

**SPECIAL & REGULAR MEETINGS OF THE SONOMA CITY COUNCIL
&
CONCURRENT REGULAR MEETING OF SONOMA CITY COUNCIL AS THE
SUCCESSOR AGENCY TO THE DISSOLVED SONOMA COMMUNITY
DEVELOPMENT AGENCY**

Community Meeting Room, 177 First Street West

Monday, March 3, 2014

5:30 p.m. Closed Session (Special Meeting)

6:00 p.m. Regular Meeting

AGENDA



City Council
Tom Rouse, Mayor
David Cook, Mayor Pro Tem
Steve Barbose
Ken Brown
Laurie Gallian

Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.

5:30 P.M. – SPECIAL MEETING - CLOSED SESSION AGENDA

1. CALL TO ORDER

The Mayor will open the meeting and take public testimony on closed session items only. The Council will then recess into closed session.

2. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION, pursuant to (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: New Cingular Wireless PCS, LLC, etc. v. City of Sonoma. U.S.D.C. Nor. Cal. Case No. C-14-0692 EDL.

6:00 P.M. – REGULAR MEETING AGENDA

RECONVENE, CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL (Barbose, Cook, Brown, Gallian, Rouse)

REPORT ON CLOSED SESSION

1. COMMENTS FROM THE PUBLIC

At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. Upon being acknowledged by the Mayor, please step to the podium and speak into the microphone. Begin by stating and spelling your name.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

3. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF

4. PRESENTATIONS

Item 4A: Recognition of Donna Keegan's service on the Traffic Safety Committee.

Item 4B: Sonoma Tourism Improvement District Status Report

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council, staff, or public request specific items to be removed for separate action. At this time Council may decide to change the order of the agenda.

Item 5A: **Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.** (Standard procedural action - no backup information provided)

Item 5B: **Approval of the Minutes of the February 24, 2014 City Council meeting.**
Staff Recommendation: Approve the minutes.

Item 5C: **Approval and Ratification of the Reappointment of Mark Heneveld to the Planning Commission for an Additional Two-Year Term.**
Staff Recommendation: Approve and ratify the reappointment.

Item 5D: **Approval and Ratification of the Appointment of Christopher Woodcock to the Traffic Safety Committee for a Two-Year Term.**
Staff Recommendation: Approve and ratify the appointment.

6. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS SUCCESSOR AGENCY

All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council, staff, or public request specific items to be removed for separate action. At this time Council may decide to change the order of the agenda.

There were no items at the time the agenda and packet were prepared.

7. PUBLIC HEARINGS

Item 7A: **Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Troy and Dawn Marmaduke for Design Review for exterior color modifications and an awning sign and the appeal of staff's decision to approve the application of Troy and Dawn Marmaduke for the re-facing of a wall sign and a projecting sign (408 First Street East).** (Associate Planner)
Staff Recommendation: Deny the appeal, upholding the decision of the Design Review and Historic Preservation Commission. This matter is considered to categorically exempt under section 15301 of the California Environmental Quality Act (Existing Facilities, maintenance and minor alteration).

Item 7B: **Discussion, consideration and possible action on an appeal of the Planning Commission's decision to approve an exception from the fence height standards to allow a seven-foot tall fence within required front and street-side setback areas.** (Planning Director)
Staff Recommendation: Uphold the decision of the Planning Commission, with direction to staff to prepare an implementing resolution for adoption at a subsequent meeting.

8. REGULAR CALENDAR – CITY COUNCIL

(Matters requiring discussion and/or action by the City Council)

Item 8A: Consideration and Possible Action on the 2014 Integrated Pest Management (IPM) Policy for Stormwater Permit Compliance. (Stormwater Compliance Specialist)

Staff Recommendation: Adopt resolution approving the 2014 Integrated Pest Management Policy.

Item 8B: Discussion, consideration and possible action to direct staff to research options related to the restriction of smoking within the City. [Requested by Mayor Rouse] (City Manager)

Staff Recommendation: Council discretion.

Item 8C: Discussion and Consideration for Resolution of Support for the Postal Service Protection Act of 2013. [Requested by Councilmember Brown] (City Manager)

Staff Recommendation: Council discretion.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

(Matters requiring discussion and/or action by the Council as the Successor Agency)

There were no items at the time the agenda and packet were prepared.

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Item 10B: Final Councilmembers' Remarks.

11. COMMENTS FROM THE PUBLIC

12. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on February 27, 2014. Gay Johann, Assistant City Manager/City Clerk

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are normally available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the City Council 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 City Clerk, 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
City Council
Agenda Item Summary

City Council Agenda Item: 4A

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Recognition of Donna Keegan's service on the Traffic Safety Committee.

Summary

The City Council desires to publicly recognize the volunteers who so selflessly serve on the various City commissions.

Donna Keegan has served on the Traffic Safety Committee since January 16, 2008.

Recommended Council Action

Mayor Rouse to present a certificate of appreciation to Ms. Keegan.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Certificate of Appreciation

cc:

Donna Keegan via email

City of Sonoma
CERTIFICATE OF APPRECIATION

Is Hereby Presented To

DONNA KEEGAN

For Her Dedicated Service to the City

TRAFFIC SAFETY COMMITTEE
January 16, 2008 – January 16, 2014

Presented This 3rd Day of March 2014

Tom Rouse, Mayor





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Sonoma Tourism Improvement District Status Report

Summary

The City Council approved the Sonoma Tourism Improvement District on June 18, 2012 for an initial three-year term. Utilizing an assessment of 2% of room revenue for all lodging (hotel, motels, inns, B&Bs, guest houses and vacation rentals) in the city limits of Sonoma; the goal of the District was to provide a stable source of funding to promote Sonoma as a destination and increase overnight visits to all lodging in the City limits of Sonoma.

Representatives of the District will update the City Council on their marketing program and their overall progress.

Recommended Council Action

Receive the presentation.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

TID Report

cc: Bill Blum via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the Minutes of the February 24, 2014 City Council meeting.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Minutes

Alignment with Council Goals: N/A

cc: N/A

**SPECIAL MEETING OF THE
SONOMA CITY COUNCIL
Held Jointly With The
Sonoma Planning Commission**

***Andrews Hall, Sonoma Community Center
276 East Napa Street, Sonoma CA 95476***

**Monday, February 24, 2014
6:00 p.m.**

MINUTES

City Council
Tom Rouse, Mayor
David Cook, Mayor Pro Tem
Steve Barbose
Ken Brown
Laurie Gallian



1. CALL TO ORDER

Mayor Rouse called the meeting to order at 6:00 p.m. Laurie Decker led the Pledge of Allegiance.

CITY COUNCILMEMBERS PRESENT: Barbose, Brown, Cook, Gallian and Mayor Rouse.

PLANNING COMMISSIONERS PRESENT: Cribb, Edwards, Felder, Howarth, Tippell, Willers and Chair Roberson. ABSENT: Heneveld.

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, Planning Director Goodison, Police Chief Sackett, Economic Development Project Manager Decker.

2. COMMENTS FROM THE PUBLIC

There were no comments from the public.

3. STUDY SESSION REGARDING WINE TASTING FACILITIES

Planning Director Goodison reported that in response to concerns having been voiced by members of the community regarding the increasing number of wine tasting facilities in the downtown area, the City Council requested the Planning Commission to develop draft amendments to the Development Code addressing wine tasting facilities and wine bars. The Planning Commission held a number of hearings and discussions on the issue and developed a set of proposed regulations that, at its January 9, 2014 meeting, voted to forward to the City Council. Subsequently, the City Council agreed that, prior to consideration of the adoption of the draft Development Code amendments, it would be desirable to meet with the Planning Commission in a study session format in order to: 1) hear directly from the Planning Commission regarding its recommendations and the discussions that went into them; 2) discuss alternative approaches to regulating wine tasting facilities; and, 3) provide an additional opportunity for public comment on the subject.

Goodison reported that the database of businesses located within the Plaza Retail Overlay zone maintained by the Economic Development Manager indicated a total of one hundred thirty-six ground-floor businesses of which twenty were purely wine-serving and three were a combination of wine tasting and other retail. Together, these twenty-three tasting rooms and wine bars represented 17% of the ground-floor businesses within the zone.

Planning Commission Chair Roberson explained that initial discussions on the matter were far reaching and received a great deal of reaction from the public and business owners. As a result of

those discussions with the public and business representatives most objections to the proposed regulations disappeared. He said a majority of the Planning Commissioners voted in favor of the draft regulations being forwarded to the City Council for consideration.

Mayor Rouse stated that what he was hearing from the public was they wanted a numerical cap on the number of wine tasting facilities. Roberson responded there had not been support from Commissioners to include a cap. He said the market was changing and it was hard to predict where it would end up. Roberson pointed out that the tasting facilities were utilizing retail spaces that were not viable for other uses and they created a vibrancy around the Plaza.

Statements made by the Planning Commissioners were as follows: Commissioner Edwards stated that the hurdles to start up a new business were already high and he felt the free market would take care of itself. Commissioner Tippell stated he did not agree with those who said wine tasting facilities were pushing out other retail uses. He had suggested 1,000 square feet as a threshold for requiring a Conditional Use Permit (CUP). Commissioner Willers said it was important to be business friendly and community friendly and he felt the proposed regulations were appropriate. Commissioner Howarth stated the Commission came up with limits on tasting rooms that a majority were comfortable with. Commissioner Cribb stated that the majority of wine tasting facilities were family run and it had been the Commission's desire to develop regulations that encouraged small businesses that would support the local economy. Commissioner Felder stated he had concerns that the number of facilities would continue to grow and that those with Type 2 Liquor licenses would morph into bars. He would like the proposed hours of operation to be more restrictive. Chair Roberson confirmed with staff that there were currently no restrictions on the hours of operation.

CIm. Cook stated that while he felt the free market would take care of itself he had come with an open mind and wanted to hear from the public what they perceive as the problem and how they would fix it. CIm. Barbose said it was important for people to understand that existing businesses would be grandfathered in. He did not agree that the free market would take care of the issue and he feared the Plaza would be overrun by tasting rooms. He said his preference would be to either require a CUP for all new tasting rooms or expansions of existing ones or to place a cap of twenty-five or thirty on the number allowed. CIm. Gallian asked the public to weigh in on the many issues that had been raised. CIm Brown stated that wine tasting facilities were already regulated and he did not agree with those that felt their presence degraded the ambience or safety of the downtown.

Mayor Rouse asked Police Chief Sackett if tasting rooms had caused an increase in drunkenness or rowdiness. Chief Sackett responded that logically the propensity for problems directly correlated with the opportunities that exist for obtaining alcohol. He noted that there had been a significant reduction of crime around the Plaza after Plaza Liquors went out of business.

Mayor Rouse said he believed the free market would take care of itself but he understood the concerns of those who felt the number of tasting rooms was steadily increasing. He said the Council did not want to overregulate but wanted to be responsive to the public's concerns.

Mayor Rouse invited comments from the public.

Paul Segre stated that it was government's role to dampen unfettered capitalism.

Fred Allebach stated that the wine tasting issue was symbolic of an out of proportion economic leg of the public policy stool where social issues and environmental sustainability concerns were shunted aside. It represented a conflict over the role of and oversight of tourism experienced by Aspen, Woodstock and Hawaii. He supported stronger regulation and suggested requiring a CUP for all new tasting rooms.

Jeanette Fung, Plaza business owner, said the City could not rely on the free market taking care of itself and needed to retain some use of the Plaza for the locals. The real estate market on the Plaza was not a normal market; rents were very high. She noted that most tasting rooms were there as a loss leader for the winery it represented.

Larry Barnett stated that the City recently received the Certified Local Government status and was required to protect the Plaza as a National Historic Landmark. He disputed the claims that the free market would take care of itself and said that the shift away from brick and mortar wineries and influx of tasting rooms would change the character of the City. Barnett stated the City needed to consider the number of businesses selling alcohol in the downtown and question what benefit they had on residents.

Regina Baker posed several questions about the number of events and potential sales tax revenue. She stated that only Sonoma County wineries should be allowed and that she supported a balanced approach to the regulations.

Robert Ryan O'Mallery, Eric James Winery, stated that most of the tasting rooms were mom and pop operations and locally owned. He did not support any regulation of tasting rooms.

Paula Zoka questioned the benefit of the tasting rooms to the City, how many of the employees lived around the Plaza, and who among the Council was directly involved or received income from the alcohol industry. He said the Plaza was chaotic on weekends. Clm. Cook replied that he owned a vineyard management business.

Jake Hawkes, Hawkes Winery, stated that although he did not support any regulation - a cap would reduce competition and benefit his business. He said he grew up in Sonoma growing grapes and his one full time employee was a Sonoma Valley High graduate.

Danny Faye, Envolve Winery, said he conducted his own research regarding the issues that had been raised concerning debauchery, lack of diversity and tasting rooms pushing out other businesses. He found that: 1) The only debauchery he witnessed was in the Plaza Rose Garden right next to the Visitor Bureau. 2) There were just as many women's clothing stores as there were tasting rooms. 3) All alcohol establishments put together still only made up one-third of downtown businesses. Faye added that Alcohol Beverage Control (ABC) already did a phenomenal job regulating their business.

John Kelly stated the downtown was a resource to be shared with the moms bringing their kids to the park and business. It was the City Council's job to control and protect the Plaza.

David Eichar stated the Council needed to maintain a diversity of businesses on the Plaza and referred them to St. Helena's General Plan.

Sherry Ferkovich stated that tasting room employees often serve as concierges directing tourists to retail establishments, restaurants, and hotels.

Kathy Speering stated that locals were being overwhelmed by tourists and agreed that all tasting rooms should be subject to CUP review.

Squire Fridell, Sonoma Valley Vintners & Growers Alliance (SVVGA), said the history of Sonoma was intertwined with wine. He said 17% was not a high percentage and without the tasting rooms there would be a lot more vacancies downtown. Tasting rooms were not a detriment to the community in fact they were one of the reasons the City was in the black. He asked the Council to not hurt them and pointed out that SVVGA would be writing a million dollars' worth of checks to local charities and nonprofits as a result of their Wine Country Weekend event.

Jennifer Irving stated that the voters want change as demonstrated in the recent Measure B election. She said tasting rooms downtown kept drivers off the roads.

Jamie Powers, Sigh Champagne & Sparkling Tasting Room, stated she was the only Type 42 license on the Plaza and she took her responsibilities seriously. She did not feel that 17% was too many.

Richard Idell, Idell Family Vineyards, stated that at the beginning of discussions, no one had identified what problem they were trying to solve. The SVVGA would be willing to help if a problem existed but at this time was completely opposed to any type of regulation and did not feel that a numerical cap was a legal use of land authority.

Wes Moller stated tasting rooms were important to the local economy and they kept people off the highways. He did not support the proposed regulation.

Chief Sackett explained that a Type 42 license was much different from a Type 2 and they worry him the most because they can be sold from person to person and ABC would not support any local conditions placed on their issuance. He said that the majority of alcohol businesses and owners were very responsible and the Beverage Server training courses were well attended.

RECESS: The meeting recessed from 8:00 to 8:05 p.m.

Chair Roberson stated he did not support a numerical cap and suggested that if the issue being addressed was the perceived pressure on rents then it should be considered on a larger context.

Clm. Cook cautioned that when you regulate one industry you would have to regulate others. He said the issue could be revisited if there was a problem.

Commissioner Edwards agreed there should not be numerical cap on tasting rooms pointing out the number of lawyers and financial intuitions in the downtown. Although some say there is not a problem he has heard concerns expressed over and over the past year and a half about the number of tasting rooms.

Commissioner Tippell stated that he looked at the matter as a community member and a father. He said he did have concerns about cultural resources but did not believe in caps or requiring every business to be subject to a CUP.

Clm. Gallian said so much time would not have been spent on the issue if there were not a problem. She would like to see more consideration of the 1,000 square foot threshold and potential violations.

Commissioner Willers stated that the CUP process was not onerous and it would provide a public forum for discussion.

Clm. Barbose agreed with the CUP requirement and said he would like a couple of other of the proposed standards tweaked a bit.

Mayor Rouse stated although he had never been big proponent of regulation he was listening to the Planning Commission and the citizens and would now support the CUP requirement.

Clm. Brown stated that the City relied on tourism. He stated he served on the Health Round Table and one of their main focuses was alcohol abuse.

Mayor Rouse said he would like to see further review of events, the hours and square footage threshold. By unanimous consensus, Council directed staff to schedule the proposed tasting room regulations on a future City Council agenda.

4. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the _____ day of _____ 2014.

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and Ratification of the Reappointment of Mark Heneveld to the Planning Commission for an Additional Two-Year Term.

Summary

The Planning Commission consists of 7 members and one alternate who serve at the pleasure of the City Council. Commissioners may serve for a total of eight years (Two-year term, Four-year term, Two-year term). Seven members and the alternate must reside within the City limits. Mr. Heneveld holds the one non-City resident position.

Mark Heneveld was originally appointed to the Planning Commission on March 5, 2008. Mayor Rouse has nominated him for reappointment for an additional two-year term.

Recommended Council Action

Approve and ratify the reappointment.

Alternative Actions

Council discretion.

Financial Impact

N/A.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

None.

cc:

Mark Heneveld via email



**City of Sonoma
City Council**
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and Ratification of the Appointment of Christopher Woodcock to the Traffic Safety Committee for a Two-Year Term.

Summary

The Traffic Safety Committee consists of five members and one alternate who serve at the pleasure of the City Council. At least four of the regular members and the alternate must reside within the City. Appointments are made when a nomination by the Mayor is ratified by the City Council.

Mr. Woodcock has served as the Alternate on the Traffic Safety Committee since November 7, 2011. The Sonoma Municipal Code provides that *"In the event that a vacancy occurs on the board or commission, upon nomination by the mayor and ratification by the city council, the alternate may be appointed to the vacancy without further recruitment for a replacement for the regular member."*

Mayor Rouse has nominated Mr. Woodcock for appointment as a regular member of the Traffic Safety Committee for an initial two-year term.

Recommended Council Action

Approve and ratify the appointment.

Alternative Actions

Council discretion.

Financial Impact

n/a

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

None

CC: Christopher Woodcock via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 7A

Meeting Date: 03/03/14

Department

Planning

Staff Contact

Associate Planner Atkins

Agenda Item Title

Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Troy and Dawn Marmaduke for Design Review for exterior color modifications and an awning sign and the appeal of staff's decision to approve the application of Troy and Dawn Marmaduke for the re-facing of a wall sign and a projecting sign (408 First Street East).

Summary

On December 17, 2013, the Design Review and Historic Preservation Commission (DRHPC) considered the application of Troy and Dawn Marmaduke for Design Review for exterior color modifications and an awning sign located at 408 First Street East. Ultimately, the DRHPC approved the Design Review and awning sign applications with a vote of 3-2. On February 14, 2014, staff administratively approved a Sign Application for two signs proposed at 408 First Street East. On December 30, 2013, Johanna M. Patri, AICP and Mary Martinez filed an appeal of the DRHPC's decision to approve the paint color, painted awning, awning sign, and the administratively approved signs. As noted in the attached appeal application and letter, the appellants assert concern for the protection and preservation of the Sonoma Plaza and the DRHPC upholding its compliance with the Certified Local Government programs.

Recommended Council Action

Deny the appeal, upholding the decision of the Design Review and Historic Preservation Commission Commission.

Alternative Actions

1. Uphold the appeal, thereby denying the Design Review and Sign applications.
2. Uphold the appeal, approving the application with modifications.
3. Refer the project back to Design Review and Historic Preservation Commission for further consideration.

Note: Except in the case of option number 3, staff would return on the following Council meeting with a Resolution formalizing the Council's decision, including the necessary findings.

Financial Impact

N.A.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Supplemental Report
2. Appeal Application Form
3. Recent correspondence
4. Design Review and Historic Preservation Commission staff report of December 17, 2013, with attachments
5. Minutes of the December 17, 2013, Design Review and Historic Preservation Commission meeting
6. Revised approval letter dated January 7, 2014
7. Sign Review Application
8. Revised Sign Application approval letter dated February 24, 2014
9. Benjamin Moore Historical Color Collection is available for review at City Hall

Alignment with Council Goals:

N/A

cc: Grandma Linda's Ice Cream mailing list

SUPPLEMENTAL REPORT

Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Troy and Dawn Marmaduke for Design Review for exterior color modifications and an awning sign and the appeal of staff's decision to approve the application of Troy and Dawn Marmaduke for the re-facing of a wall sign and a projecting sign (408 First Street East).

For the City Council meeting of March 3, 2014

Property Description

The subject property is a 13,170 square foot parcel that comprises multiple commercial tenant spaces (including the subject tenant space) located at 408 First Street East (APN 018-221-035). The subject tenant space is located on the west portion of the parcel, adjacent to First Street East. The site is zoned "Commercial" (which corresponds to its General Plan land use designation) and it lies within the Historic Overlay Zone. The building on the property, which was constructed circa 1880, is a historically-significant structure, known as the "Pinelli Building." It is listed on the Nation Register as a contributor building to the Sonoma Plaza District, it is listed on the California Register, and it is identified in the Local Historic Resources Survey.

Adjoining uses are as follows:

North: A restaurant (Burgers and Vine) is located to the north.

South: A winery tasting room (Sonoma Wine Shop) is located to the south.

East: El Paseo tenant buildings are located to the east.

West: The Sonoma Plaza is located to the west.

Project Description

The project involves three elements: 1) new paint colors for the building façade; 2) the painting of an existing awning and an awning sign; and, 3) the re-facing of two existing signs.

Paint colors: This element of the proposal involved changing the color of the front portion of the building (facing First Street East). The applicant indicated that the new paint colors are consistent with the branding of the business. The Design Review and Historic Preservation Commission approved the proposed color change with the following condition:

- The front portion of the building shall be painted Pratt and Lambert cerise delight (2-14) including the following elements: the door; the door frame; and, small strip between the windowsill and the sidewalk area, the remainder shall be painted Pratt and Lambert off white (32-31).

Awning and awning sign: This element of the proposal involved painting the existing canvas fabric awning Pratt and Lambert cerise delight (2-14) with Pratt and Lambert off white (32-31) stripes on the top sheet. The DRHPC approved the painting of the awning with the following conditions:

- The top portion of the awning was approved as submitted.
- The valance (sign) portion of the awning shall be painted either Benjamin Moore softened violet (1420) with Pratt and Lambert off white (32-31) text, or painted Pratt and Lambert off white (32-31) with Pratt and Lambert cerise delight (2-14) text.

Refaced signs: In an attempt to save the applicant time, the DRHPC attempted to approve the proposal to reface two existing signs during the DRHPC meeting. It was later determined by staff that the proposed signs were not properly noticed and could not be considered by the DRHPC. However, the two signs did qualify as signs that could be administratively approved by staff. Subsequently, staff approved the re-facing of two signs for the business: a 7.3 square foot wall sign; and, a 1.1 square foot projecting sign (see attached sign application).

Design Review and Historic Preservation Commission (DRHPC) Review/Sign Review

The DRHPC considered the design review, awning, and awning sign application at its meeting on December 17, 2014. At that time, the applicants were proposing to paint most of the front portion of the building Pratt and Lambert cerise delight (2-14) and the window and door trim would be painted Pratt and Lambert off white (32-31). Through the course of the meeting, the DRHPC and the applicants reduced the extent of the cerise delight color to the door; the door frame, and small strip between windowsill and sidewalk. The applicants were directed to paint the remainder of the front portion of the building Pratt and Lambert off white. In addition, the DRHPC approved the proposal to paint the top portion of the awning as proposed [Pratt and Lambert cerise delight (2-14) with Pratt and Lambert off white (32-31) stripes]. However, the DRHPC modified the awning sign to consist of either Benjamin Moore softened violet (1420) with Pratt and Lambert off white (32-31) text, or painted Pratt and Lambert off white (32-31) with Pratt and Lambert cerise delight (2-14) text.

At that meeting, one resident spoke in opposition of the project, mainly citing concerns with the compatibility of the proposed pink color with the existing plum stone on the building. One resident and the painting contractor spoke in support of the application. Ultimately, the DRHPC approved the paint colors, painted awning and awning sign proposal on a vote of 3-2 (Comms. Anderson and Barnett opposing). The minutes from the December 17, 2013 meeting are attached for consideration.

As previously mentioned, the DRHPC attempted to approve the wall sign and the projecting sign, but it was later determined by staff that the proposed signs were not properly noticed for the DRHPC meeting and therefore the action taken to approve them was invalid. However, the two signs did qualify as signs that could be administratively approved by staff. Subsequently, staff approved the re-facing of two signs for the business: a 7.3 square foot wall sign; and, a 1.1

square foot projecting sign (see attached sign application). This action was taken because the proposed signs qualified for administrative approval.

Issues Raised in the Appeal

On December 30, 2013, Johanna M. Patri, AICP, and Mary Martinez filed an appeal of the DRHPC's decision to approve the paint color, painted awning, awning sign, and the signs approved by staff. As noted in the attached appeal application and letter, appellants address: 1) DRHPC's charter responsibility, accountability, and procedures; 2) equal and consistent consideration of historic resources and structures, the historic Plaza, and historic Sonoma; and, 3) appropriate color palettes. With respect to these issues, staff would note the following:

- 1) *DRHPC's charter responsibility, accountability, and procedures:* on November 4, 2013, the City Council amended the Municipal Code with respect to historic preservation. As the City Council is aware, with the adoption of the amendments, Sonoma qualifies as a certified local government with respect to historic preservation. The DRHPC has now a list of eight findings it must make in order to approve an application for projects within the Historic Overlay zone or a Local Historic District and projects involving historically significant resources. The appellants state that the DRHPC should not have been able to make the findings to approve the paint colors, the awning, and awning sign because DRHPC did not take into consideration the historic and aesthetic values of the Plaza. However, as set forth in the attached minutes, the DRHPC did discuss the aesthetics of the proposed application with the respect to the Pinelli Building. Further, the DRHPC modified the original proposal to be more consistent with the existing structure and its surroundings. It should also be noted that no structural changes were proposed with the application, only exterior colors, awning modifications, and sign modifications.

Because projects reviewed by the DRHPC can be subjective it is staff's policy to not provide recommendations to the DRHPC on decision options. However, staff does provide the DRHPC with relative Development Code sections, identifies when building permits are required, and indicates when a proposal does not meet requirements. As set forth in the staff report to the DRHPC on the item (attached), the findings necessary to approve the application were set forth and the Commission was fully aware of them.

- 2) *Equal and consistent consideration of historic properties and structures, the historic Plaza, and historic Sonoma:* The applicants assert that all applications must be reviewed and a determination based on equal and consistent content-value guidelines, criteria, and considerations, not on personal likes. As discussed above, staff would note that the DRHPC worked with the applicants to modify the original proposal to be more consistent with the structure and its surroundings. Members of the DRHPC are appointed in part for their expertise and their interest in and understanding of design issues, including historic preservation. The Commission is diligent in evaluating applications in accordance with the adopted regulations and design guidelines and there is nothing in the record to indicate that their decision in this regard was arbitrary or inconsistent. Further, as discussed below, the appellants seem to suggest that the DRHPC should have evaluated the building colors based on a standard that has never been considered or adopted in Sonoma, which in staff's

view would clearly be arbitrary as no other applications for changes in building color have been evaluated against that standard.

- 3) *Appropriate color palettes:* The appellants are requesting the City Council require the DRHPC to use the Benjamin Moore Historical Color Collection as a guide to be used as a color guideline and criteria when making decisions for color schemes within the historic district of the Plaza, the historic overlay zone, and individual historic structures. (The proposed color guide is available for review at City Hall.) Staff would note that color modifications are considered by the DRHPC for commercial buildings and new building colors for commercial or mixed-use development. Therefore, it could be challenging to implement this restriction on building colors for all such structures within the City. The current policy of the DRHPC is to allow for individuality with regard to available colors choices and to require the applicant to submit manufacturer color samples of proposed color schemes. In any event, this suggestion does not relate directly to any decision on the appeal as the standard suggested by the appellants is, of course, not something that the City has adopted as part of its review guidelines.

Environmental Review

Pursuant to Section of 15301 of the State CEQA Guidelines, operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, are considered Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

Requested Action in the Appeal

The appellants are requesting that the City Council deny the approvals for the repainting of the building, the painting of the awning, and the re-facing of the existing signs.

Recommendation

In accordance with standard practice, staff recommends that the City Council uphold the decision of the DRHPC. Based on Council direction (whether to deny the appeal, uphold the appeal, or refer the application back to the DRHPC with direction), a resolution will be prepared implementing the City Council's decision, for adoption as a consent calendar item at the meeting of March 17, 2014.

City of Sonoma Appeal Application Form

For City Use

Date Received _____

By _____

DEC 30 2013
CITY CLERK

- A copy of the rights of appeal and the City's appeal procedures may be found on the reverse of this form
- The fee to file an appeal is ~~\$100.00~~ and must accompany this form
- Appeals must be filed with the City Clerk within fifteen (15) calendar days of the action
- Appeals must address issues raised or decisions made at previous hearings. Appeal hearings cannot be used as a forum to introduce new issues
- In order for your appeal to be valid this form must be filled out completely.

Feel free to attach additional sheets or supporting documentation as may be necessary.

APPELLANT INFORMATION: (Please Print)

Name: JOHANNA M. PATRI, ALCP Name: MARY MARTINEZ

Address: 621 NAPA ROAD, SONOMA Address: 414 FIRST STREET EAST

Phone: 707 996-6412 Phone: 707 738-9351

see additional Appellants on Attached Sheet
I/We the undersigned do hereby appeal the decision of the:

Planning Commission

Design Review Commission *and Historic Preservation*

City Planner or Department Staff

Other: _____

Regarding: DRHPC approval of color scheme and awning
(Title of project or application)

Located at: 408 FIRST STREET, SONOMA
(Address)

Made on: DECEMBER 17, 2013
(Date decision was made)

I/We hereby declare that I/We are eligible to file an appeal because:

(Refer to Section 19.84.30-A, Eligibility, on the reverse)

1. Appellants determine that procedurally decision and approval were not made based on required findings in accordance with Section 19.84.080 E,

The facts of the case and basis for the appeal are: of the Development Code

see Attached Bases of Appeal (over)

I/We request that the Appeal Body take the following specific action(s):

Uphold the Appeal, thereby denying the DRHPC approval of December 17, 2013

Signed:

Johanna M. Patri December 30, 2013
Signature Date

Mary K. Martinez DECEMBER 30, 2013
Signature Date

2. Issues raised at public hearing were neither considered nor addressed.
3. Appellants determine that procedurally applicant did not take direction from staff before proceeding to hearing with a complete application.
4. Appellants' concern for: (a) the protection and preservation of the Sorona Plaza listed on the National Register of Historic Places; and (b) the NRHP's upholding its compliance with the Certified Local Government program.

BASES FOR APPEAL OF THE CITY OF SONOMA DESIGN REVIEW AND HISTORIC PRESERVATION COMMISSION'S APPROVAL OF 408 FIRST STREET EAST

Design Review and Historic Preservation Commission's Charter Responsibility, Accountability and Procedures

Background and the Certified Local Government

On October 21, 2013, upon approval of the Certified Local Government (CLG), which provides a broad structure for local governments to identify, evaluate, register, and preserve historic structures within their jurisdiction, the City Council amended portions of Section 19.42 of the Municipal Code by adding additional required findings for the purpose of: (a) safeguarding the historical character of Sonoma; (b) providing protection and enhancement of historic buildings and the City's historic character; and (c) encouraging the orderly and harmonious appearance of historic structures and property within the City (*refer to Attachment 1*). The appellants purport it is critically important that the DRHPC review the proposal, not only on the basis of design review, but on the basis of the preservation and protection of the historic Plaza, which the appellants assert the DRHPC in its approval of 408 First Street East did not do in order to ensure the protection and enhancement of the subject building and Sonoma's historic character.

On November 4, 2013, the City Council passed Ordinance No. 06-2013, which changed the name of the Design Review Commission to the Design Review and Historic Preservation Commission (DRHPC) and clarified the responsibilities of the DRHPC and modified regulations pertaining to historic resources in order to achieve compliance with the requirements of the CLG program for historic preservation (*refer to Attachment 2*). To achieve this purpose, the appellants recommend that the Council direct Staff to conduct, with the help of expert consultants, workshops for the DRHPC as to its responsibility of preserving and protecting the Plaza, the Historic District overlay zone, and individual historic structures.

Effective Decision Date and Appeal Clause

The letter from Staff dated December 19, 2013, to the applicants (*refer to Attachment 3*) informing the applicants of the DRHPC decision has the wrong decision date of the DRHPC and does not include an appeal clause which informs the appellant of the effective date of the decision. All applicants need to be informed as to the effective date of a decision. The application for 408 First Street East was submitted originally in response to a code enforcement action. The day following the decision of December 17, 2013, the applicants continued to paint the exterior bright pink.

Incomplete Application

The appellants assert that Staff, based on its analysis as contained in the Staff Report (*refer to Attachment 4*), must summarize its conclusion and provide the DRHPC with its recommendation based on findings in order to clearly guide the DRHPC through the decision-making process. Throughout the Staff Report, Staff informed the DRHPC of its concerns regarding: (a) the appropriateness of the proposed colors to the historic building; and (b) the appropriateness of the proposed painted awning in terms of aesthetics, maintenance, and flammability requirements. Furthermore, the applicant's non-cooperation in submitting an alternate color scheme for consideration and providing a sample of a painted awning and project narrative, flammability report, and awning sign material as requested by Staff should have caused concern for the DRHPC and hardly makes for a complete application.

Sign Submittal

The Staff Report before the DRHPC included information regarding: Awning Signage; Other Signs; Aggregate Sign Area; Number of Signs; and a Variance Request. Details and drawings for the proposed signs were not submitted. It is not clear from the administrative record what decision by, or direction from, the DRHPC was made as to signage. The December 19, 2013 Staff letter to the applicant merely states that "the DRHPC did not have the authority to approve the wall sign and projecting sign in conjunction with the application". While a Sign Application is required and will be reviewed administratively, the color, material, style and amount of signage are all important elements to design review and historic preservation as they relate to the historic façade. The appellants assert that the proposed signs should be reviewed and analyzed by the DRHPC and no Variances as to the allowed aggregate sign area should be granted as no exceptional or extraordinary circumstances exist as to site conditions. The appellants request that the proposed signage approval for 408 First Street East be brought forth for a decision by the Council as part of this appeal, rather than administratively by Staff.

Historic and Aesthetic Values of the Plaza and Lack of Required Findings

The appellants assert that the decision of the DRHPC did not take into consideration the historic and aesthetic values of the Plaza. In addition, the appellants assert that procedurally the DRHPC not only did not make the findings required to approve the proposal, but that findings No. 3., 4., and 5. (*refer to Attachment 5*) cannot be made because: (a) the proposal was not thoroughly submitted or presented to the DRHPC, including, but not necessarily limited to signs and suitability of awning specifications; (b) the proposed material colors are not fitting to the historic structure; and (c) the proposal does not respond positively to the historic values and characteristics of the Plaza either aesthetically or historically and will have a negative impact on the importance of

the Plaza as an historic environment. In conclusion, merely listing the findings in the Staff Report - while providing information - does not provide the DRHPC with an analysis as to whether those findings can be made.

Equal and Consistent Consideration of Historic Resources and Structures, the Historic Plaza, and Historic Sonoma

The appellants assert that all applications must be reviewed and a determination based on equal and consistent content-value guidelines, criteria, and considerations, not on personal likes. In the case of 408 First Street East, the DRHPC was not consistent or equal in its consideration of the impact of the historic values of the proposal relative to other past applications. Of note are the following recent applications that have been before the DRHPC:

711 Broadway Dutch Bros.

The Planning Commission, as well as Staff, made it clear to the applicant that there needed to be modifications to the Design Review proposal in order to pass the DRHPC; hence, the extra precaution to the Design Review and Historic Preservation Commission contained in the conditions of approval: "The DRHPC shall carefully scrutinize proposed color changes to ensure compatibility with the character of Broadway and avoid a corporate appearance." This condition was put into the Use Permit approval, not as a casual comment, but after careful deliberation by the Planning Commission. Before going before the DRHPC, the applicant worked closely with Staff and modified the proposal using Benjamin Moore "van deusen blue" (HC-155) (not Dutch Bros.' typical corporate "branding" color) in order to be compatible with the historic surroundings (*refer to Attachment 6*).

34 West Spain Street Coldwell Banker

The appellants applaud the thoughtful consideration by the DRHPC, which sent a strong message to the applicant that the proposed and installed bright blue awning – a code enforcement – was not appropriate to the historic Plaza or the historic building, even though the applicant stated that the bright blue color was part of Coldwell Banker's corporate branding. The DRHPC found in general that corporate branding on the Plaza was not an appropriate consideration and the bright blue color: (a) was very bright; (b) did not blend in with the building; (c) is unlike anything else around the Plaza; (d) is not compatible with the building exterior; and (e) is not appropriate and sent that applicant "back to the drawing board". These same considerations and findings should have been directed to the applicants of 408 First Street East. Furthermore, the Community should not have to rely on colors fading over time to be acceptable (*refer to Attachment 7*).

Appropriate Color Palettes

Compatibility with the Plaza

The first and foremost consideration of the DRHPC should be that a business identity fits into the Community and the particular streetscape and preserves and protects the historic environment. In keeping with the philosophy of "what's good for the community, is good for business", instead of "what's good for business is good for the community", the proposed colors are neither compatible nor appropriate with the historic nature and characteristics of historic Sonoma. Bright, personal-preference colors may have their place in other situations i.e. interiors, but the proposed bright pink is neither compatible with, nor identifies with, the historic Plaza and the subject historic plum stone building.

408 First Street East Proposal

This property is within 100 feet of Sonoma's historic Mission Solano and Barracks at the corner of First Street East and East Spain Street. The proposed color scheme and signage will impact the historic character of the surrounding historic environment. Furthermore, the historic Pinnelli Building (*refer to Attachment 8*) façade and sidewalk material are constructed of Sonoma plum stone. In the past, previous owners carefully selected compatible, subdued, and historic colors for the wood detailing and trim of the exterior of the building.

The adjacent historic building has recently been painted and re-roofed. The color of the building is similar to the past. Furthermore, color schemes of other buildings south of 408 First Street East respect the historic streetscape. The appellants assert the proposed bright pink color is incompatible with the plum stone. The proposed color scheme associated with the exterior façade of this building respects neither the integrity of the historic building style and materials, the surrounding historic streetscape nor the historic Plaza (*refer to Attachment 10*).

Benjamin Moore's Historical Color Platte as Guideline and Criteria

The appellants offer the City Staff and decision-making bodies the Benjamin Moore Historical Color Collection to be used as a color guideline and criteria when making decisions for color schemes within the historic district of the Plaza, the historic district over-lay zones and individual historic structures.

Benjamin Moore's Historical Color Collection was developed under Ken Charbonneau's aegis as Color and Merchandising Manager for Benjamin

Moore & Co. A letter from Mr. Charbonneau, dated November 3rd, 1983, states "The vast majority of the colors were obtained from the files of the National Park Service in Philadelphia. These colors were obtained by stripping down through multiple layers of paint. The remainder of the colors was collected from various historical houses and sites located in different parts of the United States.

Historical locations included:

Hendrickson House, Holmdel, NJ, Greenfield Village, Dearborn, Michigan, Shakertown Museum, Auburn, KY, Powell Room, Philadelphia Museum Of Art, Gallier House, New Orleans, Bouregard House, New Orleans, Campbell-Whittlesey House, Rochester, NY, Bruster-Burke House, Rochester NY, and Stone Talon House, Rochester, NY.

Mr. Charbonneau further concluded that additional historic houses that are not mentioned also served as models. Unfortunately--and this is probably the crux of the matter-- the individual colors are not traced back to any particular house so we cannot supply information on specifically where any of the particular colors on the color chart came from.

There are 174 colors in this collection representing significant colors from the 18th and 19th centuries that have been matched to documented colors from historic homes and buildings throughout the United States. (*Source: Benjamin Moore & Company Headquarters*)

Within the Benjamin Moore Historical Color Palette are a number of real, hard, focused, achievable and researched color choices for 408 First Street East that are compatible and appropriate with the plum stone. The appellants assert the DRHPC did not base its approval on research-based considerations; therefore, the appellants submit to the City the Benjamin Moore Historical Color Palette in its entirety and request that the Council direct the use of this palette in the future by applicants, City Staff and the DRHPC as a guideline when selecting, proposing, reviewing, analyzing, and determining colors and color schemes for historic Sonoma in general and the Plaza specifically (*refer to Attachment 9*).

Summary and Conclusion

Summary

In summary, the appellants are appealing the DRHPC's approval of 408 First Street East on the following bases:

1. The decision of the DRHPC did not take into consideration the historic and aesthetic values of the Plaza and did not base its decision on the preservation and protection of the historic Plaza in its approval of 408 First Street East. In

granting its approval to 408 First Street East, the DRHPC did not ensure the protection and enhancement of the subject building and Sonoma's historic character.

2. Procedurally, Staff's letter dated December 19, 2013 has the wrong date of the decision, fails to inform the applicants of the effective date of the decision, and does not include an appeal clause.
3. For procedural and decision-making clarity to the decision-making body, Staff did not summarize its conclusion and provide a recommendation based on its analysis and findings.
4. Any proposed signs should have been reviewed and analyzed by the DRHPC as the color, material, style and amount of signage are all important elements to design review and historic preservation as they relate to the historic façade. No Variances as to the allowed aggregate sign area should be granted as there does not exist any exceptional or extraordinary circumstances as to site conditions. The appellants request that the proposed signage for 408 First Street East be brought forth for a decision by the Council as part of this appeal, rather than administratively by Staff.
5. Procedurally, the DRHPC did not make the findings required to approve the proposal. Furthermore, findings No. 3., 4., and 5. cannot be made because: (a) the proposal was not thoroughly submitted or presented to the DRHPC, including, but not necessarily limited to signs and suitability of awning specifications; (b) the proposed material colors are not fitting to the historic structure; and (c) the proposal does not respond positively to the historic values and characteristics of the Plaza either aesthetically or historically and will have a negative impact on the importance of the Plaza as an historic environment. Merely listing the findings in the Staff Report - while providing information does not make the findings in order to approve the project.
6. The proposal was not reviewed and a determination made based on equal and consistent content-value guidelines, criteria, and considerations with other past applications as to appropriateness of the proposal to the subject historic building and the historic Plaza including, but not limited to, 711 Broadway and 34 West Spain Street. A decision was based on personal preferences.
7. Consistent with the bright blue awning proposed for 34 West Spain Street, the proposed bright pink and blue color scheme (a) is too bright; (b) does not blend with, or complement, the historic structure; (c) is unlike anything else around the Plaza; and (d) is not appropriate to the historic Plaza.
8. Business branding on the Plaza should not be a primary consideration of the DRHPC approval as it relates to exterior façade design, materials, color

schemes and signage. The color and material selections clash with the adjacent terra cotta roof material and are incompatible with the plum stone of the subject building. The approved color scheme does not respect the integrity of the historic building, but were selected on the basis personal preferences, while selections and approvals should be based on research and appropriateness to the building itself and the historic resources and street scene of the historic Plaza. The DRHPC did not base its approval on research-based considerations. The Benjamin Moore Historical Color Palette provides many appropriate historic colors from which to create a color scheme for the subject building.

Conclusion

The appellants request that the City Council approve the appeal and deny the DRHPC's approval of the applicant's proposal for 408 First Street East. Of the utmost consideration should be the compatibility, preservation and protection of the historic resources, characteristics and integrity of the Plaza. The proposal does not respect the integrity of the subject historic building style and materials, the surrounding historic streetscape, nor the historic Plaza. The Required Design Review Findings, particularly Findings 3., 4., 5., cannot be made to approve the proposed project.

Attachments

1. Section 19.42.080G of the Municipal Code
2. City of Sonoma, Ordinance No. 06-2013
3. Staff decision letter dated December 19, 2013, to the applicants
4. 408 First Street East Staff Report
5. Required Findings for Project Approval
6. Color Sample of Benjamin Moore Van Deusen Blue (HC-156)
7. Minutes of the November 19, 2013, DRHPC Hearing (Item #3)
8. Historic Survey Form for 408 First Street East
9. Benjamin Moore Historical Color Palette
10. Photos and Photo Simulations with historic color option

Respectfully Submitted by the Following Appellants

Name	Address	Phone Number
<i>Mary Mastroy</i>	414 FIRST ST. EAST	938-9351
<i>Johanna Matri</i>	621 Napa Rd	996-6412

Name	Address	Phone Number
Helen Burger	919 E MacArthur	996 5346
Fred Burger	919 E. MacArthur	996 5346
Harry Kozel	1116 Kenilworth Ave	833-1381
Geneva Kozel	314 E. Napa St.	486-5208
Royce H. Hagan	802 Towne St.	938-3274
Sue Kamahala	552 3rd St. East	938-2231
Jim Kamahala	552 Third St. East	938-2231
P.A. Pulvirenti	1285 BROCKMAN LANE	939.3599
Heidi Kamahele	590 Fano Ln	935-0443
Yvonne Kourou	392 E. Napa St.	843-0109

3. Single-family development of five or more units. For new single-family development of five or more units, except in conjunction with a Planned Development Permit, the Planning Commission shall be responsible for reviewing and approving design guidelines to ensure an appropriate variety of unit types and styles. Design guidelines may include building heights and mix of stories, setbacks, architectural concepts, elevation details, building materials, and landscaping. The topics and level of detail required for the review of a particular project shall be as deemed appropriate by the Planning Commission. Review by the Design Review Commission shall not be required, except as referred to the Design Review Commission by the Planning Commission.

E. Review Procedures. Each application for Site Design and Architectural Review shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section and with applicable requirements of this Development Code. The review authority shall hold a public meeting, and may approve, approve with conditions, or disapprove the application for Site Design and Architectural Review in compliance with this Section.

F. Factors to be considered. In the course of Site Design and Architectural Review, the consideration of the review authority shall include the following factors:

1. The historical significance, if any, of the site or buildings or other features on the site;
2. Environmental features on or adjacent to the site;
3. The context of uses and architecture established by adjacent development;
4. The location, design, site plan configuration, and effect of the proposed development.

These factors shall be considered in relation to the development standards and design guidelines of this Development Code, other applicable ordinances of the City, and applicable General Plan policies.

G. Findings, decision. The review authority may approve, approve subject to conditions, or disapprove an application for Site Design and Architectural Review. The review authority may approve an application, with or without conditions, only if it first makes the findings set forth below.

1. Basic findings. In order to approve any application for Site Design and Architectural Review, the review authority must make the following findings:
 - a. The project complies with applicable policies and regulations, as set forth in this Development Code (except for approved Variances and Exceptions), other City ordinances, and the General Plan;
 - b. On balance, the project is consistent with the intent of applicable design guidelines set forth in this Development Code; and
 - c. The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.
2. Projects within the Historic Overlay District or a Local Historic District. In addition to the basic findings set forth in paragraph 1, above, the review authority must make

Section
19.42080B

the following additional findings for any project located within the Historic Overlay District:

- a. The project will not impair the historic character of its surroundings; and
- b. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.
- c. The project substantially complies with the applicable guidelines set forth in Chapter 19.42 (Historic preservation and Infill in the Historic Zone).
- d. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through section 19.42.020.

These findings shall not apply to demolitions associated with a project which have been approved under Section 19.54.090 (Demolition Permit).

- 3. Projects Involving Historically Significant Resources. In addition to the basic findings set forth in paragraph 1, above, the review authority must make the following additional findings for any project on which site is located a resource that is listed or eligible for listing on the State Register of Historic Resources or that has been designated as a local historic resource pursuant to section 19.42.020:

- a. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.
- b. The project substantially complies with the applicable guidelines set forth in Chapter 19.42 (Historic preservation and Infill in the Historic Zone).
- c. The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.

These findings shall not apply to demolitions associated with a project which have been approved under Section 19.54.090 (Demolition Permit).

- H. **Expiration.** If a Building Permit has not been applied for and issued within one year of Site Design and Architectural Review approval, the approval shall become void, unless an extension is approved in compliance with Chapter 19.56 (Permit Implementation, Time Limits, Extensions).

CITY OF SONOMA

ORDINANCE NO. 06 – 2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING THE SONOMA MUNICIPAL CODE BY CLARIFYING THE RESPONSIBILITIES OF THE DESIGN REVIEW COMMISSION AND MODIFYING REGULATIONS PERTAINING TO HISTORIC RESOURCES IN ORDER TO ACHIEVE COMPLIANCE WITH THE REQUIREMENTS OF THE CERTIFIED LOCAL GOVERNMENT PROGRAM FOR HISTORIC PRESERVATION

The City Council of the City of Sonoma does ordain as follows:

Section 1. Amendments to “Design Review Commission” (Title 2, Chapter 2.60) of the Sonoma Municipal Code.

Chapter 2.60 is hereby amended as set forth in Exhibit A.

Section 2. Amendments to “Integrated Development Regulations and Guidelines” (Title 19) of the Sonoma Municipal Code.

A. Article 19.42 of Division IV is hereby amended as set forth in Exhibit B.

B. Section 19.54.080.G of Article 19.54 of Division V is hereby amended as set forth in Exhibit C.

Section 3. Renaming the Design Review Commission.

The Design Review Commission shall henceforth be known as the “Design Review and Historic Preservation Commission”.

Section 4. Exemption from Environmental Review.

The amendments to the Municipal Code effected by this ordinance are exempt from environmental review pursuant to Section (b)(3) of title 14 of the California Code of Regulations, as it can be determined with certainty that there is no possibility that establishing additional protections for historic resources, as defined, may have a significant effect on the environment.

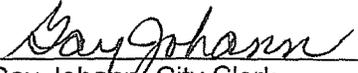
Section 5. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this 4th day of November 2013.



Ken Brown, Mayor

ATTEST:


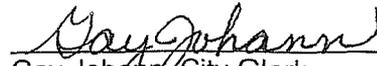
Gay Johann, City Clerk

ATTACHMENT 2

State of California)
County of Sonoma)
City of Sonoma)

I, Gay Johann, City Clerk of the City of Sonoma, do hereby certify that the foregoing ordinance was adopted on the 4th day of November 2013 by the following vote:

AYES: Barbose, Rouse, Gallian, Cook, Brown
NOES: None
ABSENT: None



Gay Johann, City Clerk

2.60—Design Review Commission

Sections:

- 2.60.010 Purpose.
- 2.60.020 Composition.
- 2.60.030 Duties and responsibilities.
- 2.60.040 City Council review.

2.60.010 Purpose.

The purpose of the Design Review Commission shall be to protect the architectural heritage of Sonoma, identify and preserve significant historic resources, enhance the visual character of the built environment, and promote excellence in town design and architecture through its review of projects in accordance with this Chapter and other applicable provisions of the Sonoma Municipal Code.

2.60.020 Composition.

The Design Review Commission shall consist of five members, appointed in accordance with SMC 2.40.100. ~~At least four members shall be qualified electors of the city. The city council may choose to appoint qualified applicants who also have a professional expertise in one or more of the following areas: architecture, landscape architecture, urban design, historic preservation, arboriculture, or a related field; however, no more than two seats on the commission may be held at any one time by persons having such expertise.~~ The members of the commission shall include persons who have demonstrated special interest, competence, experience or knowledge in the following areas: historic preservation, cultural geography, or other historic preservation-related discipline; architecture and architectural history; prehistoric and historic archaeology; urban planning; landscape architecture; or related disciplines, to the extent such persons are available in the community. All members must have demonstrated interest in and knowledge of the cultural heritage of the city.

2.60.030 Duties and Responsibilities.

The Design Review Commission shall have the following responsibilities:

- A. Exercise the authority set forth in this chapter and as otherwise provided in the Municipal Code.
- B. Recommend to the city council policies and programs in support of historic preservation including but not limited to goals and policies for the General Plan and other regulatory plans as well as programs for historic preservation incentives.
- C. Review and make recommendation to the State Office of Historic Preservation regarding nominations of property located within the city to the National Register of Historic Places.
- D. Perform the duties pursuant to the certified local government provisions of the National Historic Preservation Act of 1966. This shall include undertaking review and comment upon those projects on which the city as a certified local government has an obligation or opportunity to provide review and comment under the National Historic Preservation Act including but not limited to private and public projects undertaken within the Sonoma Plaza National Landmark District, in accordance with the applicable provisions of the Municipal Code.
- E. Administer the nomination, designation, and registry of local historic resources and districts as set forth in Section 19.42.020.

- D. Develop and administer historic preservation plans, historic resource inventories, context statements, design guidelines and other information, plans and procedures related to historic preservation.
- E. Implement the applicable provisions of the California Environmental Quality Act pertaining to historic and cultural resources, consistent with its authority under the provisions of Chapter 19.54.
- F. Conduct the review of applications for the demolition or relocation of buildings and structures within the Historic Overlay zone and of potentially historic buildings and structures located outside of the Historic Overlay zone, in accordance with Section 19.54.090 (Demolition Permit);
- G. Conduct architectural review, in accordance with Section 19.54.080 (Site Design and Architectural Review);
- H. Conduct sign review in accordance with the provisions of SMC Title 18;
- I. Conduct landscaping review in accordance with the provisions of Chapter 14.32;
- J. Consult with, advise, and report to the city council on a regular basis in connection with the exercise of the Commission's duties and functions.

The above listed duties and functions shall be performed in compliance with Section 19.52.020 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority for Planning Permits), and the California Environmental Quality Act (CEQA), as applicable.

2.60.030 City Council Review.

The city council shall review the duties, responsibilities and effectiveness of the Design Review Commission on an annual basis commencing one year from the effective date of this section.

19.42—Historic Preservation and Infill in the Historic Zone

Sections:

19.42.010—Purpose

19.42.020—Designation of a Local Historic Resource or District

19.42.030—Adaptive Reuse

19.42.040—Guidelines for Preservation and Adaptive Reuse

19.42.050—Guidelines for Infill Development

19.42.010 Purpose.

This Chapter is intended to safeguard the historic character of Sonoma by recognizing and preserving significant historic and cultural resources buildings, by providing incentives for the preservation and rehabilitation of historically and culturally significant resources, and by ensuring that new development in the Historic Overlay zone is architecturally compatible.

A. Officially designated historic structures. This Chapter establishes incentives, minimum standards, and guidelines for the preservation and adaptive reuse of officially designated historic structures to the greatest extent feasible, as well as a process for listing districts, sites, structures and other resources possessing local historic significance.

B. Potentially historic structures. This Chapter establishes guidelines for the preservation of historic structures within the City, using the League for Historic Preservation's inventory of historic structures as a guide for determining whether these provisions should be applied.

C. Infill development. This Chapter establishes guidelines to be used in review of infill development within the Historic Overlay zone for which a discretionary permit is required.

19.42.020 Designation of a Local Historic Resource or District

A. Purpose. In order to recognize and promote the preservation of sites, structures, and areas that are important to the history of Sonoma, this section provides for the nomination and designation of locally significant historic resources and districts.

B. Designation Process—Local Historic Resources. Local historic resources shall be designated by the Design Review Commission in the following manner:

1. Initiation of Designation. Designation of a historical resource may be initiated by the Design Review Commission or by the owner of the property that is proposed for designation. Applications for designation originating from outside the commission must be accompanied by such historical and architectural information as is required by the commission to make an informed recommendation concerning the application, together with the fee set by the City Council.
2. Review, Notice and Hearing. The Design Review Commission shall conduct a public hearing on a nomination for local historic resource designation. Notice of the public hearing shall be provided, and the hearing shall be conducted in

compliance with Chapter 19.88 (Public Hearings), including mailed notice to the owners of any property proposed for such designation.

3. Findings, Decision. Following a public hearing, the Design Review Commission may approve or disapprove a nomination for designation as a local historic resource. The Commission shall record the decision and the findings upon which the decision is based. The Design Review Commission may approve such designation only if it findings that the resource meets at least one of the following criteria:
 - a. It is associated with events that have made a significant contribution to Sonoma's history and cultural heritage; or
 - b. It is associated with the lives of persons important in Sonoma's past; or
 - c. It 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; or
 - d. It has yielded, or may be likely to yield, information important in Sonoma's prehistory or history.

C. Designation Process—Local Historic Districts. Local historic districts shall be designated by the City Council upon the recommendation of the Design Review Commission in the following manner:

1. Initiation of Designation. The designation of a local historic district may be initiated by the City Council or the Design Review Commission.
2. Requirements for Designation. The designation of a local historic district is subject to finding by the review authority that all of the following requirements are met:
 - a. The proposed district is a geographically definable area.
 - b. The proposed district possesses either a significant concentration or continuity of buildings unified by past events or aesthetically by plan or physical development.
 - c. Considered as a whole, a sufficient concentration of buildings within the proposed district demonstrate integrity of design, setting, materials workmanship and association.
 - d. The collective historic value of the buildings and structures in the proposed district is greater than the historic value of each individual building or structure
 - e. The designation of the area as a historic district is reasonable, appropriate and necessary to protect promote and further the goals and purposes of this chapter and is not inconsistent with other goals and policies of the city.
3. Design Review Commission Hearing and Recommendation. The Design Review Commission shall conduct a public hearing on a nomination for local historic resource district. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 19.88 (Public Hearings), including mailed notice to the owners of any property proposed for such designation. Following the public hearing, the commission shall recommend approval in whole or in part or disapproval of the application for designation in writing to the city council, setting forth the reasons for the decision. The Design Review Commission may approve a recommendation for a local historic district only if it makes the findings set forth in section 19.42.020.B.
4. City Council Hearing and Decision. The City Council shall conduct a public hearing on a nomination for local historic district. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with

Chapter 19.88 (Public Hearings), including mailed notice to the owners of any property proposed for such designation. Following the public hearing, the City Council shall by resolution approve the recommendations in whole or in part, or shall by motion disapprove them in their entirety. The City Council may approve a designation as a local historic district only if it makes the findings set forth in section 19.42.020.B. If the City Council approves a local historic district, notice of the decision shall be sent to property owners within the district.

D. Amendment or Rescission. The Design Review Commission and the City Council may amend or rescind any designation of an historical resource or historic district in the same manner and procedure as are followed for designation.

E. Previously Designated Historic Resources. The sites and structures previously designated by the City Council as having local historic significance through the adoption of Resolution 18-2006 are hereby designated as local historic resources as defined in this Chapter.

F. Register. The Design Review Commission shall maintain a register of designated local historic resources and districts.

19.42.030 Adaptive Reuse

The adaptive reuse of historic structures within the Historic Overlay District, involving uses not otherwise allowed through the base zone, may be allowed subject to the approval of a Conditional Use Permit, in compliance with Section 19.54.040 and as set forth below.

- A. *Eligible Structures.* The following types of structures are eligible for adaptive reuse:
1. Officially designated structures. Those structures of officially designated historical significance as indicated by 1) listing with the State Office of Historic Preservation, or 2) listing as a locally-significant historic resource, regardless of whether they are located within the Historic Overlay zone.
 2. Structures with potential historical value. In addition to officially designated structures, there are other structures that may have historical value because of their age (usually more than 50 years old), and their contribution to the overall historic character of the community due to their unique architectural scale and style, use of design details, form, materials, proportion, as may be documented through listing on the Sonoma League for Historic Preservation's inventory of historic structures. Such structures shall only be eligible for adaptive reuse if located within the Historic Overlay zone.
- B. *Allowable Use.* The following uses may be considered in an application for the adaptive reuse of a historic structure:
1. Residential uses and densities:
 - a. Allowable residential uses. Single- and multi-family dwellings and residential condominiums.
 - b. Allowable residential densities. The allowable residential density within the Historic Overlay District may exceed the normally allowable density under the subject General Plan designation and zoning district, subject to the approval of the Planning Commission.
 2. Nonresidential uses:
 - a. Bed and breakfast inns;

- b. Hotels;
 - c. Limited retail;
 - d. Mixed-use (residential over commercial) developments;
 - e. Professional and service-oriented offices;
 - f. Restaurants (with or without outdoor dining facilities); and
 - g. Wine tasting facilities.
- C. *Retention of residential character, scale, and style.* Adaptive reuse projects shall retain a residential character, scale, and style (e.g., off-street parking areas would be prohibited in the front and street side setbacks, new construction would have a residential appearance, signs would be limited, etc.). The guidelines set forth in Section 19.42.030, below, shall be considered by the Planning Commission in applications for adaptive reuse.
- D. *Compliance with parking standards.* The above listed uses shall be provided with suitable parking, in compliance with Chapter 19.48 (Parking and Loading Standards).
- E. *Findings and Decision.* The Planning Commission shall approve, with or without conditions, the alteration or adaptive reuse of an historic structure, only if all of the following findings can be made, in addition to those identified in Section 19.54.040 (Use Permits). The alteration or adaptive reuse would:
1. Enhance, perpetuate, preserve, protect, and restore those historic districts, neighborhoods, sites, structures, and zoning districts which contribute to the aesthetic and cultural benefit of the City;
 2. Stabilize and improve the economic value of historic districts, neighborhoods, sites, structures, and zoning districts;
 3. Preserve diverse architectural design reflecting phases of the City's history, and encourage design styles and construction methods and materials that are compatible with the surrounding neighborhood(s); and
 4. Promote and encourage continued private ownership and utilization of structures now so owned and used;
 5. Substantially comply with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties as well as the applicable requirements and guidelines of this Chapter.

19.54.080—Site Design and Architectural Review

A. Purpose. This section establishes the review procedures necessary to ensure that all applicable development projects comply with the required standards, design guidelines and ordinances of the City; minimize potential adverse effects on surrounding properties and the environment; implement General Plan policies regarding community design; and promote the general health, safety, welfare, and economy of the residents of the City. Therefore, it is the purpose of this section to:

1. Protect and enhance historic buildings and the City's historic character;
2. Encourage the orderly and harmonious appearance of structures and property within the City along with associated facilities, landscaping, parking areas, and streets;
3. Recognize the interdependence of land values and aesthetics and provide a method by which the City may implement this interdependence; and
4. Ensure that new developments, including residential, institutional, commercial, and industrial developments built on the City's character and do not have an adverse aesthetic impact upon existing adjoining properties, the natural environment, or the City in general.

B. Applicability. The review of project site planning and architectural design is an integral part of the development approval process. Therefore, each project that requires approval of a Building Permit, unless exempted as set forth below, shall require review and approval by the Planning Commission and/or the Design Review Committee (DRC), as applicable, prior to the issuance of a Building Permit or the commencement of any work on a new structure, or improvements to alter, enlarge, remodel, repair, or otherwise change the exterior of an existing structure.

1. **Residential development.** Design review shall be required for new residential development, the alteration and enlargement of existing residential structures, and residential accessory structures, as set forth in the following table.

Design Review Requirements for Residential Development		
Development Type/Condition	Design Review Requirement	
	Inside Historic Zone	Outside Historic Zone
1. New Development		
Single-family development, fewer than five units, and associated accessory structures.	Yes	No
Single-family development, five or more units.	Yes	Yes
Duplex, and associated accessory structures.	Yes	No
Triplex, PUD, or other multi-family, and associated accessory structures.	Yes	Yes
2. Existing Development		
Maintenance, repainting, in-kind replacement of exterior materials.	No	No

Re-roofing.	No	No
Interior remodeling.	No	No
Exterior alterations for which no building permit is required.	No	No
3. Existing Residential Development, Constructed Prior to 1945		
Alterations to existing structures that increase floor area by 10% or 200 square-feet, whichever is greater.	Yes	No
Alterations to existing structures requiring a Building Permit that result in substantive changes to a primary or street-side building elevation.	Yes	No
Other exterior alterations or additions for which a building permit is required.	No	No
Building relocation.	Yes	Yes
Change in roof design (e.g., alterations in pitch and height).	Yes	No
4. SFD/Duplexes, Constructed in 1945 or Later		
Additions.	No	No
Exterior alterations (including change in roof design).	No	No
Relocation.	No	No
5. Multi-family, Constructed in 1945 or Later(Including Planned Unit Developments)		
Alterations to existing structures that do not increase floor area by more than 10% or result in substantive changes to a primary or street-side building elevation.	No	No
Other exterior alterations or additions that require a Building Permit.	Yes	Yes
Change in roof design (e.g., alterations in pitch and height).	Yes	Yes
6. Other		
Detached residential accessory structures developed in conjunction with an existing primary residence.	No	No
Landscape modifications, existing single-family residences and duplexes.	No	No
Significant alterations to approved landscaping plan, existing multi-family development/PUDs (private yard areas excepted).	Yes	Yes

2. **Commercial and mixed-use development.** Design review shall be required for new commercial and mixed-use development (including public and quasi-public facilities) and the alteration and enlargement of existing structures, as set forth in the following table.

Design Review Requirements for Commercial Uses and Mixed Uses	
Development Type/Condition	Design Review Requirement

New construction and building additions	Yes
Maintenance and in-kind replacement of exterior materials.	No
Exterior building modifications for which a building permit is required.	Yes
Repainting, except when the existing color scheme is substantially retained.	Yes
Improvements to existing parking facilities with 10 or less spaces.	No
Improvements to existing parking facilities with 10 or more parking spaces.	Yes
Lighting of parking areas.	Yes
Landscaping for a new development or significant alteration to an approved landscape plan (excluding private yards).	Yes
Accessory structures not in public view.	No

3. Demolitions. Demolitions shall be regulated as provided for under Section 19.54.090 (Demolition Permit).

4. Signs. Signs shall be regulated as provided for under Title 18 of the Sonoma Municipal Code.

5. Use Permits. Notwithstanding the exemptions identified in subsection 1 and 2, above, the Planning Commission may impose design review as a condition of use permit approval.

C. Application requirements. Any person proposing to construct, alter, enlarge, remodel, or otherwise change a new or existing structure subject to Site Design and Architectural Review in compliance with this Chapter, shall make application for project review prior to the application for a Building Permit in compliance with Section 19.52.040 (Application Preparation and Filing). It is the responsibility of the applicant to provide evidence in support of the findings required by subsection G. (Findings, decision), following.

D. Review responsibility. Certain types of projects are subject to review by both the Planning Commission and the Design Review Commission, while other types of projects are subject to review by only one commission. The responsibilities of the two commissions with regard to Site Design and Architectural Review are as follows:

1. Non-discretionary Projects. Projects subject to Site Design and Architectural Review, as set forth in Subsection B., but which are not otherwise subject to discretionary review by the Planning Commission (e.g., Use Permit review), shall be reviewed by the Design Review Commission only.
2. Discretionary projects. For projects subject to discretionary review by the Planning Commission, the Planning Commission shall be responsible for reviewing and acting upon the project site plan, building massing and elevation concepts to the extent it deems necessary. Subsequent review by the Design Review Commission shall be limited to elevation details, colors and materials, landscaping (including fences and walls), lighting, site details (such as the placement of bike racks and trash enclosures), and any issues specifically referred to the DRC by the Planning Commission.

3. Single-family development of five or more units. For new single-family development of five or more units, except in conjunction with a Planned Development Permit, the Planning Commission shall be responsible for reviewing and approving design guidelines to ensure an appropriate variety of unit types and styles. Design guidelines may include building heights and mix of stories, setbacks, architectural concepts, elevation details, building materials, and landscaping. The topics and level of detail required for the review of a particular project shall be as deemed appropriate by the Planning Commission. Review by the Design Review Commission shall not be required, except as referred to the Design Review Commission by the Planning Commission.

E. Review Procedures. Each application for Site Design and Architectural Review shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section and with applicable requirements of this Development Code. The review authority shall hold a public meeting, and may approve, approve with conditions, or disapprove the application for Site Design and Architectural Review in compliance with this Section.

F. Factors to be considered. In the course of Site Design and Architectural Review, the consideration of the review authority shall include the following factors:

1. The historical significance, if any, of the site or buildings or other features on the site;
2. Environmental features on or adjacent to the site;
3. The context of uses and architecture established by adjacent development;
4. The location, design, site plan configuration, and effect of the proposed development.

These factors shall be considered in relation to the development standards and design guidelines of this Development Code, other applicable ordinances of the City, and applicable General Plan policies.

G. Findings, decision. The review authority may approve, approve subject to conditions, or disapprove an application for Site Design and Architectural Review. The review authority may approve an application, with or without conditions, only if it first makes the findings set forth below.

1. Basic findings. In order to approve any application for Site Design and Architectural Review, the review authority must make the following findings:
 - a. The project complies with applicable policies and regulations, as set forth in this Development Code (except for approved Variances and Exceptions), other City ordinances, and the General Plan;
 - b. On balance, the project is consistent with the intent of applicable design guidelines set forth in this Development Code; and
 - c. The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.
2. Projects within the Historic Overlay District or a Local Historic District. In addition to the basic findings set forth in paragraph 1, above, the review authority must make

the following additional findings for any project located within the Historic Overlay District:

- a. The project will not impair the historic character of its surroundings; and
- b. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.
- c. The project substantially complies with the applicable guidelines set forth in Chapter 19.42 (Historic preservation and Infill in the Historic Zone).
- d. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through section 19.42.020.

These findings shall not apply to demolitions associated with a project which have been approved under Section 19.54.090 (Demolition Permit).

3. Projects Involving Historically Significant Resources. In addition to the basic findings set forth in paragraph 1, above, the review authority must make the following additional findings for any project on which site is located a resource that is listed or eligible for listing on the State Register of Historic Resources or that has been designated as a local historic resource pursuant to section 19.42.020:

- a. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.
- b. The project substantially complies with the applicable guidelines set forth in Chapter 19.42 (Historic preservation and Infill in the Historic Zone).
- c. The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.

These findings shall not apply to demolitions associated with a project which have been approved under Section 19.54.090 (Demolition Permit).

- H. Expiration.** If a Building Permit has not been applied for and issued within one year of Site Design and Architectural Review approval, the approval shall become void, unless an extension is approved in compliance with Chapter 19.56 (Permit Implementation, Time Limits, Extensions).

No. 1 The Plaza
Sonoma, California 95476-6618
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E-Mail: cityhall@sonomacity.org



Aswan Egypt
Chambolle-Musigny France
Greve Italy
Kaniv Ukraine
Patzcuaro Mexico
Penglai China
Tokaj Hungary

December 19, 2013

Troy and Dawn Marmaduke
19362 Loretta Court
Sonoma, CA 95476

Subject: Consideration of a painted awning, a new awning sign, and new exterior paint colors for a commercial building (Grandma Linda's Ice Cream) (APN: 018-221-035).

Dear Mr. and Mrs. Marmaduke:

On Tuesday, December 18, 2013, the Design Review and Historic Preservation Commission (DRHPC) considered a painted awning, a new awning sign, and new exterior paint colors, for a commercial building (Grandma Linda's Ice Cream) located at 408 First Street East. After discussion and public testimony, the DRHPC voted 3-2 to approve the application with the following conditions:

- The top portion of the awning was approved as submitted.
- The valance portion of the awning shall either be painted Benjamin Moore softened violet (1420) with Pratt and Lambert off white (32-31) text, or painted Pratt and Lambert off white (32-31) with Pratt and Lambert cerise delight (2-14) text.

Please be advised that after further review it was determined that the DRHPC did not have the authority to approve the wall sign and projecting sign in conjunction with the application, which was reviewed at the DRHPC meeting. Please submit a Sign Application and a fee in the amount of \$53 and staff will review the Sign Application administratively.

In addition to the requirements of this title, all signs shall be in conformance with the 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. In addition, Section 807.2 of the Fire Code requires testing by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be noncombustible. Reports of test results shall be submitted to the Fire Code Official prior to issuance of a building permit or painting the awning. An Encroachment Permit shall be required for all work performed in the public right-of-way. Please contact Robin Evans at (707) 933-2205 for information regarding City Encroachment Permits.

If you have any questions regarding this matter, do not hesitate to contact me at 933-2204.

Sincerely,

A handwritten signature in black ink that reads "Wendy Atkins". The signature is written in a cursive style with a large, looping initial "W".

Wendy Atkins
Associate Planner

cc: Black Trust-1965
C/O Hillary Black
248 Trinity Avenue
Kensington, CA 94707-1139

Linda Aguliar, via email

Mary Martinez
P.O. Box 534
Sonoma, CA 95476

Patricia Cullinan, via email

Yvonne Bowers, via email

Alan Jones, Administrative Captain



City of Sonoma
Design Review and Historic
Preservation Commission
Agenda Item Summary

DRHPC Agenda 4
Item:
Meeting Date: 12/17/13

Applicant

Troy and Dawn Marmaduke

Project Location

408 First Street East

Historical Significance

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

NOTES: The structure, referred to as the Pinelli building lies within the Sonoma Plaza National Register Historic District, and is designated as a National Register Contributing Building. The building was constructed in 1891 and is described as a vernacular one-story building. Architectural details on the front façade include a leaded glass transom over the entrance along with a metal eyebrow cornice and dentils.

Request

Consideration of a painted awning, a new awning sign, and new paints colors for a commercial building (Grandma Linda's Ice Cream).

Summary

Background: In 2007, the Design Review Commission approved a new blue door color for the building in conjunction with a new awning, and new signs.

The previous business located in the building was a Ben & Jerry's Ice Cream shop. Recently the applicants disfranchised from Ben & Jerry's Ice Cream and are operating a new businesses named Grandma Linda's Ice Cream.

Paint Colors: The applicant is proposing to change the color of the front portion of the building. The applicants have stated that the new paint colors are consistent with the branding of the business. The majority of the area of the building façade under the awing area is proposed to be painted Pratt and Lambert cerise delight (2-14). The window trim and door window trim is proposed to be painted Pratt and Lambert off white (32-31). Staff is concerned that the pink color and white trim color will contrast sharply with the existing reddish colored rock-faced wall and existing buildings on surrounding properties. Staff also encouraged the applicants to submit an alternate color proposal. Staff would note that this application was submitted in response to a code enforcement action.

Awning: The proposal involves painting the existing awning Pratt and Lambert cerise delight (2-14) with Pratt and Lambert off white (32-31) stripes on the top sheet. The existing awning consists of a canvas fabric awning on an existing welded aluminum frame above the commercial entrance of the building. In terms of compatibility, the exterior color scheme of the building is primarily a reddish colored rock-faced wall. Photo simulations of the proposed conditions are attached. The existing awning is approximately 2 feet tall and 11 feet wide all on an existing satin black steel frame. The business name on the awning will change from Ben & Jerry's to Grandma Linda's Ice Cream. With regard to Building Code requirements, the vertical clearance from the public right-of-way to the lowest part of any awning, including valances, shall be 7 feet (Building Code §3202.2.3). In addition, awnings may extend over public property not more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support awnings, canopies, marquees and signs shall be located not less than 2 feet in from the curb line (Building Code §3202.3.1). The proposal complies with these standards in that the awning would provide 8 feet of clearance above the public walkway, and would extend only 2 feet 6 inches from the face of the building, resulting in 9 feet 6 inches of clearance from the end of the awning width to the face of the curb. The purpose of the awning is to provide business identification and weather protection at the store entrance. Staff is concerned that a painted awning may not look aesthetically attractive. In addition, staff has concerns about how a painted awning may weather throughout the years. Staff requested that the applicant bring a sample of a painted awning material to the DRHPC meeting for consideration and also address staff concerns related to a painted awning in a revised project narrative. As of the date of this staff report a revised project narrative has not been submitted. Finally, the Fire Code requires the painted awning be tested by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be

ATTACHMENT 4

noncombustible. Staff has requested the applicants submit the flammability requirements to staff. As of the date of the staff report staff has not received this information. If the DRHPC approves the painted awning reports of test results shall be included as a condition of approval for the project prior to painting the awning.

Findings for Project Approval: For projects within the Historic Overlay zone or a Local Historic District and projects involving historically significant resources, 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).
7. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through section 19.42.020.
8. The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.

Awning Signage: The business name, Grandma Linda's and the words "ice cream", are proposed on the front valance of the awning (7.25 square feet of sign area). The project narrative states that the sign would be constructed of a vinyl laminated UV canvas material. In terms of colors, the lettering would consist of a white cream color with a pink background. In addition, a brown ice cream cone logo would be included on the center of the sign. Staff would note that after the applicants indicated the desire to paint the existing awning staff requested that the awning sign material (vinyl laminated UV canvas) be confirmed by the applicants. As of the date of this staff report, the awning sign material has not been confirmed by the applicants.

Other Signs: The applicants are proposing to reface previously approved signs: a wall sign; and a projecting sign. These signs can be review administratively provided the applicants submit a Sign Review Application.

Aggregate Sign Area: Based on the building frontage on First Street East (15 feet), the maximum aggregate sign area allowed for the business is 9 square feet. The awning signage (7.25 square feet in area), wall sign (7.3 square feet in area), illuminated window sign (2 square feet in area), and projecting sign (2 square feet in area per side) would result in an aggregate sign area of 18.55 square feet for the business. The proposal is not consistent with this requirement in that the proposed signs would exceed the maximum allowable aggregate sign area for the property by 9.55 square feet. The applicants are requesting a variance from this standard.

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 four signs for the business with inclusion of the awning sign, wall sign, illuminated window sign, and projecting sign. The applicants are requesting a variance from this standard.

Variances: As noted above, the proposal would exceed the maximum aggregate sign area, exceed the permitted illuminated window sign area, and exceed the number of signs normally allowed for a 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.

In addition to the requirements of this title, the awning 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. In addition, Section 807.2 of the Fire Code requires testing by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be noncombustible. Reports of test results shall be submitted to the Fire Code Official prior to painting the awning and to the Planning Department before the Design Review Commission can review the application. An Encroachment Permit shall be required for all work performed in the public right-of-way. Please contact Robin Evans at (707) 933-2205 for information regarding City Encroachment Permits.

Commission Discussion

Design Review and Historic Preservation Commission Action

Approved Disapproved Referred to: _____ Continued to: _____

Roll Call Vote: _____ Aye _____ Nay _____ Abstain _____ Absent

DRHPC Conditions or Modifications

Attachments

1. *Project narrative*
2. *Sign drawing*
2. *Paint color samples*
3. *Picture of proposed conditions*
4. *Historic Resources Inventory*

cc: Troy and Dawn Marmaduke
19362 Loretta Court
Sonoma, CA 95476

Mary Martinez
P.O. Box 534
Sonoma, CA 95476
Linda Aguilar, via email

Patricia Cullinan, via email

Yvonne Bowers, via email

11/18/2013

Grandma Linda's Ice Cream

408 First Street East

Sonoma, CA 95476

The colors chosen for our exterior signs and awning are shades of the colors my mother liked most. In changing our business from Ben & Jerry's to Grandma Linda's (my Mom) we would like to not only honor her by naming the business after her but use her favorite colors as well. It is as simple as that. She loved Easter and purples and pinks and reds were her favorite colors.

The signs and awning WILL NOT change in size. We are only changing colors.

Respectfully,

Troy & Dawn Marmaduke

HISTORIC RESOURCES INVENTORY

(State use only)

Ser _____ Size _____ Mo. _____ Yr. _____
 UTM _____ Q _____ NR _____ SHL _____
 Lat _____ Lon _____ Era _____ Sig _____
 Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Fed _____

IDENTIFICATION

1. Common name: El Paseo
2. Historic name, if known: Pinelli Building
3. Street or rural address: 408, 412, 414 First Street East
 City: Sonoma, Ca. ZIP: 95476 County: Sonoma
4. Present owner, if known: AL GARDEN Address: 414 1st Street East
 City: Sonoma ZIP: 95476 Ownership is: Public Private
5. Present Use: Commercial Shops, Offices upstairs Original Use: Residence upstairs, Bakery in north end, Saloon in South end.
 Other past uses: _____

DESCRIPTION

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

This commercial building is situated across from the east side of the Plaza and is of Renaissance Revival Style. It is built of heavy hand-cut basalt stone locally referred to as "Plum Stone" because of its color. The same stone is featured in the sidewalk in front. The roof is flat. The original structure, built in 1880's & completed in 1890, is a large rectangular two-story building with a small single story addition to the north in 1916. Top of building features a metal cornice with dentils painted to resemble concrete. Double hung windows have stone arches and brick sills. Lower windows on south end have stone voussoirs with keystone. North commercial entrance has leaded glass transom with metal eyebrow cornice and dentils. Entrance to courtyard has stone voussoir with keystone

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



See City Map Area 10

UTM (SONOMA QUAD)
 10/549,300/4,238,740
 10/548,280/4,238,400
 10/548,210/4,238,070
 10/547,230/4,238,180

8. Approximate property size: 71 - E. Spain St.
 Lot size (in feet) Frontage 67 - E. 1st St.
 Depth 247
 or approx. acreage _____

9. Condition: (check one)

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

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

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

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

12. Threats to site:

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

12. Date(s) of enclosed photograph(s): October 1978

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

- 14. Primary exterior building material: a. Stone b. Brick c. Stucco d. Adobe e. Wood
f. Other _____
- 15. Is the structure: a. On its original site? b. Moved? c. Unknown?
- 16. Year of initial construction 1880 This date is: a. Factual b. Estimated
- 17. Architect (if known) _____
- 18. Builder (if known): August Pinelli
- 19. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)
f. Windmill g. Watertower/tankhouse h. Other _____ i. None

SIGNIFICANCE

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

This building was built in 1880's by August Pinelli, completed in 1890. The single story addition to the north was built in 1916 from lumber out of school once located behind the Community Center. August Pinelli was a stone worker from Italy. When he arrived in Sonoma he received a contract from General Valli to get stone out of his property. Later he worked with Mr. Schocken who owned Schocken hill. Mr. Pinelli had 8-10 stone workers who worked for him building several of the commercial buildings in Sonoma. The family made wine at the Blue Wing Inn which they owned at the time. In 1911 building was gutted by fire but was re-built. This unusual commercial building built of stone from the local quarries has the typical store front windows of the period. The relationship of its facade is significant to the other commercial buildings on the block.

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

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

Interview: August Pinelli, January 1979.

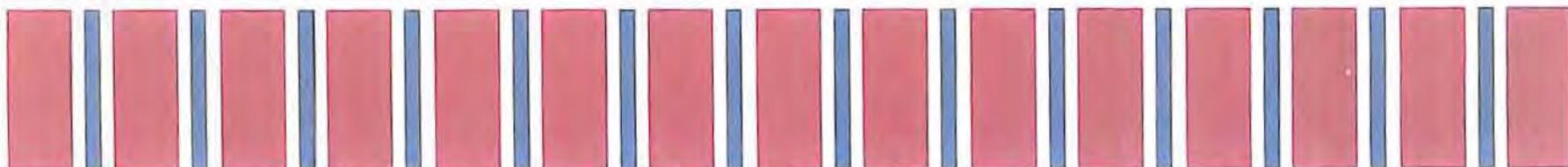
- 23. Date form prepared: Oct. 1978 By (name): Jchanna M. Patri
Address: 621 Hope Road City: Sonoma, Ca. ZIP: 95476
Phone: 996-6412 Organization: Sonoma Historic Preservation League

(State Use Only)





WALL SIGN: 5.5 ft. long by 1.33 ft tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.



AWNING BACK: 10.1 long by 5.6 ft tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background



VALANCE SIGNAGE: 10.1 ft long by 9 in. tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background

PROJECTING SIGN: 16 in.wide by 18 in.tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.

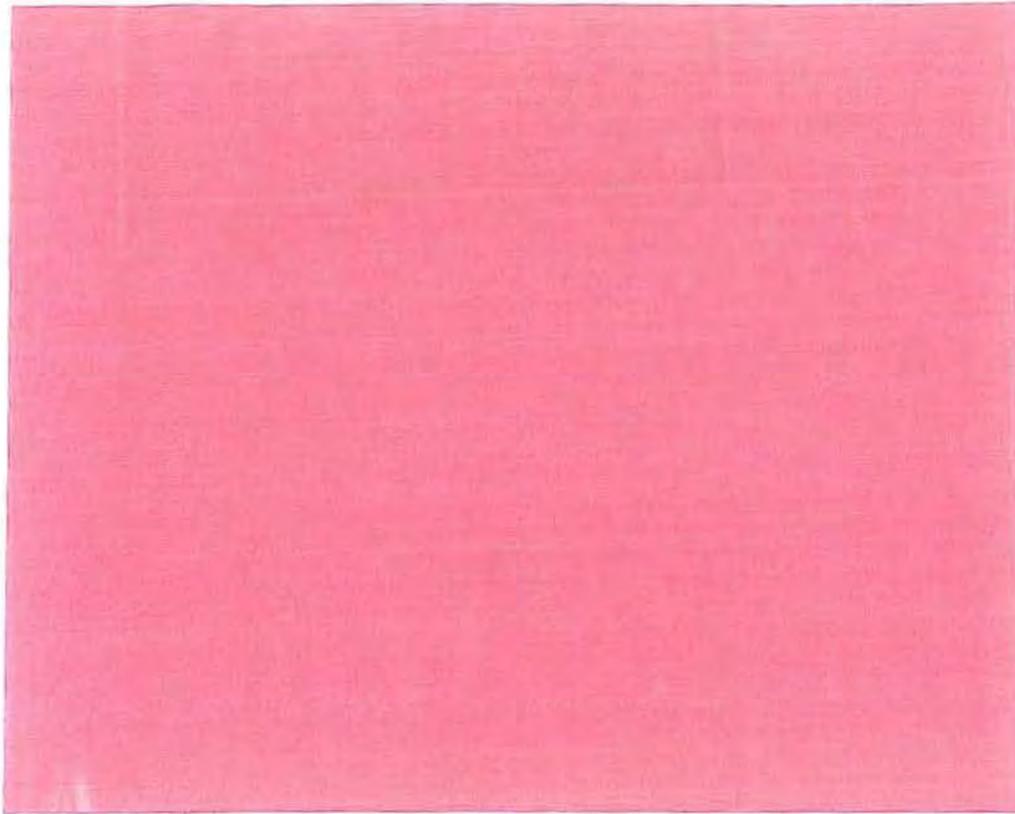
ACTUAL PAINT SAMPLES SUPPLIED

408 1St E, Sonoma
Dawn & Troy Marmaduke

(Not to Scale)







lavender secret 1415

whispering wind 1416

english hyacinth 1417

oriental iris 1418

persian violet 1419

softened violet 1420

gentle blue 1421

BENJAMIN MOORE® 092

noncombustible. Staff has requested the applicants submit the flammability requirements to staff. As of the date of the staff report staff has not received this information. If the DRHPC approves the painted awning reports of test results shall be included as a condition of approval for the project prior to painting the awning.

Findings for Project Approval: For projects within the Historic Overlay zone or a Local Historic District and projects involving historically significant resources, 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).
7. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through section 19.42.020.
8. The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.

Awning Signage: The business name, Grandma Linda's and the words "ice cream", are proposed on the front valance of the awning (7.25 square feet of sign area). The project narrative states that the sign would be constructed of a vinyl laminated UV canvas material. In terms of colors, the lettering would consist of a white cream color with a pink background. In addition, a brown ice cream cone logo would be included on the center of the sign. Staff would note that after the applicants indicated the desire to paint the existing awning staff requested that the awning sign material (vinyl laminated UV canvas) be confirmed by the applicants. As of the date of this staff report, the awning sign material has not been confirmed by the applicants.

Other Signs: The applicants are proposing to reface previously approved signs: a wall sign; and a projecting sign. These signs can be review administratively provided the applicants submit a Sign Review Application.

Aggregate Sign Area: Based on the building frontage on First Street East (15 feet), the maximum aggregate sign area allowed for the business is 9 square feet. The awning signage (7.25 square feet in area), wall sign (7.3 square feet in area), illuminated window sign (2 square feet in area), and projecting sign (2 square feet in area per side) would result in an aggregate sign area of 18.55 square feet for the business. The proposal is not consistent with this requirement in that the proposed signs would exceed the maximum allowable aggregate sign area for the property by 9.55 square feet. The applicants are requesting a variance from this standard.

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 four signs for the business with inclusion of the awning sign, wall sign, illuminated window sign, and projecting sign. The applicants are requesting a variance from this standard.

Variances: As noted above, the proposal would exceed the maximum aggregate sign area, exceed the permitted illuminated window sign area, and exceed the number of signs normally allowed for a 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

ATTACHMENT 5

BENJAMIN MOORE®
COLOR PREVIEW® HC



ATTACHMENT 6

**CITY OF SONOMA
DESIGN REVIEW COMMISSION
REGULAR MEETING
November 19, 2013
Community Meeting Room, 177 First Street West**

MINUTES

CALL TO ORDER: Chair Tippell called the meeting to order at 6:35 p.m.

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

COMMENTS FROM THE PUBLIC: None.

COMMENTS FROM THE COMMISSION: None.

CORRESPONDENCE: Late mail for Items 3, 5, and 6.

ITEM #1 – SIGN REVIEW: Consideration of a new wall sign for a furniture consignment business (Vignette) located at 565 West Napa Street. Applicant: Naghmeh Alikhani.

Associate Planner Atkins presented staff's report.

Chair Tippell opened the public hearing.

Naghmeh Alikhani, applicant, was present to discuss the application. She came to the DRC over a year ago and is returning with the changes requested. The proposed sign would help her business tremendously. The building's side faces the street and the parking lot faces the mass of the building, which would also be visible to traffic. This location has been a struggle to attract business, and she has tried everything to draw attention to the business. She would be willing to give up one of her signs, if necessary, in order to have the proposed sign.

Comm. Randolph confirmed the proposed sign will be facing traffic coming from the west to the east.

Comm. McDonald asked the applicant which sign she would be willing to give up. She responded that the one over the front window is not as important to her as the proposed sign. The monument sign currently in place is the only sign that faces both directions. Comm. McDonald asked the applicant if she would be willing to make the monument sign larger; she responded that this would be a financial hardship.

Comm. Barnett confirmed with staff that this property is allowed 45.6 sq. ft. of signage, and with this proposal there would be 51 sq. ft, with three signs instead of two.

ATTACHMENT 7

Chair Tippell closed the public hearing.

Comm. Anderson stated that this is a tough site to try to market, as visibility is difficult. The proposed sign seems reasonable, even though it is slightly over what is allowed. The proposed sign would enhance visibility for customers, and he could support this application.

Comm. McDonald concurred. The proposed sign is just a wall sign, with no lighting, and the design is attractive. He would be supportive, but would prefer that the window sign above the door be removed.

Comms. Barnett and Randolph concurred, as did Chair Tippell, and they did not have an issue with the sign over the door.

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

ITEM #2 – SIGN AND DESIGN REVIEW: Consideration of a projecting sign, four awnings, four awning signs, and two wall signs for a commercial business (Schein & Schein Old Maps) located at 149 East Spain Street. Applicant: Schein & Schein Old Maps.

Associate Planner Atkins stated that this item will be continued to the December meeting.

ITEM #3 – SIGN REVIEW AND DESIGN REVIEW: Consideration of new awnings, new awning signs, and new signs for a real estate company (Coldwell Banker Brokers of the Valley) located at 34 West Spain Street. Applicant: Bill Dardon.

Associate Planner Atkins presented staff's report and noted that this application was submitted due to a code enforcement action.

Comm. Anderson asked if the "office open" and "homes for sale" signs are counted in the aggregate sign area or are considered to be wayfinding signs. Associate Planner Atkins noted that these removable signs are considered in the aggregate sign area.

Comm. Randolph confirmed there are five signs – the wording on the front of the awning valance, the Coldwell-Banker wording on each side, and the two projecting signs. Comm. Barnett confirmed that all the signage is currently in place.

Comm. McDonald questioned whether building permit plans were submitted and approved for the awning. Associate Planner Atkins stated no building permit had been issued for the awning. The awning was in place previously and was recovered utilizing the same frame.

Chair Tippell opened the public hearing.

Bill Dardon, applicant, was present to discuss the application. He has had a business on the Plaza since 1987. The original awning was installed with a permit in 1992. In July of this year Coldwell-Banker merged with his real estate company. The "homes for sale" and "office open" signs were installed instead of utilizing an A-frame sign and protrude 6'-6" above grade. They are located over benches and removed at night. The awning color was changed from green to blue. Mr. Dardon submitted a certificate signed by the Fire Marshal confirming the fire-retardancy of the awning material.

Comm. Barnett questioned why the awning was installed without approval. Mr. Dardon admitted he made a mistake in not coming before the DRC and also for not obtaining a building permit prior to the work being performed.

Comm. Anderson confirmed with the applicant that the previous awning also had lettering on the front.

Comm. Randolph asked the applicant about the change in awning color from green to blue. Mr. Dardon stated the blue color was chosen by Coldwell-Banker and is part of their corporate branding. Comm. Barnett asked the applicant if it was possible to change the color, as the blue color is very bright, does not blend in with the building, and is unlike anything else around the Plaza

Mr. Dardon stated the blue color was much brighter, but darkened when treated with flame retardant. He stressed the need for the awning, as the office is too bright and hot without it. Comm. Randolph asked if the fabric is Sunbrella. Mr. Dardon replied in the affirmative, and noted the fabric will not fade.

Chair Tippell closed the public hearing.

Comm. Barnett does not have an issue with the number of signs; however, he feels strongly that the awning color is too bright and does not match the building. He is frustrated that the awning has already been installed.

Comm. Anderson does not have an issue with the awning color. He feels this is a reasonable application, as the removable blade signs act as wayfinding signs and the two logos and signage on the front of the awning read as one sign.

Comm. McDonald noted it is difficult to have applicants come before the Design Review Commission "after the fact" and feels business owners should be aware of the requirements. He is not necessarily a fan of the blue color and would be interested to see it after several months of weather. Given the size and prominence of this building, he doesn't feel this particular blue is appropriate. He feels the projecting signs could be done in a more tasteful manner that would be more compatible with the architecture of the building.

Comm. Randolph does not have an issue with the number of signs, but is concerned with the awning change-out "after the fact." She asked the applicant if Coldwell Banker would be willing to work with him to make a different awning.

Chair Tippell concurred with her fellow Commissioners. She feels the awning is slightly unattractive in this location and the color, although a branding issue, looks slightly dated

Associate Planner Atkins informed the Commission that they could deny the application or continue it and have the applicant return with alternative colors.

Mr. Dardon stated he would like to return to the Commission with alternative colors. He will check with Coldwell Banker regarding their color branding and see if a solution can be reached.

Comm. Barnett gave Mr. Dardon photos of other Coldwell Banker offices that don't utilize the corporate blue color for their awnings.

Comm. McDonald made a motion to continue this application to a future meeting at a date to be determined by applicant. Comm. Randolph seconded the motion. The motion passed unanimously.

ITEM #4 – DESIGN REVIEW: Consideration of design review for a restaurant (Top That Yogurt) located at 531 Broadway. Applicant: Top That Yogurt.

Associate Planner Atkins presented staff's report. Application submitted in response to code enforcement. Staff observed a projecting sign, balloons, and portable freestanding sign and asked the applicant to remove.

Chair Tippell opened the public hearing.

Eric Solis, owner of Top That Yogurt, was present to discuss the application. The window trim was painted pink in an effort to draw attention to the front of the building. He was unaware that changing the paint color required design review.

Comm. Anderson asked what the trim color was previously. Mr. Solis stated that the trim was white, then they painted it black. Comm. Barnett confirmed that the awning was approved in 2009.

Chair Tippell closed the public hearing.

Comm. Randolph has no issue with the pink color and it looks good with their logo.

Comm. Barnett noted that the trees in front of the building block the façade and the pink color already exists on the awning. He has no issues with the application. He reminded the applicant of the necessity of going through the design review process for any changes to the building's exterior. Comms. McDonald and Anderson concurred, as did Chair Tippell.

Comm. Tippell made a motion to approve the application as submitted. Comm. Barnett seconded the motion. The motion carried unanimously.

ITEM #5 – DESIGN REVIEW: Consideration of design review for a new detached single-family residence located at 157 West Spain Street. Applicant: Amy Alper, Architect.

Associate Planner Atkins presented staff's report.

Comm. Barnett was curious to know why staff determined there was no historic significance for any of the buildings on site. Associate Planner Atkins stated that just because a building is 50 years or older does not mean it has historic significance. The existing structure on the property wasn't reviewed by the League in their 1979 survey, although the League indicated it is listed on the survey with little information.

Chair Tippell opened the public hearing.

Amy Alper, architect, was present to discuss the application. She displayed elevations and a color board. In designing this project, she looked at the context of the neighborhood. There are no windows impacting the neighbors. The proposed colors are warm grays and taupe that will blend into the area. It was important to provide maximum rear yard space, hence the advantage of the L-shaped plan.

Comm. McDonald asked the applicant to explain the difference between the windows. Ms. Alper responded that the exterior profile is a bit more contemporary and utilizes the Colby windows, which were their first choice; however, she is requesting approval on both proposed window types due to budget. The profiles will have painted cedar trim with a smoother finish on the stucco.

Patricia Cullinen thinks the design is lovely; however, she is concerned about the cavalier statement in the staff report that there is no historical significance, which is why she wrote a letter on this subject.

Les Waller, owner of Inn to Remember, has no objection to the design. He would like to request that construction hours begin later in the morning, suggesting 8:30 instead of 8:00, so the Inn's guests could sleep in.

Chair Tippell closed the public hearing.

Comm. Barnett would like to hear from the other Commissioners. Although there are elements of the design he likes, he is concerned about the height and the historic significance of the site.

Comm. McDonald appreciates the thoughtfulness of the design, but is still not convinced it's compatible with the buildings that abut it, and the more modest bungalows along Church Street and the Craftsman bungalow itself that faces West Spain Street. Although he has no issue with the design, he expressed concern that some portions are set higher than those immediate around it. He also has reservations about the façade of the building, as there is no first-story element facing the street.

Ms. Alper noted that the water table in this area is quite high and a slab-on-grade would be cost prohibitive. She feels the two-story structure relates well to the

neighboring structures and the lower level will be a background for lush plantings. She will provide a landscape plan at a later time.

Comm. Barnett asked why the discussion of colors was not necessary. Associate Planner Atkins stated that the Design Review Commission doesn't review colors for a single-family residence, only commercial properties.

Comm. Randolph appreciated the presentation and the applicant's attention to detail and feels the new building fits well into context and mirrors other design elements on the street.

Associate Planner Atkins noted that when the application was submitted, it did not occur to staff to have any type of historic evaluation because it was a new structure. She is uncertain if any type of review would have been triggered if the city were a certified local government (CLG).

Comm. Anderson stated that the architect has responded well to the neighborhood. If this building were on the streetscape, it would be a different discussion. He suggested the carriage house/barn be photo-documented and provided to the Sonoma League for Historic Preservation.

Chair Tippell complimented the applicant on the excellent presentation. She likes the contemporary, modern look, as well as the colors and materials. The structure will be set back far enough that it will blend in.

Ms. Alper questioned how the Commission could potentially impose criteria that have not been adopted by the City.

Associate Planner Atkins mentioned that the Commission has the option to continue this item and staff could do further research to see if the California Environmental Quality Act (CEQA) requirements were met.

Comm. Barnett noted that it seems like a majority of the Commission are in support of this application, but he would like to see an historic resource report. Comm. Anderson asked what the report would be on – the property itself, the existing structure on the site, or the carriage house. Comm. Randolph questioned whether there are issues about the possible environmental features of the site on which the new residence will be built.

A discussion ensued regarding the possibility of an archaeological survey of the property.

Associate Planner Atkins stated that staff could go back and make sure the project is consistent with CEQA and if additional reports are needed. Vicki Beard, professional archeologist and architectural historian, stated that CEQA requires that projects look into cultural resources. It sounds like no archeological survey was required. The old Sanborn maps could be viewed to determine what buildings were there in the past.

Patricia Cullinen noted the importance in striving for consistency. When a plan is reviewed by the City, a determination of historic significance needs to be made. She stressed the importance of following CEQA guidelines.

Comm. McDonald made a motion to continue the application to allow staff to report back on the CEQA requirements. Comm. Barnett seconded the motion. The motion carried unanimously.

ITEM #6 – DESIGN REVIEW: Consideration of design review for a proposed addition to an historic residence located at 663 Second Street East. Applicant: Sidney Hoover.

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

Associate Planner Atkins presented staff's report.

Comm. McDonald asked who performed the historic resource report and if they were qualified to prepare the same.

Chair Tippell opened the public hearing.

Sidney Hoover, applicant, was present to discuss the application. The entire thrust of the project is to repeat the materials of the existing house. Mr. Hoover confirmed that Juliana Inman, Architect, prepared the historic resource report and is qualified to do so.

Patricia Cullinen has no complaints with the architecture, but is requesting consistency in the process. Although there will be no impact to property, there has been no evaluation of existing conditions and the architect/applicant assumed eligibility. She asked Associate Planner Atkins about Form DPR 523 that evaluates the property for existing conditions, which could then be used as an evaluation of how the proposed changes impact the property.

Chair Tippell closed the public hearing.

Comm. McDonald feels comfortable about the modifications and materials. He has no issues with the building design. The DRC must be consistent in requiring complete historic building evaluations when reviewing projects in the Historic Overlay Zone that alter potentially historically significant buildings.

Comms. Barnett and Anderson concurred with Comm. McDonald. While supportive of the architecture, a report is needed to make the findings.

Comm. McDonald made a motion to continue the application until a completed historic evaluation is submitted. Comm. Barnett seconded the motion. The motion carried unanimously, Randolph absent.

Comm. Randolph returned to the dais.

Chair Tippell reiterated to the applicant that this item will be continued to next month's meeting so an historic evaluation of the property can be completed, as the one

submitted was incomplete. Staff will contact the applicant and give the parameters. Comm. McDonald noted this is being done so that a determination can be made that the application meets CEQA requirements.

ITEM #7 – DESIGN REVIEW: Consideration of elevation details, exterior colors and materials, lighting, trash enclosure, and a bicycle rack for a mixed-use building (Williams-Sonoma) located at 599 Broadway. Applicant: BVD Cope c/o Williams-Sonoma.

Associate Planner Atkins presented staff's report.

Comm. Barnett confirmed that the signage will be reviewed at a later date.

Chair Tippell opened the public hearing.

Bud Cope, Chrome Architects, described the application. This is a really special project, as they are trying to restore the original store and enhance the rest of the building. They worked closely with their historian and are not proposing to alter the basic mass. There will be substantial improvements to the back.

Comm. Barnett expressed surprise that no old photographs exist. Mr. Cope stated they will put out a request to find old photographs.

Comm. McDonald asked about the lighting plan. Mr. Cope noted there will be uplights along the front of the building, as well as lights in the trellis to illuminate the culinary center sign.

Chair Tippell closed the public hearing.

Comm. Anderson complimented the applicant on the proposed improvements. This will be a good contribution to the community, and he can support it. Comm. Barnett concurred. It's exciting to have Williams-Sonoma come back to the area.

Comm. McDonald concurred with his fellow Commissioners. This part of Broadway needs to be energized. He is pleased with the architectural design details and is excited to see the landscape plan. Chair Tippell and Comm. Randolph concurred.

Chair Tippell made a motion to approve the application as submitted, with the condition that signage and landscaping plans be submitted to the DRC at a later date. Comm. McDonald seconded. The motion carried unanimously.

ITEM #8 – DESIGN REVIEW: Consideration of the demolition of a single-family residence and detached accessory structure located at 840 West Napa Street. Applicant: Victor Conforti, Architect.

Associate Planner Atkins presented staff's report.

HISTORIC RESOURCES INVENTORY

State and County: _____
 Ser _____ Site _____ Mo. _____ Yr. _____
 UTM _____ Q _____ NR _____ SHL _____
 Lat _____ Lon _____ Era _____ Sig _____
 Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Rec _____

IDENTIFICATION

1. Common name: El Paseo
2. Historic name, if known: Pinelli Building
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 City: Sonoma, Ca. ZIP: 95476 County: Sonoma
4. Present owner, if known: AL GARDEN Address: 414 1st Street East
 City: Sonoma ZIP: 95476 Ownership is: Public Private
5. Present Use: Commercial Shops, Offices upstairs Original Use: Residence upstairs, Bakery in north end, Saloon in South end.
 Other past uses: _____

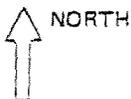
DESCRIPTION

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

This commercial building is situated across from the east side of the Plaza and is of Renaissance Revival Style. It is built of heavy hand-cut basalt stone locally referred to as "Plum Stone" because of its color. The same stone is featured in the sidewalk in front. The roof is flat.

The original structure, built in 1880's & completed in 1890, is a large rectangular two-story building with a small single story addition to the north in 1916. Top of building features a metal cornice with dentils painted to resemble concrete. Double hung windows have stone arches and brick sills. Lower windows on south end have stone voussoirs with keystone. North commercial entrance has leaded glass transom with metal eyebrow cornice and dentils. Entrance to courtyard has stone voussoir with keystone

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



See City Map Area 10

UTM (SONOMA QUAD)
 10/549,300/4,238,740
 10/548,280/4,238,400
 10/548,210/4,238,070
 10/547,230/4,238,180

8. Approximate property size: 71 - E. Spain St.
 Lot size (in feet) Frontage 67 - E. 1st St.
 Depth 247
 or approx. acreage _____

9. Condition: (check one)

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

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

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

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

12. Threats to site:

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

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

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

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18. Builder (if known): August Pinelli
19. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)
f. Windmill g. Watertower/tankhouse h. Other _____ i. None

SIGNIFICANCE

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

This building was built in 1880's by August Pinelli, completed in 1890. The single story addition to the north was built in 1916 from lumber out of school once located behind the Community Center. August Pinelli was a stone worker from Italy. When he arrived in Sonoma he received a contract from General Valli to get stone out of his property. Later he worked with Mr. Schocken who owned Schocken hill. Mr. Pinelli had 8-10 stone workers who worked for him building several of the commercial buildings in Sonoma. The family made wine at the Blue Wing Inn which they owned at the time. In 1911 building was gutted by fire but was re-built. This unusual commercial building built of stone from the local quarries has the typical store front windows of the period. The relationship of its facade is significant to the other commercial buildings on the block.

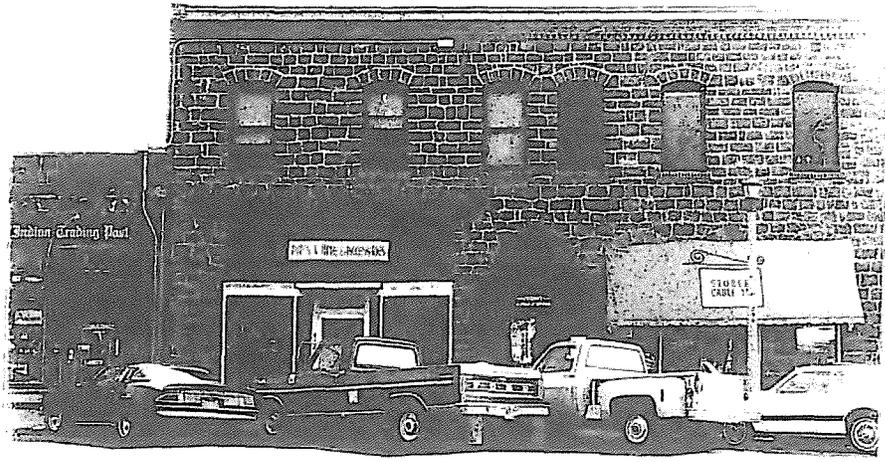
21. Main theme of the historic resource: (Check only one): a. Architecture b. Arts & Leisure
c. Economic/Industrial d. Exploration/Settlement e. Government f. Military
g. Religion h. Social/Education

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

Interview: August Pinelli, January 1979.

23. Date form prepared: Oct. 1978 By (name): Jchanna M. Patri
Address: 621 Hope Road City: Sonoma, Ca. ZIP: 95476
Phone: 996-6412 Organization: Sonoma Historic Preservation League

(State Use Only)



Attachment

9

will be forwarded
to you.

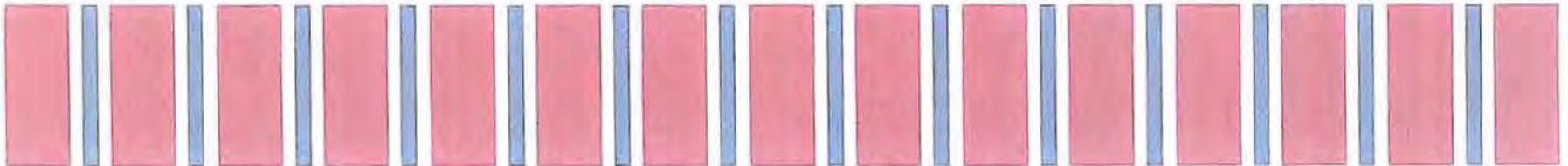


NOV 26

ATTACHMENT 10



WALL SIGN: 5.5 ft. long by 1.33 ft tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.



AWNING BACK: 10.1 long by 5.6 ft tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background



VALANCE SIGNAGE: 10.1 ft long by 9 in. tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background

PROJECTING SIGN: 16 in.wide by 18 in.tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.

ACTUAL PAINT SAMPLES SUPPLIED

408 1st E, Sonoma
Dawn & Troy Marmaduke

(Not to Scale)





First Street East & Spain Historic District

Pinelli Building December 22, 2013 – Street



First Street East & Spain – Historic District



First Street East & Spain – Historic District - 12 Dec 16, 2013



Current Color Door & Trim



Example: Historic Color Door & Trim



February 26, 2014

Dear City Council & Staff:

RE: Appeal of Design Review & Historic Preservation Commission
Decision – Exterior/Door Color
408 1st St. East – *Grandma Linda's Ice Cream Shop*
Historic Pinelli Building (c. 1890)

As I may be unable to attend the March 3 Council meeting, I submit the following in support of the subject appeal. That appeal asks Council to reverse the decision of the DRHPC and direct City Staff to work with the owners-appellees to select an exterior color scheme that will maintain and preserve the historic character of Sonoma by helping to preserve the character of an historic building on Sonoma's historic Plaza.

Disclaimer:

Since it first opened, I have continued to regularly patronize *Ben & Jerry's Scoop Shop* chain franchise, now DBA *Grandma Linda's Ice Cream Shop*.

I. Introduction

It is important to recall the context in which the business in question arose and achieved its present success. Absent context, the appeal may seem a silly, small-town nit-picking tempest-in-a-teapot about the color of a door; about decorating taste, an entrepreneur's right to run a business, or part of some grand engagement of freebooting capitalists vs. government regulation. The appeal is about none of those things and despite what those who rant against government may suspect, neither is it a socialist plot to prevent Council from investigating Benghazi.

It is relevant context, for example, that the appellees, both local residents, have owned and operated the business at this location since its inception a few years ago. At that time, public interest centered not on the color of the door but on the fact that *Ben & Jerry's Scoop Shop* was

a chain franchise, and chain stores are a hot-button topic in Sonoma.

The exterior door/color scheme remained unchanged from that initial opening until the end of the franchise relationship. That initial color fit so well with the historic setting of the business that only a few months on, few may now even recall what it was.

It is also important context to appreciate that navigating the public relations wickets of the chain-store issue unquestionably put its owners on notice that any business locating in the historic Plaza business district (a stone's throw from the Mission, the Barracks and the Bear Flag Monument) would be microscopically scrutinized. So while appellees may feel put upon by the appeal, they should not be surprised.

That is particularly so since, by the time the franchise became *Grandma Linda's Ice Cream Shop* and the color scheme was changed, the consuming debate over Measure B had been waged for the better part of a year. As the names of their opposing Measure B committees clearly conveyed, both "*Preserving Sonoma*" and "*Protect Sonoma*" shared a common conviction (if differently accented) that commercial development must respect the historical past at the heart of Sonoma's unique small-town character. Absent that character, Sonoma is just another wine-country theme park without a freeway exit.

It is equally important context to recall that before Measure B ended in a near dead-heat, the Design Review Commission was renamed the "Design Review and Historical Preservation Commission," further underscoring the importance and value the City and its residents place on respecting its history in the design and appearance of commercial ventures in the City.

Whether or not fully appreciated by members of the DRHPC, the name-change effectively changed its regulatory focus from one merely concerned with aesthetics in general to one charged with assuring that commercial development, particularly in historic overlay areas of the city, respects and preserves the small-town historic heritage of Sonoma.

One of the first decisions of the renamed commission in fact involved exterior color used on a Plaza business. It properly rejected

the proposed vibrant blue of a street-level awning over the Plaza location of Coldwell Banker, located in another historic Plaza building. It made its decision notwithstanding Coldwell Banker's claim that the blue color was an integral part of its corporate "branding;" i.e., without blue, people might be confused. Coldwell Banker complied, and its attractive if un-corporate tan/beige awning now blends unobtrusively with the color of its building. There have been no reports of confusion or negative business impact.

Underscoring the unity of City government on matters pertaining to historic preservation in all commercial development, the Planning Commission approved an application for Dutch Bros. Coffee, located blocks from the Plaza on Broadway at Andrieux St., but only on the condition that its color scheme was approved by the DRHPC as compatible with Sonoma's historical character.

It is in this context of heightened concern for small-town historical preservation that this appeal comes before Council for decision. It does so pursuant to the existing process for evaluating and regulating development in Sonoma, a process lauded and defended by opponents of Measure B (including a majority of Council) who repeatedly assured voters that "the existing process" was more than adequate to protect Sonoma from business decisions harmful to Sonoma's historic small-town character.

II. The Color Change in Question

Appellees have changed the exterior color scheme to a shade of highly visible pink called "Cerise Delight." Their reasons for doing so are material and relevant to the appeal.

It has been reported in the newspapers that their choice wasn't random, and that its namesake Grandma Linda was a real person whose favorite color was pink.¹

Though acknowledging the Plaza's historic nature, appellees have said that uniformity in the Plaza historic area is "a poor goal" and want

¹ The shop is reportedly named after the mother of one of the owners.

to make the appearance of their shop stand out from other shops.

“Dawn Marmaduke, who owns the store with her husband, Troy, said that as second-generation Sonoma residents, they value the square’s historic nature. But uniformity is a poor goal, she said. ‘There are really a lot of things going on in the plaza and it would be a shame to be cookie-cutter,’ she said.” (*Press Democrat*, 2/12/14, “Seeing Red Over Sonoma Shop’s Pink Door”)

Of course, any suggestion that uniformity in the interest of historic preservation is “a poor goal” has already been rejected by City residents and Council, as evidenced by the formation of the Design Review and Historical Preservation Commission.

III. The Sole Issue On Appeal

Whether individual members of Council believe the color is pleasing, flattering or otherwise attractive, in this or any other setting, is immaterial and irrelevant to this appeal. It goes without saying that color choice is matter of individual taste and, like the appellees, everyone has his/her favorite color(s).

It is likewise irrelevant and immaterial that appellees want their business to stand out from surrounding businesses. In this they are not unusual among businesses, virtually all of which seek to stand out and be unique, whether in appearance (‘branding’), products and/or services.

The sole question on appeal is whether the color chosen by the business owners and approved by the DRHPC respects and preserves Sonoma’s historical character, including in this case the historic nature of the immediate Plaza neighborhood and building in which the business sits. That was or should have been the only question properly before the DRHPC and it is from its decision on that issue that this appeal proceeds.

IV. The Appropriate Yardstick for Decision

Conveniently, the issue effectively mandates the yardstick to apply in resolving the appeal. It is not one of personal taste, or whether one color would be better for the business than another because it would attract more customers to the shop, or whether the customers liked the color, or whether it made the business stand out and not look 'cookie-cutter.' The only permissible yardstick is whether the color is one which respects and preserves the historical character of Sonoma.

That, in turn, requires reference to the business location and immediate setting as well as to colors common to the architecture and design of time periods relevant to Sonoma's history, including colors which experts and paint manufacturers have identified as historically relevant.

The DRHPC apparently decided that Cerise Delight (a vibrant shade of cherry pink) is historically compatible with the building in which the business is located, and with the nearby Plaza neighborhood which includes the Mission and other historical buildings of the Plaza, none of which sport Cerise Delight.

As far as the undersigned is aware, Cerise Delight is a color that was not in use in Sonoma when the Pinelli building was constructed c. 1890. In addition, no other business in the Pinelli building or on or near the Plaza, or indeed anywhere in the commercial district, seems to currently have or (as far as can be determined) ever had such an exterior color or color scheme or anything closely resembling it. Thus, if history began only last week, the color scheme is out of historical focus for Sonoma.

Neither should Council ignore the fact, evidenced by news reports quoted above, that the owners effectively admit that historic preservation was not a priority or even a consideration. Cerise Delight was chosen because (a) it was Grandma Linda's favorite color, (b) historic preservation notwithstanding, the owners thought uniformity was "a poor goal," and (c) they did not want their shop to have a "cookie cutter" appearance.

It is clear that a color decidedly out of character with Sonoma's history, the Plaza setting and the Pinelli building was intentionally selected by the owners expressly because it *was* unique, both historically and on the present-day Plaza itself.

V. Conclusion

Given the foregoing, it would seem Council has little choice but to grant the appeal. Whether the appellees are correct in believing that uniformity in the historical areas of Sonoma is "a poor goal," it is nonetheless the goal established by the City of Sonoma and its residents as a condition of doing business in our historic small town.

Consistent with its revised mission of historic preservation, it was incumbent on the DRHPC to accord that goal a priority status, not subordinate it to other objectives of the business, its owners or the Commission, however laudable those objectives in the context of free-market considerations.² As the DRHPC failed to do so, it is the obligation of Council to correct that error and grant the appeal.

It so doing, it should not be lost on Council that in an attempt to avoid a 'cookie cutter' appearance for their business, appellees overlook the fact that if exterior business appearance does not respect and support Sonoma's historic character, Sonoma itself becomes just another 'cookie cutter' wine-country theme park, with negative implications for all businesses who depend on that ambiance.

A. Council Should Avoid Creating Design Confusion and Setting an Undesirable Precedent

Failure to grant the appeal risks creating uncertainty in the business community as to the limits of permissible exterior appearance,

² That members of Council may personally abhor regulations on business as a matter of ideology or principle must remain immaterial and irrelevant to their decision-making in this case. To the extent that the Design Review and Historic Preservation Commission has been established by the City to specifically make regulatory decisions in matters such as the instant one, that ideological bridge has already been crossed, and to ignore that reality could eventually and unnecessarily subject the City to litigation.

setting a precedent that could easily erode if not eventually nullify the City's stated goal of historic preservation and the mission of the renamed DRHPC. It will invite more such applications whenever a new or existing business decides for whatever reason that, like *Grandma Linda's Ice Cream Shop*, it wants to stand out from its historic Sonoma surroundings. Other design features, harmless in and of themselves in other contexts, could easily be as or more jarring than a pink door; e.g., opaque day-glow orange shop windows, or aluminum siding.

B. Council Should Maintain Good Faith With Sonoma's Other Businesses.

Neither should Council minimize or ignore the impact of DRHPC's decision on existing businesses in and around the Plaza who have willingly and in good faith complied with and supported the goal of historic preservation in designing their own exteriors.

Many have done so recognizing that the success of their businesses depends on maintaining Sonoma's historic character; others have done so out of old-fashioned 'good citizenship,' an example worthy of emulation by all businesses. Approving the pink exterior in question will leave many of those businesses – such as Coldwell Banker and a number of new businesses in town – feeling somewhat “had” or duped in their community-minded compliance with the City's goal of historic preservation.

C. Granting the Appeal Will Create No Hardship for the Appellees or Their Business

Changing the paint color on the small area in question is neither costly nor time consuming; pink went up in no time at little cost. Nor are appellees limited in choices of attractive, historically compatible colors. Googling “historic paint colors” delivers a plethora of paint palettes which (with guidance from City Staff as requested by the Appeal) could be reviewed by appellees and an attractive selection applied in short order.

Whatever its exterior colors, in the final analysis the business itself will rise or fall on the quality of its products and service (which the

undersigned agrees are of the first order) but also on the perception of Sonoma's residents – its neighbors and customers -- that in its pursuit of profits *Grandma Linda* is not insensitive to the heritage that makes Sonoma such a grand place live.

Practically speaking, the door color undoubtedly has family significance but is immaterial to the success of the business. Given the City's overriding compelling interest in historical preservation, there is nothing to explain or justify a decision to support the appellees' insistence on Cerise Delight.

Council should reverse the decision of the DRHPC and direct City Staff to work with the Appellees in the selection of an exterior color scheme that will maintain and preserve the historic character of Sonoma by helping to preserve the character of an historic building on Sonoma's historic Plaza.

A handwritten signature in black ink, appearing to read "Bob Edwards". The signature is fluid and cursive, with a long horizontal stroke at the end.

bob edwards
Sonoma, CA
707-933-9351

Wendy Atkins

From: Gay Johann
Sent: Wednesday, February 12, 2014 8:28 AM
To: David Goodison; Rob Gjestland; Wendy Atkins
Cc: Carol Giovanatto
Subject: FW: Grandma Linda's Ice Cream Shop
Attachments: Letter to Council Men and Woman.pdf

I forwarded this to DRC members at her request. I see below that she sent it to all Councilmembers.

Gay Johann

Assistant City Manager / City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476
707-933-2216
707-938-2559 Fax
www.sonomacity.org

From: Grandma Linda's Ice Cream [<mailto:grandmalindasicecream@hotmail.com>]
Sent: Tuesday, February 11, 2014 7:18 PM
To: Gay Johann
Subject: FW: Grandma Linda's Ice Cream Shop

Dear Gay - would you be kind enough to forward this email along with the attachment to all of Design Review. I would have done it myself but the city website didn't have each of their emails. Thanks! Dawn 707-888-4284

From: grandmalindasicecream@hotmail.com
To: sbarbose@vom.com; ken@bearflagsocialclub.com; david@cvmgrapes.com; sonomarouse@yahoo.com; lauriegallian@comcast.net
Subject: Grandma Linda's Ice Cream Shop
Date: Tue, 11 Feb 2014 19:13:12 -0800

Dear City Council Men and Woman,

Please find attached our letter regarding the appeal to our proposed exterior design and colors for our business. I tried to email an illustration of the exterior but it kept rejecting due to size.

Tomorrow I will deliver 6 copies of our exterior proposal to City Hall, making it attention to all the council members, hoping it can be picked up at your convenience.

I know I am biased but I think it is the cutest exterior, perfect for locals, visitors and all the kids!

The designer is none other than a local Grandma Susie :).

FEB 12 2014

Dawn and troy Marmaduke

FEB 12 2014



DEAR GAY -

These ARE Copies FOR OUR
City Council ^{and Design Review Committee} to PICK up at
their Convenience. The Photo illustration
is too Big For email.

Please Call Me IF you have Any
Questions.

Dave Marmaduke
(707) 888-4284

Dear Council Woman and Council Men,

This letter is sent to you in regards to our local ice cream business at 408 First Street East. In late October we disenfranchised and changed our name to Grandma Linda's Ice Cream Shop. We are excited about the change and our creation of our own image; we are excited to be able to continue serving the locals and visitors of Sonoma. We feel fortunate to have been raised in this town and to have raised our 3 children here as well.

In December we presented our exterior colors for our door, window trim and awning to the Design Review and Historic Preservation committee (DR). It was a thoughtful discussion/review between us and the committee; in the end we all agreed with the illustration we have attached to this email. We left this meeting feeling like it was productive and fair; important items were addressed regarding our historical location and our choices for color and design as an ice cream business.

We would like to invite you to come see our business; we can show you our progress and our plans. The shop is named after my husband's mother who passed away too young with ALS. She was the most wonderful grandma to our kids. The ice cream shop will be in memory of her and a celebration of all grandmas. The ice cream we will be serving is Umpqua, something we all enjoyed as a family on our vacations on the coast of Oregon. The colors we picked were Grandma Linda's favorite colors.

Our exterior colors will be an item in front of the March 3rd City Council meeting. We hope you will be in favor of letting us keep our exterior signs and colors. Please note the Design Review Committee was very thorough in discussing our historical location and the need to preserve same.

Also in the illustration of our business exterior there are two exterior signs that DR approved, however due to a technicality of public notice, they did not have the authority to do so at the December DR meeting. Our signs can be approved by City Council at the March 3rd City Council meeting.

Please find attached an illustration of our proposed exterior colors and design.

Best Regards,

Dawn & Troy Marmaduke



TASTINGS



Grandma Lindo's
ICE CREAM

ICE CREAM

ICE CREAM

Wendy Atkins

From: Ken Brown <ken@bearflagsocialclub.com>
Sent: Sunday, February 23, 2014 7:42 AM
To: Carol Giovanatto
Cc: David Goodison; Wendy Atkins
Subject: Fwd: Still Dancing - Bubble gum pink NOT appropriate for the historic Pinelli Building

Please pass onto the council. Thanks- Ken

From: sperring@vom.com
To: joefitz@hotmail.com
Subject: Fw: Still Dancing - Bubble gum pink NOT appropriate for the historic Pinelli Building
Date: Sat, 22 Feb 2014 17:12:31 -0800

Hi Everyone!

This is going out to Yes on B volunteers, please share with your other friends. I implore you to come to the City Council Meeting, Monday, March 3, 6:00pm in the Community Meeting Room at 177 First Street West. On the agenda is AN APPEAL of the Design Review and Historic Preservation Commission's (DRHPC) decision to allow the owners of 408 First Street East, Grandma's Ice Cream, to paint the trim of the historic Pinelli Building bright pink. See attached photo.

Our appeal (NO pink) is very well organized, thoughtful and well planned. Spearheading it is Johanna Patri, a newly retired city planner from Marin County who has something like 25 years' experience, on the "inside," working city government for historic preservation. We are tremendously lucky to have her!

We need "butts in chairs" on March 3, to quote Ken Brown, to support the appeal, get rid of the pink and replace it with a more historically accurate color. Don't just watch in on TV, we need bodies!

→ *Wonderfully* we are on the cusp of having a strong impact for Historic Preservation, and the Preserving of the Historic Integrity of Sonoma. Please join us March 3, 6:00pm in the Community Room. I'll be presenting a 3-minute PowerPoint presentation about the history of the Pinelli Building. You'll like it!

→ YOU make a difference! We need you there!

Even if you don't care to speak at the meeting just showing up will help! You can wear the No Pink 'button' attached (or not.) I'll have copies and pins at 5:45.

Please call me if you have any questions.

Karla Noyes
707-939-9146

P.S. Please remove the highlighting and underlining if you find it distracting.

P.S.S. I love that "In Crisis, Opportunity." Painting the Pinelli Building trim pink (the crisis) is giving the citizens of Sonoma Valley the opportunity to help direct the Planning Department, the City Council and the newly expanded Design Review and Historic Preservation Commission the tools and policy recommendations that will help preserve the stately buildings around the Plaza. (We're also working on an ordinance to prohibit "demolition by neglect.") Bring it on! I'm looking forward to seeing you again on the 3rd.

TALKING POINTS

Executive Summary

1. Decisions by the Design Review and Historic Preservation Commission (DRHPC) need to take into consideration the historic and aesthetic values of the Plaza with decisions resulting in the preservation and protection of the historic Plaza.
2. The minutes from the meeting regarding the color choice for the trim of 408 First Street East reflect that DRHPC did not make the findings that are required to approve the proposal.
 - (a) The proposal by the applicant was not thoroughly submitted or presented to the DRHPC, including, but not necessarily limited to, signs and suitability of awning specifications;
 - (b) The proposed colors are not fitting to the historic structure;
 - (c) The proposal does not respond positively to the historic values and characteristics of the Plaza either aesthetically or historically
3. All applications associated with the historic Plaza need to be reviewed with decisions made on equal and consistent content-value guidelines, criteria, and considerations, not on personal likes. In the case of 408 First Street East, the DRHPC was not consistent or equal in its consideration of the impact of the historic values of the proposal relative to other past applications. Of note is the following recent application that was before the DRHPC on the same agenda:

34 West Spain Street Coldwell Banker awning

We applaud the thoughtful consideration by the DRHPC, which sent a strong message to the applicant that the proposed and installed bright blue awning was not appropriate to the historic Plaza or the historic building, even though the applicant stated that the bright blue color was part of Coldwell Banker's corporate branding. The DRHPC found in general that corporate branding on the Plaza was not an appropriate consideration and the bright blue color: (a) was very bright; (b) did not blend in with the building; (c) is unlike anything else around the Plaza; (d) is not compatible with the building exterior; and (e) is not appropriate and sent that applicant "back to the drawing board".

These same considerations and findings should be directed to the applicants of 408 First Street East.

4. Consistent with the analyses of the bright blue awning proposed for 34 West Spain Street (the Coldwell Banker awning), the proposed bright pink and blue color scheme (a) is too bright; (b) does not blend with, or complement, the historic structure; (c) is unlike anything else around the Plaza; and (d) is not appropriate to the historic Plaza. (See attached.)
5. Business branding and personal tastes/preferences on the Plaza should not be a primary consideration of the DRHPC approval as it relates to exterior façade design, materials, color schemes and signage. The color approved is inconsistent and incompatible with the historic plum stone of the subject building. The approved color scheme does not respect the integrity of the historic building, but was selected on the basis personal preferences, while selections and approvals should be based on research and appropriateness to the building itself and the historic resources and street scene of the historic Plaza. The DRHPC did not base its approval on research-based considerations. The

Benjamin Moore Historical Color Palette provides many appropriate historic colors from which to create a color scheme for the subject building.

ACTION

We request that the City Council approve the appeal and deny the DRHPC's approval of the applicant's proposal for 408 First Street EastBECAUSE the utmost consideration should be the compatibility, preservation and protection of the historic resources, characteristics and integrity of the Plaza. The proposal does not respect the integrity of the subject historic building style and materials, the surrounding historic streetscape, nor the historic Plaza. We further request that the City Council direct City staff to guide the applicants through use of an historic paint color palette as a reference tool.

NOTE: a binder of historic colors was submitted to the Planning Department with our appeal, which we would like the City Council to seriously study.



This email is free from viruses and malware because avast! Antivirus protection is active.

Ken Brown

Council Member - City of Sonoma

Ken@BearFlagSocialClub.com

Cell 707-938-8623

Sponsor Sales , Collections and Special Events
For KSVY and SVTV

Wendy Atkins

From: David Goodison
Sent: Wednesday, February 19, 2014 8:18 AM
To: Wendy Atkins
Subject: FW: Grandma Linda's door

From: Ken Brown <ken@bearflagsocialclub.com>
Date: Tuesday, February 18, 2014 7:39 PM
To: Carol Giovanatto <carolg@sonomacity.org>
Cc: David Goodison <davidg@sonomacity.org>
Subject: Fwd: Grandma Linda's door

Begin forwarded message:

From: Beth Porter <bethcporter@yahoo.com>
Date: February 18, 2014 7:13:01 PM PST
To: "sbarbose@vom.com" <sbarbose@vom.com>, "ken@bearflagsocialclub.com" <ken@bearflagsocialclub.com>, "David@cvmgrapes.com" <David@cvmgrapes.com>, "lauriegallian@comcast.net" <lauriegallian@comcast.net>, "SonomaRouse@yahoo.com" <SonomaRouse@yahoo.com>
Subject: Grandma Linda's door
Reply-To: Beth Porter <bethcporter@yahoo.com>

Dear Council Members,

I am writing in support of Grandma Linda's Ice Cream's pink door. While it isn't a color I would choose for my own front door, I do believe it is a color that is utterly appropriate for an ice cream shop. It is bright, engaging, and will undoubtedly attract children and parents alike. And while it might not be perfectly in keeping with the Renaissance Revival theme of the building (though pink was actually a popular color at that time), the Marmadukes have in no way damaged the architectural integrity of the building. Doors can easily be replaced or repainted.

At a time when there are empty store fronts on the square, and a continuing push against big box stores, I am surprised that people would challenge a successful, locally-owned small business. Tourism is a significant share of our revenue. Does an ice cream shop not contribute to the success of our tourism economy? Does it not bring in much-needed tax revenue? I would encourage the Council to address this issue directly, quickly, and in support of business and the economy.

Beth Porter

Ken Brown
Council Member - City of Sonoma

Ken@BearFlagSocialClub.com
Cell 707-938-8623

Sponsor Sales , Collections and Special Events
For KSVY and SVTV

Wendy Atkins

From: David Goodison
Sent: Wednesday, February 19, 2014 8:18 AM
To: Wendy Atkins
Subject: FW: PINK DOOR

From: Ken Brown <ken@bearflagsocialclub.com>
Date: Tuesday, February 18, 2014 5:11 PM
To: Carol Giovanatto <carolg@sonomacity.org>
Cc: David Goodison <davidg@sonomacity.org>
Subject: Fwd: PINK DOOR

Begin forwarded message: FYI- Ken

From: "Audrey Chapman" <chapman@vom.com>
Date: February 18, 2014 4:11:09 PM PST
To:
<sbarbose@vom.com>, <ken@bearflagsocialclub.com>, <davidg@sonomacity.org>, <lauriegallian@comcast.net>, <SonomaRouse@yahoo.com>
Subject: PINK DOOR

I believe the Design Review committee must have really lost their minds when they approved the pink, **PUTRID** colored door for the "Grandma's Ice Cream Store". Please restore some taste and sanity to the approval process for our old, historic properties in and around the Plaza.

Furthermore, simply eliciting favorable approval via a plea in the editorials does not and should not create sympathy from the locals just to get approval.

Thank you.
Audrey Chapman
chapman@vom.com

Ken Brown
Council Member - City of Sonoma

Ken@BearFlagSocialClub.com
Cell 707-938-8623

Sponsor Sales , Collections and Special Events

For KSVY and SVTV



City of Sonoma
Design Review and Historic
Preservation Commission
Agenda Item Summary

DRHPC Agenda Item: 4
Meeting Date: 12/17/13

Applicant Troy and Dawn Marmaduke	Project Location 408 First Street East
---	--

Historical Significance

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

NOTES: The structure, referred to as the Pinelli building lies within the Sonoma Plaza National Register Historic District, and is designated as a National Register Contributing Building. The building was constructed in 1891 and is described as a vernacular one-story building. Architectural details on the front façade include a leaded glass transom over the entrance along with a metal eyebrow cornice and dentils.

Request

Consideration of a painted awning, a new awning sign, and new paints colors for a commercial building (Grandma Linda's Ice Cream).

Summary

Background: In 2007, the Design Review Commission approved a new blue door color for the building in conjunction with a new awning, and new signs.

The previous business located in the building was a Ben & Jerry's Ice Cream shop. Recently the applicants disfranchised from Ben & Jerry's Ice Cream and are operating a new businesses named Grandma Linda's Ice Cream.

Paint Colors: The applicant is proposing to change the color of the front portion of the building. The applicants have stated that the new paint colors are consistent with the branding of the business. The majority of the area of the building façade under the awing area is proposed to be painted Pratt and Lambert cerise delight (2-14). The window trim and door window trim is proposed to be painted Pratt and Lambert off white (32-31). Staff is concerned that the pink color and white trim color will contrast sharply with the existing reddish colored rock-faced wall and existing buildings on surrounding properties. Staff also encouraged the applicants to submit an alternate color proposal. Staff would note that this application was submitted in response to a code enforcement action.

Awning: The proposal involves painting the existing awning Pratt and Lambert cerise delight (2-14) with Pratt and Lambert off white (32-31) stripes on the top sheet. The existing awning consists of a canvas fabric awning on an existing welded aluminum frame above the commercial entrance of the building. In terms of compatibility, the exterior color scheme of the building is primarily a reddish colored rock-faced wall. Photo simulations of the proposed conditions are attached. The existing awning is approximately 2 feet tall and 11 feet wide all on an existing satin black steel frame. The business name on the awning will change from Ben & Jerry's to Grandma Linda's Ice Cream. With regard to Building Code requirements, the vertical clearance from the public right-of-way to the lowest part of any awning, including valances, shall be 7 feet (Building Code §3202.2.3). In addition, awnings may extend over public property not more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support awnings, canopies, marquees and signs shall be located not less than 2 feet in from the curb line (Building Code §3202.3.1). The proposal complies with these standards in that the awning would provide 8 feet of clearance above the public walkway, and would extend only 2 feet 6 inches from the face of the building, resulting in 9 feet 6 inches of clearance from the end of the awning width to the face of the curb. The purpose of the awning is to provide business identification and weather protection at the store entrance. Staff is concerned that a painted awning may not look aesthetically attractive. In addition, staff has concerns about how a painted awning may weather throughout the years. Staff requested that the applicant bring a sample of a painted awning material to the DRHPC meeting for consideration and also address staff concerns related to a painted awning in a revised project narrative. As of the date of this staff report a revised project narrative has not been submitted. Finally, the Fire Code requires the painted awning be tested by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be

noncombustible. Staff has requested the applicants submit the flammability requirements to staff. As of the date of the staff report staff has not received this information. If the DRHPC approves the painted awning reports of test results shall be included as a condition of approval for the project prior to painting the awning.

Findings for Project Approval: For projects within the Historic Overlay zone or a Local Historic District and projects involving historically significant resources, 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).
7. The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through section 19.42.020.
8. The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.

Awning Signage: The business name, Grandma Linda's and the words "ice cream", are proposed on the front valance of the awning (7.25 square feet of sign area). The project narrative states that the sign would be constructed of a vinyl laminated UV canvas material. In terms of colors, the lettering would consist of a white cream color with a pink background. In addition, a brown ice cream cone logo would be included on the center of the sign. Staff would note that after the applicants indicated the desire to paint the existing awning staff requested that the awning sign material (vinyl laminated UV canvas) be confirmed by the applicants. As of the date of this staff report, the awning sign material has not been confirmed by the applicants.

Other Signs: The applicants are proposing to reface previously approved signs: a wall sign; and a projecting sign. These signs can be review administratively provided the applicants submit a Sign Review Application.

Aggregate Sign Area: Based on the building frontage on First Street East (15 feet), the maximum aggregate sign area allowed for the business is 9 square feet. The awning signage (7.25 square feet in area), wall sign (7.3 square feet in area), illuminated window sign (2 square feet in area), and projecting sign (2 square feet in area per side) would result in an aggregate sign area of 18.55 square feet for the business. The proposal is not consistent with this requirement in that the proposed signs would exceed the maximum allowable aggregate sign area for the property by 9.55 square feet. The applicants are requesting a variance from this standard.

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 four signs for the business with inclusion of the awning sign, wall sign, illuminated window sign, and projecting sign. The applicants are requesting a variance from this standard.

Variations: As noted above, the proposal would exceed the maximum aggregate sign area, exceed the permitted illuminated window sign area, and exceed the number of signs normally allowed for a 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.

In addition to the requirements of this title, the awning 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. In addition, Section 807.2 of the Fire Code requires testing by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be noncombustible. Reports of test results shall be submitted to the Fire Code Official prior to painting the awning and to the Planning Department before the Design Review Commission can review the application. An Encroachment Permit shall be required for all work performed in the public right-of-way. Please contact Robin Evans at (707) 933-2205 for information regarding City Encroachment Permits.

Commission Discussion

Design Review and Historic Preservation Commission Action

Approved Disapproved Referred to: _____ Continued to: _____

Roll Call Vote: _____ Aye _____ Nay _____ Abstain _____ Absent

DRHPC Conditions or Modifications

Attachments

1. *Project narrative*
2. *Sign drawing*
2. *Paint color samples*
3. *Picture of proposed conditions*
4. *Historic Resources Inventory*

cc: Troy and Dawn Marmaduke
19362 Loretta Court
Sonoma, CA 95476

Mary Martinez
P.O. Box 534
Sonoma, CA 95476
Linda Aguilar, via email

Patricia Cullinan, via email

Yvonne Bowers, via email

11/18/2013

Grandma Linda's Ice Cream

408 First Street East

Sonoma, CA 95476

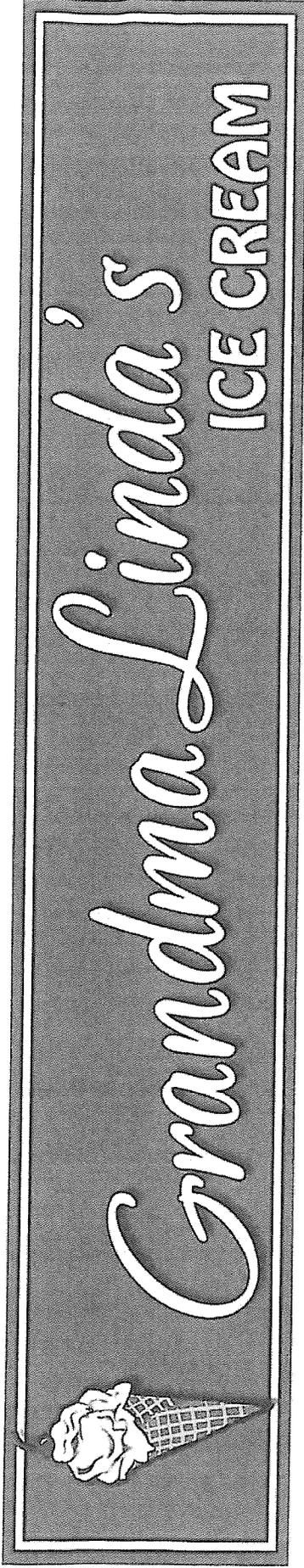
The colors chosen for our exterior signs and awning are shades of the colors my mother liked most. In changing our business from Ben & Jerry's to Grandma Linda's (my Mom) we would like to not only honor her by naming the business after her but use her favorite colors as well. It is as simple as that. She loved Easter and purples and pinks and reds were her favorite colors.

The signs and awning WILL NOT change in size. We are only changing colors.

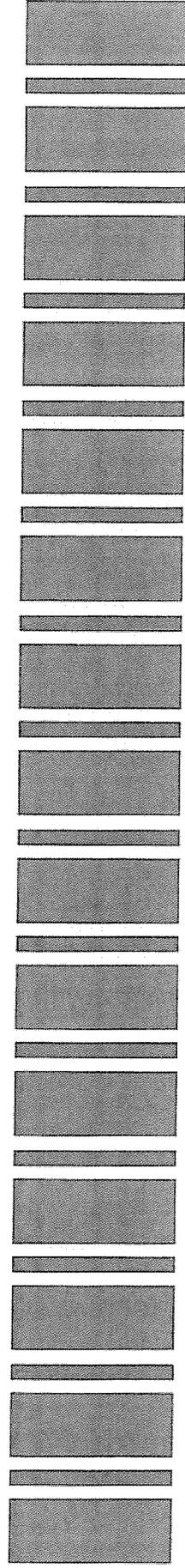
Respectfully,

Troy & Dawn Marmaduke

NOV 20 2013



WALL SIGN: 5.5 ft. long by 1.33 ft tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.



AWNING BACK: 10.1 long by 5.6 ft tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background

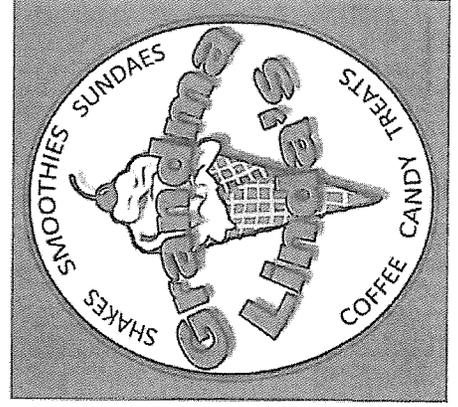


VALANCE SIGNAGE: 10.1 ft long by 9 in. tall. Made of Vinyl laminated UV canvas. Colors are white, blue, on mauve background

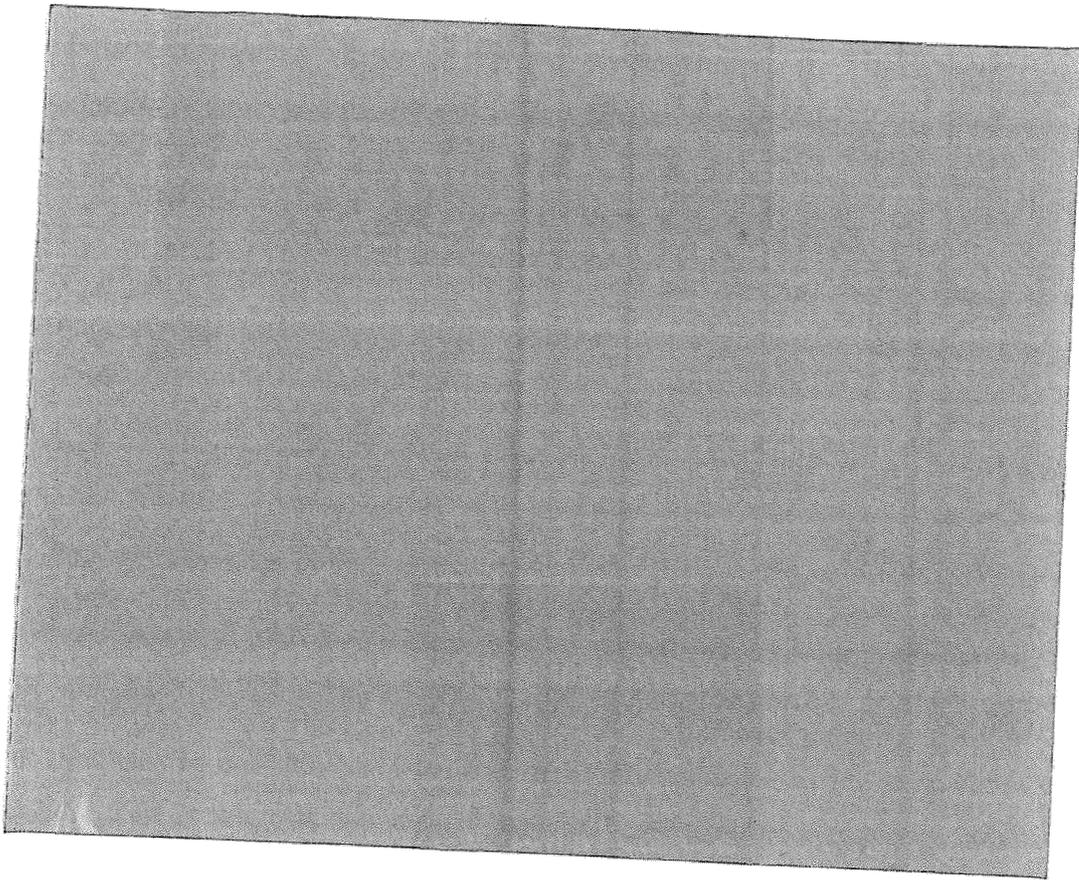
PROJECTING SIGN: 16 in.wide by 18 in.tall. Made of Dibond aluminum. Colors are white, blue, on mauve background.

ACTUAL PAINT SAMPLES SUPPLIED

408 1St E, Sonoma
Dawn & Troy Marmaduke



(Not to Scale)



lavender secret 1415

whispering wind 1416

english hyacinth 1417

oriental iris 1418

persian violet 1419

softened violet 1420

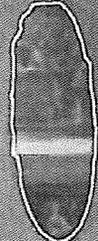
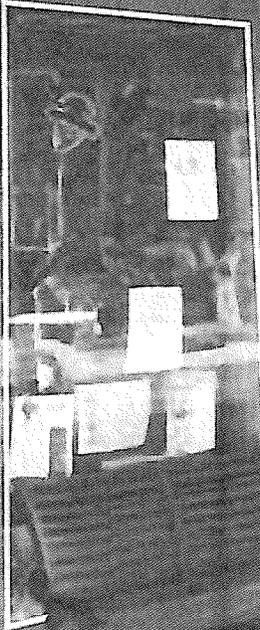
luna blue 1421

 Grandma Linda's
ICE CREAM

ICE CREAM



 ICE CREAM



HISTORIC RESOURCES INVENTORY

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

IDENTIFICATION

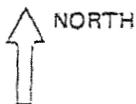
1. Common name: El Paseo
2. Historic name, if known: Pinelli Building
3. Street or rural address 408, 412, 414 First Street East
 City: Sonoma, Ca. ZIP: 95476 County: Sonoma
4. Present owner, if known: AL GARDON Address: 414 1st Street East
 City: Sonoma ZIP: 95476 Ownership is: Public Private
5. Present Use: Commercial Shops, Offices upstairs Original Use: Residence upstairs, Bakery in north end, Saloon in South end.
 Other past uses: _____

DESCRIPTION

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

This commercial building is situated across from the east side of the Plaza and is of Renaissance Revival Style. It is built of heavy hand-cut basalt stone locally referred to as "Plum Stone" because of its color. The same stone is featured in the sidewalk in front. The roof is flat. The original structure, built in 1880's & completed in 1890, is a large rectangular two-story building with a small single story addition to the north in 1916. Top of building features a metal cornice with dentils painted to resemble concrete. Double hung windows have stone arches and brick sills. Lower windows on south end have stone voussoirs with keystone. North commercial entrance has leaded glass transom with metal eyebrow cornice and dentils. Entrance to courtyard has stone voussoir with keystone

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



See City Map Area 10

UTM (SONOMA QUAD)
 10/549,300/4,238,740
 10/548,280/4,238,400
 10/548,210/4,238,070
 10/547,230/4,238,180

8. Approximate property size: 71 - E. Spain St.
 Lot size (in feet) Frontage 67 - E. 1st St.
 Depth 247
 or approx. acreage _____
9. Condition: (check one)
 a. Excellent b. Good c. Fair
 d. Deteriorated e. No longer in existence
10. Is the feature a. Altered? b. Unaltered?
11. Surroundings: (Check more than one if necessary)
 a. Open land b. Scattered buildings
 c. Densely built-up d. Residential
 e. Commercial f. Industrial
 g. Other
12. Threats to site:
 a. None known b. Private development
 c. Zoning d. Public Works project
 e. Vandalism f. Other
13. Date(s) of enclosed photograph(s): October 1978

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

14. Primary exterior building material: a. Stone b. Brick c. Stucco d. Adobe e. Wood
f. Other
15. Is the structure: a. On its original site? b. Moved? c. Unknown?
16. Year of initial construction 1880 This date is: a. Factual b. Estimated
17. Architect (if known): _____
18. Builder (if known): August Pinelli
19. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)
f. Windmill g. Watertower/tankhouse h. Other i. None

SIGNIFICANCE

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

This building was built in 1880's by August Pinelli, completed in 1890. The single story addition to the north was built in 1916 from lumber out of school once located behind the Community Center. August Pinelli was a stone worker from Italy. When he arrived in Sonoma he received a contract from General Valli to get stone out of his property. Later he worked with Mr. Schocken who owned Schocken hill. Mr. Pinelli had 8-10 stone workers who worked for him building several of the commercial buildings in Sonoma. The family made wine at the Blue Wing Inn which they owned at the time. In 1911 building was gutted by fire but was re-built. This unusual commercial building built of stone from the local quarries has the typical store front windows of the period. The relationship of its facade is significant to the other commercial buildings in the block.

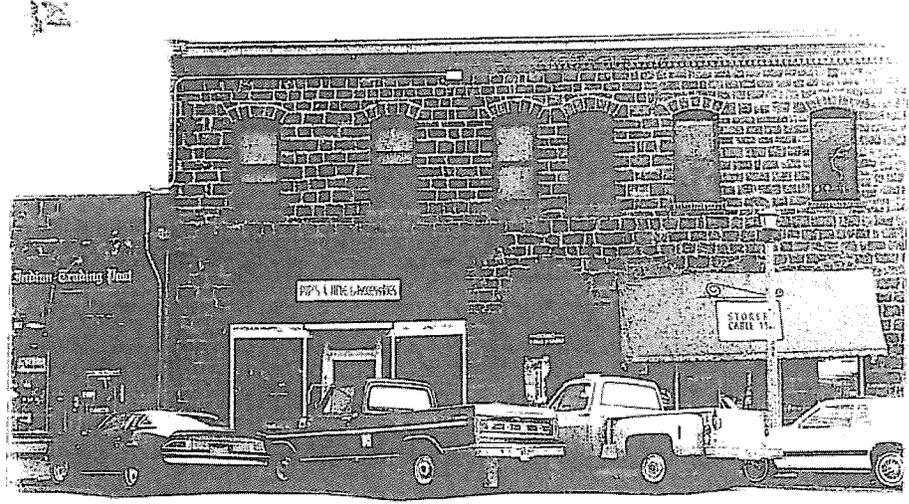
21. Main theme of the historic resource: (Check only one): a. Architecture b. Arts & Leisure
c. Economic/Industrial d. Exploration/Settlement e. Government f. Military
g. Religion h. Social/Education

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

Interview: August Pinelli, January 1979.

23. Date form prepared: Oct. 1978 By (name): Johanna M. Patri
Address: 621 Maple Road City Sonoma, Ca. ZIP: 95476
Phone: 996-6412 Organization: Sonoma Historic Preservation League

(State Use Only)



**CITY OF SONOMA
DESIGN REVIEW AND HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
December 17, 2013
Community Meeting Room, 177 First Street West**

MINUTES

CALL TO ORDER: Chair Tippell called the meeting to order at 6:35 p.m.

ROLL CALL: Present: Comms. Anderson, Barnett, Johnson, McDonald,
Tippell
Absent: Comm. Randolph
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 19, 2013, with a minor correction. Comm. Barnett seconded the motion. The motion carried unanimously, Randolph absent.

Comm. McDonald made a motion to approve the minutes of November 5, 2013, as submitted. Comm. Anderson seconded the motion. The motion carried unanimously, Randolph absent.

CORRESPONDENCE: Late mail for Item #5 (two items).

ITEM #1 – CONTINUED SIGN REVIEW AND DESIGN REVIEW: Consideration of new awnings, new awning signs, and new signs for a real estate company (Coldwell Banker Brokers of the Valley) located at 34 West Spain Street. Application: Bill Dardon.

Associate Planner Atkins presented staff's report.

Chair Tippell opened the public hearing.

Bill Dardon, applicant, was present to discuss the application. He noted that the blue Coldwell Banker awning was approved by the Planning Commission in 1995. He is asking the Commission to take this into consideration, as blue is the color of choice for Coldwell Banker. He provided four alternate awning colors to match the building.

Comm. Barnett noted that the blue awning at 9 East Napa was approved 19 years ago. He also clarified that the four alternate awning colors are numbered in order of preference.

Comm. McDonald asked the overall length of that awning compared to what is being proposed here.

Chair Tippell closed the public hearing.

Comm. Barnett stated he has no issue with the application in terms of the variance for the number of signs and the aggregate sign area. He noted that the proposed awning is larger than the smaller blue one approved 19 years ago and likes the new colors being proposed.

Comm. McDonald thanked the applicant for returning to the Commission and providing alternative color options for review. With regard to the colors, he prefers #1, as the length and size of the awning dominate the building's frontage and he would like to see something more neutral.

Comms. Johnson, Anderson, and Tippell concurred with their fellow Commissioners, and noted that the blue color is a little dated.

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

- 1) The approved awning color will be option #1 (beige).
- 2) The projecting signs shall provide an overhead clearance of at least seven feet.

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

ITEM #2 – CONTINUED DESIGN REVIEW: Consideration of design review of a proposed addition to an historic residence located at 663 Second Street East.
Applicant: Sidney Hoover.

Associate Planner Atkins presented staff's report and noted that an historic evaluation was completed and submitted.

Chair Tippell opened the public hearing.

Sidney Hoover, applicant, was present to discuss the application. At the last meeting the Commission requested he provide additional information on the house, and that has been done.

Holly Carlson, neighbor, complimented the applicant on a very commendable job on the project. She stated she is a previous DRC member and reviewed the project file today at City Hall. She confirmed the structure will be painted white with white trim, and the only color will be on the shutters. She noted there are three houses in the neighborhood in close proximity to subject property that are painted stark white. She hopes the applicant may consider a change of color. Associate Planner Atkins noted that the color of the residence is not under the purview of the Commission. Color is only reviewed by the Commission for commercial or mixed-use developments. The applicant noted that with regard to the color, when he was exploring parts of the house, he found the old original siding and it was white, as white was basically the only color

back then. Comm. Anderson commented that redwood was not the most prized building materials in the 1800's, and white paint was used to disguise the type of wood.

Chair Tippell closed the public hearing.

Comm. McDonald thanked the applicant for returning to the Commission and feels the design is extremely sensitive to the existing structure and respectful to the neighborhood. He has no issues with the application, but hopes the applicant will consider a color for the exterior. Comm. Johnson concurred.

Comm. Barnett echoed the comments of his fellow Commissioners. He thanked the applicant for taking the extra step in obtaining the historical evaluation, as this is one of the most important homes in Sonoma

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

ITEM #3 – SIGN AND DESIGN REVIEW: Consideration of a projecting sign, four awnings, four awning signs, and two wall signs for a commercial business (Schein & Schein Old Maps) located at 149 East Spain Street. Applicant: Schein & Schein Old Maps.

Associate Planner Atkins presented staff's report.

Chair Tippell confirmed that all the signs are being reviewed tonight, but the majority are already installed.

Chair Tippell opened the public hearing.

Jim Schein, applicant, was present to discuss the application. He is a resident of Glen Ellen and also has a store in San Francisco that deals in old maps and antique books. This is an underutilized space and he would like to create a presence there. He feels the building needs some identity, and the awnings emulate the building color.

Chair Tippell asked about the business hours. The applicant stated the business will be open Friday through Sunday, from 11:00 to 6:00. In the winter they will be open on Saturday and Sunday from noon to 5:00. Comm. McDonald asked if the compass is the company logo. The applicant replied in the affirmative.

Mary Martinez, neighbor, complimented the applicant on the signage and encouraged the Commissioners to approve this type of signage in the historic district. She reminded the Commission that they are not only the design review commission, but also historic preservation. Facades are meant to be historically respected. She pointed to his application as an example of integrity of signage in the historic district.

Chair Tippell closed the public hearing.

Comm. Barnett feels this is a great use of the site and he has no issues with the application.

Comm. McDonald concurred. The handcrafted and painted logos are fitting for the type of building and the historical Plaza district. He has no issue with the number of signs, and the awnings are small and minimal. The logos are really almost an architectural statement rather than a corporate logo. He would prefer having the logo sign facing East Spain rather than an A-board. He has no issues with the application. Comms. Anderson and Johnson concurred.

Chair Tippell concurred with her fellow Commissioners. The signage is extremely attractive and looks great on the building. The logo is clever and architecturally appropriate.

Chair Tippell made a motion to approve the application as submitted. Comm. Barnett seconded the motion. The motion carried unanimously, Randolph absent.

ITEM #4 – SIGN AND DESIGN REVIEW: Consideration of a painted awning, a new awning sign, and new exterior paint colors for a commercial building (Grandma Linda's Ice Cream) located at 408 First Street East. Applicants: Troy and Dawn Marmaduke.

Associate Planner Atkins presented staff's report.

Chair Tippell opened the public hearing.

Troy Marmaduke, applicant, was present to discuss the application. He noted they had received approvals for the awning and signage six years ago when they first opened as Ben and Jerry's, and they are duplicating what was approved then. The pink color is a tribute to his mother, as it was her favorite color. It will also attract the public, as the crepe myrtle tree in front of the building blocks the façade. The white trim will tone down the pink. They are proposing to paint the awning and are awaiting the fire spread rating information from the paint manufacturer.

Comm. Barnett confirmed that the awning will be taken down and painted elsewhere.

Comm. Anderson verified that the width of the storefront is fairly narrow, approximately eight feet.

Chair Tippell questioned the location of the violet color. The applicant stated the violet color will be the awning stripes and valance. The white trim will just be on the inside of the window frames, but can be increased if desired. Comm. McDonald pointed out that the violet color is also on the edge of the face sign.

Comm. Barnett questioned what kind of ice cream will be sold. The applicant replied the ice cream brand is Umpqua from Oregon.

Tyler Marmaduke, son of the applicant, has worked at the ice cream store for three years. From April through October the crepe myrtle tree at the front of the building blocks the entire front of the store, and asked that the Commission please take this into consideration.

Dawn Marmaduke, wife of the applicant, stated she has been in Sonoma since 1968. They are local people and proud of their spot on the Plaza, even though it has been a struggle at times.

John Wainwright, painting contractor, stated he has received nothing but compliments about the color and has received not one negative comment about it.

Mary Martinez presented a photo taken earlier this afternoon. She noted that this building is located in Sonoma's historic district. Under Section 4 of Certified Local Government, this Commission is now charged with historic preservation and design review. She feels it is critically important that the findings of the Commission respond appropriately to the environmental features. She noted the adjacent buildings have been recently restored and the terra cotta roof tile is an orange color. The Pinelli Building is Sonoma plumstone, the only plumstone on the Plaza. Pink is fine for the interior, but she personally doesn't see how it can work on the exterior, as there is too much plum color in the stone. She is a little upset about the sign variance request and has not seen any illuminated signs on that building other than on the inside. She pointed out that the project is within 100 feet of the historic district and the Sonoma Mission. She is calling for restraint, as this façade is the most important part of the history on the Plaza. She submitted her written comments.

Chair Tippell closed the public hearing.

Comm. McDonald recalled when the original Ben & Jerry's signage and colors were approved. The applicant had originally wanted a solid color awning, but the Design Review Commission requested that stripes be added. He has no issue with the color of the door paint or the face and blade sign, as they will not alter the look of the historic building. The awning is too much. While he has no issue with the colors on the awning top, he would prefer the valance be white, rather than pink. In addition, he would also prefer to see the fascia of the building around the windows and the trim be painted white. He feels the Plaza deserves better than a painted awning, but realizes this would be a financial hardship for the applicant. While he has no issue with the increased amount of signage, he is unsure about the illuminated ice cream sign in the window.

Associate Planner Atkins clarified that the previously approved signs for Ben & Jerry's were a wall sign, projecting sign, awning and the illuminated ice cream sign. This application proposes a larger awning sign than what was previously approved. She noted the signage is not up for review at this time, with the exception of the awning sign.

Comm. Barnett is excited about this project and finds it very attractive. He has no issues with it and could approve as submitted.

Comm. Johnson is struggling with the color and the historic significance of the building. He would be open to the suggestion from Comm. McDonald to narrow in the pink color. He asked Associate Planner Atkins if there were other painted awnings; she could not recall any. He feels there is a certain standard for businesses on the Plaza, and some of the color should be toned down.

Comm. Anderson noted some of the suggestions made are good ones Overall, this is a rich Victorian color and he has no objections.

Chair Tippell thinks the door color is fine and she has no issue with it; however, the whole area around it, as well as the awning, is too much pink. She concurs with Comm. McDonald's suggestion of either the inverse or other color (softened violet) for the stripe, which would actually play with the glass color above the door. This is a very old, historically relevant building with beautiful stone. She appreciates the applicant wanting to pull that color out. She questioned whether the applicant would be willing to alter the awning with regard to the Commissioners' suggestions.

The applicant stated he would prefer the purple color come down with white lettering. The pink door color and cream/white trim is acceptable. He would like to have the band across the bottom of the window remain pink, as it would get dirty if it was white.

Comm. McDonald made a motion to approve the face and blade signs as proposed, with a modification to the awning sign that it be painted pink/white/lavender on the top, with the valance color to be white with pink ice cream type or lavender with white ice cream type. The door and band between the windowsill and sidewalk shall be painted pink, with the remaining area of fascia/trim painted white.

Comm. McDonald restated the motion to approve the face and blade signs as proposed, awning with top as proposed, with the exception that the valance be violet with white type or white with pink type. With regard to painting of the fascia, the pink color only on the door, door frame, and small strip between the windowsill and sidewalk, with the remainder to be painted white. Associate Planner Atkins confirmed the locations on the picture.

Chair Tippell reopened the public hearing.

John Wainwright, painter, clarified that the inside of the window frame would be painted white, including the windowsill, but not below the sill.

Chair Tippell closed the public hearing.

Comm. Anderson amended the previously made motion to state that from the awning down, the wood door, window above, wood frame from the concrete up to the bottom side of the awning will be painted pink (as submitted).

The applicant prefers the second option.

Comm. McDonald made a motion to approve the signage as proposed, with modification to the valance being violet with white type or white with pink type, with option #1 for the window and door frames. Chair Tippell seconded the motion. Ayes: Johnson, McDonald, Tippell. Noes: Anderson, Barnett.

ITEM #5 – DESIGN REVIEW: Consideration of site design and new exterior colors for a drive-through coffee facility (Dutch Bros. Coffee) located at 711 Broadway. Applicant: RJF Enterprises, Inc. dba Dutch Bros. Coffee.

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

Associate Planner Atkins presented staff's report.

Comm. McDonald could not recall being asked to approve colors for fire lanes or safety curbs/barricades. Associate Planner Atkins noted the applicant included them in the application.

Chair Tippell noted that in the existing photo, it already shows red. Comm. McDonald pointed out the controversial window trim area. Associate Planner Atkins stated that the applicant has removed the white color from the proposal (see late mail) and no white trim is now being proposed.

Chair Tippell opened the public hearing.

Robert Fulton, applicant and owner of Dutch Bros. Coffee, was present to discuss the application. He apologized for the lateness of the revised sketch. The existing building color is a sand stucco and currently houses Hot Shots. The other section of the building is a florist shop. Architecturally, they are two different buildings with no connection between the two. He wants the paint colors to be complementary and identify each of the two businesses. The building Van Deusen Blue trim color proposed would be on the fascia/trim and on the protruding overhang and the four-inch flashing on top of the stucco building. The awnings and signage will be presented at a later date.

Comm. Barnett confirmed that in terms of removing the door and replacing it with a window, it will be a more traditional drive-up service. Patricia Cullinen is glad to see the proposed color is darker than what was on the staff report. She noted that when the street lights were installed in 1992, CalTrans evaluated all the properties along Broadway and made a registered district. This corner is an important contribution to the Plaza national landmark and it's important to understand the context of Broadway in the bigger picture of Sonoma's history.

Mary Martinez complimented the applicant for toning down the color to be more appropriate for this district.

Chair Tippell closed the public hearing.

Comm. Barnett appreciated the revised color brought in, as it is an improvement over the previous submittal. In general, this is a use that compliments the area and he has no issues with the application.

Comm. McDonald has no issue with the changes proposed, but would encourage the installation of the awning with the logo so it doesn't look so much like a service station. The objective is to make it much more appealing.

Chair Tippell and Comm. Johnson concurred with their fellow Commissioners.

Chair Tippell made a motion to approve the application as submitted, with the late mail revision received on December 17. Comm. McDonald seconded the motion. The motion carried unanimously, Anderson and Randolph absent.

Comm. Anderson returned to the dais.

ITEM #6 – DISCUSSION ITEM: Review of California Environmental Quality Act confirmation for 157 West Spain Street.

Associate Planner Atkins presented staff's report. Confirmed the project did not require historic evaluation and met CEQA guidelines. She explained why an historic evaluation was not required and why the Planning Department administratively approved the new residence and not bring it back to the Design Review Commission.

Comm. Barnett stated what concerned him was that the building in front was not part of the historic review. Comm. McDonald noted the front building is over 50 years old and in an historic district. Associate Planner Atkins noted the structure is not currently on the DPR list to be eligible for the State registry.

Comm. McDonald commented that when there is an historic district and buildings that are contributable that that historic district, when you add any sort of piece to that puzzle, any new building should be held up to certain standards. Our ordinance does not address this. He feels it is important to complete the survey and identify which buildings are contributors, and set standards for any new or in-fill projects.

Associate Planner Atkins noted that under the new regulations that went into effect December 4, 2013, if a new residence is located in an historic district, it will require the applicant to submit a historic evaluation to determine if the structure is a historic resource and if the proposed modifications met the Secretary of Interior Standards.

Chair Tippell opened the public hearing.

Patricia Cullinen noted the front building was listed on the League's Historic Survey. If a house is over 50 years old, it is considered historic by CEQA. This project was part of an historic property and adjacent an historic home. She took exception of staff's analysis of the project. An example would be a property with an historic home on an Indian burial ground. Unless an historic resource evaluation was done, there would be no way of evaluating the project because that wouldn't be known. Sonoma needs a cultural resource planner to help with the process. She noted that the historic districts/properties along Broadway were evaluated by CalTrans.

Comm. McDonald commented that the protections are in place, but we need to rethink about how any new buildings are looked at.

Associate Planner Atkins stated that when writing this memo, it was determined that the existing house on the property was, in fact, over 50 years old. In the survey done by the League, there was no evaluation of the structure. There was no way to link the existing house with the new structure, and nothing in CEQA was triggered. There is a difference of opinion between Planning Department staff and the City Historian.

Comm. Barnett stated that perhaps this item should be continued in case it could be exempted by CEQA. The City Historian agrees that it's a gray area. If he was asked to look at a property for historic evaluation, he also reviews the adjacent property; we don't do that. He questioned whether there would be any discretionary way for the City to mandate an historic evaluation.

Associate Planner Atkins stressed the need to be consistent. This discussion should be put on a future agenda in order to establish a policy.

Patricia Cullinen feels there is conflict over the interpretation. She feels if the structure is not categorically exempt, then it should trigger an historical evaluation or an initial study. The historic evaluation would have found the house and property historic. The League did not do evaluation of every property in Sonoma. When a house is over 50 years old, cannot just go to survey and say it's not listed.

Comm. McDonald asked if an initial study had been done, would the Commission have required the applicant to make significant changes to the design of the building? Associate Planner Atkins noted this is not the end of this discussion. This item will be put on a future agenda to discuss the policy of what is required of applicants in relation to historical applications. Ms. Cullinen will send documents on the existing districts (Federal, State, and City overlay).

Chair Tippell closed the public hearing.

ITEM #7 – DISCUSSION ITEM: Review of the project review changes related to Certified Local Government and recent Municipal Code revisions.

Associate Planner Atkins presented staff's report and outlined the expectations of a Certified Local Government (CLG) and the resulting changes in the Municipal Code the City Council approved in November that went into effect December 4, 2013. All changes were made in the Municipal Code, including the name change of the Design Review and Historic Preservation Commission. The other two changes that went into effect were the following: 1) a process was created to designate a locally-significant historic resource and districts; and, 2) additional findings for approval were added to Architectural Review projects located in the Historic Overlay Zone or a local Historic District and projects involving historically significant resources.

Comm. McDonald noted it's going to be a long time in the making to have an approved district boundary that has all the safeguards to have a protected historic district. The City needs to have its own guidelines in place.

Associate Planner Atkins stated the City does not need approval from the State to create a district, and suggested agendaizing this discussion to a future meeting and have the City Historian attend.

Chair Tippell opened and the public hearing with none received.

ISSUES UPDATE: None.

COMMENTS FROM THE COMMISSION: None.

COMMENTS FROM THE AUDIENCE: None.

The meeting adjourned at 10:10 p.m. to the regular meeting scheduled for Tuesday, January 21, 2014.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Design Review Commission on the 18th day of February 2014.

Robin Evans, Administrative Assistant

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



Aswan Egypt
Chambolle-Musigny France
Greve Italy
Kaniv Ukraine
Patzcuaro Mexico
Penglai China
Tokaj Hungary

January 7, 2014

Troy and Dawn Marmaduke
19362 Loretta Court
Sonoma, CA 95476

Subject: **Revised Letter:** Consideration of a painted awning, a new awning sign, and new exterior paint colors for a commercial building (Grandma Linda's Ice Cream) (APN: 018-221-035).

Dear Mr. and Mrs. Marmaduke:

On Tuesday, December 17, 2013, the Design Review and Historic Preservation Commission (DRHPC) considered a painted awning, a new awning sign, and new exterior paint colors, for a commercial building (Grandma Linda's Ice Cream) located at 408 First Street East. After discussion and public testimony, the DRHPC voted 3-2 to approve the application with the following conditions:

- The top portion of the awning was approved as submitted.
- The valance portion of the awning shall be painted either Benjamin Moore softened violet (1420) with Pratt and Lambert off white (32-31) text, or painted Pratt and Lambert off white (32-31) with Pratt and Lambert cerise delight (2-14) text.
- The front portion of the building shall be painted Pratt and Lambert cerise delight (2-14) on door, door frame, and small strip between windowsill and sidewalk, the remainder shall be painted Pratt and Lambert off white (32-31).

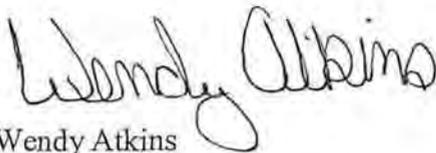
Please be advised that after further review it was determined that the DRHPC did not have the authority to approve the wall sign and projecting sign in conjunction with the application, which was reviewed at the DRHPC meeting. Please submit a Sign Application and a fee in the amount of \$53 and staff will consider reviewing the Sign Application administratively.

In addition to the requirements of this title, all signs shall be in conformance with the 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. In addition, Section 807.2 of the Fire Code requires testing by an approved agency meeting the NFPA 701 flame propagation standards or the materials shall be noncombustible. Reports of test results shall be submitted to

the Fire Code Official prior to issuance of a building permit or painting the awning. An Encroachment Permit shall be required for all work performed in the public right-of-way. Please contact Robin Evans at (707) 933-2205 for information regarding City Encroachment Permits.

If you have any questions regarding this matter, do not hesitate to contact me at 933-2204.

Sincerely,

A handwritten signature in black ink that reads "Wendy Atkins". The signature is written in a cursive, flowing style.

Wendy Atkins
Associate Planner

cc: Black Trust-1965
C/O Hillary Black
248 Trinity Avenue
Kensington, CA 94707-1139

Linda Aguliar, via email

Mary Martinez
P.O. Box 534
Sonoma, CA 95476

Patricia Cullinan, via email

Yvonne Bowers, via email

Alan Jones, Administrative Captain



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

CITY OF SONOMA

Date: 12/18/13

Applicant Information:

Name: Grandma Linda's Ice Cream Shop Telephone: 707 888 4284

Mailing Address: 408 1st St E Sonoma Ca 95476

Site Information:

Site Address: 408 1st St E Sonoma Ca 95476

Zoning: Commercial Public Street Frontage: 1) Primary 2) Secondary

Sign Information:

Sign types include the following: awning, banner, freestanding, hanging, monument, projecting, portable freestanding, roof, wall, and window. For each proposed sign indicate the type of sign, number of faces, dimensions, and form of illumination, if any. **Please attach a scale drawing (in color) of all proposed signs to the application.**

Type of Sign	Size (in feet and inches)			No. of Faces		Illumination	
	Length	Height	Area	Single	Double	Exterior	None
<u>Top Sign</u>	<u>5'</u>	<u>15"</u>	<u>7.3 sq. ft</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>hanging sign</u>	<u>18"</u>	<u>16"</u>	<u>1.1' "</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>valance sign</u>	<u>12"</u>	<u>9"</u>	<u>2.4' "</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Letter height: 7" Background Color: blue Letter Color: white Trim Color: purple

Sign Area: 1) Existing 10.8 sq. ft 2) Proposed 10.8 3) Total 10.8

Hanging, Projecting, Free-standing signs: 1) Height to top of sign from grade 2) Clearance

Note: The maximum sign height for freestanding signs is 12 feet. The minimum clearance from hanging or projecting signs is 7 feet.

Additional Submittal Requirements
SEE REVERSE SIDE OF THIS APPLICATION FORM

Administrative Information (office Use Only)

Commission Review Administrative Review Application Complete: Yes No

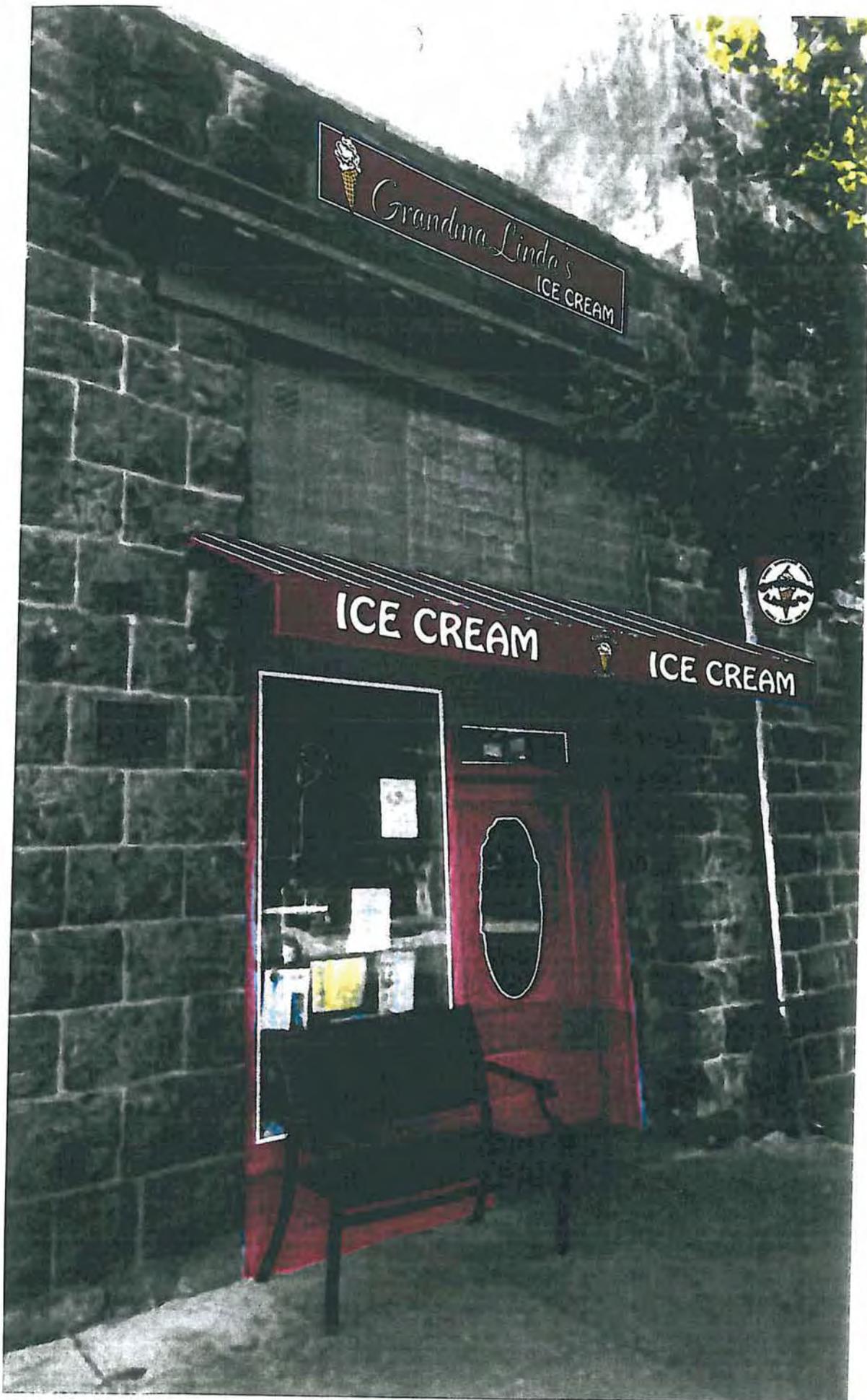
Determination Date: 5/14/14 Decision: Vote:

Staff Comments: Approved Kimberly Collier

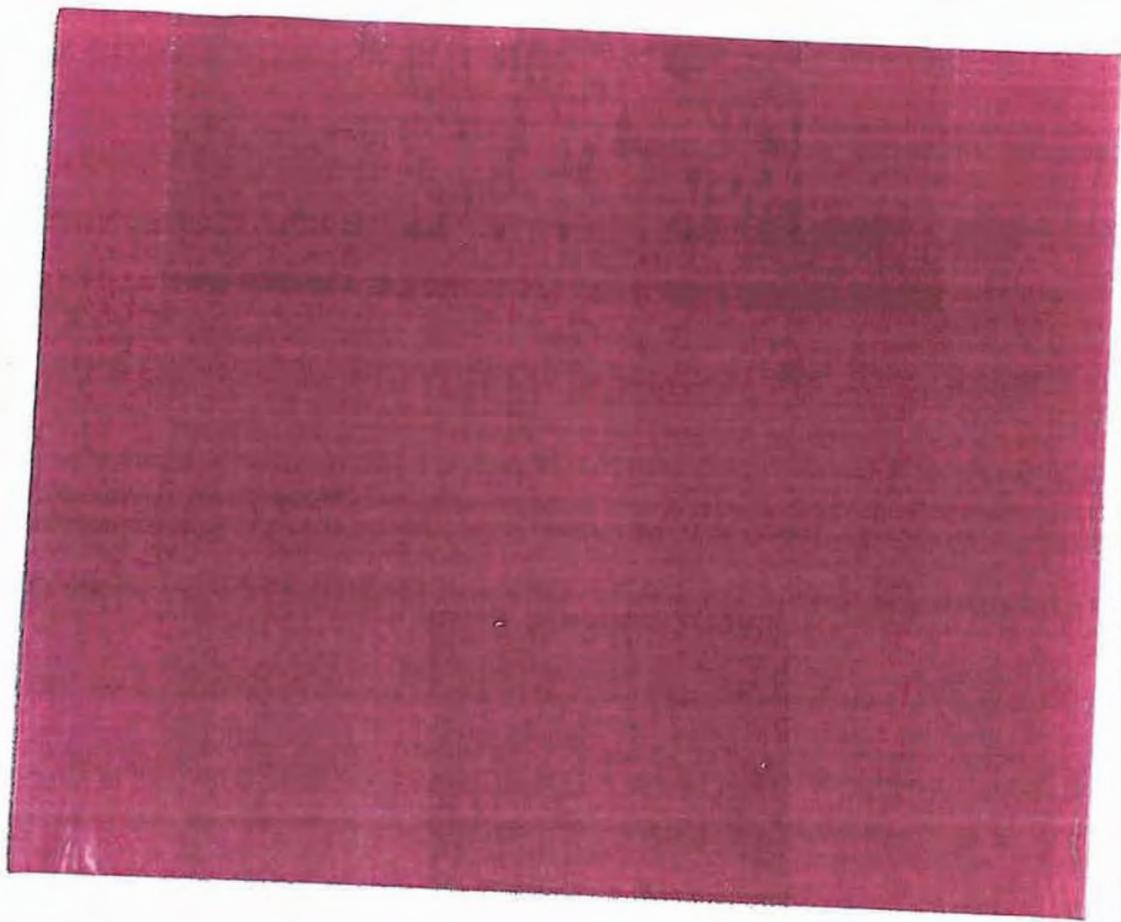
Property Owner Authorization:

I, the undersigned, hereby state that I am the owner of record on the affected property or a duly authorized agent of the property owner(s). An agent must submit a letter of authorization signed by the property owner and that all information submitted as part of this application is true and accurate.

Signature: Date:



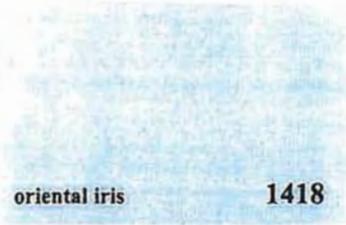
FILE COPY



lavender secret 1415

whispering wind 1416

english hyacinth 1417



oriental iris 1418



persian violet 1419



softened violet 1420



FILE 3011

Wendy Atkins

From: Linda Aguilar <lindaa@sequoialand.net>
Sent: Thursday, February 06, 2014 10:36 AM
To: Troy Marmaduke
Cc: Wendy Atkins
Subject: RE: Sign Approval to City

This is to state that the owner of the property 408 First Street East, Sonoma, Redbird Investment Group LLC, has approved of the signage as submitted for Grandma Linda's Ice Cream.

Linda Aguilar
Director of Property Management
415-331-3393 x14
Lindaa@sequoialand.net

From: Troy Marmaduke [<mailto:ben.jerry.sonoma@hotmail.com>]
Sent: Wednesday, February 05, 2014 6:33 PM
To: Linda Aguilar
Cc: Wendy Atkins
Subject: Sign Approval to City

Hi Linda,

We need your approval for our signs. A Photoshop illustration is attached. We have gone in front of Design Review and they have approved the following design; However a group of citizens have appealed our signs, exterior colors and awning to the City Council.

If you could do a reply all with your approval, I have Wendy from the City as a CC. This is all she will need, your reply in an email

Thanks!
Dawn

City of Sonoma

Sonoma Sister Cities:

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



Aswan Egypt
Chambolle-Musigny France
Greve Italy
Kaniv Ukraine
Patzcuaro Mexico
Penglai China
Tokaj Hungary

February 24, 2014

Grandma Linda's Ice Cream Shop
Attn: Troy and Dawn Marmaduke
408 First Street East
Sonoma, CA 95476

Subject: **Correction Letter:** Sign Application for Grandma Linda's Ice Cream Shop located at 408 First Street East (APN 018-221-035).

Dear Mr. and Mrs. Marmaduke:

The purpose of this letter is to issue a correction letter. On Thursday, February 14, 2014, staff administratively reviewed and **approved** a Sign Application for two signs proposed at 408 First Street East for Grandma Linda's Ice Cream Shop. The City Council will consider the appeal of the Sign Application approval at its meeting on March 3, 2014.

If you have any questions about this matter, please do not hesitate to call.

Sincerely,


Wendy Atkins
Associate Planner

cc: Johanna Patri
621 Napa Road
Sonoma, CA 95476

Mary Martinez
414 First Street East
Sonoma, CA 95476

Linda Aguilar, via email



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7B

Meeting Date: 03/03/2014

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Discussion, consideration and possible action on an appeal of the Planning Commission's decision to approve an exception from the fence height standards to allow a seven-foot tall fence within required front and street-side setback areas.

Summary

At its meeting of January 9, 2014, the Planning Commission held a public hearing on an application for an Exception to the fence height standards in order to allow the legalization of over-height fences constructed on the property located at 639 Third Street West. After holding a public hearing on the application and discussing the matter itself, the Planning Commission voted 6-1 (Commissioner Edwards dissenting) to approve an Exception for allowing over-height fences in the southern portion of the property, while denying approval for the fenced courtyard on the north side of the site. The property owner, Diann Sorenson, subsequently filed an appeal of this decision because she wishes to obtain approval of the fenced courtyard.

Recommended Council Action

Uphold the decision of the Planning Commission, with direction to staff to prepare an implementing resolution for adoption at a subsequent meeting.

Alternative Actions

1. Uphold the decision of the Planning Commission, with or without changes to the conditions of approval.
 2. Uphold the appeal, thereby approving all elements of the application for a fence height exception.
 3. Refer the matter back to the Planning Commission or direct staff to provide additional information.
-

Financial Impact

Neither the application nor the appeal raise any significant issues with respect to financial impacts on the City.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Alignment with Council Goals:

N/A

Attachments:

1. Supplemental report
 2. Location map
 3. Appeal
 4. Recent correspondence
 5. Planning Commission minutes
 6. Planning Commission Staff Report (**Note:** this includes all correspondence previously received on the Planning Commission application, as well as the site plan and other project information)
-

cc:

Diann Sorenson
639 Third Street West
Sonoma, CA 95476

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

John and Stephanie Peterson
313 Robinson Road
Sonoma, CA 95476

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

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

SUPPLEMENTAL REPORT

Discussion, consideration and possible action on an appeal of the Planning Commission's decision to approve an exception from the fence height standards to allow a seven-foot tall fence within required front and street-side setback areas

For the City Council meeting of March 3, 2013

Background

At its meeting of January 9, 2014, the Planning Commission reviewed an application for an Exception to the fence height standards in order to allow the legalization of over-height fences constructed on the property located at 639 Third Street West. After holding a public hearing on the application and discussing the matter itself, the Planning Commission voted 6-1 (Commissioner Edwards dissenting) to approve an Exception for allowing over-height fences in the southern portion of the property, while denying approval for the fenced courtyard on the north side of the site. The property owner, Diann Sorenson, subsequently filed an appeal of this decision because she wishes to obtain approval of the fenced courtyard.

Property Description and Environs

The subject property is a corner lot developed with a one-story, single-family residence; however, for many years it was used as a commercial office. (The office use of the property had been approved by use permit under at a different zoning designation.) The residence has an area of approximately 1,270 square feet and is oriented toward Third Street West. Adjoining uses are as follows:

North: A single-family residence (across Vigna Street).

South: A single-family residence.

East: An office building and the Marketplace Shopping Center.

West: A single-family residence.

The property has a zoning designation of Low Density Residential.

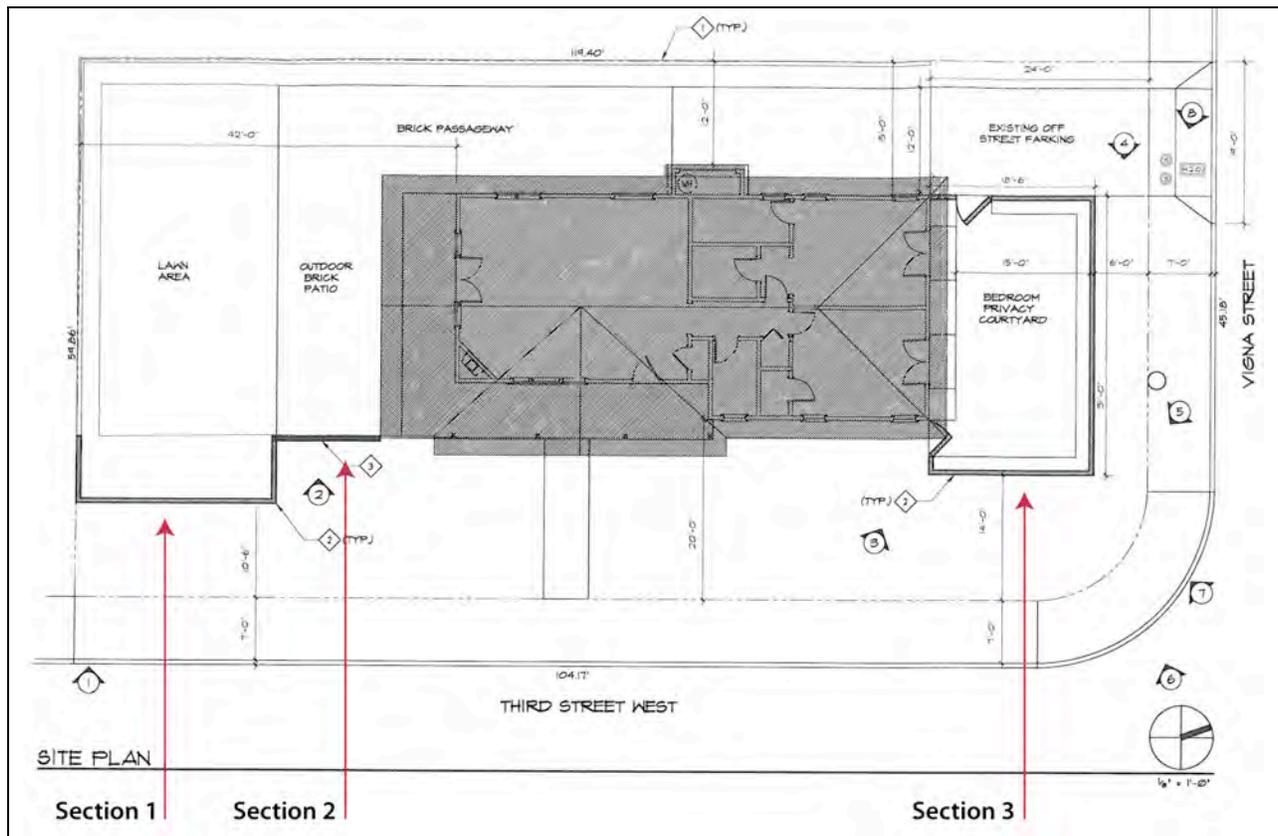
Project Description

In the course of implementing improvements to the building and property associated with its return to residential use, fencing was installed that did not comply with the normal fence height standards. When this issue was brought to the attention of the property owner, an application was filed to legalize the fencing through the fence height exception process. Note: This item was originally scheduled for review at the Planning Commission meeting of October 10, 2013. It was continued several times, however, for a variety of reasons: 1) the property owner had to unexpectedly travel out of state, 2) the property owner requested additional time to meet with neighbors, and 3) the original application, which had been made by the former contactor, was withdrawn, so a new application had to be submitted.

The Exception request addressed three sections of fencing:

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

With regard to section 2, the site plan below shows the setback as was proposed by the applicant; however, following the Planning Commission decision on the application, this segment was installed incorrectly and it extends approximately two feet further into the setback than is shown on the site plan.



General Plan and Zoning Consistency

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

Zoning Consistency: A 20-foot front/street side yard setback is required within the R-L zoning district. Fences within required front/street side yards are limited to a maximum height of 3.5 feet, unless the Planning Commission approves an Exception to the fence height standards. The Development Code also specifies that fences at the intersections of streets, alley, and driveways “... *within traffic safety sight areas*” may not exceed 30 inches. In order to approve an Exception to the fence height standards, the Planning Commission must make specified findings, as discussed below.

Planning Commission Review

When it considered the application, the Planning Commission focused on the four findings that must be made in order to approve an Exception to the fence height standards. These findings are set forth below, along with a summary of the Commission’s discussion of their applicability.

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

In general, the Planning Commission found that sections 1 and 2 of the fence (as described above) were compatible with these findings in that these segments were setback relatively far from the street, did not create any safety issues, and were fairly typical of the type of fence height Exception that is often granted for corner lots as a means of providing private yard space. In contrast, the fenced courtyard on the north was viewed as visually anomalous and obtrusive. There are no other structures like it in the neighborhood. It has relatively small setbacks for its height and the courtyard design makes it an even more visually dominant feature. As one Commissioner put it, “*would we approve this design if had come to us a proposal that had not already been built?*” For a majority of the Commission, the answer to that question was “no.” Commissioners were also concerned about sight distance issues associated with this fence segment due to its proximity to the driveway. Ultimately, the Planning Commission voted 6-1 to approve an Exception for segments 1 and 2, while denying an Exception to segment 3 (meaning that it would either need to be removed or reduced to a height of three and a half feet).

Issues Raised in the Appeal

The appeal filed by the property owner (attached) cites the need to provide screening for privacy and security for a bedroom. The appeal also notes that several neighbors supported the proposal, in writing and in comments made during the public hearing. The property owner also notes that vegetation that had been planted along the north side of the property had been removed to improve sight distance. Staff would simply observe that these issues were part of the Planning

Commission's discussion, but the ultimately determined that the findings could not be made for that segment of the fence.

Segment 2 of the Fence

As discussed above, segments 1 and 3 of the fence (as called out in the preceding diagram) had already been constructed at the time the Planning Commission reviewed this application. Segment 2 of the fence, which links segment 1 with the residence, had not been built, but was included in the application for a fence height Exception. As shown on the site plan, this segment of fence was shown as being set back approximately 17.5 feet from the eastern property line.

Sometime after the Planning Commission hearing, this segment of the fence was constructed. Staff was concerned when we learned that this segment of fence was under construction because in filing the appeal, all elements of the project are subject to review, even those approved by the Planning Commission. We immediately advised the applicant (Montoya and Associates, an architect hired by the property owner) to cease construction until after the appeal was heard, although by that time, construction was nearly complete. As it turns out, the construction was completed and, more significantly, the fence was installed incorrectly. Instead of a 17.5-foot setback, this fence segment was installed with a 15.5 setback, two feet short of what was approved by the Planning Commission. In staff's view, this is unfortunate, especially given that segments 1 and 3 were constructed in violation of the normal fence height standards. This first problem was apparently caused by the original contractor, who is not longer with the project. However, for a similar mistake to be made again is troubling.

Since this change was not part of the application considered by the Planning Commission, it is not clear to staff that it can be legalized through this appeal process. In any event, given the history of the project, staff would recommend against approving it. The question was also raised as to whether by constructing that segment prior to the appeal hearing, the right of appeal was forfeited. The City Attorney reviewed the appeals portion of the Municipal Code and while he agreed that the construction of that portion of the fence should have been stayed (because it is encompassed by the appeal), he determined that the appellant did not forfeit her right to appeal because there is nothing in the Code that says that.

Environmental Review

When it considered the application, the Planning Commission determined that it was exempt from environmental review. (Class 3: New Construction/Conversion of Small Structures.)

Recommendation

Staff recommends that the City Council uphold the decision of the Planning Commission to approve an Exception to the fence height standards for sections 1 and 2, in full in accordance with the approved plans (including segment 2), while denying an Exception to segment 3. Whatever decision the City Council ultimately chooses to make, staff will return with a resolution at a subsequent Council meeting, formalizing its direction.



Project Summary

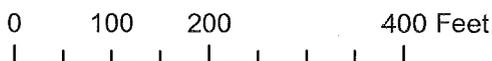
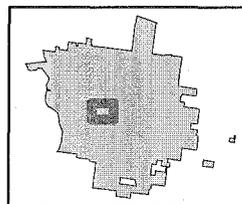
<i>Project Name:</i>	Step One Residential Design and Construction Fence Height Exception
<i>Property Address:</i>	639 Third Street West
<i>Applicant:</i>	Step One Residential Design and Construction
<i>Property Owner:</i>	Diann Sorenson
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning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

Summary:

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

Zoning Designations

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



1 inch = 200 feet

City of Sonoma Appeal Application Form

For City Use

Date Received 1-24-14

By [Signature]

- A copy of the rights of appeal and the City's appeal procedures may be found on the reverse of this form
- The fee to file an appeal is ~~\$400.00~~ ^{\$300} and must accompany this form
- Appeals must be filed with the City Clerk within fifteen (15) calendar days of the action
- Appeals must address issues raised or decisions made at previous hearings. Appeal hearings cannot be used as a forum to introduce new issues
- In order for your appeal to be valid this form must be filled out completely.

Feel free to attach additional sheets or supporting documentation as may be necessary.

APPELLANT INFORMATION: (Please Print)

Name: DIANN SORENSON

Address: 639 3rd ST. W.

Phone: (707) 328-1402

Name: MAILING ADDRESS:

Address: P. O. BOX 360

Phone: SONOMA, CA 95476

We the undersigned do hereby appeal the decision of the:

Planning Commission

Design Review Commission

City Planner or Department Staff

Other: _____

Regarding: EXCEPTION TO THE FENCE HEIGHT STANDARDS
(Title of project or application)

Located at: 639 Third Street West
(Address)

Made on: January 9, 2014
(Date decision was made)

We hereby declare that We are eligible to file an appeal because:
(Refer to Section 19.B4.30-A, Eligibility, on the reverse)

I am the owner of the property

The facts of the case and basis for the appeal are:

See attached

We request that the Appeal Body take the following specific action(s):

Approve the fence height exception as requested at the Planning Commission

Signed:

[Signature]
Signature

Date
1/24/2014
Date

The facts of the case and basis for the appeal are:

There were two fences that were requested at the Planning Commission meeting – one at the south of the property along Third Street West and one at the north end of the property along Vigna Street. There is no objection to the fence at the south. The basis for the appeal of the fence to the north is that the fence that requested is necessary for the privacy and security of the residence. The Development Code was written to allow exceptions like the one being requested. Without this exception, a fence of a height that would allow privacy and security would need to be almost next to the building to meet the setback requirements. Without a fence of at least six feet in height, the bedrooms will be provided no privacy or security. Due to the commercial area and the fact the residence faces the back of a shopping center, this is a major concern. There already has been an item stolen from the property's rear yard.

In addition to the reasons outlined above, there are many neighbors who support this project. The neighbors enjoy the fact there where once was a vacant medical office building is now, as one neighbor described it, "a beautiful home". The letters of support were not discussed at the meeting.

The next door neighbor on Vigna Street is the neighbor who has been most vocal against the fence. Her main objection is removal of the entrance to the property off of Third Street West and the placement of the only driveway near her property line. The location of the fence is a secondary issue and a way for her to try and get the driveway relocated. But removing the curb cut on Third Street West was not at the applicant's request. The policy of the Public Works department requires the elimination of redundant or secondary driveways. As set forth in section 19.48.100 of the Development Code, driveways are located on the street having the lowest traffic volume which, in the case, meant using the driveway on Vigna Street. The owner has removed the vegetation along Vigna Street to improve the sight lines for traffic which now offers better sightlines than was present with the vegetation and no fence.

February 24, 2014



City of Sonoma
City Council
1 The Plaza
Sonoma, CA. 95476

Re: 639 3rd Street West

The property located at 639 3rd Street West was renovated without full compliance of The City of Sonoma Municipal Codes. The March 3, 2014 City Council agenda item is an appeal of the recent decision by the City Planning Commission, however the complete picture of concerns and non-compliant issues have not been fully addressed.

There appears to be a desire to compromise, using a justification of other similar non-compliant locations within the City of Sonoma. There are personal observations and/or feelings regarding the appearance of the residence being used for the decision process. I believe everyone involved should be reminded, it is the City of Sonoma Municipal Code which rules these issues and variances. This is true especially in the case of fence height exceptions, which are determined by the Municipal Code.

I have included sections of the City Municipal Code appropriate to the review process and hopefully will be useful in assisting the City Council to preserve the character and distinctiveness of the Sebastiani Subdivision. The following sections apply to fence heights, driveways and covered parking and are code requirements for the renovation of 639 3rd Street West.

19.24.010 Existing conditions, desired future, potential changes.

B. Desired Future. The general objective for this area, as expressed in SMC 19.26.020, is to ensure that new infill developments respect their immediate context. Single-family areas should remain single-family with regular setbacks and development in multifamily areas, while having greater flexibility in site design and massing, should clearly respond to conditions on adjacent parcels. Otherwise, the mini-neighborhoods within the planning area risk losing their distinctiveness.

19.46.030 General height limitations.

B. Modifications to Fence Height Standards. The planning commission may modify the fence height standards referenced in subsection (A) of this section, subject to the approval of a use permit (SMC 19.54.040) and in compliance with the provisions of this section.

C. Findings and Decision. The applicant shall demonstrate, to the satisfaction of the planning commission, that the following findings are met in addition to those required for all conditional use permits (SMC 19.54.040(E)):

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

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

3. That the fence will be a planned architectural feature and would not dominate the site or overwhelm surrounding properties, structures, or passersby; and
4. That the fence will be of sound construction and located so as not to cause a safety hazard.

19.48.100 Driveways.

D. Clearance from Obstruction. The nearest edge of a driveway apron or curb return shall be at least five feet from the nearest property line, centerline of a fire hydrant, utility pole, traffic signal, light standards, or other similar facilities. (Ord. 2003-02 § 3, 2003).

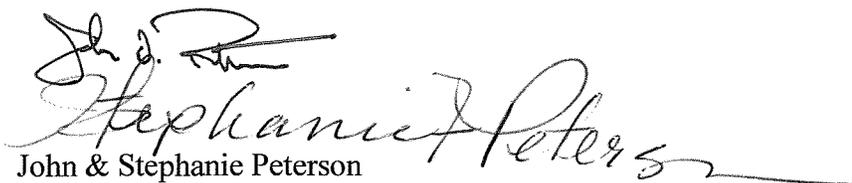
19.48.040 Number of parking spaces required.

Table 4-4 Parking Requirements by Land Use

Single-family housing; One Space in a garage or carport per unit.

Additionally, after a recent rainstorm during the first weekend of February, another concern arose. The newly renovated home flooded and required a pump to drain the crawl space under the structure. Currently, it is not clear what plans are being developed to cure the problem, but a temporary measure of hoses to drain the gutter downspout system to the property line with 313 Vigna Street has been placed. While this is perhaps only a temporary measure, the discharge of storm water to adjacent property is not a desirable or acceptable alternative.

I wonder how multiple Municipal Code violations occurred and have some sympathy for the additional cost associated with compliance. In order maintain the validity of our codes and the uniqueness of the Sebastiani Subdivision it is important to correct these non-compliant conditions.



John & Stephanie Peterson

313 Robinson Street
Sonoma, CA. 95476

Comms. Willers, Felder, Tippell and Edwards agreed that square footage should determine some of the limitations for tasting rooms.

Comm. Edwards does not want tasting rooms to expand to accommodate large-scale special events.

Comm. Felder is concerned about hours of operation and does not believe that the late-night hours are consistent with the concept of a tasting room.

Comm. Howarth favors limiting tasting rooms, but questioned how the allowance for events such as wine-maker dinners would be monitored. He favors more oversight and is generally pleased with the proposed regulations as they have been developed.

Comm. Henevald confirmed with Planning Director Goodison that the limitations proposed only apply to wine tasting facilities.

Comm. Willers supports the concept of use permit review for certain types of wine tasting facilities. While he recognizes that these facilities are also subject to ABC oversight, this is not a substitute for review of such issues as land use compatibility and parking.

Chair Roberson thanked the public for their input. He stated that there appeared to a general consensus from the Planning Commissioners that a review of the Use Permit should be triggered when there are two reported ABC violations.

Comm. Felder stated that he would like to keep the tasting room hours at 7 p.m., with anything later being subject to use permit review.

Comm. Howarth expressed a preference for the seasonal hours option, as did Chair Roberson.

Comm. Willers's addressed the concept of a size threshold, suggesting that a threshold of 1,000 square feet should be used as a trigger for use permit review. In his view, the approach of allowing a small-scale tasting room with limited hours as a permitted use, while requiring use permit review for extended hours or larger-scale facilities was fair to small businesses while allowing appropriate oversight.

Chair Roberson took a straw poll and the majority of Commissioners are satisfied with the revisions to the regulations for tasting rooms, with the

Comm. Edwards made a motion to forward the draft regulations to the City Council with the following revisions: 2 ABC violations within a 5 yr. period & space over 1,000 square feet triggers a Use permit review, seasonal hours, approval of the revised language for allowable food service. Comm. Willers seconded. The motion was approved 6-1. Comm. Felder opposed.

Item #2 – Public Hearing – Consideration of an Exception to the fence height standards to allow over-height fencing within the front and street-side yard setbacks of a residential property at 639 Third Street West

Applicant/Property Owner: Montoya and Associates/Diann Sorenson

Planning Director Goodison presented staff's report.

Chair Roberson opened the public hearing.

Diann Sorenson, applicant, thanked City staff for accommodating her schedule and has contacted nearby neighbors to discuss their concerns. In her view, the fences do not create any safety issues and are visually compatible with the area. She noted that there are many variations in the neighborhood fencing.

Paul Gorce, (565 Third St. West) is not in favor of granting the exception since the CC&R regulations of the subdivision and City guidelines should be followed. He has abided by the current rules without exception.

George Bradley, a resident of the neighborhood, expressed support for the fence height exceptions. In his view, the property owner has greatly improved the property by returning it to residential uses and the fences do not detract from anything.

Janet Wedekind, resident, (313 Vigna) is concerned with the location and height of the fence. She feels the City was provided misinformation and is opposed to the proposal. In her view, the appearance of the fences are not in character with the neighborhood and their placement creates safety issues.

John Peterson, resident, (313 Robinson St.) feels that the Contractor did not know about the City's rules. Mr. Peterson contacted Wayne Wirick, Building Official, and Senior Planner Gjestland responded about the setback requirements. He thanked the Planning Commissioners for their service to the community.

Diann Sorenson, applicant, is not trying to alienate neighbors and did not realize that the contractor was out of compliance with regard to the City's fence height regulations.

Chair Roberson closed the public hearing.

Comm. Howarth confirmed that the City does not have the authority to enforce the CC&R's for the neighborhood.

Comm. Henevald suggested reducing the fence height to five feet.

Comm. Edwards is not opposed to the exception since he views the changes made to the property as an improvement.

Comm. Howarth favors the southside fence setback, but is sensitive to neighborhood concerns regarding the fenced area on the north. In his view, it feels out of place and obtrusive.

Comm. Tippell recognizes that corner lots need to be reviewed on a case-by-case basis. He expressed the view that the fence on the south was relatively unobtrusive and typical of a corner lot condition. With regard to the fenced area on the north, he feels the Contractor should bear the cost of correcting the fence to reduce the height to three and a half feet.

Comm. Willers agreed with Comm. Tippell to remove the fence on the north or comply with the setback requirements.

Comm. Felder feels that granting exceptions set a precedent that existing requirements are not effective tools and wants the northern fence removed or brought down to the proper height.

Chair Roberson stated that he did not support granting the exception for the fenced area on the north.

Comm. Edwards stated that the fence would act as a buffer and be an improvement.

Comm. Willers made a motion to approve an Exception for the southern fence, with revised conditions of approval requiring the removal of the northern fence or a reduction in its height to three and a half feet). Comm. Henevald seconded. The motion was approved 6-1. Comm. Edwards opposed.

Item #3 – Public Hearing – Consideration of a Use Permit to construct three multi-family residential units at 830 Broadway.

Applicant/Property Owner: Victor Conforti, Architect/Richard and Diane Merlo

Comm. Willers recused due to proximity and left the room. Comm. Cribb came to the dais.

Senior Planner Gjestland presented staff's report.

Comm. Henevald confirms with staff that the landscape plan is sensitive to the creek setback area and subject to DRCHP approval.

Chair Roberson opened the public hearing.

Rich Merlo, applicant, stated that this infill project meets all the City requirements and will improve the condition of the property.

Comm. Felder confirmed with the applicant that they intend to remodel and repair the existing residence under a separate building permit, subsequent to construction of the new buildings.

Comm. Howarth confirmed that the existing home will continue to be used for residential purposes not commercial.

Vic Conforti, project architect, is available for questions. He noted that the new buildings would not be in proximity to structures on adjoining properties.

Patricia Cullinan, resident, is not opposed to the project since the existing residence is being preserved, but notes that the residence is a contributing building to the Broadway Street Historic District evaluated by CalTrans. She indicated that a new historic survey cannot just remove a resource from the Register [referring to Baseline Consulting's October 2013 evaluation] and encouraged the Planning Commission to be critical of historic evaluations that are submitted for consideration.

Arthur Dawson, Baseline Consulting, defended his analysis and finding that the residence does not qualify as an historic resource under CEQA, pointing out that it was actually built outside of the period of significance that Caltrans used to define the Broadway Historic District.

Chair Roberson closed the public hearing.

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

Applicant/Owner: Montoya and Associates/Diann Sorenson

Site Address/Location: 639 Third Street West

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

PROJECT SUMMARY

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

General Plan Designation: Low Density Residential

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

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

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

Environmental Review:

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

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

PROJECT ANALYSIS

BACKGROUND

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

DETAILED PROJECT DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

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

DISCUSSION OF PROJECT ISSUES

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

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

RECOMMENDATION

Staff has the following recommendations with respect to this application:

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

Attachments

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

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

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

John and Stephanie Peterson
313 Robinson Road
Sonoma, CA 95476

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

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

DRAFT

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

January 9, 2014

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

Findings for an Exception to the Fence Height Standards

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

DRAFT

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

January 9, 2014

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

Alternate:

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

Alternate:

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

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



Project Summary

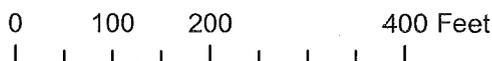
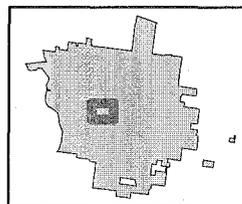
<i>Project Name:</i>	Step One Residential Design and Construction Fence Height Exception
<i>Property Address:</i>	639 Third Street West
<i>Applicant:</i>	Step One Residential Design and Construction
<i>Property Owner:</i>	Diann Sorenson
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning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

Summary:

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

Zoning Designations

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



1 inch = 200 feet



MONTOYA
AND ASSOCIATES

Project Narrative

Fence Height Exception 639 Third Street West Sonoma, California

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

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

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

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

Diann Sorenson
639 Third Street West
Sonoma, CA 95476

December 10, 2013

Commissioners,

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

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

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

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

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

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

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

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

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

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

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

Diann Sorenson

289 Bettencourt



391 Arroyo Way



391 Bettencourt



391 Nicoli Lane



392 Arroyo Way



601 Barrachi Way



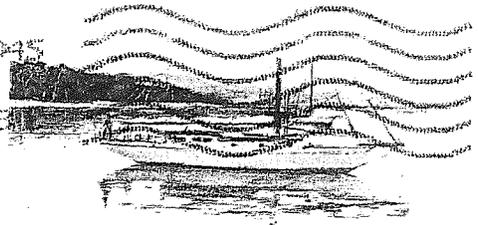
OAKLAND CA 946

RECEIVED

27 SEP 2013 PM 5

SEP 30 2013

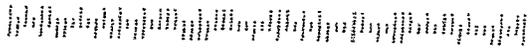
CITY OF SONOMA



FOREVER

USA

City Sonoma
The Plaza
Sonoma, Calif
95496



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

Item # 3

October 3, 2013

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

RECEIVED

OCT 04 2013

CITY OF SONOMA

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

Planning Commissioners,

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

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

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

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

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

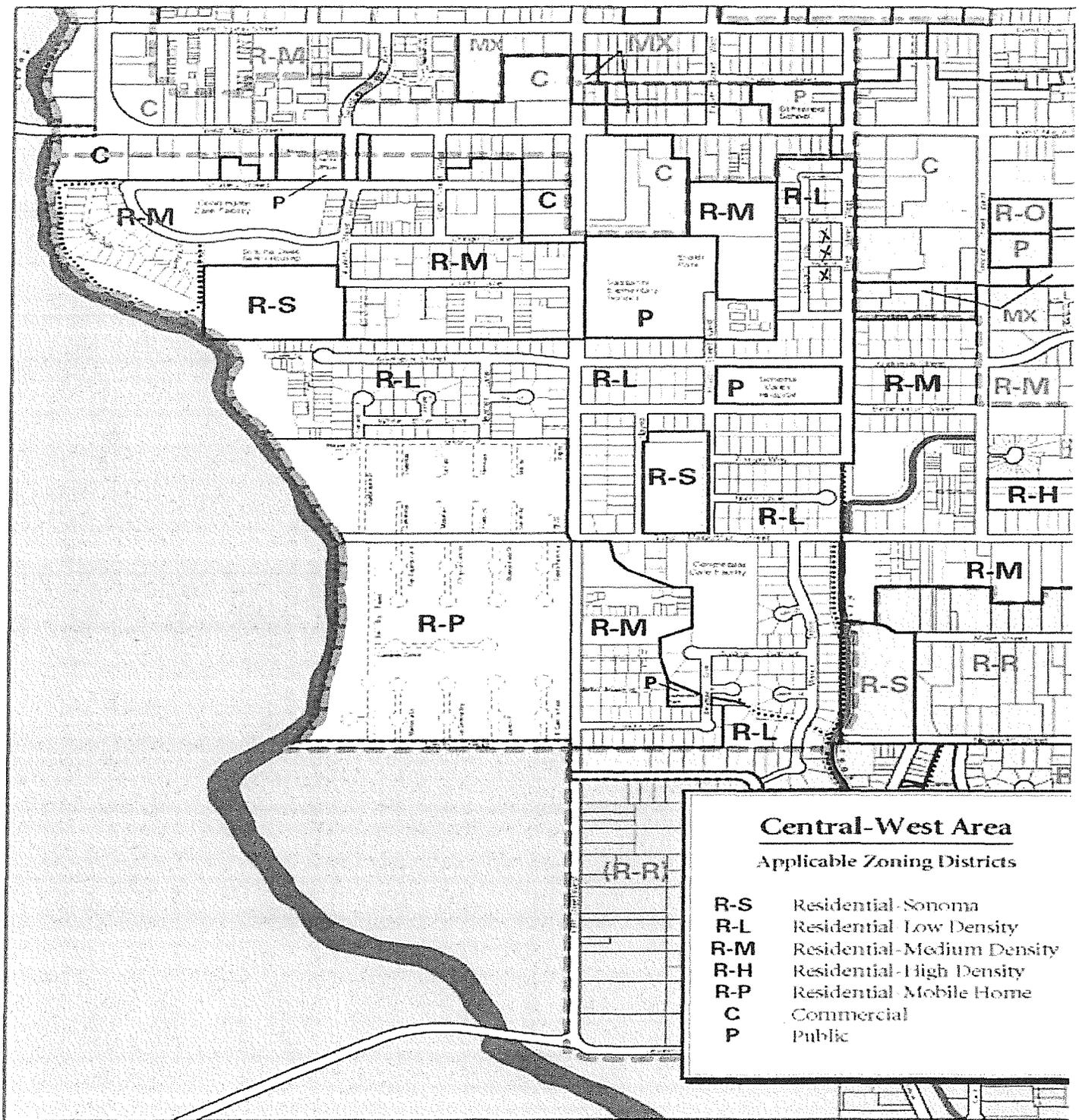
Section C3, the fence is obviously a planned feature that dominates the site and was constructed without City of Sonoma approval. Additionally the joint fence long the property line with 653 West Third Street was extended several feet into the front setback, at an increased height.

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

Sincerely,



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



X: 313 ROBINSON
 312 VIGNA
 313 VIGNA

: 639 THIRD ST. WEST



313 Robinson St, Sonoma, CA 95476, US

Google earth

Google earth



639 Third St. West

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

RECEIVED
OCT 09 2013
CITY OF SONOMA

Item #3
LATE MAIL

October 8, 2013

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

Re: 639 Third Street West

Commissioner Roberson and Members of the Planning Commission,

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

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

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

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

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

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

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

Letter to Planning Commission

October 8, 2013

Page Two of Two

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

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

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

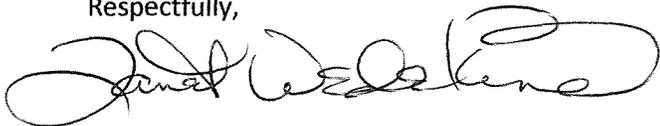
There is also a concern regarding the excessive noise that is created in a parking area when it is located so very close to my home.

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

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

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

Respectfully,

A handwritten signature in black ink, appearing to read "Janet Wedekind", written in a cursive style.

Janet Wedekind

George Bradley
653 Third St. West
Sonoma, CA 95476

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

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

Dear Planning Commission,

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

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

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

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

Sincerely,

George & Patti Bradley
653 Third St. West

LATE MAIL

Item # 3

RECEIVED

OCT 07 2013

CITY OF SONOMA

October 23, 2013

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

OCT 23 2013

FILED

Re: 639 Third Street West

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

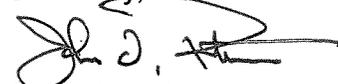
The staff report for this item was released to the public. I obtained my copy from the City Office in the Plaza, prior to the scheduled October Meeting. The concern is regarding the staff report reference to "...examples of lots with fencing somewhat similar to the subject application. Examples in this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

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

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

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

Sincerely,



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

Janet Wedekind

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

RECEIVED

NOV 04 2013

CITY OF SONOMA

November 4, 2013

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

Re: 639 Third Street West

Commissioner Roberson and Members of the Planning Commission,

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

The Staff Report contains several inaccuracies including:

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

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

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

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

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

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

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

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

November 4, 2013

4. continued

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

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

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

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

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

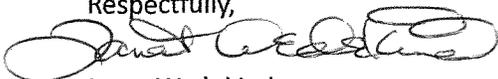
In addition, the Nonconforming Structures, Uses and Parcels Chapter of the Municipal Code under 19.82.030 Loss of nonconforming status states: "If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one year, it shall be concluded that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

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

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

Thank you for your time and attention to my concerns.

Respectfully,



Janet Wedekind

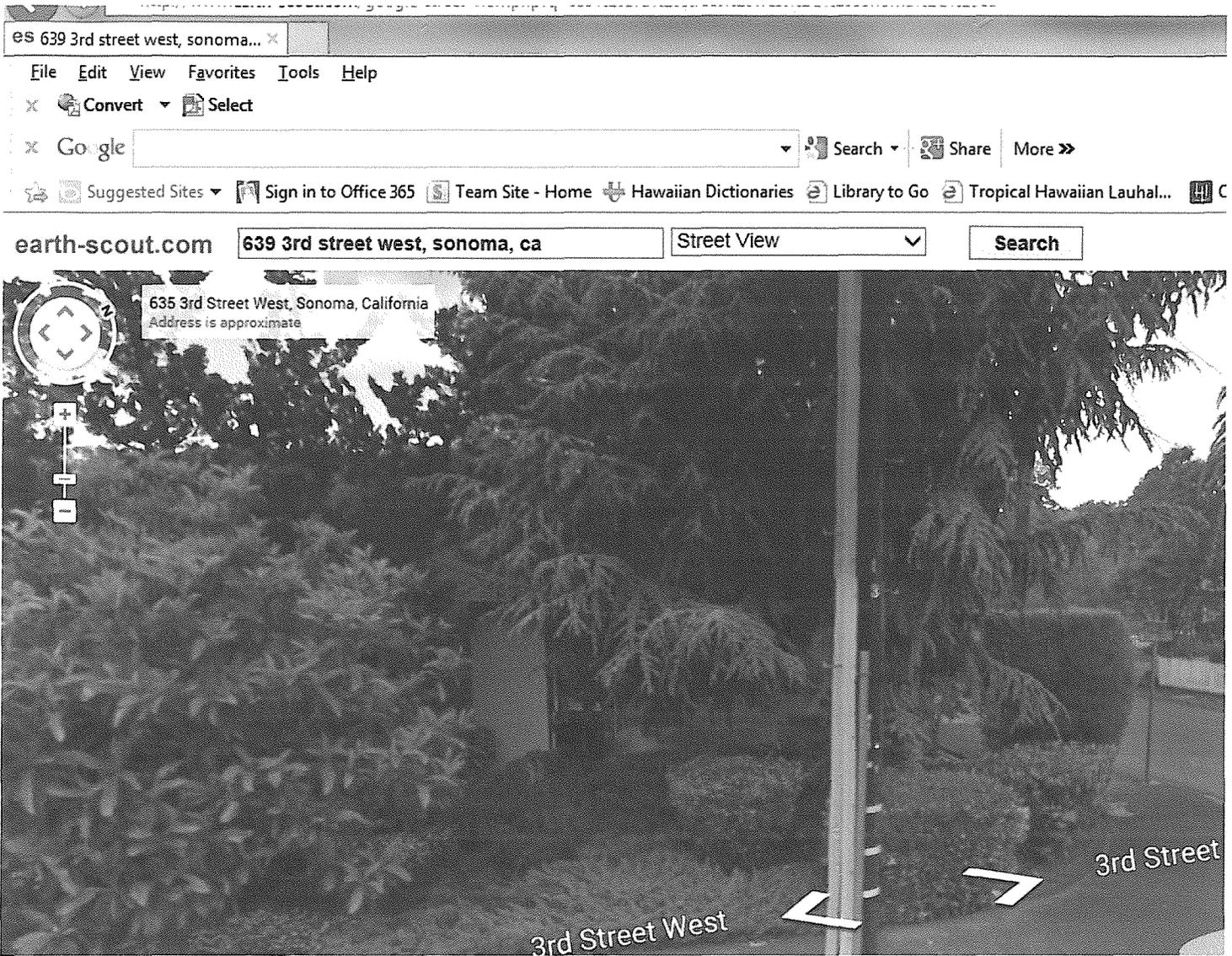


Photo A



Photo B

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

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

DEC 05 2013

George Bradley
653 Third St. West
Sonoma, CA 95476

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

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

Dear Planning Commission,

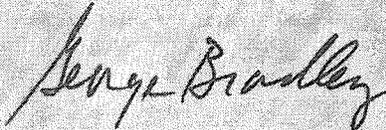
We have lived next door to 639 Third St. West for the last fifteen years. We have watched as the property sat vacant most of the time, slowly sliding into disrepair to the point of being a tear down. When the owner became ill and the bank took over, we thought for sure someone would tear it down, put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

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

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

Sincerely,



George & Patti Bradley
653 Third St. West

To the Sonoma Planning Commission -

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

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

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

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

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

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

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

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

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

To the Sonoma Planning Commission -

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

Name - Anthony Alciato
Address - 639 3rd St W. Ale C
Signature - ANTHONY D. ALCIATO

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

Name -
Address -
Signature -

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



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

December 18, 2013

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

Dear Janet,

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

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

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

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

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

Sincerely,

David Goodison
Planning Director



TYPICAL FENCE DETAIL



PHOTO VIEW #1



PHOTO VIEW #2



PHOTO VIEW #3



PHOTO VIEW #4



PHOTO VIEW #5

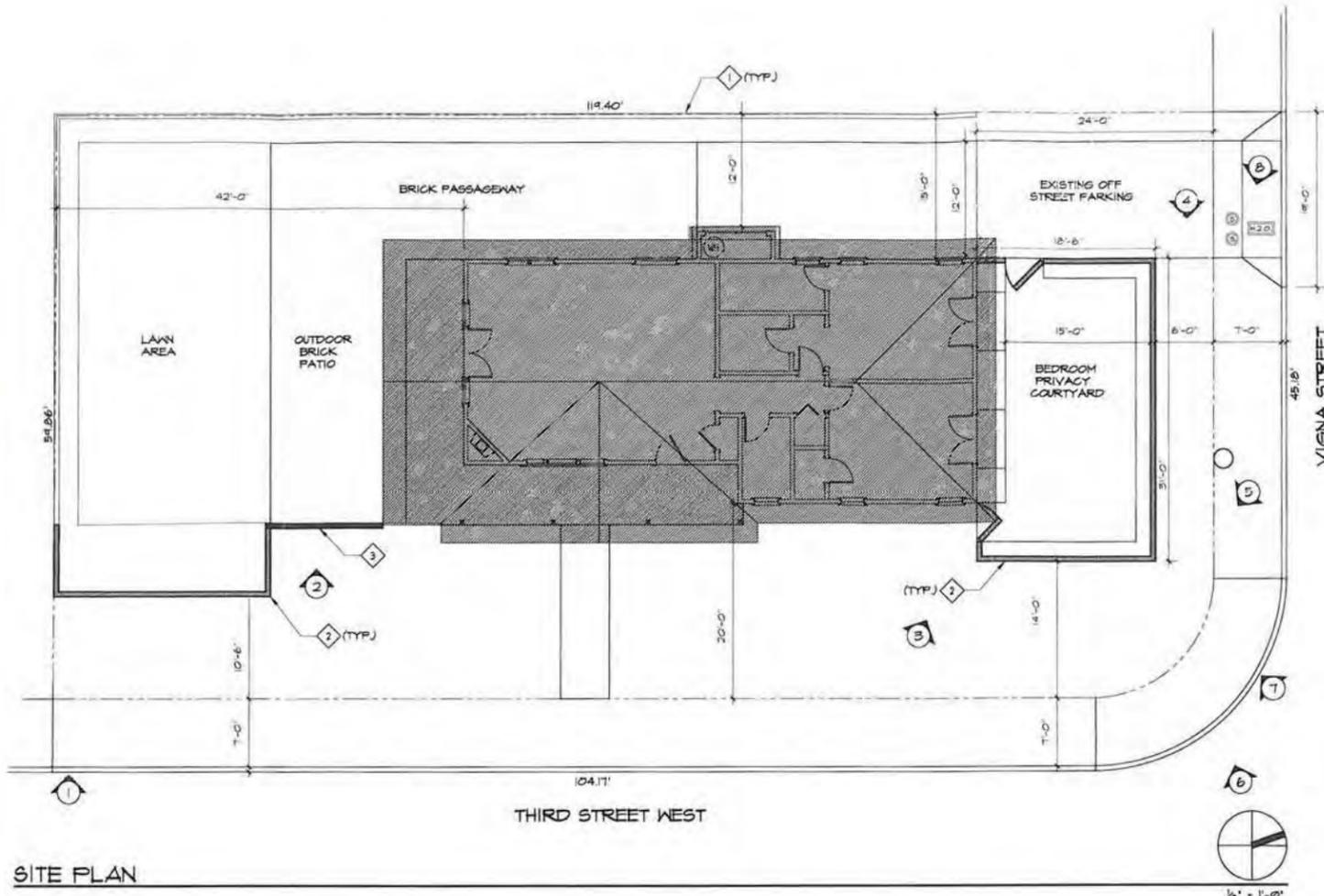


PHOTO VIEW #6



PHOTO VIEW #7

PREVIOUS CONDITIONS PRIOR TO LANDSCAPE REMOVAL



SITE PLAN

SITE PLAN NOTES AND LEGEND

- (X) PHOTO VIEW NUMBER & DIRECTIONAL KEY
- (1) EXISTING FENCE
- (2) NEW FENCE (IN PLACE)
- (3) PROPOSED FENCE (6' TALL)

PROPOSED 6' TALL FENCE TO MATCH EXISTING TYPICAL FENCE WITHOUT LATTICE AT TOP NEW LANDSCAPING TO BE INSTALLED TO SCREEN FENCE BUT NOT OBSTRUCT THE NEWLY CREATED IMPROVED SIGHTLINES



PHOTO VIEW #8

EXISTING CONDITIONS



MONTOYA AND ASSOCIATES
 5 Marie Lane
 Petaluma, California 94952
 tel 707 763 8006 fax 707 763 3239



COPYRIGHT (C) SHAWN MONTOYA
 CONSULTANT(S):

PROJECT:
 RESIDENTIAL REMODEL FOR
DIANN SORENSON
 639 3rd ST. WEST
 SONOMA, CALIFORNIA

SHEET TITLE:
 SITE PLAN

REVISIONS:

REV.	BY	DESCRIPTION	DATE

DRAWN: VP SHEET
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 DATE: 11/8/2013
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City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8A

Meeting Date: 03/03/2014

Department

Public Works

Staff Contact

Chris Pegg, Stormwater Compliance Specialist

Agenda Item Title

Consideration and Possible Action on the 2014 Integrated Pest Management (IPM) Policy for Stormwater Permit Compliance.

Summary

The City of Sonoma is updating its policies guiding the management of pests on City property to meet water quality standards and comply with new regulations promulgated by the San Francisco Bay Regional Water Quality Control Board.

The City of Sonoma adopted an Approved Pesticide List in 2001 that restricts the types and quantities of pesticides that City of Sonoma staff and contractors use on City property. The 2001 Approved Pesticide List does not satisfy the requirements of the Regional Water Board.

The 2014 Integrated Pest Management Policy supplements the 2001 Approved Pesticide List with a designation of responsible implementing parties, a set of Standard Operating Procedures (SOP's), a record-keeping schedule, and a procedure for evaluating the use of restricted pesticides when special circumstances exist. Each of these elements constitutes an additional step towards the objective of minimizing pesticide-polluted urban runoff and complying with Water Board requirements.

The Community Services and Environment Commission reviewed the 2014 IPM Policy at a commission meeting on February 12, 2014. The Community Services and Environment Commission has recommended that Council adopt the 2014 IPM Policy.

Recommended Council Action

Adopt resolution approving the 2014 Integrated Pest Management Policy.

Alternative Actions

Council discretion.

Financial Impact

Implementing Integrated Pest Management procedures may increase costs associated with manual weed abatement on City properties, especially in city cemeteries. The 2014 IPM Policy minimizes additional costs by accommodating pesticide use when no effective and economically feasible alternatives exist.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

1. Supplemental Report
 2. Resolution with attached 2014 Integrated Pest Management Policy as Exhibit A
 3. 2001 Approved Pesticide List
-

cc:

SUPPLEMENTAL REPORT

CONSIDERATION AND POSSIBLE ACTION ON THE 2014 INTEGRATED PEST MANAGEMENT (IPM) POLICY FOR STORMWATER PERMIT COMPLIANCE *For the City Council Meeting of March 3, 2014*

PURPOSE

The City of Sonoma must revise and update its policies guiding the management of pests on City property to meet water quality standards and comply with new regulations promulgated by the San Francisco Bay Regional Water Quality Control Board.

BACKGROUND

The San Francisco Bay Regional Water Quality Control Board has indicated that the City of Sonoma will be exempted from regulations associated with the Urban Creek Total Maximum Daily Load (TMDL) for Pesticide-Related Toxicity. The Board is granting this exemption because the City's receiving waters (Sonoma Creek) are not impaired for pesticide-related toxicity. The Water Board has urged the City to adopt an Integrated Pest Management Policy to compensate for the regulatory gap created by this exemption.

The Water Board has specified that an Integrated Pest Management Policy meets the following conditions¹:

1. Pest control practices focus on long-term pest prevention through a combination of techniques, such as biological control, habitat manipulation, and modification of cultural practices;
2. Pesticides are used only after monitoring indicates that they are needed;
3. Treatments are made with the goal of removing only the target pest; and
4. Pesticides are selected to minimize risks to human health, beneficial and non-target organisms, and the environment, including risks to aquatic habitats.

The City of Sonoma adopted an Approved Pesticide List in 2001. The list restricts the types and quantities of pesticides that City of Sonoma staff and contractors use to control pests on City property. The 2001 Approved Pesticide List does not specify procedural guidelines for applying pesticides on City property that meet the conditions for an IPM Policy specified by the Regional Water Board.

The Community Services and Environment Commission reviewed the 2014 IPM Policy at a commission meeting on February 12, 2014. The Community Services and Environment Commission has recommended that Council adopt the 2014 IPM Policy.

¹ California Regional Water Quality Control Board San Francisco Bay Region. (2013). *San Francisco Bay Basin (Region 2) Basin Plan*.

SUMMARY

The 2014 IPM Policy supplements the 2001 Approved Pesticide List with a designation of responsible implementing parties, a set of Standard Operating Procedures (SOP's) that meet the conditions of an IPM Policy (above), a record-keeping schedule, and a procedure for evaluating the use of restricted pesticides when special circumstances exist. Each of these elements constitutes an additional step towards the objective of minimizing pesticide-polluted urban runoff and complying with Water Board mandates.

Additional benefits of the 2014 IPM Policy are:

- Designating responsible staff and mandatory record keeping ensures that the IPM Policy is enforced consistently.
- Record keeping facilitates program effectiveness assessment and improvement, allowing the City to identify facilities with ongoing pest issues and modify pest management practices accordingly.
- Adopting clear Standard Operating Procedures translates broad objectives such as improving urban runoff quality into concrete actions while also providing a foundation for staff training.
- Adopting a procedure for rationally evaluating restricted pesticide use allows the City to balance the objectives of public safety, employee safety, and environmental hazards when deciding how to best manage pests on City property.

CONCLUSION

Adopting the City of Sonoma Stormwater Pollution Prevention Program Integrated Pest Management (IPM) Policy represents the best method of meeting water quality standards and complying with new regulations promulgated by the San Francisco Bay Regional Water Quality Control Board.

The Stormwater Compliance Specialist can be reached at (707) 933-2245 or at cpegg@sonomacity.org with questions or concerns.

CITY OF SONOMA

RESOLUTION NO. xx - 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ADOPTING THE 2014 INTEGRATED PEST MANAGEMENT POLICY

WHEREAS, on February 5, 2013, the State Board adopted Water Quality Order No. 2013-0001-DWQ, NPDES General Permit CAS000004 Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems ("Phase II Permit") to comply with the Clean Water Act; and

WHEREAS, in 2013, the City of Sonoma applied for and obtained coverage for City of Sonoma under the Water Quality Order No.; and

WHEREAS, Water Quality Order No. 2013-0001-DWQ requires that all permittees that are assigned a wasteload allocation or identified as a responsible party in a TMDL approved by the U.S. EPA where urban runoff is listed as the source, shall comply with the monitoring requirements included in Water Quality Order No. 2013-0001-DWQ, Attachment G and consult with the Regional Water Board within one year of the effective date of the permit to determine the monitoring study design and a monitoring implementation schedule; and

WHEREAS, The City of Sonoma is listed as a Responsible Party in the Urban Creek Pesticides TMDL adopted by the California Regional Water Quality Control Board San Francisco Bay Region in Resolution R2-2005-0063; and

WHEREAS, the Regional Water Board has mandated that the City of Sonoma adopt an Integrated Pest Management Policy to comply with Water Quality Order No. 2013-0001-DWQ, Attachment G; and

WHEREAS, the City of Sonoma wishes to fully implement the Regional Water Board's mandates.

NOW, THEREFORE, BE IT RESOLVED by this City Council that the 2014 Integrated Pest Management Policy set forth in Exhibit "A" attached hereto is hereby approved.

PASSED AND ADOPTED this 3rd day of March 2014 by the following vote:

AYES:
NOES:
ABSENT:

Tom Rouse, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk



City of Sonoma Stormwater Pollution Prevention Program 2014 Integrated Pest Management (IPM) Policy

PURPOSE

The purpose of this Integrated Pest Management Policy is to minimize the potential for pesticides to be discharged to urban streams through the City of Sonoma's Municipal Separate Storm Sewer System. This will be accomplished through the adoption of an Integrated Pest Management policy for the application of pesticides on property and facilities owned or managed by City of Sonoma.

BACKGROUND

The City of Sonoma is permitted to discharge urban runoff to urban streams through its Municipal Separate Storm Sewer System (MS4) by a state-issued Phase II MS4 NPDES Permit. The Phase II MS4 NPDES Permit contains provisions to prevent the impairment of urban streams by pesticide-related toxicity associated with urban runoff. To achieve compliance with these provisions, the City must minimize the application of pesticides on property and facilities owned or managed by City of Sonoma.

DEFINITIONS

Pesticides are any substance or mixture of substances intended for defoliating plants, regulating plant growth, or preventing, destroying, repelling, or mitigating pests that may infest or be detrimental to vegetation, humans, animals, or households.

Integrated Pest Management (IPM) is a set of methods that minimize pesticide application using all available technical information on a pest and its interactions with the environment.

Integrated Pest Management prioritizes long-term prevention of pests or pest-related damage through a combination of decision-making processes (e.g. setting action thresholds and monitoring pests); biological controls (e.g., enhancing populations of the pest's natural predators); habitat manipulation (e.g. dewatering operations); mechanical controls (e.g., hand labor or mowing, caulking entry points to buildings); cultural controls (e.g., mulching, alternative plant type selection, and enhanced cleaning and containment of food sources in buildings); and reduced risk chemical controls (e.g., soaps or oils).

Integrated Pest Management only allows for pesticide application after monitoring indicates they are needed and treatments are made with the goal of removing only the target organism. Pesticides are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment, including risks to aquatic habitats.

Property or facilities owned or managed by City of Sonoma include but are not limited to: parks and open space, municipally-operated cemeteries, roadsides, rights-of-way, and municipal buildings and structures.

INTEGRATED PEST MANAGEMENT COORDINATOR

The Stormwater Compliance Specialist shall be designated as the IPM Coordinator. The IPM Coordinator has primary responsibility for implementing the IPM Policy and coordinating efforts to implement IPM techniques within the Public Works Department. The Coordinator is responsible for communicating goals and policy decisions to appropriate City staff and contractors, as well as ensuring proper training of all employees and all contractors implementing pest management controls on Property or facilities owned or managed by City of Sonoma.

REQUIRED USE OF INTEGRATED PEST MANAGEMENT

City of Sonoma employees and pest control contractors implementing pest management controls on property or facilities owned or managed by City of Sonoma will use the Standard Operating Procedures for implementing Integrated Pest Management (IPM) contained in this policy.

STANDARD OPERATING PROCEDURES

The Standard Operating Procedures for controlling pests on property or facilities owned or managed by City of Sonoma are as follows:

1. Based on field observations evaluate locations and sites where pest problems commonly occur to determine pest population, size, occurrence, and natural enemy population, if present. Identify conditions that contribute to the development of pest populations, and decisions and practices that could be employed to manage pest populations;
2. Use pesticides only if there is an actual pest problem and not on a regular preventative schedule;
3. Design, construct, and maintain landscapes and buildings to reduce and eliminate pest habitats. Use native and/or climate appropriate plants to reduce the amount of water, pesticides, and herbicides used;
4. Modify management practices including watering, mulching, waste management, and food storage to discourage the development of pest population. Keep grass clippings and leaves away from waterways and out of the street using mulching, composting, or landfilling and berm or cover stockpiles to prevent material releases to storm drains. Minimize irrigation run-off by using an evapotranspiration-based irrigation schedule or rain sensors;
5. Modify pest ecosystems to reduce food, water sources, and harborage;
6. Prioritize the use of physical controls such as mowing weeds, using traps, and installing barriers. Apply pesticides only if mechanical means of pest removal and less-toxic pesticides are not effective, economic alternatives ;
7. Use biological controls to introduce or enhance a pests' natural predators;
8. When pest populations reach treatment thresholds, evaluate non-pesticide management activities before considering the use of pesticides;
9. When pesticides are necessary, select reduced risk pesticides and use the minimum amounts needed to be effective according to the Approved Pesticide List;

10. Apply pesticides at the most effective treatment time, based on pest biology, monitoring, and other variables, such as weather, seasonal changes in wildlife use, and local conditions. Do not apply pesticides within 48 hours of predicted rainfall with greater than 50% probability as predicted by National Oceanic and Atmospheric Administration or within 100 ft. of surface waters and only when wind speeds are low; and
11. Use pesticide application methods, such as containerized baits, that minimize opportunities for mobilization of the pesticide in stormwater runoff.

APPROVED PESTICIDE LIST

If Standard Operating Procedures 1-8 are followed and pesticide use is deemed necessary, the type and quantity of pesticide shall be selected from the Approved Pesticide List adopted by the City Council on August 15, 2001. If the IPM Coordinator accepts a recommendation from an employee or contractor that a type or quantity of pesticide not specified by the Approved Pesticide List should be utilized, the IPM Coordinator shall submit a written request to the Public Works Director to amend the Approved Pesticide List on a one-time basis.

The Public Works Director shall approve such requests only if the IPM Coordinator has documented in writing: 1) a compelling need to use the pesticide, 2) a good faith effort to find alternatives to the particular pesticide, 3) that effective, economic alternatives to the particular pesticide do not exist for the proposed use, and 4) that the recommended pesticide is the least toxic pesticide available to control the target pest.

Amendments shall not be made for any pesticide listed as “Not Allowed” on the Integrated Pest Management Committee – Use of Pesticides, Herbicides and Cleaners for City Properties” adopted by the City Council on August 15, 2001.

REQUIRED RECORDKEEPING

The IPM Coordinator shall be responsible for maintaining records of all pesticide applications on property or facilities owned or managed by City of Sonoma. The City shall maintain these records for a period of five (5) years, and shall make the information available to the public, upon request. Application records shall include at least the following information: site of application, date of application, target pest, name of the product and active ingredient of the pesticide(s) applied, EPA registration number, and amount of product applied. In addition, IPM records shall include a list of all exemptions granted, as well as the written justifications developed for the consideration of those exemptions.

PROGRAM EVALUATION

The IPM Coordinator will prepare an inventory of pesticide storage facilities operated by The City of Sonoma Public Works Department. All pesticides shall be stored such that secondary containment is provided.

The City of Sonoma will review its purchasing procedures, contracts or service agreements with pest control contractors and employee training practices to determine what changes, if any, need to be made to support the implementation of this IPM Policy.

The IPM Coordinator will evaluate The City of Sonoma Spill Response Plan annually to determine what changes, if any, are needed to support the implementation of this IPM Policy.

POLICY EXEMPTIONS

An exemption to this policy will be made in order to comply with all federal, state, and local laws and regulations governing the use, storage, and disposal of fertilizers and pesticides and training of applicators and pest control advisors.

An exemption to this IPM policy will be made in order to control the proliferation of biting or stinging insects such as yellow jackets, wasps, mosquitoes, and other similar pests. Generally, the control of these insects is administered by the Marin-Sonoma Mosquito and Vector Control District. In addition, the City will exempt any governmental entity from the provisions of this policy whose authority pre-empts that of the City.

Attachment A: Approved Pesticides List
Adopted 08/15/2001

Pesticide or Cleaner Type	Use Category	Hazard Tier	EPA Rating	Product Name	Active Ingredient	Use Limitations
A-aquatic F-fungicide I-insecticide H-Herbicide V-Vertebrate	A-Allowed L- Limited L*-Special Concern NA-Not Allowed	(defined by Dr. Phillip Dickey. Wa Toxics Coaliton)				
Insecticide & Fungicide	NA	Tier 1	Tier 1	Orthenex Insect & Disease Control	acephate 4% Triforine 3.25% Fenbutatin oxide 0.75%	
Insecticide & Fungicide	NA	Tier 1	Tier 2	Orthenex Rose & Flower Spray	Acephate <0.3% Triforine 3.25% Remethrin 0.1%	
Insecticide	L	Tier 1	Tier 3	Merit	Imidacloprid 75%	The use of Merit is approved for soil injection in the Plaza Park and Cemeteries. City Staff will monitor tree health with the intent to skip a year's application if warranted. Product use in the year 2000 is 29 oz, and this is the maximum use allowed in any one year
Insecticide	NA	Tier 1	Tier 1	Ortho Dormant Disease Control	Calcium Polysulfide 26%	
Fungicide	NA	Tier 1	Tier 1	Ortho Funginex	Triforine 6.5%	
Insecticide	NA	Tier 1	Tier 1	Ortho Isotox Insect Killer	acephate 8.0% Fenbutatin 0.5%	

Integrated Pest Management Committee - Use Pesticides, Herbicides and Cleaners for City Properties

8/15/2001

Pesticide or Cleaner Type	Use Category	Hazard Tier	EPA Rating	Product Name	Active Ingredient	Use Limitations
Herbicide	L	Tier 2	Tier 3	Round Up	Glyphosate 41.0%	The use of Roundup is not allowed in the Plaza park. Roundup is approved for limited use in other City Parks, other landscape and easement areas, and along the Bike paths under the following conditions; an appropriate number of signs shall be posted; Roundup will be used for targeted treatment of areas inaccessible to large mowing decks, along fence lines, adjacent to bike paths, cracks in hardscapes, utility access easements, for fire prevention, and areas too dangerous for hand methods; City staff will continue to use mulch and other methods of weed control where practical and economically feasible. Product use in year 2000 is 18 gal, and this is the maximum use allowed in any one year.
Insecticide	L	Tier I	Tier 2	Chipco Sevin	Carbaryl 41.2%	Approved for the use of "Banding" of elm trees in the public right of way and private elm trees for the prevention of Dutch Elm Disease. Private trees will be treated by the City on a voluntary basis only; homeowners will be provided information regarding alternative treatment methods as they develop. The use of this product is not allowed in the City parks or Cemeteries (Merit is used in these locations). Product use in year 2000 is 60 oz, and is the maximum use allowed in any one year.
Cleaner	NA	Tier 4	Tier 4	Formula 409	Quaternary ammonium Chlorides	

Integrated Pest Management Committee - Use Pesticides, Herbicides and Cleaners for City Properties

8/15/2001

Pesticide or Cleaner Type	Use Category	Hazard Tier	EPA Rating	Product Name	Active Ingredient	Use Limitations
Cleaner	A	Tier 4	Tier 4	Spartan NABC bath cleaner	Quaternary ammonium Chlorides 0.4%	Unrestricted use.
Cleaner	NA	Tier 1	Tier 1	Spartan DMQ Disinfectant	Quaternary ammonium Chlorides	
Cleaner	NA	Tier 2	Tier 4	Comet Cleaner	Sodium Dichloro-s-Triazinetrione 0.9%	
Cleaner	L	Tier 2	Tier 2	Clorox Bleach	Sodium Hypochlorite	Annual use of this product within City parks, Bike Paths and Cemeteries is limited to 1 gallon.

The EPA bases it's rating on:

- Short-term toxicity measure
- Eye and skin effects on humans

The Washington State Toxic Coalition bases it's rating on:

- Short-term toxicity measure
- Eye and skin effects on humans
- Long-term effects on humans
- Ground water Contamination
- Toxicity to beneficial insects



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, consideration and possible action to direct staff to research options related to the restriction of smoking within the City. [Requested by Mayor Rouse]

Summary

Mayor Rouse has invited representatives from the American Lung Association to speak to the Council regarding a potential action to limit smoking in certain areas of the City. Mayor Rouse is requesting Council support to consider limiting smoking in designated areas of the City such as the Plaza and direct staff to provide research on potential options and impacts.

Recommended Council Action

Council discretion.

Alternative Actions

Council could chose not to support pursuing this issue at this time.

Financial Impact

Undetermined.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Request from Mayor Rouse

cc:

-----Original Message-----

From: Tom's Council Mail [mailto:sonomarouse@yahoo.com]

Sent: Wednesday, February 19, 2014 9:48 AM

To: Carol Giovanatto

Subject: Smoking Ban

I would like to ask the Council if they would be interested in a smoking ban on the Plaza, etc.. I was contacted by Elizabeth Emerson, who has put these types of bans in place. They want to meet with City staff as well.

Can we please put this on the March 3rd agenda?



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8C

Meeting Date: 03/03/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion and Consideration for Resolution of Support for the Postal Service Protection Act of 2013
[Requested by Councilmember Brown]

Summary

Councilmember Brown has requested the Council consider approving a resolution of support for the Postal Service Protection Act of 2013.

Recommended Council Action

Council discretion.

Alternative Actions

Council could chose not to support pursuing this issue at this time.

Financial Impact

Undetermined.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Request from Councilmember Brown
Resolution

cc:

RE: Postal Service Resolution of Support

I'd like this on the next agenda consent calendar. Thank you- Ken

Ken Brown

Council Member - City of Sonoma

Sonoma City Council Resolution on the Postal Service Protection Act of 2013

WHEREAS, The Postal Service Protection Act of 2013 would sustain the United States Postal Service and avert unnecessary closures that hurt communities; and

WHEREAS, The United States Postal Service's financial issues are due to unnecessary requirements and regulations imposed on it. The Postal Service Protection Act of 2013 would remove burdensome regulations, so the United States Postal Service can manage its budget more effectively and be more competitive with other delivery service providers; and

WHEREAS, The Postal Service Protection Act of 2013 would prohibit cuts to Saturday delivery, thus protecting rural communities, small businesses, and senior citizens, as well as reducing the need for customers to seek other delivery options; and

WHEREAS, The Postal Service Protection Act of 2013 would consider the give serious consideration to the employment status of the second largest civilian workforce in the country made up of over a half a million people living and working in all of our communities, with over 22% veterans, many with disabilities; and

WHEREAS, The Postal Service Protection Act of 2013 would reinstate overnight delivery standards to speed mail delivery and prevent shutdowns of mail sorting centers, and protect voting by mail throughout California which is now commonplace and will remain essential to our democracy; now

THEREFORE BE IT RESOLVED, That the Sonoma City Council urges US Senator Barbara Boxer and US Senator Dianne Feinstein to pass the Postal Service Protection Act of 2013, Senate Bill 316, sponsored by Senator Bernard Sanders, that would ensure the modernization and preservation of the United States Postal Service; and be it further

RESOLVED, That the Sonoma City Council urges US Senator Barbara Boxer and US Senator Dianne Feinstein to oppose any postal reform legislation that does not end the mandate requiring the USPS to pre-fund future retiree health benefits, does not continue the mandate for 6-day delivery service, does not protect door to door delivery as it currently exists, and does not provide additional oversight and transparency to the United States Postal Service's plan to close, relocate, or sell 3,270 post offices; and be it further

RESOLVED, That the Sonoma City Council transmit copies of this resolution to the President and Vice President of the United States, to the Majority Leader of the Senate, to both US Senator Barbara Boxer and US Senator Dianne Feinstein, and to the United States Postmaster General.



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item: 10A
Meeting Date: 03/03/2014

Department Administration	Staff Contact Gay Johann, Assistant City Manager/City Clerk
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Agenda Item Title

Councilmembers' Reports on Committee Activities.

Summary

Council members will report on activities, if any, of the various committees to which they are assigned.

MAYOR ROUSE	MPT COOK	CLM. BARBOSE	CLM. BROWN	CLM. GALLIAN
ABAG Alternate	AB939 Local Task Force	Cittaslow Sonoma Valley Advisory Council, Alt.	Oversight Board to the Dissolved CDA	ABAG Delegate
City Audit Committee	City Facilities Committee	North Bay Watershed Association	Sonoma County Health Action	Cittaslow Sonoma Valley Advisory Council
City Facilities Committee	LOCC North Bay Division Liaison	Sonoma Clean Power	S. V. Citizens Advisory Commission	City Audit Committee
Sonoma County Mayors & Clm. Assoc. BOD	Oversight Board to the Dissolved CDA, Alt.	Sonoma County Transportation Authority & Regional Climate Protection Authority, Alternate	S.V. Economic Development Steering Committee	LOCC North Bay Division Liaison, Alternate
Sonoma County M & C Assoc. Legislative Committee, Alt.	Sonoma Clean Power Alt.	Sonoma County Waste Management Agency	S. V. Library Advisory Committee, Alternate	Sonoma County Transportation Authority & Regional Climate Protection Authority
Sonoma Disaster Council	Sonoma County Mayors & Clm. Assoc. BOD	VOM Water District Ad Hoc Committee, Alternate	Substance Abuse Prevention Coalition	LOCC North Bay Division, LOCC E-Board, Alternate (M & C Appointment)
Sonoma Housing Corporation	Sonoma County M & C Assoc. Legislative Committee	Water Advisory Committee, Alternate	Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)	Sonoma County Ag Preservation and Open Space Advisory Committee (M & C Appointment)
Sonoma Valley Citizens Advisory Comm. Alt.	Sonoma Disaster Council, Alternate			VOM Water District Ad Hoc Committee
S.V.C. Sanitation District BOD	Sonoma Housing Corporation			Water Advisory Committee
S.V. Fire & Rescue Authority Oversight Committee	S.V.C. Sanitation District BOD, Alt.			Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)
	S.V. Economic Development Steering Committee, Alt.			
	S. V. Library Advisory Committee			
	S.V. Fire & Rescue Authority Oversight Committee			

Recommended Council Action – Receive Reports

Attachments: None