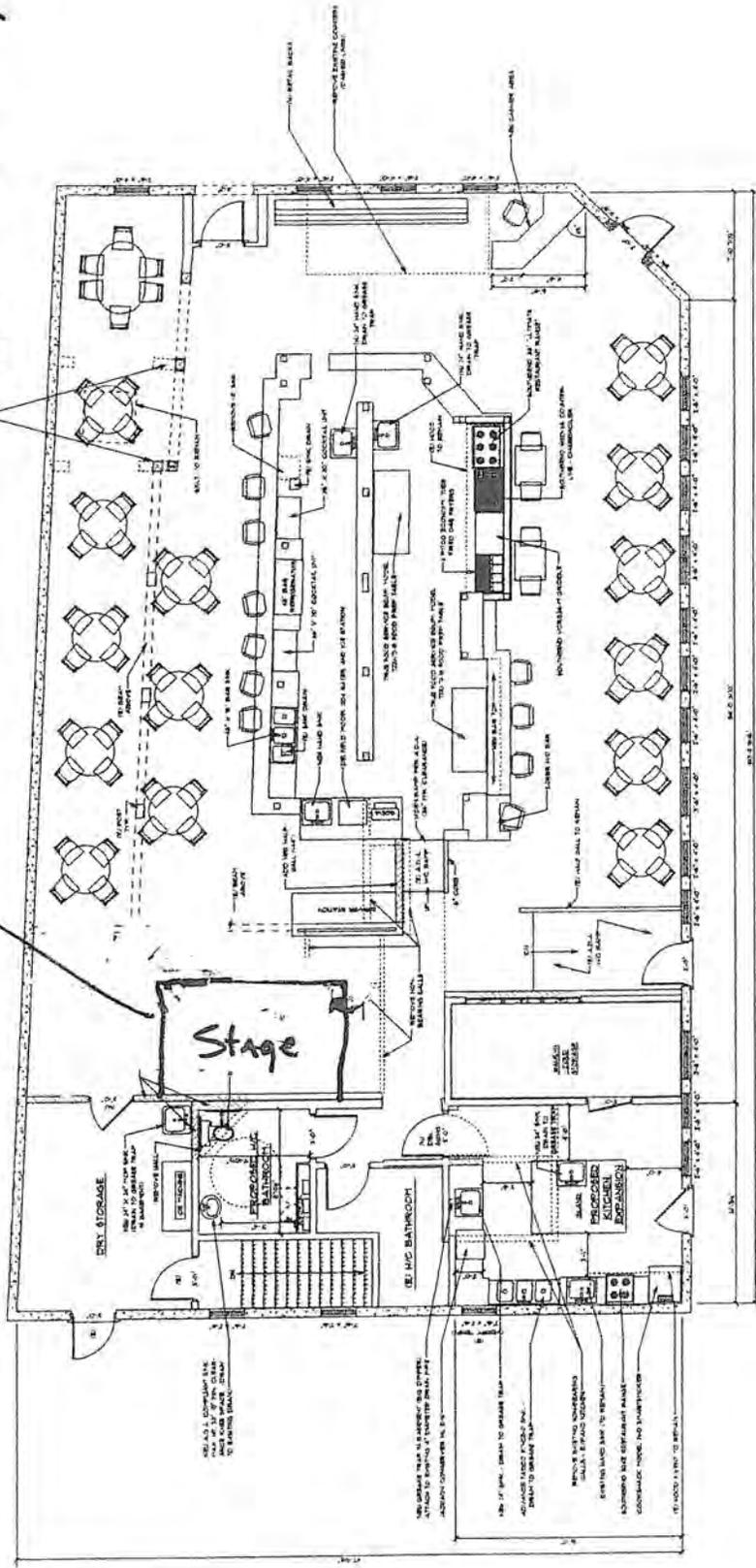
[www.burgersandvine.com](http://www.burgersandvine.com)

[infoburgersvine@gmail.com](mailto:infoburgersvine@gmail.com)

**(707) 509-0211**

*Stage will be Temporary and Removable  
 It will be set up on Live Music Nights Only!*

**ALL MATERIALS SUBMITTED:**  
 ALL MATERIALS SUBMITTED TO THE ARCHITECT FOR REVIEW SHALL BE THE PROPERTY OF THE ARCHITECT. THE ARCHITECT SHALL HAVE THE RIGHT TO REUSE ANY INFORMATION, DRAWINGS, OR CONCEPTS IN ANY OTHER PROJECTS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PROTECTION OF THE SUBMITTER'S INFORMATION OR CONCEPTS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PROTECTION OF THE SUBMITTER'S INFORMATION OR CONCEPTS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE PROTECTION OF THE SUBMITTER'S INFORMATION OR CONCEPTS.



FLOOR PLAN 11'6" x 11'0"

400 FIRST STREET EAST - SONOMA





DEC 14 2012

# C<sup>2</sup> Hospitality Partners

dba

## Burgers & Vine

To: whom it may concern:

The following are the exterior colors for "Burgers & Vine " Restaurant that will be located at 400 first St. East. At the "Creamery".

The exterior of the building will be painted Antique Lace

The Window Trim and Doors will be Dark Forest Green

Will will recover the Awnings that are there in Black Canvas



Signage for the Project will be similar as to what was previously on the building when it was Cucina Viansa

The Sign above the Main Entrance will be the same size that is currently 8' x 2'

It will be an off white background and read

**B**urgers & **V**ine

The black awning will have the following written on its sides in white: very similar to what was previously done by Cucina Viansa.

Smokehouse

Gourmet Burger Bar

Whiskey Bar

Homemade pies & shakes

Live music

BBQ Joint



DEC 21 2012



6" Lettering

Homemade Pies, ICE CREAM + SHAKES

Smoke house

Whisky BAR

LIVE MUSIC



Gourmet Burger Bar

Homemade Pies, Sweets & Ice Cream

Whiskey Bar

Live Music

Smokehouse

Dine in or Take Out

6" Lettering



*City of Sonoma*  
**Design Review Commission**  
**Agenda Item Summary**

**DRC Agenda Item: 2**  
**Meeting Date: 01/15/13**

**Applicant**

Ryan Tatarian

**Project Location**

140 West MacArthur Street

**Historical Significance**

- Listed on National Register of Historic Places, including Sonoma Plaza district (Significant)
- Listed on California Register of Historic Resources (Significant)
- Listed within Local Historic Resources Survey (Potentially Significant)
- Over 50 years old (Potentially Significant)  
 Year Built: 1944

**Request**

Demolition of a duplex located on the property at 140 West MacArthur Street.

**Summary**

The property is a ±7,500 square foot parcel located on the north side of West MacArthur Street midblock between First Street West and Second Street West and. The site is currently developed with duplex and a shed (which is not proposed to be demolished).

The property is not located within the City’s Historic Overlay Zone, and is not listed in the local Historic Resources Survey, the State Register, or the National Register. However, under the Development Code, demolition of any structure over 50 years old is subject to review and approval by the DRC. A copy of the existing site plan is attached.

**Historical Significance:** According to the State Office of Historic Preservation, structures over 50 years old *may* be historically significant, even if not listed on a local or State/National register. Pursuant to §15064.5 of the California Environmental Quality Act (CEQA), a resource is considered “historically significant” if the resource meets any one of the following criteria for listing on the California Register of Historical Resources (as set forth under Public Resource Code §5024.1):

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In staff’s view, the property may be historically significant (i.e. meet the criteria for inclusion on the California Register), in that it may embody the distinctive characteristics of a type, period, region, or method of construction. Staff would like to point out that the property was not included in the local Historic Resources Survey that was completed in 1979 (almost 30 years ago), and is not listed with the State/National Registers. Nevertheless, the DRC may want to consider continuing the item and requiring a historic resource evaluation, typically prepared by an architectural historian, for the project.

**City Regulations for Demolition Permits:** The City’s regulations for demolition permits rely heavily on the criteria for listing on the California Register of Historical Resources in determining whether a property is historically significant and can be demolished. This is reflected in both §19.54.090.F.2 (Determination of Significance) and §19.54.090.G.1 (Findings, Decision) of the Development Code. Based on the analysis above - that the residence may qualify as a historic resource under CEQA – the DRC will need to determine if the findings for approval of a demolition permit can be made. If the DRC chooses to approve the demolition of the residence, the replacement single-family residence will not be subject to review by the DRC

since the property is located outside of the Historic Overlay Zone.

**Required Findings:** As set forth in §19.54.090 of the Development Code, the DRC must make the following findings to approve a Demolition Permit:

1. The structure is not historically significant, based upon the criteria established by the State Office of Historic Preservation (listed above); or
2. The structure does not represent a unique and irreplaceable historic or architectural resource;
3. The community benefit of preserving the structure is outweighed by the cost of preservation and rehabilitation;
4. The adaptive re-use of the structure is infeasible or inappropriate, due to economic considerations, structural conditions or land use incompatibility; and
5. The relocation of the structure is infeasible due to cost, structural conditions or lack of an interested taker.

If commissioners wish to arrange a site visit to inspect the home independently, please contact the property owner (Austin Peterson) at (707) 338-6487.

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**Commission Discussion**

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**Design Review Commission Action**

Approved       Disapproved       Referred to: \_\_\_\_\_       Continued to: \_\_\_\_\_

Roll Call Vote: \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent

**DRC Conditions or Modifications**

Attachments:

1. Project narrative
2. Photographs of existing conditions
3. Site plan

cc: Austin Petersen  
1049 Verano Avenue  
Sonoma, CA 95476

Ryan Tatarian  
P.O. Box 818  
Glen Ellen, CA 95442

Austin Peterson  
140 West MacArthur Street  
Sonoma, CA 95476

Sonoma League for Historic Preservation  
Architectural Conservation and Education Committee (via email)

Sonoma Valley Historical Society  
Attn: Diane Smith (via email)

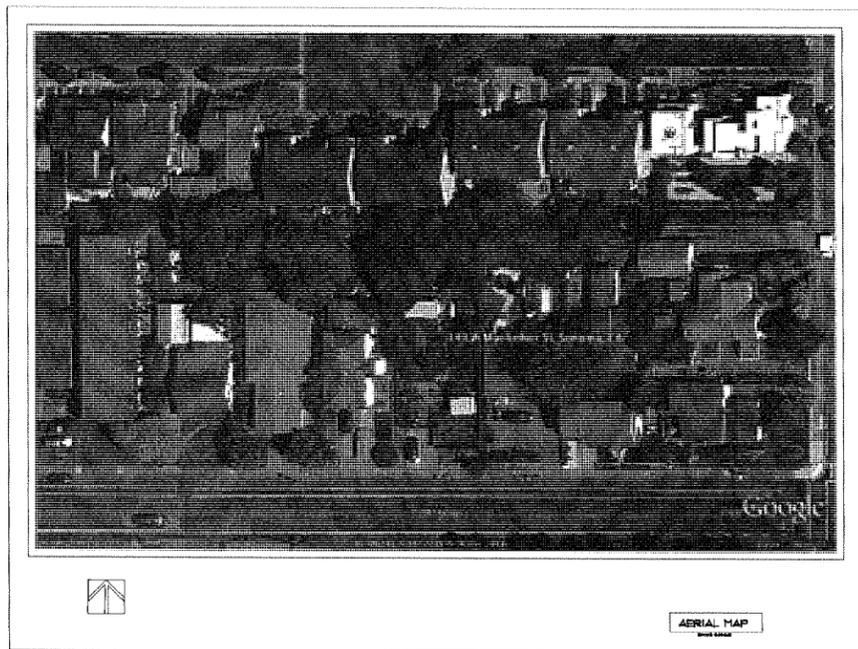
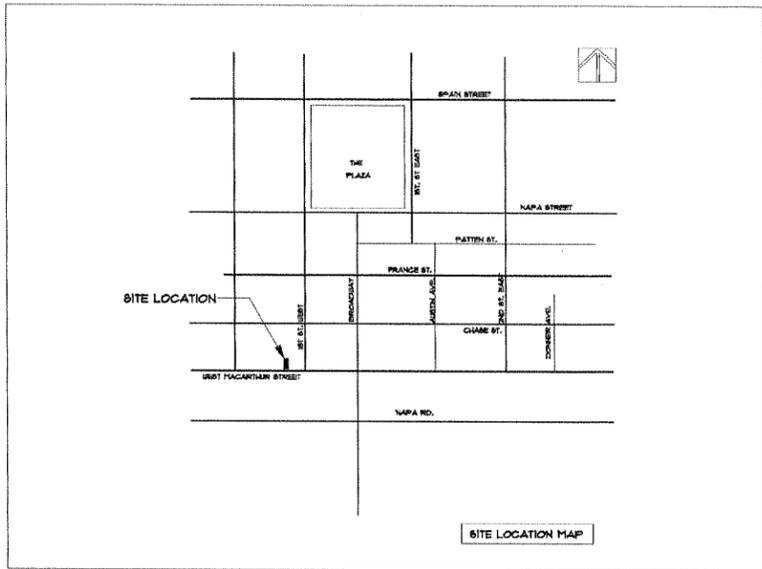
# PROJECT NARRATIVE

PROJECT SITE: 140 WEST MACARTHUR STREET, SONOMA, CA  
OWNER: AUSTIN PETERSEN  
APN: 018-401-060  
YEAR BUILT: 1944  
REQUESTED ACTION: GRANT DEMOLITION PERMIT FOR EXISTING DUPLEX  
PROPOSED USE: NEW SINGLE FAMILY RESIDENCE

**THE EXISTING STRUCTURE:** The existing structure is a simple 904 square foot building (including small second unit attached at the rear) that was built in 1944. It has shallow roof pitches, and has a low profile as the finished floor is close to the grade (slab on grade). The residence is mostly hidden from the road by a redwood fence and gate. The structure is a rectangle with a small pop-out at the rear (see site plan and photo's). The roof consists of a straight ridge with gables front and rear. There is a small hipped porch in the front, and an old shed roof addition at the rear. The siding runs both horizontally and vertically. The existing structure is surrounded on several sides by newer two story homes and apartments as shown on the accompanying photo's. Architecturally it is a miss-match of roof styles and pitches mixed with conflicting finish wall sidings some of which is rotten from earth contact. The structure is in need of extensive repair. Extensive internet research and interviews with the owner have indicated that the location has not been the site or subject of anything of historical significance.

**ARCHITECTURAL SIGNIFICANCE:** Based on our review of the site and the amount of new construction adjacent within 100 feet to the subject property, it would seem that the existing structure and, for that matter, the surrounding area are of no historical significance. In our opinion the structure possesses no unique or irreplaceable architectural features or significance. Please see accompanying photo's.

**COMMUNITY BENEFIT / RELOCATION / RE-USE:** Relocation is not feasible as the structure is on a slab. The community would benefit simply from the demolition and future architectural upgrade (new SFD). Please review the photo's. Other community benefits would include an increased tax base for the city and a decrease in road use (as the proposed use is a single family residence, not a duplex).



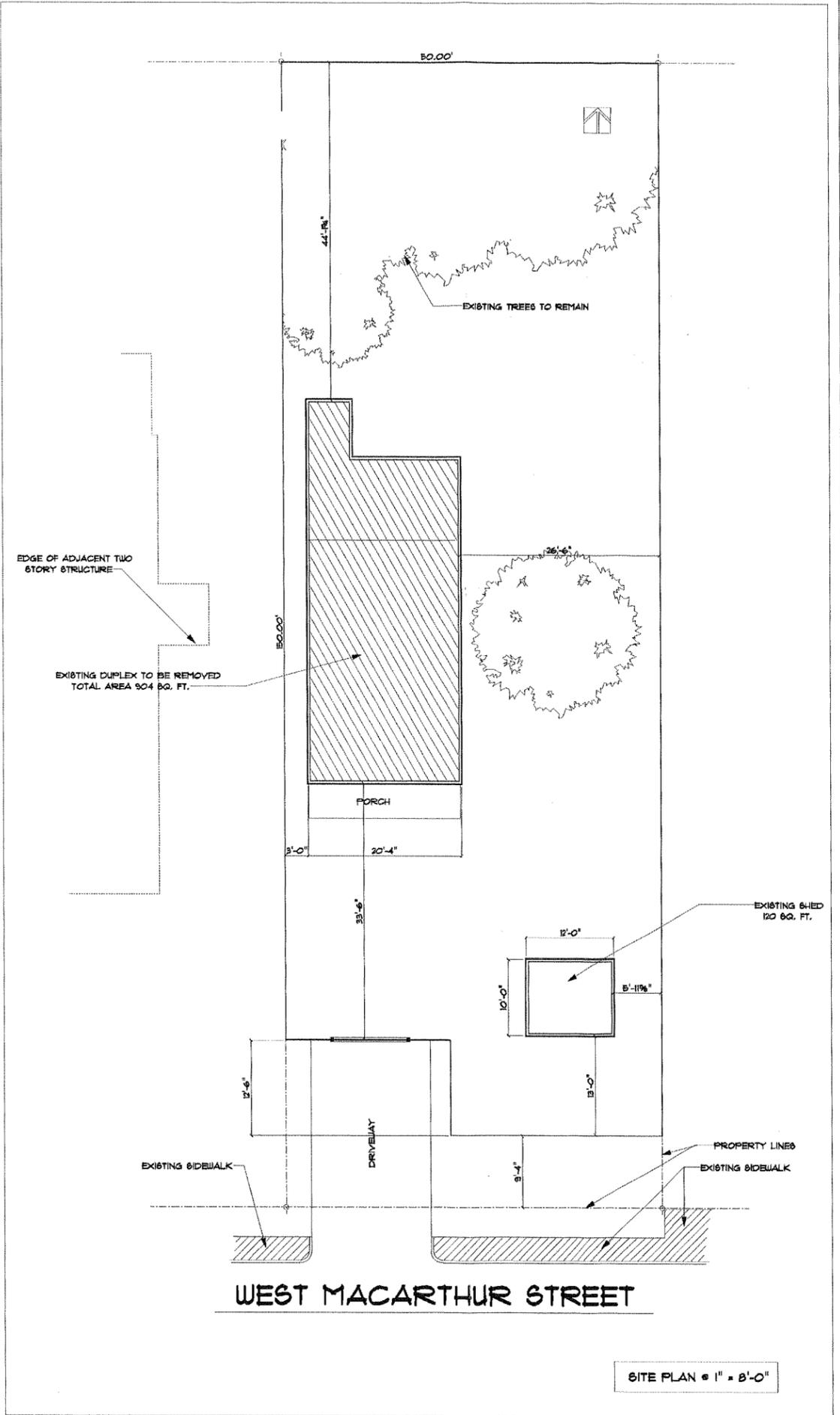
**GENERAL INFORMATION:**

**OWNER:**  
 NAME: AUSTIN PETERSEN  
 SITE ADDRESS: 140 WEST MACARTHUR STREET, SONOMA, CA. 95416  
 MAIL ADDRESS: 84116

**SQUARE FOOTAGE:**  
 STRUCTURE TO BE REMOVED: 904.00 SQ. FT. DUPLEX  
 PROPOSED NEW STRUCTURE: COMPLYING SPD (NOT DESIGNED YET)

# PETERSEN DEMO

## 140 W. MACARTHUR STREET, SONOMA, CA



WHERE GREAT HOMES BEGIN IN SONOMA VALLEY SINCE 1983  
 JOB NUMBER: DESIGNED FOR: AUSTIN PETERSEN  
 140 WEST MACARTHUR STREET  
 SONOMA, CA., 95416  
 DATE: 11/24/2012  
 DRAWN BY:

P.O. BOX 818 - GLEN ELLEN - CALIFORNIA - 95442  
 PHONE: (707) 996 - 4212  
 E-MAIL: CLYDE@MAYACAMASDESIGN.COM

MAYACAMAS  
 DESIGN

PAGE:  
 1 OF

NOV 26 2012



*City of Sonoma*  
**Design Review Commission**  
**Agenda Item Summary**

**DRC Agenda Item: 3**

**Meeting Date: 01/15/13**

**Applicant**

Blu Homes (c/o Ted Logan)

**Project Location**

771 Donner Avenue

**Historical Significance**

- Listed on National Register of Historic Places, including Sonoma Plaza district (Significant)
- Listed on California Register of Historic Resources (Significant)
- Listed within Local Historic Resources Survey (Potentially Significant)
- Over 50 years old (Potentially Significant)  
 Year Built: 1951

**Request**

Demolition of a single-family residence located on the property at 771 Donner Avenue.

**Summary**

The property is a ±10,019 square foot parcel located on the west side of Donner Avenue midblock between Chase Street and the end of Donner Avenue. The site is currently developed with single-family residence and an attached garage.

The property is not located within the City’s Historic Overlay Zone, and is not listed in the local Historic Resources Survey, the State Register, or the National Register. However, under the Development Code, demolition of any structure over 50 years old is subject to review and approval by the DRC. A copy of the existing site plan is attached.

**Historical Significance:** According to the State Office of Historic Preservation, structures over 50 years old *may* be historically significant, even if not listed on a local or State/National register. Pursuant to §15064.5 of the California Environmental Quality Act (CEQA), a resource is considered “historically significant” if the resource meets any one of the following criteria for listing on the California Register of Historical Resources (as set forth under Public Resource Code §5024.1):

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In staff’s view, the property may be historically significant (i.e. meet the criteria for inclusion on the California Register), in that it may embody the distinctive characteristics of a type, period, region, or method of construction. Staff would like to point out that the property was not included in the local Historic Resources Survey that was completed in 1979 (almost 30 years ago), and is not listed with the State/National Registers. Nevertheless, the DRC may want to consider continuing the item and requiring a historic resource evaluation, typically prepared by an architectural historian, for the project.

**City Regulations for Demolition Permits:** The City’s regulations for demolition permits rely heavily on the criteria for listing on the California Register of Historical Resources in determining whether a property is historically significant and can be demolished. This is reflected in both §19.54.090.F.2 (Determination of Significance) and §19.54.090.G.1 (Findings, Decision) of the Development Code. Based on the analysis above - that the residence may qualify as a historic resource under CEQA – the DRC will need to determine if the findings for approval of a demolition permit can be made. If the DRC chooses to approve the demolition of the residence, the replacement single-family residence will not be subject to review by the DRC since the property is located outside of the Historic Overlay Zone.

**Required Findings:** As set forth in §19.54.090 of the Development Code, the DRC must make the following findings to approve a Demolition Permit:

1. The structure is not historically significant, based upon the criteria established by the State Office of Historic Preservation (listed above); or
2. The structure does not represent a unique and irreplaceable historic or architectural resource;
3. The community benefit of preserving the structure is outweighed by the cost of preservation and rehabilitation;
4. The adaptive re-use of the structure is infeasible or inappropriate, due to economic considerations, structural conditions or land use incompatibility; and
5. The relocation of the structure is infeasible due to cost, structural conditions or lack of an interested taker.

If commissioners wish to arrange a site visit to inspect the home independently, please contact the applicant's designee (Bobby Harvey) at (410) 925-4966.

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**Commission Discussion**

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**Design Review Commission Action**

Approved     Disapproved     Referred to: \_\_\_\_\_     Continued to: \_\_\_\_\_

Roll Call Vote: \_\_\_\_\_ Aye    \_\_\_\_\_ Nay    \_\_\_\_\_ Abstain    \_\_\_\_\_ Absent

**DRC Conditions or Modifications**

Attachments:

1. Project narrative
2. Topographic survey
3. Existing site plan
4. Existing elevations
5. Photographs of existing conditions

cc: Blu Homes  
C/O Ted Logan  
200 Pine Street, Suite 800  
San Francisco, CA 94104

Stephen Shaw  
71 south Knoll Road  
Mill Valley, CA 94941

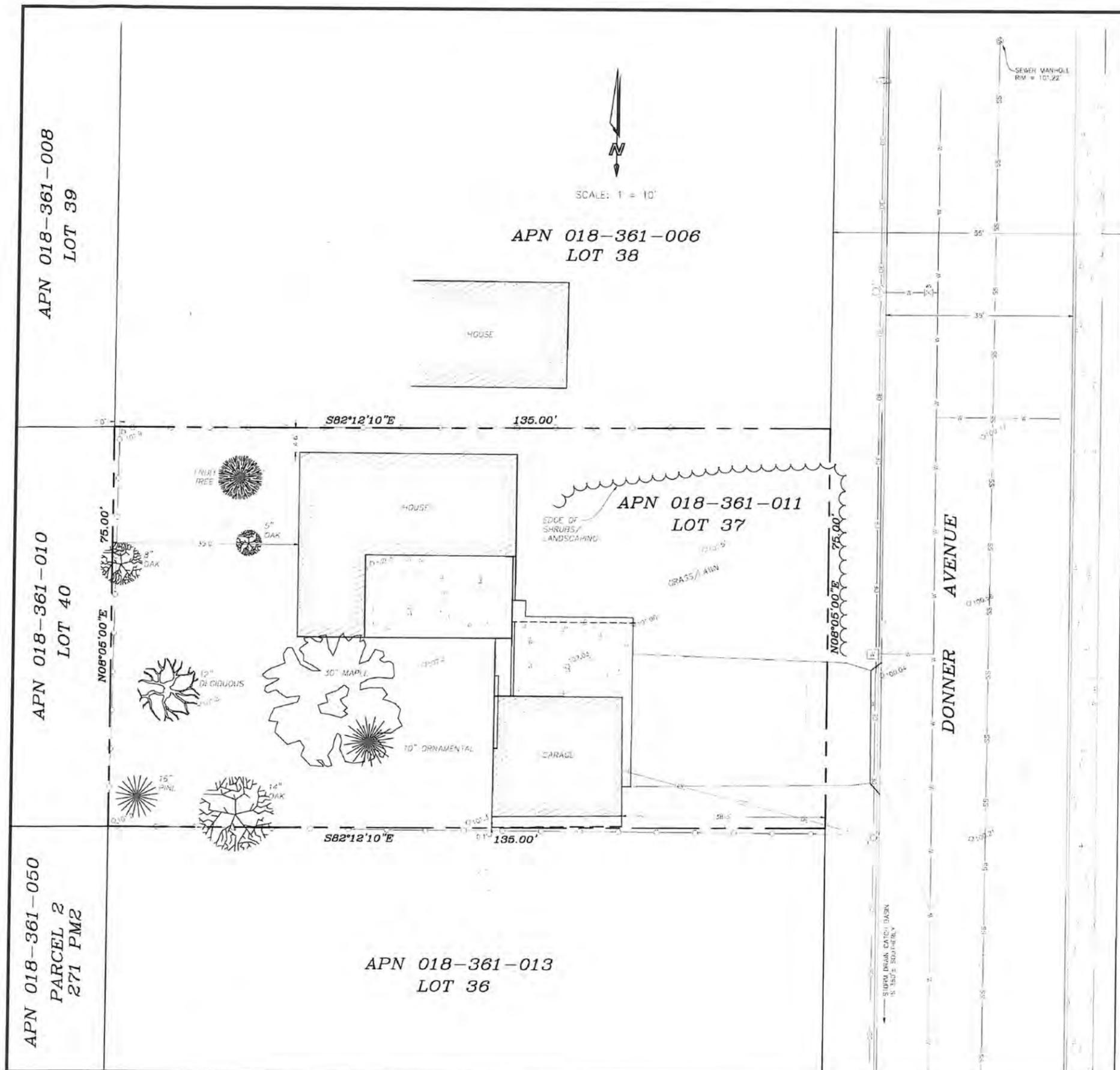
Sonoma League for Historic Preservation  
Architectural Conservation and Education Committee (via email)

Sonoma Valley Historical Society  
Attn: Diane Smith (via email)



# TOPOGRAPHIC SURVEY

FOR BLU HOMES  
 771 DONNER AVENUE, SONOMA, CA 95476  
 LOT 37 OF "GREENDALE SUBDIVISION"  
 BOOK 57 OF MAPS, PAGE 19  
 APN 018-361-011  
 10/18/2012



**LEGEND:**

	PROPERTY LINE
	EASEMENT LINE
	6" CONCRETE CURB
	FENCE
	CONCRETE MASONRY WALL
	UNDERGROUND STORM DRAINAGE
	UNDERGROUND GAS LINE
	UNDERGROUND SANITARY SEWER
	OVERHEAD L.L.C. WIRE & TELEPHONE
	UNDERGROUND WATER LINE
	CONCRETE SURFACE
	ASPHALT SURFACE
	FIRE HYDRANT
	SEWER
	CATCH BASIN
	WATER VALVE
	WATER VALVE
	POWER POLE
	LIGHT STANDARD
	SPOT ELEVATION

**NOTES:**  
 THIS IS NOT A BOUNDARY SURVEY. PROPERTY LINES SHOWN HEREON ARE FOR REFERENCE ONLY. ELEVATIONS SHOWN ARE ASSUMED.  
 THIS PARCEL IS SITUATED IN FLOOD ZONE X COMMUNITY PANEL 937 OF 1150. MAP NO. 06097C0937E, EFFECTIVE 12/02/2008.  
 CURRENT ZONING:



CALIFORNIA LAND SURVEYORS  
 42043 JAYBIRD COURT  
 SLOTTINA AK 99669  
 INFO@CALIFORNIASURVEYS.COM  
 915-812-5688

















January 15, 2013  
Agenda Item #4

## MEMO

**To:** Design Review Commission  
**From:** Associate Planner Atkins  
**Subject:** Commissioner Recusal Process

### Summary

This purpose of this memo is to provide guidance to the Design Review Commission (DRC) as to when and why a commissioner should recuse from an item. To this end, staff has attached the handout titled "*Can I Vote? Overview of the Conflicts Laws*" and City of Sonoma Resolution No. 44-2010 (Conflict of interest code) in an attempt to answer recusal questions. Please pay particular attention to the discussion of economic interests that begins on page 6 of the "*Can I Vote*" handout, as these are the typical sources of conflict that result in a requirement for recusal.

If commissioners have specific questions or have any doubt about the recusal process whether in general or in conjunction with a specific application, please contact Planning staff, who can consult with the City Attorney.

### Attachments:

1. Can I Vote? Overview of the Conflicts Laws
2. Resolution No. 44-2010



California  
Fair Political Practices Commission

HOME CONTACT LIST FILING OFFICERS ETHICS PRESS CENTER ENFORCEMENT



## Can I Vote? Overview of the Conflicts Laws

*"My home is near the proposed new shopping mall. Can I vote on the issue at next month's Planning Commission meeting?"*

Many of you may have been confronted with such questions. This booklet is offered by the FPPC as a general overview of your obligations under the Political Reform Act's conflict-of-interest rules. Using non-technical terms, the booklet is aimed at helping you understand your obligations at the "big picture" level and to help guide you to more detailed resources.

Stripped of legal jargon:

- You have a conflict of interest with regard to a particular government decision if it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests, **and**
- a significant portion of your jurisdiction does not also feel the important impact on their economic interests.

The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise. No one ever has a conflict of interest under the Act "on general principles" or because of personal bias regarding a person or subject. A conflict of interest can only arise from particular kinds of economic interests, which are explained in non-technical terms later in this booklet.

If you learn to understand these interests and to spot potential problems, the battle is mostly won because you can then seek help on the more technical details of the law from your agency's legal counsel or from the California Fair Political Practices Commission. **The Commission's toll-free advice line is 1-866-ASK-FPPC (1-866-275-3772).**

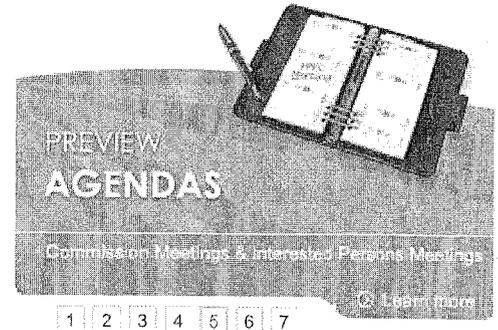
Under rules adopted by the FPPC, deciding whether you have a financial conflict of interest under the Political Reform Act is an eight-step process. If you methodically think through the steps whenever there may be a problem, you can avoid most, if not all, mistakes. These steps are spelled out and explained in general terms in this booklet.

**If you learn nothing else from this booklet, remember these things:**

- **This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests.**
- **Whether you have a conflict of interest that disqualifies you depends heavily on the facts of each governmental decision.**
- **The most important proactive step you can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.**

Here are the eight steps:

- **Step One:** Are you a "public official" within the meaning of the rules?
- **Step Two:** Are you making, participating in making, or influencing a governmental decision?

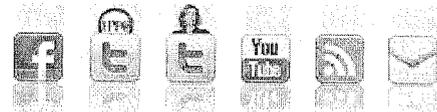


### FPPC Toll-Free

1-866-ASK-FPPC (1-866-275-3772)  
Monday and Tuesday  
9:00am - 11:30am & 1:30pm - 3:30pm  
Wednesday and Thursday  
9:00am - 11:30am

### Conflict of Interest

Adopting a Conflict-of-Interest Code  
Agency Conflict-of-Interest Code Biennial Notice  
Can I Vote?  
Holding 2 Positions  
Exemptions from Conflict-of-Interest Codes



- **Step Three:** What are your economic interests? That is, what are the possible sources of a financial conflict of interest?
- **Step Four:** Are your economic interests directly or indirectly involved in the governmental decision?
- **Step Five:** What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?
- **Step Six:** The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?
- **Step Seven:** If you have a conflict of interest, does the "public generally" exception apply?
- **Step Eight:** Even if you have a disqualifying conflict of interest, is your participation legally required?

Next, here is a non-technical explanation of each:

#### PUBLIC OFFICIAL

##### Step One : Are you a "public official," within the meaning of the rules?

The Act's conflict-of-interest rules apply to "public officials" as defined in the law. This first step in the analysis is usually a formality - you are probably a public official covered by the rules. If you are an elected official or an employee of a state or local government agency who is designated in your agency's conflict-of-interest code, you are a "public official." If you file a Statement of Economic Interests (Form 700) each year, you are a "public official" under the Act (even if you are not required to file a Form 700, in some cases you may still be considered a public official because the definition covers more than specifically designated employees). The cases that are tougher to determine typically involve consultants, investment managers and advisers, and public-private partnerships. If you have any doubts, contact your agency's legal counsel or the FPPC.

#### GOVERNMENTAL DECISION

##### Step Two : Are you making, participating in making, or influencing a governmental decision?

The second step in the process is deciding if you are engaging in the kind of conduct regulated by the conflict-of-interest rules. The Act's conflict-of-interest rules apply when you:

- **Make** a governmental decision (for example, by voting or making an appointment).
- **Participate** in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).
- **Influence** a governmental decision (for example, by communicating with the decision-maker).

A good rule of thumb for deciding whether your actions constitute making, participating in making, or influencing a governmental decision is to ask yourself if you are exercising *discretion or judgment* with regard to the decision. If the answer is "yes," then your conduct with regard to the decision is very probably covered.

When you have a conflict - Regulation 18702.5 (special rule for section 87200 public officials)

Government Code section 87105 and regulation 18702.5 outline a procedure that public officials specified in section 87200 must follow for disclosure of economic interests when they have a conflict of interest at a public meeting. The full text of this law and regulation may be viewed in the [Regulations section](http://www.fppc.ca.gov) of the FPPC's website at <http://www.fppc.ca.gov>.

Public officials specified in section 87200 of the Government Code, such as council members, planning commissioners, and boards of supervisors, must publicly identify in detail the economic interest that creates the conflict, step down from the dais **and must then leave the room**. This identification must be following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

Additionally, the disqualified official may not be counted toward achieving a quorum while the item is being discussed.

The identification of the conflict and economic interest must be made orally and shall be made part of the public record.

**Exceptions:**

- If the decision is to take place during a closed session, the identification of the economic interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The economic interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any non-public information regarding the decision.
- A public official is not required to leave the room for an agenda item on the consent calendar provided that the official recuses himself or herself and publicly discloses the economic interest as described above.
- A public official may speak as a member of the general public only when the economic interest that is the basis for the conflict is a personal economic interest, for example, his or her personal residence or wholly owned business. The official must leave the dais to speak from the same area as the members of the public and may listen to the public discussion of the matter.

**Examples:**

- The Arroyo City Council is considering widening the street in front of council member Smith's personal residence, which he solely owns. Council member Smith must disclose on the record that his home creates a conflict of interest preventing him from participating in the vote. He must leave the dais but can sit in the public area, speak on the matter as it applies to him and listen to the public discussion.
- Planning Commissioner Garcia is a greater than 10% partner in an engineering firm. The firm represents a client who is an applicant on a project pending before the planning commission. Commissioner Garcia must publicly disclose that the applicant is a source of income to her requiring her recusal. Commissioner Garcia must step down from the dais and leave the room. Since this is not a personal interest that is the basis for the conflict, she **may not** sit in the public area and listen to the discussion.
- Supervisor Robertson rents a home to a county employee. The county employee is the subject of a disciplinary matter in a closed session of the Board of Supervisors. During the open session prior to adjourning to closed session, Supervisor Robertson announces that he must recuse himself from participating in the closed session **but does not disclose that the reason for his recusal is a source of income nor does he name the county employee that is the source of income to him.** He may not attend the closed session or obtain any non-public information from the closed session.

**ECONOMIC INTERESTS**

**Step Three : What are your economic interests? That is, what are the possible sources of a financial conflict of interest?**

From a practical point of view, this third step is the most important part of the law for you. The Act's conflict-of-interest provisions apply only to conflicts of interest arising from economic interests. There are six kinds of such economic interests from which conflicts of interest can arise:

- **Business Investment.** You have an economic interest in a business entity in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested \$2,000 or more.
- **Business Employment or Management.** You have an economic interest in a business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.

- **Real Property.** You have an economic interest in real property in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested \$2,000 or more, and also in certain leasehold interests.
- **Sources of Income.** You have an economic interest in anyone, whether an individual or an organization, from whom you have received (or from whom you have been promised) \$500 or more in income within 12 months prior to the decision about which you are concerned. When thinking about sources of income, keep in mind that you have a community property interest in your spouse's or registered domestic partner's income, a person from whom your spouse or registered domestic partner receives income may also be a source of a conflict of interest to you. Also keep in mind that if you, your spouse, your registered domestic partner or your dependent children own 10 percent or more of a business, you are considered to be receiving "pass-through" income from the business's clients. In other words, the business's clients may be considered sources of income to you.
- **Gifts.** You have an economic interest in anyone, whether an individual or an organization, who has given you gifts which total \$420 or more within 12 months prior to the decision about which you are concerned.
- **Personal Financial Effect.** You have an economic interest in your personal expenses, income, assets, or liabilities, as well as those of your immediate family. This is known as the "personal financial effects" rule. If these expenses, income, assets or liabilities are likely to go up or down by \$250 or more in a 12-month period as a result of the governmental decision, then the decision has a "personal financial effect" on you.

On the Statement of Economic Interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests that may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal residence to be the economic interest that triggers a conflict of interest even though you are not required to disclose your home on the Form 700.

#### DIRECTLY OR INDIRECTLY INVOLVED?

**Step Four : Are your economic interests directly or indirectly involved in the governmental decision?**

An economic interest which is directly involved in " and therefore directly affected by " a governmental decision creates a bigger risk of a conflict of interest than does an economic interest which is only indirectly involved in the decision. As a result, the FPPC's conflict-of-interest regulations distinguish between economic interests that are directly involved and interests that are indirectly involved.

Once you have identified your economic interests, you must next decide if they are directly involved in the governmental decision about which you are concerned. The FPPC has established specific rules for determining whether each kind of economic interest is directly or indirectly involved in a governmental decision.

The details of these rules are beyond the scope of this guide. In general, however, an economic interest is directly involved if it is the subject of the governmental decision. For example, if the interest is real property, and the decision is about building a donut shop down the block from the property, then the interest is directly involved. If the interest is a business, and the decision is whether to grant a license for which the business has applied, the interest is directly involved.

These are just examples; you should contact your agency counsel, the FPPC and the specific regulations if you have questions as each case arises. Note also that the next step in the analysis " applying the right standard to determine whether an impact is material " depends in part on whether the interest is directly or indirectly involved. The regulations , Sections 18704 through 18704.5 , and other helpful information can be found on the FPPC's web site, <http://www.fppc.ca.gov>.

#### MATERIALITY (IMPORTANCE)

**Step Five : What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?**

At the heart of deciding whether you have a conflict of interest is a prediction: Is it sufficiently likely that the governmental decision will have a material financial effect on your economic interests? As used here, the word "material" is akin to the term "important." You will have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

The FPPC has adopted rules for deciding what kinds of financial effects are important enough to

trigger a conflict of interest. These rules are called "materiality standards," that is, they are the standards that should be used for judging what kinds of financial impacts resulting from governmental decisions are considered material or important.

There are too many of these rules to review in detail in this booklet. Again, you can seek advice for your agency counsel or the FPPC. However, to understand the rules at a "big picture" level, remember these facts:

- If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest that is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.
- On the other hand, if the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.
- There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, and so on.
- The rules vary by the size and situation of the economic interest. For example, a moment's thought will tell you that a \$20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. For example, the materiality standards distinguish between large and small businesses, between real property which is close or far from property which is the subject of the decision.

#### DOES A CONFLICT OF INTEREST RESULT?

**Step Six : Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?**

As already mentioned in the introduction, the heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

What does "sufficiently likely" mean? Put another way, how "likely" is "likely enough?" The Political Reform Act uses the words "reasonably foreseeable." The FPPC has interpreted these words to mean "substantially likely." Generally speaking, the likelihood need not be a certainty, but it must be more than merely possible.

A concrete way to think about this is to ask yourself the following question: Is it substantially likely that one of the materiality standards I identified in step five will be met as a result of the government decision? Step six calls for a factual determination, not necessarily a legal one. Also, an agency may sometimes segment (break down into separate decisions) a decision to allow participation by an official if certain conditions are met. Therefore, you should always look at your economic interest and how it fits into the entire factual picture surrounding the decision.

#### "PUBLIC GENERALLY" EXCEPTION

**Step Seven : If you have a conflict of interest, does the "public generally" exception apply?**

Now that you have determined that you will have a conflict of interest for a particular decision, you should see if the exceptions in Step 7 and Step 8 permit you to participate anyway. Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the "public generally" exception applies.

This exception exists because you are less likely to be biased by a financial impact when a significant part of the community has economic interests that are substantially likely to feel essentially the same impact from a governmental decision that your economic interests are likely to feel. If you can show that a significant segment of your jurisdiction has an economic interest that feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The "public generally" exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific segments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is substantially similar. Again, contact your agency counsel, the FPPC and the specific rules for advice and details. The regulations outlining the steps to apply the "public generally" exception can be found on the FPPC website at <http://www.fppc.ca.gov> under regulations 18707-18707.10.

#### ARE YOU REQUIRED TO PARTICIPATE?

**Step Eight : Even if you have a disqualifying conflict of interest, is your participation legally required?**

In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This "legally required participation" rule applies only in certain very specific circumstances in which your government agency would be paralyzed, unable to act. You are most strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

**CONCLUSION**

Generally speaking, here are the keys to meeting your obligations under the Political Reform Act's conflict-of-interest laws:

- Know the purpose of the law, which is to prevent biases, actual and apparent, which result from the financial interests of the decision-makers.
- Learn to spot potential trouble early. Understand which of your economic interests could give rise to a conflict of interest.
- Understand the "big picture" of the rules. For example, know why the rules distinguish between directly and indirectly involved interests, and why the public generally exception exists.
- Realize the importance of the facts. Deciding whether you have a disqualifying conflict of interest depends just as much, if not more, on the facts of your particular situation as it does on the law.
- Don't try to memorize all of the specific conflict-of-interest rules. The rules are complex, and the penalties for violating them are significant. Learn to understand the "big picture." You'll then be able to look up or ask about the particular rules you need to apply to any given case.
- Don't be afraid to ask for advice. It is available from your agency's legal counsel and from the FPPC.

**An important note**

You should not rely solely on this booklet to ensure compliance with the Political Reform Act, but should also consult the Act and Commission regulations. The Political Reform Act is set forth at Cal. Gov. Code §§ 81000-91014, and the Fair Political Practices Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. Both the Act and regulations are available on the FPPC's web site, <http://www.fppc.ca.gov>. Persons with obligations under the Act or their authorized representatives are also encouraged to call the FPPC toll-free advice line "1-866-ASK-FPPC" as far in advance as possible.

**How to Contact Us:**

- **Mail:**  
Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, CA 95814

- **Website:**  
[www.fppc.ca.gov](http://www.fppc.ca.gov)

- **Telephone:**

Toll-free advice line: 1-866-ASK-FPPC(1-866-275-3772)

Regular line: 1-916-322-5660

Enforcement hot-line: 1-800-561-1861

## **CITY OF SONOMA**

### **RESOLUTION NO. 44 - 2010**

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ADOPTING A CONFLICT OF INTEREST CODE AND RESCINDING PREVIOUS RESOLUTIONS**

WHEREAS, the Political Reform Act of 1974 (Government Code Section 81000, et. seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations 18730) which contains the terms of a standard conflict of interest code and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act; and

WHEREAS, designated officials and employees shall file their statements of economic interests with the City Clerk of the City of Sonoma and such statements shall be open for public inspection and reproduction pursuant to Government Code section 81008. Statements for all designated officials and employees will be retained by the City of Sonoma.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonoma as follows:

#### **SECTION 1. Incorporation of State Regulations by Reference**

With the additions noted below, the terms of Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission is hereby incorporated by reference and together with the List of Designated Positions and Disclosure Categories, as adopted by the City Council, shall constitute the Conflict of Interest Code of the City of Sonoma.

#### **SECTION 2. Designated Positions with Reporting Requirements**

Members of boards and commissions appointed by the City Council, consultants, and city employees holding designated positions as shown on Exhibit A shall be considered designated positions subject to reporting requirements under the Conflict of Interest Code, and shall disclose financial interests as set forth on Exhibit B which lists the individual disclosure categories. Said Exhibit A and Exhibit B are attached hereto and made a part hereof.

#### **SECTION 3. Filing of Statements**

Persons holding designated positions shall file Statements of Economic Interests with the City of Sonoma on Fair Political Practices Forms, in conformance with the individual disclosure categories and State guidelines.

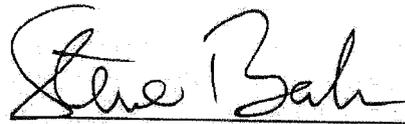
SECTION 4. Late Filings and Failure to File Statements

Any violation of any provision of this Code is subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 et seq.

BE IT FURTHER RESOLVED, all previous resolutions adopting and/or amending the City of Sonoma Conflict of Interest Code are hereby rescinded in their entirety.

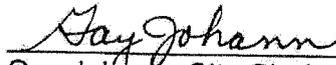
The foregoing Resolution was adopted this 1<sup>st</sup> day of December 2010, by the following vote:

AYES:	Sebastiani, Gallian, Brown, Sanders, Barbose
NOES:	None
ABSENT:	None



\_\_\_\_\_  
Steve Barbose, Mayor

ATTEST:



\_\_\_\_\_  
Gay Johann, City Clerk

EXHIBIT "A"

LIST OF DESIGNATED POSITIONS  
AND DISCLOSURE CATEGORIES

\*\*\*see note below

POSITION	DISCLOSURE CATEGORY
Accountant	A
Administrative Services Manager	A
Assistant City Manager/Administrative Services Director	A
Associate Planner	C
Building Inspector	C
Chief of Police	A
City Clerk/Assistant to the City Manager	A
City Prosecutor	A
Contractual Consultants**	A
Deputy City Attorney	A
Deputy City Clerk	A
Development Services Director/Building Official	A
Fire Chief	A
Fire Division Chief (City)	A
Management Analyst, Public Works	A
Parks Supervisor	A
Planning & Community Services Director	A
Plans Examiner	C
Public Works Director	A
Public Works Operations Manager	A
Redevelopment Attorney	A
Senior Planner	C
Street Supervisor	A
Water Operations Supervisor	A

COMMITTEES/COMMISSIONS	DISCLOSURE CATEGORY
Community Housing Corp. Board of Directors	C
Community Services and Environment Commission	A
Design Review Commission	C
Mobilehome Park Rental Review Board	C
Traffic Safety Committee	C

\*\* **Contractual Consultant** means an individual who, pursuant to a contract with the City, makes or participates in making governmental decisions. The City Manager may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

\*\*\* City Council Members, Planning Commissioners, City Manager, City Attorney, and the City Treasurer are required to file statements of economic interests pursuant to Government Code Section 87200, and are therefore, not included in the list of Designated Positions required to file pursuant to the City's conflict of interest code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

CATEGORY	REPORTABLE INTERESTS
A	Investments, business positions, income (including gifts, loans and travel payments) from sources located in or doing business in the City, interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.
B	Investments, business positions, and sources of income (including gifts, loans and travel payments) from or in any business entity that engages in the type of services, supplies, materials, machinery, or equipment that is purchased or acquired by the employee's department. If the employee is involved in purchasing decisions that affect more than one department, then the employee shall disclose all income (including gifts, loans and travel payments) and investment interests and business positions in any business that engages in the type of services, supplies, materials, machinery or equipment that the City might reasonably be expected to purchase or acquire.
C	Investments in real property or interests in business positions in any business entity which owns property within the City or within a two-mile radius of any property owned or used by the City.

January 15, 2013  
Agenda Item #5

**M E M O**

**To:** Design Review Commission  
**From:** Planning Director, Goodison  
**Subject:** Certified Local Government Update

**Summary**

Council adopted the Preservation as recommended by the DRC and directed staff to submit an application for CLG to the State Office Historic Preservation.

Application has been submitted, we are awaiting feedback.

Related zoning ordinance amendments may go to the Planning Commission in February, depending on the feedback we get from the State Office of Historic Preservation and the City Attorney.

January 15, 2013  
Agenda Item #6

## MEMO

**To:** Design Review Commission  
**From:** Associate Planner Atkins  
**Subject:** Staples Sign Located at 977 West Napa Street

### **Summary**

The purpose of this memo is to make the Design Review Commission aware of an administrative sign approval related to Staples located at 977 West Napa Street. On April 19, 2011, the DRC considered and approved a new sign cap for the Staples monument sign. Since that time, the Public Works director became aware of sight visibility issues with the sign and requested that Staples modify the sign to eliminate the issues. Staples submitted a revised sign design, which addressed the sight visibility issue, and staff approved it administratively.

### Attachments:

- 1) Letter to Staples dated October 12, 2012, from Public Works Director
- 2) Administratively approved sign drawing

# City of Sonoma

Department of Public Works  
No. 1 The Plaza  
Sonoma California 95476-6690  
Phone (707) 938-3332 Fax (707) 938-8775  
E-Mail: [cityhall@sonomacity.org](mailto:cityhall@sonomacity.org)



October 12, 2012

Kristen Fagundes, General Manager  
Staples  
977 W. Napa Street  
Sonoma, CA 95476

Re: Staples and S.R. 12 (Napa Street) Access Concerns

Dear Ms. Fagundes:

It has been brought to the City's attention that there are safety concerns with the Staples driveway access due to potential conflicts with motorists, bicyclists and pedestrians that cross the driveway and sidewalk located on your property. In addition, we have been made aware of site visibility issues with the Staples monument sign located behind the sidewalk. The area in question is within private property and not on Caltrans State right of way.

The issues are summarized as follows:

- The height of the Staples monument sign is such that bicyclists and pedestrians are screened from the motorists view and vice-versa.
- It is not evident that the driveway crossing is an intersection and not a sidewalk. As it is, pedestrians and bicyclists do not stop at the driveway intersection because pedestrians and bicyclists make the assumption that they have right of way.
- Motorists that are queued at the driveway signal block the intersection from pedestrians and bicyclists.

I am requesting a meeting with you or a representative from your company. We would like to discuss the need for improvements at your driveway access and how this improvement can be accomplished. We will be contacting you to schedule this meeting. In the meanwhile, if you have any questions, please feel free to contact me 933-2230 or email at [mbates@sonomacity.org](mailto:mbates@sonomacity.org).

Sincerely,

A handwritten signature in black ink, appearing to read "M. Bates".

Milenka Bates,  
Public Works Director

CC: Bret Sackett, Police Chief  
Toni Bertolero, City Engineer

**STAPLES**

Site Identification  
Sonoma, CA

Option 1



Existing



Proposed

Raise cabinet 2'-0" and add (2) supports as shown



**Kieffer**  
& CO., INC.

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[www.kieffersigns.com](http://www.kieffersigns.com)

CUSTOMER: **STAPLES**  
LOCATION: **Sonoma, CA**  
SALESMAN: **LC**  
DESIGNER: **JRS**  
DATE: **11 / 20 / 12**

Artwork  
 Design  
 Survey  
All boxes checked to Enter Order



COMPANION FILES

PRODUCTION PROCESSING

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Job # \_\_\_\_\_  
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-002 \_\_\_\_\_  
-003 \_\_\_\_\_  
-004 \_\_\_\_\_

INITIALS: DATE: \_\_\_\_\_

REVISION: \_\_\_\_\_

Sonoma, CA

**B63876**

January 15, 2013  
Agenda Item #7

## **M E M O**

**To:** Design Review Commission  
**From:** Associate Planner Atkins  
**Subject:** Review of Architectural (Design) Review Application Handout

### **Summary**

In a response to a memo to the Design Review Commission (DRC) regarding the discussion and review of color and material submittal requirements for architectural (design) review applications, the Design Review Commission requested that staff incorporate DRC comments into a handout and return to the DRC for further review. Please review the attached handout and provide feedback to staff at the DRC meeting.

### Attachments:

- 1) Draft Architectural (Design) Review Applications Handout

CC: Laurie Decker, Economic Development Manager

# City of Sonoma

Planning and Community  
Development  
No. 1, The Plaza  
Sonoma, CA 95476



## Submittal Requirements for Architectural (Design) Review Applications

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### **Please submit the following supplemental information for Architectural (Design) Review Applications:**

- Color submittals: Submit ten (10) copies each of the manufacture's color samples indicating the manufacture name and color name (i.e. Benjamin Moore million dollar red 2003-10) placed on 8.5 by 11 inch heavy stock paper.
- Submit ten (10) black and white or color copies of an elevation drawings or a picture of the building indicating the exact location of all proposed colors placed on heavy stock paper.
- "Brush outs" (two coats) samples are encouraged on buildings around the Plaza. If "brush outs" are not completed prior to the Design Review Commission meeting the project could be continued to a future meeting. A two to three square foot brush out is appropriate.
- The applicant shall bring a two to three square-foot color and material sample board to the Design Review Commission meeting. The board shall include a sample of the following materials: roof, flashing, siding, and exterior stone. The board shall consist of a minimum 18 inch by 11 inch brush out of the actual paint colors. The colors on the board shall be proportionate to the scale of the colors on the building. (If an architect is involved with the project the presentation shall be presented in a professional manner.) The applicant shall provide a printed picture of the approved color and material board to the Planning Department.
- Projects in the Historic Overlay Zone shall be subject to a higher standard of detail.
- A project narrative shall be submitted with the application. The project narrative should describe the project in a way that gives the Design Review Commissioners a visual picture of what the project will look like when it is complete. If the applicant is proposing a particular color because of a reference to the business identification, that information should be included in the project narrative.
- The applicant should consider submitting options and alternatives, which help reduce the chances of the project being continued to a future meeting.