

**SONOMA VALLEY CITIZENS ADVISORY COMMISSION
MINUTES OF MEETING SEPTEMBER 24, 2014
SONOMA POLICE DEPARTMENT, COMMUNITY ROOM
175 FIRST STREET WEST, SONOMA
6:30 p.m.**

COMMISSIONERS PRESENT: Cynthia Wood, Rochelle Campana, Pat Pulvirenti, Ken Brown, Bruce Green, Tom Martin, Ditty Vella, Angela White, Ryan Lely, Dick Fogg

EXCUSED: Kirsten Lindquist, Sean Bellach, Jack Ding (recused himself)

1. Call To Order: 6:30 p.m.

2. Minutes Approved of August 27, 2014 Meeting

3. Public Comment (limited to items not appearing on the agenda):

Kathy Pons read her presentation, attached in its entirety as follows: My name is Kathy Pons and I live in Kenwood. Tonight I'd like to talk to you on behalf of the Valley of The Moon Alliance board of directors and members, whose vision is to sustain the rural character of our beautiful Sonoma Valley and county. We believe there are three particular areas in the county where there is a real concern about the cumulative impacts from an over concentration of visitor serving facilities. They are relatively small concentrated areas: Kenwood, Hwy 121 and Westside Road in the 4th district. The number of events, tasting rooms, and wineries have ballooned in these area much to the detriment of their rural character and road safety. We are requesting that the Board of Supervisors direct PRMD to formulate criteria for the approval of new and modified use permit conditions to address the cumulative impacts in these three areas and that this item be placed on the PRMD work plan for 2015.

There are two areas in Sonoma Valley that are a matter for concern. The first is the Kenwood area, again a small area that is making a big impact on the community. There are 19 tasting rooms as well as other visitor serving facilities within a 1.6 mile stretch of Highway 12 from Adobe Canyon Road to Deerfield Winery at 10200 Highway 12. We are pleased for the businesses to succeed but the impacts within this small area are evident.

The highway speed through Kenwood is 45 mph with one signal light at Warm Springs Rd. We know there is a lot of commuter traffic as well as visitor traffic on our scenic corridor. The speed, number of cars and businesses trying to get your attention add up to danger with distracted and indecisive drivers on the highway. There are a few businesses that are right on the highway where patrons need to walk along the roadway or back out of a parking space into this traffic. This is very scary and unsafe.

The county streets of Kenwood are being clogged with parked cars and luxury buses that drop off wine tasters and circle around town looking for a place to park. In some places they are parked on both side of the street leaving only enough room for one vehicle to pass, hopefully enough room for any emergency vehicle that may need to get through.

There has been a proliferation of signs, banners, and sandwich boards creeping out onto the highway. They are definitely a detriment to our beautiful landscape.

The second area is in south Sonoma Valley. I have talked about this area to you last month. It is the 2 mile stretch of highway 121 from the corner of 116 to Viansa Winery at 25200 Arnold Drive. This highway is a two lane road with no shoulders. There are 7 major winery/event centers with 441 events a year already approved. The traffic is constant at best. Saltwater intrusion is also a concern in this area evidenced by the data collected and published in the 5 year update of the Sonoma Valley Groundwater Management Plan.

The third area is Westside Road near Healdsburg. VOTMA has been collaborating with a group up there that have some of the same issues and concerns. This area has 27 tasting rooms, wineries and event facilities permitted on the road. It is also a favorite route for bicycling events, local and visiting cyclists and bicycle tours. Again the numbers of visitor serving facilities, along with the number of bicyclists and the narrow roadway don't add up to the ideal picture of the county's rural country roads.

The Sonoma County General Plan has criteria for local concentrations in policy AR-5g and policy AR-6f. They have to do with increased traffic, water draw down, and uses detrimental to the rural character of these areas. We feel the three areas described show evidence of over concentration. They need to receive special considerations when new discretionary applications for development are proposed. We hope that PRMD will be able to flag these areas and inform an applicant right away that there are special considerations for the area.

On October 7th the Board of Supervisors will be discussing the PRMD work plan for 2015. We want to get the support to have the sups direct PRMD to formulate criteria for the approval of new and modified use permit conditions that would address the cumulative impacts in these three areas and that item this be placed on the PRMD work plan for next year. Your support through emails to the sups and presence at the meeting would go a long way in helping to protect and sustain our wonderful Sonoma Valley. Thank you.

Laurie Burns, West Spain St.: Why did Vice-Chair Ding recuse himself?

Acting Chair White: There was a conflict of interest for Mr. Ding. A principal of the architectural firm representing the applicant is his landlord.

4. Project Name: 840 West Napa Street Apartments Resolution
Applicant Name: Victor Conforti, Architect
Owner Name: Michael Rabbitt
Site Address: 840 West Napa Street , Sonoma

Consider proposal to construct 11 residential apartments on a 1-acre site at 821-845 West Spain Street, 840 West Napa Street.

Applicant presentation:

David Adams: I am representing Victor Conforti. It's been a year since the project began. The initial proposal was for 14 two-story units along the west end of the property line. Neighbors to the west were concerned about the height due to privacy issues so it was reduced to 7 one-story units. In the commercial area, we left 4 two-story units since there were no concerns with neighbors. We were able to include a driveway between each adjoining neighbor as buffer zones. We also added a common area and open spaces to West Napa and West Spain Sts. as well as yard spaces between units. The owner scaled down the project to make everyone happy – the one-story units were decreased to 916 sq ft – the two-story units are 1200 sq ft.

This is a private residential apartment proposal, not a planned development or subdivided into lots and with a private driveway. It will be held under one individual ownership. The density, building setback, height limits, coverage, floor area ratios, open spaces, all are within requirements. The private yards are behind the buildings with a common open space. Two one-story moderate income affordable units are planned adjacent to the common open space area. Parking of one covered carport space and one open for each unit, plus four guest parking spaces along the driveway. The patio areas for the one-story units are 297 sq ft. We have had two study sessions with the Planning Commission, three meetings with neighbors, trip/traffic/environmental studies and a historic significance study of existing residences along West Napa St. and found no historic significance. The owner and neighbors seem happy with the design and there have been no conflicting reports.

Commissioner questions:

Ms. Vella: Two or three affordable units?

David Adams: I think two.

David Goodison: I am David Goodison, Planning Director for the City of Sonoma. The request was for two.

David Adams: We are deciding either side by side or separated by the common open space. I think the latter is best.

Ms.Vella: Permeable paving and rainwater reclamation? I couldn't tell if the project has both components or they're only suggestions by consultants.

David Adams: They're part of the project. There's a stormwater mitigation plan. They recommended permeable paving, swales in rear yards, bio-swales/planters in front yards, we'll be planting trees, desert landscaping as required by City ordinances. The lot drains from West Spain to West Napa – we'll be putting in a container for drainage containment underneath the common area that will eventually permeate into the ground and prevent the flow to West Napa.

Ms. Vella: Their suggestion?

David Adams: Their design so it's part of the plan.

Ms. Vella: This is the infrastructure.

David Adams: It will be incorporated into the project.

Ms. Wood: Spaces between the driveway and the units – landscaping or concrete?

David Adams: 1-2 ft planting strip – landscape or desert scape.

Ms. Pulvirenti: Individual water meters?

David Adams: Each unit will be individually metered.

Ms. Pulvirenti: The driveway is open on both ends?

David Adams: Yes, private with speed bumps, no way to close off due to emergency vehicles.

Mr. Martin: One parking space for each apartment and four for guests?

David Goodison: Two – one open, one covered and four for guests.

Mr. Green: This is for David. What is the status of the approval process with the hotel at the City Planning Commission.

David Goodison: It's been before the Planning Commission twice. It's in a study session format allowing the Planning Commission to give early feedback with design issues such as the driveway. It will go before the Planning Commission for consideration October 9th.

Mr. Green: This is an opportunity for residents to speak up?

David Goodison: This is an additional opportunity for neighbors to speak up. It's primarily an opportunity for SVCAC to hear and make recommendations.

Mr. Lely: Traffic turning left onto West Napa into town will be a bit scary. Is there a median turn lane?

David Adams: Yes, there's a turn lane.

Mr. Lely: Will there be a light at West Spain and 5th St. West?

David Adams: This has been a discussion for a few years. All intersections have a C Rating Category. The traffic report said no significant impact to the area. We are not anticipating large families since units are smaller.

Steve Martin: We already do – we'll pay fair share of improvements and traffic mitigation fees.

Acting Chair White: Affordability and prices of affordable units?

David Adams: Not sure what the rates are.

David Goodison: The maximum rental is moderate income level, not low income level.

Mr. Fogg: What is the reason for it not being PUD?

David Goodison: The primary reason is it meets normal setback, not ownership but rental, so it complies with development standards.

Mr. Fogg: With PUD, doesn't one have to be affordable housing?

David Goodison: Inclusionary requirement for affordable housing, doesn't matter if planned development or subdivision or rental project. It's the same – always 20%.

Mr. Fogg: Is there a split between low cost and affordable cost?

David Goodison: Affordable housing is two inclusionary units. That requirement is applied to this project based on the number of units, not on type of project.

Mr. Fogg: But there's no affordable low cost housing impact here?

David Goodison: They're proposing to provide affordable housing at the moderate income level. That's their option – the City inclusionary requirement is 20% moderate income level. The only situation in which it's different is the City has a zoning designation called Sonoma Residential. That's applied to properties of 3 acres or larger. The inclusionary requirement is still at 20% and half of that 20% have to be at the low income level. This site – part of it is commercial, part residential so the standard inclusionary requirement applies.

David Adams: The size of this property is just over an acre.

Public Comments:

Kathleen Lawton, West Spain St.: My main concern is with trees - the ones on the west side, our side, create an effective blanket. There are three or four trees on your side that provide shade – are they going to remain?

David Adams: There are a couple of diseased trees which have to come down based on the arborist's report.

Kathleen Lawton: What is the definition of diseased? They still provide shade and green and homes for birds.

David Adams: They're in poor condition. An 8" acacia is coming down. We were worried about trees on your side being affected. The yard setback is 5 ft. and we were worried about the root structures. We're proposing a large thick slab that sits on top of the ground so we don't disturb any roots coming over to our property. We don't want to kill any trees – if we do, they'll have to be replaced with full-grown trees.

Kathleen Lawton: You won't be replacing with trees that will mature in 50 years.

David Adams: No, they'll be fast-growing. The arborist says that many trees are hanging out into the yard. Most can be pruned. There are two oak trees next to the commercial property and one is not doing too well so it may be coming down.

Kathleen Lawton: Will it be replaced? It would be devastating to lose what it provides.

David Adams: There's talk about replacing. A few minor trees – 8" or 10" acacias on our property will come out. Probably no planting of trees in rear yards – the 11 ft. yard area, maybe we'll put in some trees.

Kathleen Lawton: Please save or get in as many trees as possible.

David Adams: Will try real hard. At this point, we're hoping to prune overhanging trees at the fence line and disturb as little as possible.

Laurie Burns, West Spain St.: There are a lot of trees hanging over your side. Are you going to prune properly or just lop off what's hanging over on your side?

David Adams: An arborist will be doing the work. What's great is that these are one-story buildings and the trees provide shade for the rear yards.

Laurie Burns: The bio-swales and stopping the flow of water from West Spain to Napa – it will eventually seep towards our west side of the lot and we have old fashioned drainage.

David Adams: There'll be a huge tank and swales in the rear yard which will seep water into the ground and nourish the trees.

Laurie Burns: What's the impact of a bio-swale next to another property without one?

David Goodison: We'll ask the stormwater consultant. As for overflows, stormwater will be directed towards the storm drain and seep back into the ground.

Laurie Burns: Water will come towards us if not from West Spain to Napa.

David Adams: We won't be catching all the stormwater, civil will check.

Laurie Burns: The two parking spaces – tandem?

David Adams: Yes.

Acting Chair White: Excuse me, the public comments need to address the Chair and Committee and not have an open dialogue like this.

Laurie Burns: Affordable units – where are they located and why towards common area? The setback is 5 ft. to our fence – that's not very large. The rules for apartments vs condo – is the setback greater if it's a condo and will it be converted into a condo? Will there be a property manager we can call when project is completed?

Acting Chair White: Mr. Adams, the affordable housing and placement – how was it decided?

David Adams: West Spain is a prime location and towards the commercial area, they're two-story with larger footage so we didn't want those to be affordable. It was decided along the common area and centrally located.

Acting Chair White: The setback concern is 5 ft. Will there be a manager for complaints and concerns?

Mike Rabbitt: I haven't thought about it yet. Project has been ongoing for about a year and it's been changed 3 or 4 times to accommodate the neighbors. It's a very narrow lot and we've had all the studies done although the building is not yet entitled. There will be access to a management company or someone on-site. We also want to save all the trees, and mitigate saving the tree roots. Once the entitlement is finalized, we'll go from there.

Acting Chair White: The last question was on apartments vs condos and the regulations.

David Goodison: Can't do planned development or dividing into little lots – not an option. They could do condo conversion but would have to go before the Planning Commission and the apartment vacancy rate must be adequate. It's a theoretical possibility but I can't see it.

John Christen: Under California law, the threshold is 16 units to have a manager on duty.

Georgette Darcy, West Spain: I'd like to express my appreciation to the owner and the project due to the willingness to appease the neighbors.

Commissioner discussions:

Ms. Campana: Will one of the units be used as a vacation rental?

David Goodison: Not a legal option.

Ms. Vella: Lack of unhappy neighbors commendable for the project.

Motion: Mr. Martin. Approve the project. Ms. Campana seconded. All in favor, none opposed. Motion passed.

5. Consideration of items for Future Agenda

None

Ms. Pulvirenti: I had difficulty reading the material on line.

Pat Gilardi: The Commission was invited to go to the City of Sonoma to pick up a hard copy.

Ms. Pulvirenti: Meetings re: bike path. Will the project come before the Commission?

Ms. Vella: The trail people who came a few months ago mentioned the trail would go all the way up the Valley.

Pat Gilardi: You had a presentation on all the trails a while ago. Sonoma Valley Trail is in the planning stages. There will be three stakeholder meetings by invitation only and three public meetings. The Regional Parks will be holding the public meetings and you are all welcome to attend the public meetings.

Mr. Martin: Just as a comment. I followed the trails after the presentation and some go directly through some people's property. The maps show that as well.

6. Meeting Adjourned: 7:30 p.m.

Sonoma Valley Citizens Advisory Commission
Commissioner Retreat
October 24, 2014
810 Grove Street, Sonoma

Self-introductions

1. Call to order 10:13 am; roll call – all present except Kirsten Lindquist (leave of absence) and Dick Fogg. Dick Fogg arrived at 11am.
2. Public Comment – there was no public comment
3. SVCAC History and Purpose:
 - Supervisor Susan Gorin welcomed everyone and provided a brief background on the SVCAC, turning the topic of history over to Sonoma County Planning Commissioner Greg Carr.
 - Sonoma City Councilmember and SVCAC Ex-Officio Ken Brown also welcomed everyone and explained how the City of Sonoma utilizes the commission. In particular projects with a Negative Declaration or EIR are routed to the SVCAC. When a City project comes to the SVCAC, City Planner David Goodison attends as staff to the City. Ken expressed his thanks to the work the SVCAC does.
4. SVCAC Hearing Process:
 - Sonoma County PRMD's Dean Parsons explained that the County sends referrals to SVCAC very early in the process. This provides an early read at the beginning of the process, and before all reports are in, of what community concerns may be.
 - Questions arose about approval and disapproval. Commissioners were advised that the decision could be as simple as "too early for yes or no, and these are the issues we feel need to be looked at."
 - The topic of reports and guiding documents was covered. The law requires that the General Plan be reviewed every 5-10 years, but no definite requirement for an update. It was recommended that commissioners real the goals and priorities of the General Plan and perhaps the section specifically for the region of the valley that they represent. Guiding plans are expensive and time consuming. They are not rewritten/updated unless necessary.
 - Dean described cell tower applications and requirements surrounding approval/disapproval. Not all cell towers are approved. Disapproval can be determined based on neighborhood compatibility and aesthetics. It was noted that the FCC does not allow local comment on radio frequency. Should the public comment on this, they should be thanked, but it should not be discussed or factored into the decision by the commission. With respect to co-location, the County has limited criteria where it can be denied. Co-location is desired. Commissioners can require that future co-locations be screened. Dean will provide

additional information on cell tower decision making to Pat Gilardi who will distribute to the commission.

5. Conducting Public Meetings:

- Dean Parsons advised that unlike the City, the County does not provide staff reports, recommendations or staff to the SVCAC. This was decided very early in the development of the SVCAC. SVCAC receives the referral at the beginning stage of the application.
- Dick Fogg and Greg Carr (ex-officios and members of the Planning Commission and BZA representing the 1st District) are there to listen, not to help form a decision. They can help with process questions. Comment was made that absent planning staff and now that Mark Bramfitt has left the SVCAC, the commissioners struggle with formulating a motion. The question posed was, "who will step up and fill that role in Mark's absence."
- Dean Parsons advised that it is okay for SVCAC commissioners to call PRMD staff, although Supervisor Gorin asked them to be judicious in using staff time. Commissioners were encouraged to work through the Chair and Pat. It was noted that the planner for each project is noted on the individual referral. There is no one planner familiar with every project, thus the planner to call is the one listed on the referral.
- Site visits can be useful. The Chair will orchestrate a site visit. No more than 5 members (less than a quorum) of the SVCAC should attend a site visit.

The Retreat recessed at 12:04pm and reconvened at 12:30

Gay Johann and Ditty Vella left during the recess

6. Brown Act & Conflict of Interest:

- Sonoma County Counsel Robert Pittman provided a PowerPoint (and handout) on the Ralph M. Brown Act and Conflict of Interest.

7. Upcoming Issues:

- This issue will be scheduled for a future discussion in early 2015

8. Closing Remarks

- Each attendee was invited by Supervisor Gorin to make closing remarks. Most expressed appreciation for the information provided and the opportunity to learn.

9. Jack Ding adjourned the meeting at 1:13