



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of December 10, 2015 -- 6:30 PM
Community Meeting Room, 177 First Street West
Sonoma, CA 95476

Meeting Length: No new items will be heard by the Planning Commission after 10:30 PM, unless the Commission, by majority vote, specifically decides to continue reviewing items. If an item is not heard due to the length of the meeting, the Commission will attempt to schedule a special meeting for the following week. If a special meeting is necessary, potential dates will be established at the close of this meeting, and a date set as soon as possible thereafter.

CALL TO ORDER – Chair, Bill Willers

Commissioners: Michael Coleman
James Cribb
Robert Felder
Mark Heneveld
Chip Roberson
Ron Wellander
Robert McDonald (Alternate)

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

PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: Presentations by audience members on items not appearing on the agenda.

MINUTES: Minutes from the meetings of May 14, 2015, September 10, 2015, and November 12, 2015.

CORRESPONDENCE

ITEM #1 – PUBLIC HEARING

REQUEST:

Consideration of a request to voluntarily revoke the Conditional Use Permit allowing a B&B inn at 316 East Napa Street.

Applicant/Property Owner:

Christopher Murray and Steve Evans

Staff: Rob Gjestland

Project Location:

316 East Napa Street

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Central-East Area

Base: Low Density Residential (R-L)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Revoke B&B Use Permit.

CEQA Status:

Categorically Exempt

ITEM #2 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to operate a take-out food establishment at 14 West Spain Street in conjunction with the adjoining Mary's Pizza Shack restaurant at 8 West Spain Street.

Applicant/Property Owner:

Mary's Pizza Shack/Spain Street Partners

Staff: Rob Gjestland

Project Location:

8 and 14 West Spain Street

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H); Plaza Retail

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #3 – STUDY SESSION

REQUEST:

Study session on a proposal to develop a mixed-use project on a 3.4-acre site, including a hotel, with restaurant and spa, commercial space, and 35 residential units with an allowance for use as vacation rentals.

Applicant/Property Owner:

Caymus Capital

Staff: David Goodison

Project Location:

216-254 First Street East and 273-299
Second Street East

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Northeast Area

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Postponed to the January 14, 2016 meeting at the applicant's request.

ELECTION OF OFFICERS

ISSUES UPDATE

COMMENTS FROM THE COMMISSION

ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on December 4, 2015.

CRISTINA MORRIS, ADMINISTRATIVE ASSISTANT

Rights of Appeal: Any decision of the Planning Commission may be appealed to the City Council. Appeals must be filed with the City Clerk within fifteen (15) calendar days following the Planning Commission's decision, unless the fifteenth day falls on a weekend or a holiday, in which case the appeal period ends at the close of the next working day at City Hall. Appeals must be made in writing and must clearly state the reason for the appeal. Appeals will be set for hearing before the City Council on the earliest available agenda. A fee is charged for appeals.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA, (707) 938-3681. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Planning Commission regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the Administrative Assistant office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the Administrative Assistant, at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
May 14, 2015**

Community Meeting Room, 177 First Street West, Sonoma, CA

Draft MINUTES

Chair Willers called the meeting to order at 6:30 p.m.

Roll Call:

Present: Chair Willers, Comms. Heneveld, Cribb, Wellander, Roberson, Felder, Coleman, McDonald (Alternate)

Absent:

Others Present: Planning Director Goodison, Stormwater Compliance Specialist, Administrative Assistant Morris

Chair Willers stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made by the Planning Commission can be appealed within 15 days to the City Council. Comm. Cribb led the Pledge of Allegiance.

Chair Willers stated that Item #2 will not be heard tonight.

COMMENTS FROM THE PUBLIC: David Cook, resident/Mayor of Sonoma, thanked all the commissioners for their community involvement and wished them well.

APPROVAL OF MINUTES: Comm. Roberson made a motion to approve the Minutes of April 9, 2015. Comm. Cribb seconded. The motion was unanimously approved. (Comms. Felder and McDonald abstained).

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Late Mail was received on Items # 5 fence height requirements and Item # 2 is continued to the June 11th meeting at the request of the applicant.

Item #1 – Consideration of an Exception to the Floor Area Ratio (FAR) standards to construct a replacement sunroom at the back of a residence at 422 York Court.

Applicant/Property Owner: Amy Flores

Planning Director Goodison presented staff's report.

Comm. Heneveld confirmed with staff that it was permitted in 1977.

Chair Willers opened the item to public comment.

Amy Flores, applicant, said the sunroom was one of the main selling features when she purchased the home. She spoke to neighbors and there was no opposition.

Chair Willers closed the item to public comment.

Comms. Felder and Cribb supported the sunroom since it improved the property and there is no negative impact to the neighbors.

Chair Willers is concerned with the modification since he felt allowing enclosures as solid buildings, based on FAR, is not the same as an enclosed built in space. His main concern is that there are many similar properties and this should not be the basis for allowing this modification. Although he recognized that the lot coverage is low on the site, he opposed the conversion of open carports to solid buildings.

Comm. Cribb made a motion to approve the application subject to the conditions of approval. Comm. Felder seconded. Ayes: Comms. Cribb, Felder, Wellander, Roberson Noes: Chair Willers, Comms. Heneveld and Coleman. The motion was approved 4-3.

Item #2 –Public Hearing – Consideration of a Use Permit Amendment to allow an outdoor seating area for a coffee service trailer (Coffee & Coco) at 195 West Napa Street.

Applicant/Property Owner: Rocio Fuentes/Northwest Dealerco Holdings L.L.

Item #2 is postponed to the June 11th meeting at the request of the applicant.

Item #3 – Public Hearing – Consideration of a Use Permit to allow an existing residence to be operated as a vacation rental at 289 First Street East.

Applicant/Property Owner: Benchmark- Hoover L.L.C./City of Sonoma

Planning Director Goodison presented staff's report.

Comm. Roberson questioned if parking will be allowed on the dead end access road.

Planning Director Goodison will verify if parking for the vacation rental will be permitted in this area. The primary issue is making the findings to support a parking exception. The Development Code was amended to allow vacation rentals in the Park zone.

Comm. Cribb confirmed with staff that tandem parking is an option within the request for the parking exception. He recognized that although the property is not listed on the State Registry it is a locally significant historic resource. The property reverts back to the City in 20 years and the future use has to be within the limitations of the bequest; park or memorial.

Chair Willers inquired about a disabled parking space.

Comm. Heneveld confirmed that ADA upgrades were triggered with the major interior renovation.

Comm. Felder confirmed with Planning Director Goodison that the 20 year lease has no extension provision and that the rental payments will assist the City in making future improvements.

Chair Willers opened the item to public comment.

Sid Hoover, applicant, is pleased to operate a vacation rental and staff supported the change in use.

Chair Willers closed the item to public comment.

The Commissioners are satisfied that the project conformed to the Development Code and the terms of the bequest to the City of Sonoma.

Chair Willers felt that a second parking space is important given the vacation rental occupancy.

Comm. Roberson made a motion to approve a Use Permit for the vacation rental as submitted. Chair Willers seconded. The motion was unanimously approved.

Item # 4 –Discussion– Consideration of an amendment to the Development Code as it pertains to the City’s legal authority and ability to comply with National Pollutant Discharge Elimination System Permit 2013-001-DWQ, a permit regulating discharges of storm water runoff from the City’s storm drains to waters of the United States.

Chris Pegg, Stormwater Compliance Specialist presented staff’s report.

He explained the background leading up to tonight’s discussion about amending the Development Code. The following are the changes proposed:

1. Modify open space requirements to promote development that provides open spaces with beneficial storm water and groundwater recharge impacts. (SMC 19.38.010 & 19.40.080)
2. Modify screening requirements for trash enclosures to better prevent stormwater pollution. (SMC 19.40.100)
3. Modify off-site parking requirements to close a loophole that may be exploited to reduce stormwater mitigation requirements for some development projects. (SMC 19.48.030)
4. Modify discretionary review requirements for wheel stops in parking lots when parking areas are adjacent to landscaped areas and drainage is directed to the landscaped area. (SMC 19.48.070)
5. Modify subdivision requirements to protect natural channels from a process called “hydro modification” whereby the shape and size of a natural channel is altered when it conveys increased flows due to storm drain improvements. (SMC 19.62.140)
6. Modify subdivision requirements to require off-site improvements if off-site storm water impacts to abutting properties cannot be mitigated on-site. (SMC 19.62.140)

Comm. Wellander asked about the pros and cons of the amendment and the changes to regulations for curbs in parking lots. .

Stormwater Compliance Specialist Pegg said a goal of the review was to identify unnecessary impediments for Developers. He identified the requirement for continuous curbs in parking lots to be in conflict with new requirements for parking lot drainage to be routed into landscaped areas before discharging to the storm drain system.

Planning Director Goodison noted that the design standard of the code addressed wheel stops and curbing.

Chair Willers opened the item to public comment.

Robert McDonald, resident/Commissioner, supported the new standards proposed and suggested that Public Works review stormwater and conservation measures during the Use Permit application process. He recommended that restaurant parking lots have grease traps.

Chair Willers closed the item to public comment.

Planning Director Goodison stated that Stormwater Compliance Specialist Pegg routinely visits construction sites to review stormwater mitigation measures. He responds to complaints from residents and commercial business owners and receives calls from Sonoma County Public Health.

Comm. Roberson encouraged residents to take advantage of the City's turf rebate program and is satisfied that the City is combining water conservation and stormwater efforts.

Item #5 –Discussion – Review of possible changes to fence height regulations, including new permit requirements and penalties for illegal construction.

Planning Director Goodison presented staff's report.

Chair Willers opened the item to public comment.

Patricia Cullinan, is disappointed that many fence companies continue to ignore the fencing regulations in Sonoma even though the rules are readily available.

Chair Willers closed the item to public comment.

Comm. Roberson is frustrated with contractors not following the height limits for fences.

Chair Willers recommended adjusting the fence ordinance and recommended an "over the counter" administrative review for fences. He is of the opinion that local fence companies should pay fines for building non-compliant fences.

The Commissioners felt there should be stricter enforcement and consequences for owners and fencing contractors that build non-compliant fences.

Comm. Coleman favored more accountability from the contractors.

Planning Director Goodison clarified that a building permit is not a prohibition for constructing a higher fence but fencing installers must meet the standards.

The consensus from the commissioners is for more oversight regarding fences with the potential for an administrative permit review before construction.

Comm. Wellander confirmed with staff that Planning Commission and Design Review and Historic Preservation review is required for decorative fences.

Planning Director Goodison reported the following:

The Chateau/Sonoma Hotel proposal initial study is underway and the Commission will review the scope of the EIR at a future meeting.

Staff is scheduled to meet with a new project manager for the mixed use development site at the corner of Broadway and East MacArthur Street.

Commissioner comments: None

Comments from the Audience: None

Adjournment: Chair Willers adjourned the meeting at 8:30 p.m. to the next meeting scheduled for 6:30 p.m. on Thursday, June 11, 2015.

I HEREBY CERTIFY that the foregoing minutes of 2015 were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the day of May , 2015.

Approved:

Cristina Morris, Administrative Assistant

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
September 10, 2015**

Community Meeting Room, 177 First Street West, Sonoma, CA

Draft MINUTES

Chair Willers called the meeting to order at 6:30 p.m.

Roll Call:

Present:	Chair Willers, Comms. Heneveld, Cribb, Wellander, Roberson, Felder, McDonald
Absent:	Comm. Coleman
Others Present:	Planning Director Goodison, Senior Planner Gjestland, Associate Planner Atkins, Administrative Assistant Morris

Chair Willers stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made by the Planning Commission can be appealed within 15 days to the City Council. Comm. McDonald led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: Carol Lynn requested to move Item #6 to be first on the Agenda. As a compromise, Chair Willers agreed to hear the item following Item #3.

APPROVAL OF MINUTES: Comm. Roberson made a motion to approve the Minutes of July 9, 2015. Comm. Heneveld seconded. The motion was unanimously approved.

CORRESPONDENCE: Late mail was received on Items 2, 4 and 6.

Item #1 – Consent Calendar – Request for a one-year extension to the Planning approvals allowing an 11-unit apartment development at 840 West Napa Street.

Applicant/Property Owner: Mike Rabbitt

Comm. Felder made a motion to approve the one-year of the planning approvals to allow an 11-unit apartment development at 840 West Spain Street. Comm. Roberson seconded. The motion was unanimously approved, Comm. Wellander abstained.

Item #2 – Public Hearing – Consideration of a Use Permit to allow café seating for Crisp Bake Shop at 720 West Napa Street.

Applicant/Property Owner: Moaya Scheiman/Maria Lounibos

Senior Planner Gjestland presented staff's report.

Chair Willers opened the item to public comment.

Moaya Scheiman, business owner, explained that the Alcohol and Beverage Control Board (ABC) required a license for the bakery to serve wine and beer, which they would like to provide as an ancillary option.

Maya Craig, neighbor, is concerned with any changes to the existing hours of operation.

The applicant stated that no changes to the hours are proposed.

Chair Willers closed the item to public comment.

Chair Willers asked about the impact an ABC license had for special events on site. He confirmed with staff that there are no limitations on hours of operation from the City for the bakery.

Comm. McDonald inquired as to whether any alcohol consumption is proposed to occur outside of the building. Staff noted that the bakery provides six outdoor seats which would be encompassed by the ABC permit.

Comm. Cribb is primarily concerned that the business might morph into a wine bar. However, he is satisfied that the limitations on hours of operation would address this concern.

Chair Willers is concerned with the potential for an intensification of use if the business is sold. He agrees that the hours of operation should be limited. After further discussion the Commission determined that retail hours of 7 a.m. to 4:30 p.m. for the bakery would be appropriate.

Comm. Roberson made a motion to approve the Use Permit as submitted with the conditions of approval amended to specify retail hours of operation between 7-4:30 p.m. for the bakery, as well as staff review of the required ABC barrier for the outdoor seating. Comm. McDonald seconded the motion. The motion was unanimously approved.

Item #3 – Public Hearing – Consideration of an Exception to the fence height standards for an over height fence within the street side yard setback of a residential property at 826 Lasuen Street.

Applicant/Property Owner: Josef Cuneo

Associate Planner Atkins presented staff's report.

Chair Willers opened the item to public comment.

Joe Cuneo, property owner, replaced the fence to provide improved safety and privacy. He said the addition of the extra foot added to the aesthetics and it would be cumbersome if he were required to remove the fencing.

Timothy Bennett, tenant, preferred the taller fence and is concerned with his privacy.

Chair Willers closed the item to public comment.

Comm. Felder is disappointed the fence was built too high without a permit and recommended reducing the fence height.

Comm. Roberson agreed with Comm. Felder that the fence height is excessive and dominates the space. He agreed with staff's recommendation to reduce the fence height.

Comm. Cribb recommended the tenant discuss his security concern directly with the landlord. He felt the fence should never have been constructed and was a mistake. He recommended reverting back to the normally-required 20-foot setback.

Comm. McDonald concurred with Comm. Cribb's recommendation and opposed. He suggested that planting trees and shrubs could help mitigate lighting and privacy concerns.

Comm. Wellander supported lowering the fence, as well as installing additional landscaping materials.

The Planning Commission engaged in a lengthy discussion regarding options for addressing the application.

Comm. Wellander made a motion to approve the Exception subject to the conditions of approval, including the condition to reduce the height of the fence to a maximum height of five feet above the header board. Comm. Heneveld seconded. The motion was unanimously approved.

Item #6 – Public Hearing – Consideration of a Tentative Map to subdivide the two parcels into three parcels at 226 and 230 Newcomb Street. [Heard out of order from the Agenda]

Applicant/Property Owner: Newcomb Holdings LLC

Comm. Wellander recused due to proximity and left the room.

Senior Planner Gjestland presented staff's report.

Chair Willers opened the item to public comment.

Bill Utnehmer, applicant, reached out to the neighbors and received many positive responses. He spoke to 6 of 7 neighbors on Fryer Creek that are fairly understanding of the proposal and he is working to minimize negative impacts to the neighbors with a new drainage plan. He confirmed that the building permits and grading permits are approved for two-story homes on 3 lots. The planned pool houses/cabanas are not intended as rentals or second units.

Carol Lynn, resident, is concerned with the impacts of the development for her mother, Bernadette Fruth (property owner in close proximity to the project).

Bernadette Fruth, neighbor, stated that she is primarily concerned with maintaining her existing fence, but also has concerns about traffic and neighborhood compatibility.

Mark Vogler, neighbor, opposed the project because, in his opinion, the proposed development is not compatible with the existing neighborhood. He is interested in the exact location of the pool houses since they were not depicted on the plans he reviewed. He is very concerned with

the possibility that the pool houses might be used as vacation rentals since it would negatively affect the neighbors.

Brian Dingman, neighbor, did not oppose developing the site but is concerned with potential negative impacts to the drainage in the area. Since the construction of the new home at 199 Malet Street, more water drains south and is accumulated/concentrated at the corner of his property.

Denise Willow, resident, requested that the applicant address the drainage issues on Malet Street upfront. She is concerned with the non-permeable surfaces for the streets and driveways. Her main concern is drainage.

Chair Willers closed the item to public comment.

Chair Willers confirmed with staff the historic flow pattern for the drainage is to the south and is identified in the new drainage plan, which will be reviewed by the City Engineer and the Storm Water Coordinator.

Comm. McDonald stated that the drainage plans and calculations should include the potential for accessory structures such as pools and cabanas.

Comm. Heneveld confirmed with staff that the trees proposed for removal are not significant in terms of height.

Comm. Cribb confirmed the setbacks are in conformance.

Comm. Heneveld confirmed with the applicant that the pool house/cabanas will be 18 x 42 feet.

Chair Willers allowed another public comment from a neighbor.

Bernadette Fruth, neighbor, stated that drainage appears to have improved in the area since the culvert was built.

The Planning Commission engaged in a lengthy discussion regarding the pros and cons of the project. In consultation with staff, the Planning Commission identified a series of amendments to the conditions of approval addressing drainage considerations, tree preservation, and setbacks.

Comm. Cribb did not support the proposed subdivision and recommended a reduction in intensity of use.

Chair Willers supported the plan since it complied with the General Plan and Development Code including the subdivision standards. He is satisfied that any accessory structures would be incorporated into the Engineer's approved drainage plan.

Comm. McDonald made a motion to approve the Tentative Map to subdivide the two parcels into three parcels, with amendments to the conditions of approval. Comm. Heneveld seconded. The motion was approved 5-1, Comm. Cribb dissenting.

Comm. Wellander returned to the dais.

Item #4 – Public Hearing – Consideration of an Exception to the fence height standards for an entry arbor and an Exception to the setback standards for a shed at 639 Third Street West.

Applicant/Property Owner: Tommy DeHennis/Diann Sorenson

Comm. Cribb recused due to financial reasons and left the room.

Planning Director Goodison presented staff's report.

Chair Willers opened the item to public comment.

Tommy DeHennis, applicant, discussed the application with the neighbors on either side of his home and they had no objections.

Chair Willers closed the item to public comment.

Comm. Wellander is concerned with the height of the arbor. He has no objections to the basic concept, but in his view the height is excessive.

Comm. Roberson agreed with Comm. Wellander that the arbor is too tall and too massive as proposed. He does not have any issue with the spacing of the fence posts at the corner of the property.

Comm. Felder is concerned with the accessory structure and he will not support another exception on the property.

Comms. McDonald, Heneveld, and Felder agreed that the arbor in the entry should be scaled back and they would not support a reduced setback for the accessory structure.

Chair Willers is not comfortable with allowing an accessory structure to encroach into the front yard setback and he agrees that the scale of the arbor is excessive.

Chair Willers made a motion to approve the fence exception allowing a reduced transparency for the segment adjoin the street corner and to approve the arbor subject to reducing the spring point to 7'6" and moving the rear posts one foot to the west. Comm. Felder seconded. The motion was approved 4-2. Comms. Wellander and Roberson opposed.

Comm. McDonald made a motion to deny the setback exception for the accessory structure. Chair Willers seconded. The motion was approved 5-1, Comm. Roberson dissenting.

Item #5 – Public Hearing – Consideration of a Use Permit to convert an office building into a 2-bedroom vacation rental at 835 Broadway.

Applicant/Property Owner: 835 Broadway LLC

Chair Willers recused due to proximity and left the dais.

Planning Director Goodison presented staff's report.

Chair Felder opened the item to public comment.

Ryan Snow, partner, stated that he was available to answer questions.

Pat Coleman, neighbor, asked if the owners would provide a local contact number in case issues arose. She supported the use and is interested in effective communication with the neighbors.

Ryan Snow stated that the unit will be under the care of a reputable local property manager who will be readily available for contact if issues arise.

Chair Willers closed the item to public comment.

Comms. Roberson and Cribb supported vacation rentals in the Broadway corridor as a replacement for office uses, stating that they will encourage pedestrian traffic in the area.

Comm. Roberson made a motion to approve the use permit to convert an office building into a 2-bedroom vacation rental. Comm. Heneveld seconded. The motion was unanimously approved.

Chair Willers returned to the dais.

Item # 7 – Discussion – Review of procedures and conditions of approval related to tree protection.

Planning Director Goodison suggested that it should be a consistent requirement that a pre-construction meeting be conducted before a grading permit is issued to ensure that designated trees are protected.

Comm. Wellander, Landscape Architect/Licensed Contractor, felt there should be more consequences if trees are removed without City permission.

Planning Director Goodison reviewed the current penalty system, which is based on the estimated value of trees that are removed. In determining tree values, the City retains an arborist who makes the assessment based on the values determined by the ISA trade association.

Comm. McDonald recommended requiring a surety bond to help assure that trees are protected.

Planning Director Goodison agreed with Comm. McDonald that a bond is a good idea and he will discuss this concept with the City Engineer.

Chair Willers concurred that additional controls and incentives are necessary.

Issues Update:

Planning Director Goodison reported on the following:

- On appeal, the City Council unanimously upheld the Planning Commission decision for 348 Patten Street.
- Staff met with a new project team for a proposed residential development for 870 Broadway.
- An EIR is underway for the Chateau Sonoma Hotel site on West Napa Street.
- The Mission Square project at 165 East Spain Street is on hold pending a Sonoma County Water Agency variance needed for the improvement and construction plans.
- The 2-acre site at 20269 Broadway is owned by the Sonoma County Housing Authority and has issued a RFP seeking a development partner for an affordable housing project on the site to build low-income rental units.
- A study session on the Circulation Element will be held on September 24th.

Commissioner comments: None

Comments from the Audience: None

Adjournment: Comm. Heneveld made a motion to adjourn the meeting at 10:25 p.m. to the next meeting scheduled for 6:30 p.m. on Thursday, October 8, 2015. Comm. Roberson seconded. The motion was unanimously adopted.

I HEREBY CERTIFY that the foregoing minutes of were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the day of, 2015.

Approved:

Cristina Morris, Administrative Assistant

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
November 12, 2015**

Community Meeting Room, 177 First Street West, Sonoma, CA

Draft MINUTES

Chair Willers called the meeting to order at 6:30 p.m.

Roll Call:

Present: Chair Willers, Comms. Felder, Wellander, Heneveld, Roberson, Coleman, Roberson, McDonald (Alternate)

Absent:

Others

Present: Planning Director Goodison, Associate Planner Atkins, Administrative Assistant Morris

Chair Willers stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made by the Planning Commission can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers. Comm. Cribb led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: Ellen Fetty, representative of the St. Francis Place Homeowners Association, requested weekly updates on the status of the Sonoma County Housing Authority's site at 20269 Broadway. She would like the names of the prospective e developers and contact numbers and clarification of the roles of the other agencies participation in the proposal for the development of the site with affordable housing.

Bob Mosher, neighbor, is concerned with traffic safety issues with an increase of the expected housing density for the site as well as the impact for property values. He agreed with Ellen Fetty that weekly dialogues on the progress is important so the neighbors can provide input.

APPROVAL OF MINUTES: Comm. Roberson made a motion to approve the minutes of August 13, 2015. Comm. Cribb seconded. The motion was unanimously adopted. (7-0).

CHANGES TO AGENDA ORDER: Item #4 was withdrawn at the request of the applicant.

CORRESPONDENCE: Late mail was received for Items 2, 4, and 5, along with a letter from Pierriette Duriez.

Item #1 – Public Hearing – Consideration of a Music Venue License transfer to allow live music performances in conjunction with a new restaurant use at 122 West Napa Street.

Applicant/Property Owner: Tasca Tasca Inc./Linda & David Detert

Chair Willers recused due to a financial conflict of interest and left the room. Comm. McDonald (Alternate) came to the dais.

Planning Director Goodison presented staff's report.

Chair Felder opened the item to public comment.

Jason Santos, Restaurant Manager, said the new business proposes to operate with the same allowances as the current music license with no modifications to the hours of 7-10 pm, with a maximum of three days a week.

Comm. Felder asked whether Sunday afternoon performances were proposed. Jason Santos stated that they were not.

Chair Felder closed the item to public comment.

Comm. Roberson made a motion to approve the transfer of the Music Venue License to allow live music performances in conjunction with a new restaurant use at 122 West Napa Street. Comm. Heneveld seconded. The motion was unanimously adopted. (7-0)

Chair Willers returned to the dais.

Item #2 – Public Hearing – Year-end review of a seasonal outdoor food truck event (Food Truck Fridays) and an application for the 2016 outdoor food truck event for the Sebastiani Winery at 389 Fourth Street East.

Applicant/Property Owner: Sebastiani Winery/Foley Family Wines

Associate Planner Atkins presented staff's report.

Chair Willers opened the item to public comment.

Thomas Power (433 Sonoma Ave. Santa Rosa), Special Events Manager/Sebastiani Winery, confirmed that all food trucks obtained City of Sonoma business licenses and Sonoma County Health department clearances.

Chair Willers closed the item to public comment.

Comm. Felder is pleased that the conditions of operating the seasonal outdoor food truck special event have been met, including the prohibition of generators, keeping the doors closed during music hours, and posting business licenses.

In response to a question from Comm. Roberson, staff reported that neighbors had made no calls for service or noise complaints during the Food Truck events, but there had been one noise complaint regarding a Friday music series event that was not on a Food Truck Friday. Staff attended 3 events and confirmed that all the conditions of approval were met.

Comm. Felder made a motion to receive the report on the 2015 series and to approve the application for the 2016 series, subject to the conditions of approval. Comm. Cribb seconded. The motion was unanimously adopted. (7-0)

Item #3 – Public Hearing – Consideration of an Exception to the fence height requirements to allow a 6-foot tall fence within the street side yard setback of a residential property at 597 Third Street East.

Applicant/Property Owner: Clifford Clark

Comm. Cribb recused due to a financial conflict of interest and left the room. Comm. McDonald (Alternate) came to the dais.

Planning Director Goodison presented staff's report.

Chair Willers opened the item to public comment.

Clifford Clark, homeowner, stated that the fence was proposed in order to provide additional privacy the back yard on a corner lot.

Chair Willers closed the item to public comment.

Comm. Roberson appreciated that the applicant asked for fence changes in advance instead of building and asking for a fence height exception later.

Comm. McDonald stated that while he supported the proposal in concept, he felt that it could be better integrated with the placement of the residence.

Comm. Wellander asked whether the large maple tree will be retained.

Clifford Clark, applicant, confirmed that the maple tree will be preserved.

Comm. Wellander stated that he had some concern regarding the viewshed for the neighbor. He respected the goals of the applicant.

Chair Willers re-opened the item for public comment.

Dee Matthews, neighbor, said the existing hedge partially blocks the view. She has a good rapport with the applicant and is satisfied with the proposal.

Chair Willers closed the item for public comment.

Comm. Heneveld suggested bringing the fence back to align with the porch of the residence.

Chair Willers agreed with Comm. McDonald's comments and supported aligning the fence with the eave of the porch, which would result in a setback of approximately 15 feet.

Comm. McDonald made a motion to approve the fence height Exception, with an amendment to the conditions of approval requiring that the fence setback be adjusted to align with eave of the porch. Comm. Heneveld seconded. The motion was unanimously adopted. (7-0)

Item #4 – Public Hearing – Consideration of a Variance from the height standards for a detached pool house at 557 Fourth Street East.

Applicant/Property Owner: Strata AP/Martin & Alicia Herrick

The application was withdrawn by the applicant.

Item #5 – Study Session – Study session on a proposal to develop a 25-unit multi-family project on a 1.86-acre site at 870 Broadway

Applicant/Property Owner: Olympic Residential Group

Chair Willers recused due to proximity and left the room.

Planning Director Goodison presented staff's report.

Chair Felder opened the item to public comment.

Dan Diebold, the applicant, and Alex Seidel, the project architect reviewed the changes made to the proposal in response to the comments received at the previous study session.

Matt Howarth, neighbor/former Planning Commissioner, recommended smaller residential units since the intent for mixed use zoning sites is higher density workforce housing. He attended the developer-sponsored meeting last Thursday night.

Carol Marcus, resident, appreciated the applicant meeting with the neighbors and agreed with Matt Howarth's comments about not supporting the proposed use for the site. She is of the opinion that the developer should give something back to the City on this important site. She objected to the concept of "shared walls single family homes".

Patricia Cullinan, resident, is concerned that an urban development will detract from the character of the town since the Broadway corridor is listed on the State Register of Historic Districts.

Victor Conforti, local Architect/resident, opposed the proposed housing plan. He owns a building on Broadway and has designed many buildings in Sonoma over the years. He felt the proposal under consideration did not fit the criteria for a mixed-use zoning site and suggested that the developer should focus on more affordable housing in the range of 500-700 square foot units.

Michael Ross, neighbor, felt the described project did not meet the spirit of the mixed use zone and improvements to the number of units and size should be made. He recommended a workforce housing concept and more green space.

Kelso Barnett, resident/DRHPC Chairman, echoed the comments of the previous speakers and is disappointed with the proposal for the development for the site. He cited the following reasons: all residential housing units is not the intention for the mixed-use zone, deterioration of the cultural and historic significance of the site, product, units that are too large and too expensive, massive scale of buildings, no common good since there are no retail opportunities or jobs for residents.

Jack Wagner, resident, agreed with Matt Howarth and Kelso Barnett that workforce rental housing should be the main focus for the site development.

Chair Felder closed the item to public comment.

Comm. Roberson noted that it is an important and a tough project. When he thinks about the existing and future character of Broadway, one concern that comes to his mind is the noise complaints received from residents on Broadway, so he is concerned about developing this site with residential from that perspective. Another issue that occurred to him when he saw this project was to ask what happened to the stone wall? He appreciated that the earlier proposals proposed to re-use stone from the site. Then there is the question of the City's intention in designating this site for mixed use. In his view, the balance of the benefit seems to be leaning toward the developer, not the community. The site is visually prominent and how it is developed will be an important statement. He has concerns about an all-residential project with a 36-foot building height with a long face on the site. Just north of the site, building heights drop down. However, he is not one to say that the same building types used in the past must happen again. Architectural styles evolve, but this project feels visually intense. Having a project that will contribute to the vitality of Broadway is important and he is not sure how this project does that. In addition, he has some concern about the prospect vehicles cutting through the site. While the proposed project has many features that he likes, he is not sure it fully rises to the challenge of the site.

Comm. Cribb stated that the comments he made at the previous meeting have not been changed much by this revision. He remains concerned about the massing of the project, especially along Broadway. He regrets that there is no commercial component, but recognizes that this applicant does not wish to incorporate that element. In his view, the project needs to bring something to the community and in his view the City does not need more 2000 square-foot plus residences. He would prefer to see a greater variety in unit sizes, in particular a larger number of smaller units and preferably a higher density. Looking back to the four-story building centered on the site that was on the property historically, he felt that a similar approach, but in the form of high density housing, would work on the site today and would be viewed as acceptable by the community.

Comm. Wellander stated that he attended the neighborhood meeting hosted by the developer last week, which was helpful in getting a sense of where the project was heading. This is a challenging site and it is important not to get caught in the idea that anything would be better than what is there now. Broadway is boulevard and in that sense it lends itself to larger buildings, but the site also needs to be viewed in the context of nearby development. He appreciates many aspects of the current proposal including the fact it addresses parking demand realistically, in contrast to the mixed-use proposals, which were lacking in that regard. While he feels that the mini-plaza at the corner looks good, he is concerned that high school students might tend to hang out there. With regard to the specific uses, he goes back and forth in that mixed-use lends vitality, but the site may not be large enough to accommodate that concept. He agrees with comments that the project should provide a better mix of unit sizes. He wants to get the project right, but he feels that the current proposal needs to go further. He is concerned that the massing does not relate to the surrounding neighborhood.

Comm. Coleman stated that there is a visual rhythm to the Broadway corridor that blends residences and businesses. The site is prominent and has an interesting history. He could see the site being developed with a recreational facility that would benefit young people in the community. As with other Commissioners, he feels that the current proposal includes too many larger, three-bedroom units. He would like to see more two-bedroom units. He is concerned that the corner mini-plaza would be a magnet for high-school students. Visually, he does not feel that the project would blend in with its surroundings.

Comm. McDonald thanked the developer for returning and for making changes to the plan that responded to a number of comments received at the previous meeting. The circulation has improved and additional open space has been provided. While this is a better version of what the Commission saw at the previous meeting, he still has concerns about the interface of the units on Broadway and the existing historical homes elsewhere on Broadway. In his view, the massing on Broadway still needs to be scaled back, with three-story elements centered on the site. The project is still set too close to Broadway. He too feels that the mini-plaza on the corner is problematic. He would prefer a building presence on the corner. In his view, the townhomes feel too urban for this setting and the open spaces in the front of the buildings are too small as proposed. The dormer roofs do bring the massing down but there is nothing like that on Broadway and in his view the hipped roof approach used in the earlier plan is superior.

Comm. Heneveld concurred with Comm. McDonald that it is a nice look but not for the Broadway Corridor. The step-up approach to the townhomes results in too much height. He is concerned that people will park on the site frontage. He would like to see the taller buildings placed toward the back of the site, with a reduction in building heights along Broadway.

Chair Felder stated that he shared many of the views expressed by his fellow Commissioners. While there were a lot of problems with the previous mixed-use proposals, it seems that several members of the Planning Commission may not be ready to give up on that concept. Because the property has a mixed-use zoning it does present an opportunity for the development of smaller, more affordable units, which is a direction that needs to be pursued. It is clear that the Commission still has concerns about the massing of the units adjoining Broadway. The long townhome element so close to the street is problematic. He would prefer to see smaller units that are set further back from the street.

Planning Director Goodison stated that it would be useful to hear whether the Planning Commission would support a 100% residential project, assuming that it included a substantially greater component of smaller units and was responsive to the other concerns that had been expressed.

Comm. Roberson stated that there should be greater diversity in unit sizes and even a greater intensity, but with reduced height and greater setbacks on Broadway.

Chair Felder asked for a straw poll:

Comms. Heneveld, Roberson, McDonald, Cribb, Wellander, Felder, Coleman stated that, in principle, they could support a purely residential project for the site.

Dan Diebold, the applicant, thanked the Planning Commission for its input.

Chair Willers returned to the dais.

Issues Update:

Staff distributed an issues update memo to the Planning Commission.

Comments from the Audience: None

Comm. Roberson made a motion to adjourn. Comm. Felder seconded. The motion was unanimously adopted.

Adjournment: The meeting adjourned at 9:09 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, December 10, 2015

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the day of, 2015

Approved:

Cristina Morris, Administrative Assistant

MEMO

Date: December 10, 2015
To: Planning Commission
From: Senior Planner Gjestland
Subject: Request for Voluntary Revocation of the Use Permit for a B&B inn at 316 East Napa Street

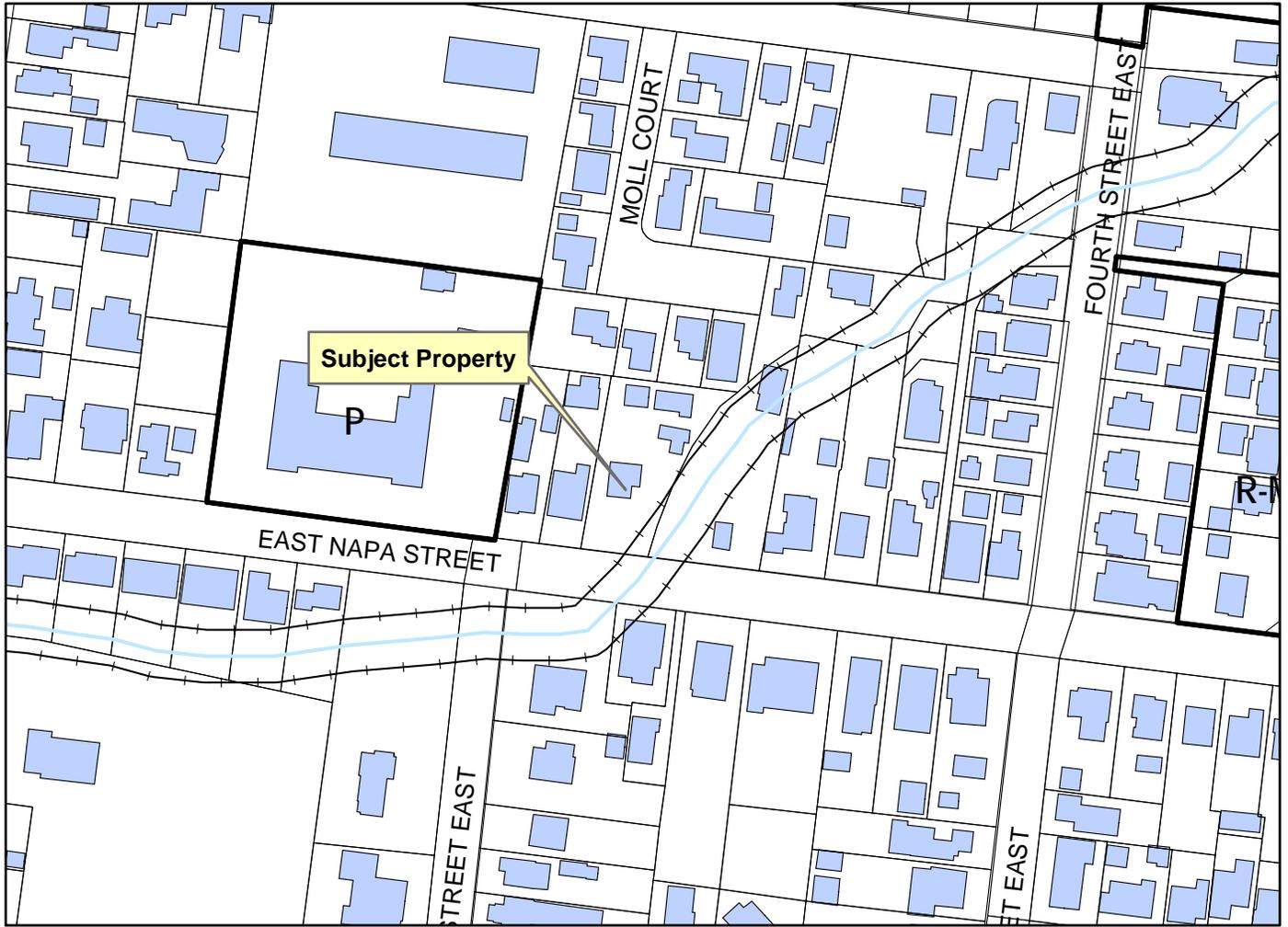
In 1982 the Planning Commission approved a Use Permit allowing a B&B inn at 316 East Napa Street. Donna Lewis, the owner and operator of the B&B (the Victorian Garden Inn), passed away earlier this year and the property was subsequently sold. The new owners, Christopher Murray and Steve Evans, purchased the property for strictly residential purposes and have no desire or intention of continuing the B&B use. As the Commission is aware, Use Permits are an approval that run with the land and transfer upon change in ownership of a property. As noted in the attached letter of request, the former B&B use, which lenders view as a commercial use, has created difficulties in gaining favorable refinancing for the new owners. Accordingly, they are requesting a voluntary revocation of the Use Permit in order to resolve the issue. With revocation of the Use Permit, the B&B use would no longer be allowable on the property under the current ownership or in the future with any transfer of the property. Staff has no concerns about the proposal and recommend that the Planning Commission revoke the Use Permit as requested.

Attachments:

1. Vicinity Map
2. Letter of Request

cc: Christopher Murray and Steve Evans (via email)
3509 Springbrook Street
Dallas, TX 75205

Vicinity Map

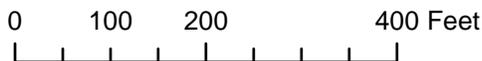
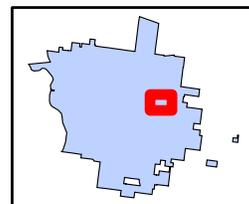


Zoning Designations

- 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

Project Summary

<i>Project Name:</i>	B&B Use Permit Revocation
<i>Property Address:</i>	316 East Napa Street
<i>Applicant:</i>	Chris Murray & Steve Evans
<i>Property Owner:</i>	Same
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Application to voluntarily revoke the Conditional Use Permit allowing a B&B inn at 316 East Napa Street.



1 inch = 200 feet

November 25, 2015

City of Sonoma Planning Department
1 The Plaza
Sonoma, CA 95476

Re: Voluntary Revocation of Conditional Use Permit

Dear Planning Commission:

We have recently purchased the property located at 316 E. Napa Street in Sonoma, where a business formerly known as The Victorian Cottage Inn previously operated. We purchased the property to use as our personal residence, which is supported by current zoning and we believe to be its highest and best use. We will be developing a plan to preserve this historic property and update its interiors for this purpose.

Since the property has been previously run as a Bed & Breakfast under a Conditional Use Permit (CUP) granted by the City in 1982, we are experiencing difficulties securing favorable mortgage financing as a single-family property. We are requesting the voluntary revocation of the existing CUP, so the property will solely designated a single-family property for the development of our improvement plan for our permanent home in Sonoma.

Please contact us if you require additional information.

Sincerely,



Steve Evans



Christopher M. Murray

Agenda Item Title: Application of Mary's Pizza Shack for a Use Permit to operate a take-out food establishment at 14 West Spain Street in conjunction with the adjoining Mary's restaurant at 8 West Spain Street.

Applicant/Owner: Mary's Pizza Shack/Spain Street Partners

Site Address/Location: 8 and 14 West Spain Street

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 12/04/15

PROJECT SUMMARY

Description: Application of Mary's Pizza Shack for a Use Permit to operate a take-out food establishment at 14 West Spain Street in conjunction with the adjoining Mary's restaurant at 8 West Spain Street.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic (/H); Plaza Retail (/P)

Site Characteristics: The subject property is a 7,300-square foot parcel on the north side of the Plaza. The property is currently developed with a 4,600 building (constructed between 1941 and 1953) containing a Mary's Pizza Shack restaurant and small retail tenant space.

Surrounding Land Use/Zoning: **North:** Back of Sonoma Cheese Factory property/Commercial
South: Sonoma Plaza (across Spain Street)/Park
East: Sonoma Cheese Factory/Commercial
West: Restaurant and hotel/Commercial

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 with conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The project involves expanding Mary's Pizza Shack into the adjoining tenant space (740-square feet in area) to operate a takeout food establishment ("Slice by Mary's) from that location. Takeout items available for purchase would include sliced pizza, hotdogs in a blanket, pizza wraps, meatballs, salads and beverages. No seats or tables are proposed. A small lobby with queueing area would be provided for walk-in customers to order or pick up food with the remaining space devoted to food preparation/cooking areas and associated facilities. Approximately eight employees would work on a shift at the busiest times. Proposed hours of operation are 11a.m. to 9p.m. daily. The front entry would be modified slightly to meet accessibility requirements and a door would be installed at the back of the interior to provide employee access to the existing restaurant space. Additional details are provided in the attached project narrative and drawings.

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

The property is designated Commercial by the General Plan. The Commercial land use designation is intended to provide areas for retail, hotel, service, medical, and office development, in association with apartments and mixed-use developments and necessary public improvements. The following General Plan policies apply to the project:

Local Economy Element, Policy 1.1: Focus on the retention and attraction of businesses that reinforce Sonoma's distinctive qualities – such as agriculture, food and wine, history and art – and that offer high-paying jobs.

Local Economy Element, Policy 1.8: Preserve and enhance the historic Plaza as a unique, retail-oriented commercial and cultural center that attracts both residents and visitors.

Local Economy Element, Policy 1.10: Promote ground-floor retail uses in commercial areas as a means of generating pedestrian activity

The proposed takeout food operation is a type of retail use consistent with the intent of the Commercial land use designation and applicable General Plan policies.

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

Use: The property is located within a Commercial (C) zoning district, which is applied to areas appropriate for a range of commercial land uses including retail, tourist, office, and mixed-uses. Restaurants (or the expansion of a restaurant) are allowed in the Commercial land use designation subject to review and approval of Use Permit by the Planning Commission. In addition, the expansion of a small formula business within the Historic Overlay Zone is subject to review and approval of Use Permit by the Planning Commission.

Development Standards: The proposed use would operate within an existing tenant space. As a result, the project does not raise any issues in terms of compliance with building setback, FAR, lot coverage, open space, and building height standards.

Parking Requirements: The subject property has no on-site parking with the exception of a two or three employee spaces behind the building. However, for structures that face the Plaza additional parking is not required for a new use unless the new use results in: 1) an increase in the square footage of the structure, or 2) an off-street parking requirement that exceeds one parking space for each 300 square feet of floor area (Development Code Section E.19.48.040.F). The proposed use would not enlarge the

building and the Development Code does not have a standard for takeout food establishments. In absence of any other standard, staff is comfortable applying the general retail ratio for the takeout operation, which is consistent with the parking allowance for the property. Staff would note that the use would draw pedestrians already parked or within the Plaza area, and would accommodate order pick-ups that currently occur at the existing Mary's restaurant.

Formula Business Regulations: With over 10 locations, Mary's Pizza Shack qualifies as a small formula business under the City's zoning regulations. The Planning Commission may approve a Use Permit for the expansion of a small formula business within the Historic Overlay Zone provided the three findings below can be made in addition to those normally required for a Use Permit.

1. The Formula Business establishment will promote diversity and variety to assure a balanced mix of commercial uses available to serve both resident and visitor populations; and,
2. The proposed use, together with its design and improvements, is consistent with the unique and historic character of Sonoma, and will preserve the distinctive visual appearance and shopping/dining experience of Sonoma for its residents and visitors; and,
3. The Formula Business establishment will be compatible with existing uses in the zone and will promote the zone's economic vitality as the commercial, cultural, and civic center of the community.

It is staff's opinion that these findings can be made. The proposal is a modest expansion or new aspect of an existing restaurant use within a diverse commercial center. The building's appearance would be maintained with only a minor modification to the entry. In addition, the first Mary's Pizza Shack was established in the Sonoma area in Boyes Hot Springs. The local business and family have contributed positively the community and have had a presence on the Plaza for many years.

Design Review: As previously noted, the front entry would be modified slightly to comply with ADA requirements. Specifically, the door and transom window would be relocated forward to provide ADA accessibility to the space from the sidewalk. Under Section 19.54.080.B.2 of the Development Code, exterior modifications to commercial buildings are subject to design review by the DRHPC (signs are also subject to DRHPC review). A condition of approval has been included to address this design review requirement.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

Water Demand Analysis & Will-Serve Letter: Pursuant to Resolution No. 46-2010, the restaurant expansion will be subject to the requirement for a water demand analysis and will-serve letter from the City Engineer to confirm that adequate water capacity exists prior to the issuance of a building permit for the project. These items have been included in the draft conditions.

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing, permitting, or operation of existing private structures involving negligible or no expansion of use is considered Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

In staff's view, the proposal does not raise significant issues. Sufficient area is provided within the lobby for queuing so that customers do not obstruct the sidewalk. In terms of parking, the use would focus on

existing customers and pedestrians in the Plaza area. In general, the proposal is a modest expansion of a longstanding local business that contributes to the vitality of the downtown.

RECOMMENDATION

Staff recommends approval of the Use Permit, subject to the attached conditions.

Attachments:

1. *Draft Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Project Use Permit Drawings*

cc: Chuck Drulis (via email)
RDC Architecture, Inc.
18924 Sonoma Highway
Sonoma, CA 95476

Vince Albano, CEO (via email)
Mary's Pizza Shack
19327 Sonoma Highway
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Slice By Mary's Use Permit
14 West Spain Street

December 10, 2015

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:

Use Permit Approval

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions): and
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

Formula Business Approval

1. The Formula Business establishment will promote diversity and variety to assure a balanced mix of commercial uses available to serve both resident and visitor populations; and,
2. The proposed use, together with its design and improvements, is consistent with the unique and historic character of Sonoma, and will preserve the distinctive visual appearance and shopping/dining experience of Sonoma for its residents and visitors; and,
3. The Formula Business establishment will be compatible with existing uses in the zone and will promote the zone's economic vitality as the commercial, cultural, and civic center of the community

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Slice By Mary's Use Permit
14 West Spain Street

December 10, 2015

1. The building/tenant space shall be improved and used in conformance with the project narrative dated November 11, 2015, and approved Project Use Permit Drawings prepared by RDC Architecture dated 11/19/2015, except as modified by these conditions and the following:

- a. The expanded restaurant use within the tenant space at 14 West Spain Street shall be strictly takeout with no seating or tables for customers.

Enforcement Responsibility: *Planning Department; Building Department; Fire Department*
Timing: *Prior to issuance a building permit*

2. All Building Department requirements shall be met, including applicable Building Code requirements related to the provision of commercial kitchen hood(s), and ADA requirements (i.e. disabled access including at the entrance, accessible paths of travel, etc.). A building permit shall be required.

Enforcement Responsibility: *Building Department*
Timing: *Prior to construction*

3. All Fire Department requirements shall be met, including applicable requirements related to emergency access, kitchen hood(s), fire sprinkler systems, and water line/connections for fire service.

Enforcement Responsibility: *Fire Department; City Engineer; Building Department*
Timing: *Prior to issuance of any building permit; Prior to operation*

4. If the building permit valuation for the project or other improvements to the property exceeds \$40,000 within any two-year period, the property owner shall be responsible for completing public frontage improvements such as the provision or repair of curb, gutter, and sidewalk as determined necessary by the City Engineer.

Enforcement Responsibility: *City Engineer; Public Works Department; Building Department*
Timing: *Prior to final inspection approval/occupancy*

5. An encroachment permit from the City shall be required for all work within the public right of way on West Spain Street.

Enforcement Responsibility: *City Engineer; Public Works Department; Building Department*
Timing: *Prior to any work/construction within the public right of way*

6. The applicant shall obtain any necessary permits, licenses, and/or clearances from the Sonoma County Environmental Health Division and the State Department of Alcoholic Beverage Control (ABC) for food/beverage preparation, cooking, and service associated with the use. Food/beverage preparation, cooking, and service shall conform to the limitations of those permits.

Enforcement Responsibility: *Department of ABC; Sonoma County Health Division; Planning Department*
Timing: *Prior to operation; Ongoing*

7. The applicant shall comply with the following requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA):

- a. The applicant shall submit a Wastewater Discharge Survey to PRMD. The Applicant shall obtain a **Survey for Commercial/Industrial Wastewater Discharge Requirements** ("Green form") from PRMD, and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Sanitation

Section of PRMD. The Survey evaluation must be completed by the Sonoma County Water Agency and submitted to the PRMD Engineering Division before a building permit for the project can be approved.

- b. If additional sewer pre-treatment and/or monitoring facilities (i.e. Grease trap, Sampling Manhole, etc.) are required by the Sonoma Valley County Sanitation District per the Wastewater Discharge Survey, the Applicant shall comply with the terms and requirements of the Survey prior to commencing any food or beverage service. If required, the Sampling Manhole shall be constructed in accordance with Sonoma County Water Agency *Design and Construction Standards for Sanitation Facilities*, and shall be constructed under a separate permit issued by the Engineering Division of PRMD.
- c. In accordance with Section 5.05, "Alteration of Use", of the Sonoma Valley County Sanitation District Ordinances, the Applicant shall pay increased sewer use fees as applicable for changes in the use of the existing structure. The increased sewer use fees shall be paid the Engineering Division of PRMD prior to the commencement of the use(s).
- d. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency: City of Sonoma Building Department

Timing: Prior to issuance of a building permit

8. The Applicant shall pay any required increased water fees applicable to the changes in use in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Department; Water Operations Supervisor; City Engineer

Timing: Prior to final occupancy

9. In addition to those already identified, the following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department

Timing: Prior to issuance of a building permit

10. The project shall be subject to design review by the Design Review & Historic Preservation Commission (DRHPC), encompassing exterior building modifications and exterior materials.

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to the issuance of a building permit

11. Any new signage for the business/property shall be subject to review and approval by Planning Department staff of the Design Review & Historic Preservation Commission (DRHPC) as applicable.

Enforcement Responsibility: Planning Department or Design Review Commission

Timing: Prior to installation of signage

12. All applicable stormwater requirements shall be met and implemented on site prior to final occupancy.

Enforcement Responsibility: Stormwater Coordinator; City Engineer

Timing: Prior to final occupancy

13. Prior to the issuance of any building permit, water demand analysis shall be prepared by a licensed civil engineer and submitted by the applicant and shall be subject to the review and approval of the City Engineer. Said analysis shall be in compliance with the City's current policy on water demand and capacity analysis as outlined in Resolution 46-2010. Building permits for the project shall only be issued if the City Engineer finds, based on the water demand analysis in relation to the available water supply, that sufficient capacity is available to serve the proposed development, which

finding shall be documented in the form of a will-serve letter, prepared by the City Engineer. Any will-serve letter shall remain valid only so long as the use permit for the project remains valid.

Enforcement Responsibility: City Engineer; Public Works Department
Timing: Prior to issuance of any building permit

Vicinity Map



Zoning Designations

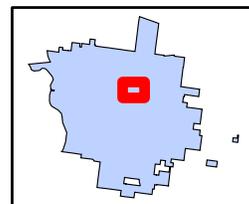
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- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

Project Summary

<i>Project Name:</i>	Mary's Expansion-Takeout
<i>Property Address:</i>	14 West Spain Street
<i>Applicant:</i>	Mary's Pizza Shack
<i>Property Owner:</i>	Spain Street Partners
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	Historic; Plaza Retail

Summary:

Application of Mary's Pizza Shack for a Use Permit to operate a take-out food establishment at 14 West Spain Street in conjunction with the adjoining Mary's restaurant at 8 West Spain Street.



1 inch = 200 feet

November 11, 2015

PROJECT NARRATIVE

Application Type: City of Sonoma Minor Conditional Use Permit

Project Name: Mary's Pizza Shack / "Slice by Mary's" expansion

Project Location: 8 and 14 West Spain Street, Sonoma, CA 95476

APN: 018-162-003-000

Owner: West Spain Partners

Developer: Mary's Pizza Shack

Project Architect: RossDrulisCusenbery Architecture, Inc.

PROJECT OVERVIEW - *Owner's statement*

Mary's Pizza Shack is very excited about the opportunity to expand our business on the Sonoma plaza. Our guests have been asking for a quick service pizza slice for takeout for many years now. The space adjacent to our Mary's store, 14 Spain Street, provides that opportunity under one roof to accommodate our guest needs. We will be offering sliced pizza, hotdogs in a blanket, pizza wraps and fresh made salads. We will also offer house made meatballs in a bowl, soda, beer and wine.

This is a takeout concept only. There are no seats or tables in this new space. We estimate about eight employees on shift at the busiest times. We will include a door inside the back of 14 Spain Street with access to our existing facility to allow our employees to get to our existing Mary's kitchen and restrooms. Hours of operation are 11 AM until 9 PM seven days a week.

Vince Albano, CEO

Scope: The +/- 740 square foot renovation project will require interior demolition and construction as shown on the drawings. The sidewalk slopes at the store front entry to the new take out area from the street will be impacted to provide ADA accessibility requirements. The street elevation of the building will not have any major changes. Signage for the new use will be provided.



Original Recipes. Original Shack.

19327 Sonoma Highway • Sonoma, CA • 95476 • 707.938.3602 • Fax 707.938.5976 • maryspizzashack.com

**Sonoma Planning Commission
Mary's Pizza Shack
Request For Use Permit at 14 Spain Street**

November 10, 2015

Mary's Pizza Shack is very excited about the opportunity to expand our business on the Sonoma plaza. Our guests have been asking for a quick service pizza slice for takeout for many years now. The space adjacent to our Mary's store, 14 Spain Street, provides that opportunity under one roof to accommodate our guest needs. We will be offering sliced pizza, hotdogs in a blanket, pizza wraps and fresh made salads. We will also offer house made meatballs in a bowl, soda, beer and wine.

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Vince Albano, CEO
vince@maryspizzashack.com
707-938-3602 X108

SLICE BY MARY'S REMODEL

8 WEST SPAIN STREET, SONOMA, CA. 95476



PROJECT USE PERMIT DRAWINGS

RossDrulisCusenbery

18294
Sonoma Highway
Sonoma
CA 95476

TEL 707 996 8448
FAX 707 996 8542

ARCHITECTURE

SLICE BY MARY'S

8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003

PROJECT USE PERMIT DRAWINGS

Sheet Title

COVER SHEET

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Scale:

Date:
11/19/2015

Project No. Project Number

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Drawing No.

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Preliminary Design Concepts. Design Subject To Change. Not For Construction Purposes.

PROJECT DIRECTORY

Owner

Mary's Pizza Shack
19327 Sonoma Hwy
Sonoma Ca. 95476
(707) 938-3602 x108
Vince Albano

Architect of Record

RossDrulisCusenbery Architecture Inc.
18294 Sonoma Highway
Sonoma, CA 95476
(707) 996 - 8448

Structural Engineer

TBD

Mechanical Engineer

TBD

Civil Engineer

TBD

Electrical Engineer

TBD

PROJECT INFORMATION

APN: 018-162-003
PROJECT: SONOMA CHEESE FACTORY
8 W SPAIN STREET,
SONOMA, CA 95476
DESCRIPTION: Renovation and Construction of New Tenant Improvements in Existing Retail Space
BUILDING AREAS: Existing: 4,626 SF SQFT
Proposed: 4,626 SF SQFT
NO ADDITIONAL SQFT TO BE ADDED
BUILDING FLOOR AREA RATIO: 66% LOT COVERAGE
FIRE SPRINKLERED: YES
T.I. USE/OCCUPANCY: M, B, A-2, S-2
ZONING: DOWNTOWN DISTRICT COMMERCIAL / HISTORIC OVERLAY
TOTAL BUILDING STORIES: SINGLE STORY WITH PARTIAL SECOND STORY
DEFERRED SUBMITTALS: T.B.D.

SCOPE OF WORK

GENERAL SCOPE OF WORK SINGLE CONSTRUCTION PHASE PROJECT
The scope of work includes but is not limited to the following:
TBD

SHEET INDEX

GENERAL
A0.00 COVER SHEET
A0.01 PROJECT INFORMATION
A0.02 GENERAL NOTES, LEGENDS, AND ABBREVIATIONS
CIVIL
C1 SITE MAP
ARCHITECTURAL
A1.00 PROPOSED SITE PLAN
A2.01 FLOOR PLANS (E)
A2.05 FLOOR PLANS - DEMOLITION
A2.10 FLOOR PLANS (N)



18294
Sonoma Highway
Sonoma
CA 95476

TEL 707 996 8448
FAX 707 996 8542

ARCHITECTURE

SLICE BY MARY'S

8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003

VICINITY MAP: SONOMA, CA



PROJECT SITE



PROJECT USE PERMIT DRAWINGS

Sheet Title
PROJECT INFORMATION

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#	Description	Date



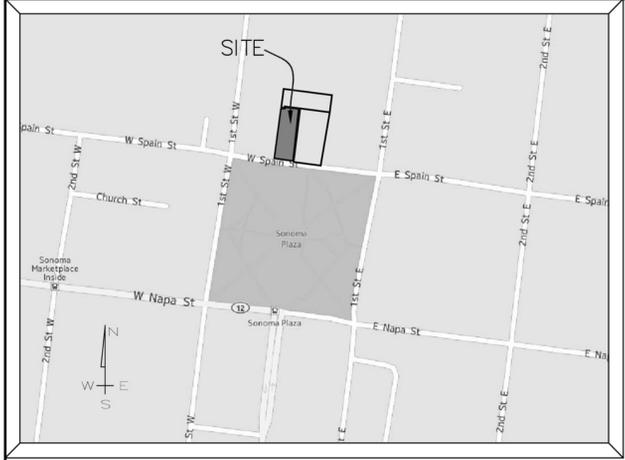
Surveyor: Rob Huffman L.S. 7641

**SLICE BY MARY'S
 SITE MAP
 8 W. SPAIN STREET
 SONOMA
 A.P.N.:018-162-003**

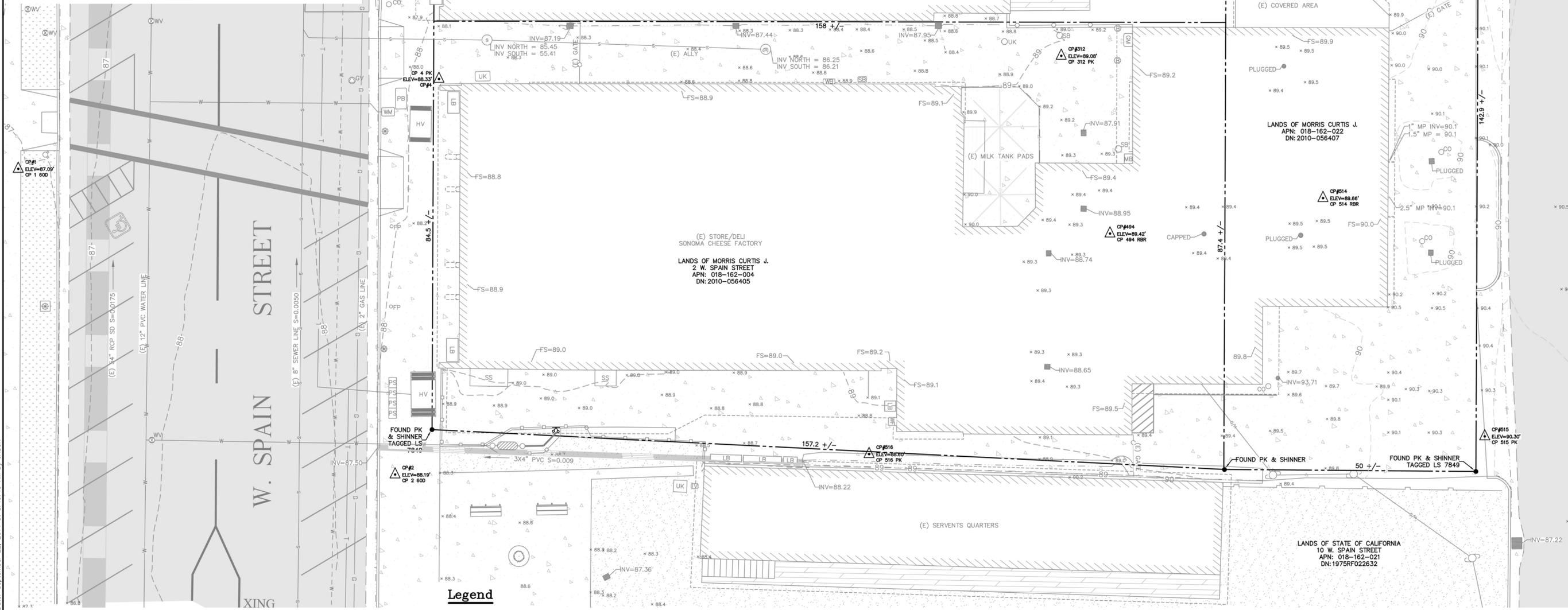
Date: 11/12/15	Scale: 1" = 10'
File:	Sheet
Draw: JMH	1
Job:	Of 1 Sheets

SURVEY NOTES:

- LOCATIONS OF UNDERGROUND UTILITIES HAVE BEEN BASED OFF COUNTY OF SONOMA FIRST & E. SPAIN STREET IMPROVEMENT PLANS DATED AUGUST 31, 1999.
- BOUNDARY SHOWN IS BASED OF RECORD OF SURVEY BOOK 683 PAGE 22 AND DEEDS 2010-056405 & 2010-056407.
- A BOUNDARY SURVEY WAS NOT PERFORMED BOUNDARY LINES SHOWN ON THESE PLANS WERE CREATED FROM AVAILABLE RECORD INFORMATION, AND ARE APPROXIMATE.
- PIPE SIZE, LOCATION AND OUTLET OF DROP INLETS IN AND AROUND BUILDING ARE UNKNOWN, LOCATIONS SHOWN ARE FROM SURFACE DATA COLLECTED ON 08/14/2014.

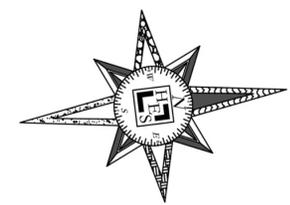


VICINITY MAP
N.T.S.

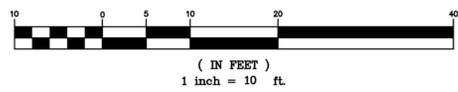


Legend

	CONTROL POINT W/ NUMBER		(E) JOINT UTILITY POLE		(E) SLIDE RAIL		(E) BUILDING		LB	LANDSCAPE BOX
	FOUND PK & SHINNER AS NOTED		(E) DROP INLET VARIOUS SIZES		(E) WOOD FENCING		(E) GRASS SURFACE		MB	METAL BOX
	(E) SINGLE/DOUBLE POST SIGN		(E) UTILITIES VARIOUS SIZES		(E) CHAIN FENCING		(E) SAND SURFACE		MP	METAL PIPE
	(E) BOLLARD		(E) PAPER STAND		(E) Adobe Fencing		INVERT		PB	PAC BELL
	(E) STREET LIGHT		(E) LANDSCAPE BOX		(E) OVERHEAD LINE		PVC		PS	PAPER STAND
	(E) FLAG POLE		(E) WATER FOUNTAIN		(E) SEWER LINE		REINFORCED CONCRETE PIPE		PT	PRESSURE TANK
	(E) CLEANOUT		(E) DOUBLE CHECK VALVE		(E) WATER LINE		TYPICAL		SB	SEWER BOX
	(E) WATER VALVE		(E) BENCH		(E) ABANDON WATER LINE		CLEANOUT		SD	STORM DRAIN
	(E) GAS VALVE		(E) CONTOUR MAJOR		(E) TELEPHONE LINE		CONTROL POINT		SL	STREET LIGHT
	(E) FIRE HYDRANT		(E) CONTOUR MINOR		(E) GAS LINE		FINISH SLAB		SS	SERVER STATION
	(E) WELL		(E) BOUNDARY LINE		(E) ASPHALT SURFACE		FLAG POLE		TB	TELEVISION BOX
	(E) LANDSCAPE TREE 1-4"		(E) EDGE OF CONCRETE		(E) TILE SURFACE		GAS METER		UK	UNKNOWN
	(E) PRESSURE TANK		(E) FLOW LINE		(E) CONCRETE SURFACE		GAS VALVE		WB	WATER BOX
	(E) SANITARY SEWER MANHOLE		(E) EDGE OF ROAD		(E) WOOD SURFACE		HIGH VOLTAGE		WF	WATER FOUNTAIN
			(E) BUILDING OVERHANG		(E) WOOD DECK SURFACE		IRRIGATION VALVE		WM	WATER METER



GRAPHIC SCALE



BENCHMARK
 SURVEY PERFORMED - AUGUST 14, 2014
 FOUND 3" BRASS DISK STAMPED "US GEOLOGICAL SURVEY
 83", LOCATED ON THE SOUTH EXTERIOR WALL OF AN EXISTING
 BUILDING AT THE INTERSECTION OF EAST NAPA STREET AN
 FIRST STREET WEST. ELEVATION = 84.89 USGS27

MAPPING NOTE
 THE LOCATION OF UNDERGROUND STRUCTURES AND UTILITIES
 SHOWN HEREON HAS BEEN DETERMINED FROM SURFACE
 EVIDENCE OF THEIR EXISTENCE AND/OR FROM INFORMATION
 OBTAINED FROM PUBLIC AND/OR UTILITY AGENCIES. THE
 ENGINEER ACCEPTS NO LIABILITY FOR THE LOCATION,
 EXISTENCE OR NON-EXISTENCE OF THOSE UNDERGROUND
 STRUCTURES, UTILITY LINES AND RELATED APPURTENANCES.
 ANY INDIVIDUAL, COMPANY OR AGENCY USING THIS MAP MUST
 CONFIRM THE LOCATION OF ALL UNDERGROUND LINES OR
 STRUCTURES PRIOR TO COMMENCING ANY EXCAVATION.

FOR REDUCED PLANS, THE ORIGINAL SCALE IS IN INCHES

SLICE BY MARY'S

**8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003**

**PROJECT USE PERMIT
DRAWINGS**

Sheet Title
PROPOSED SITE PLAN

Drawn By ER Checked By Checker

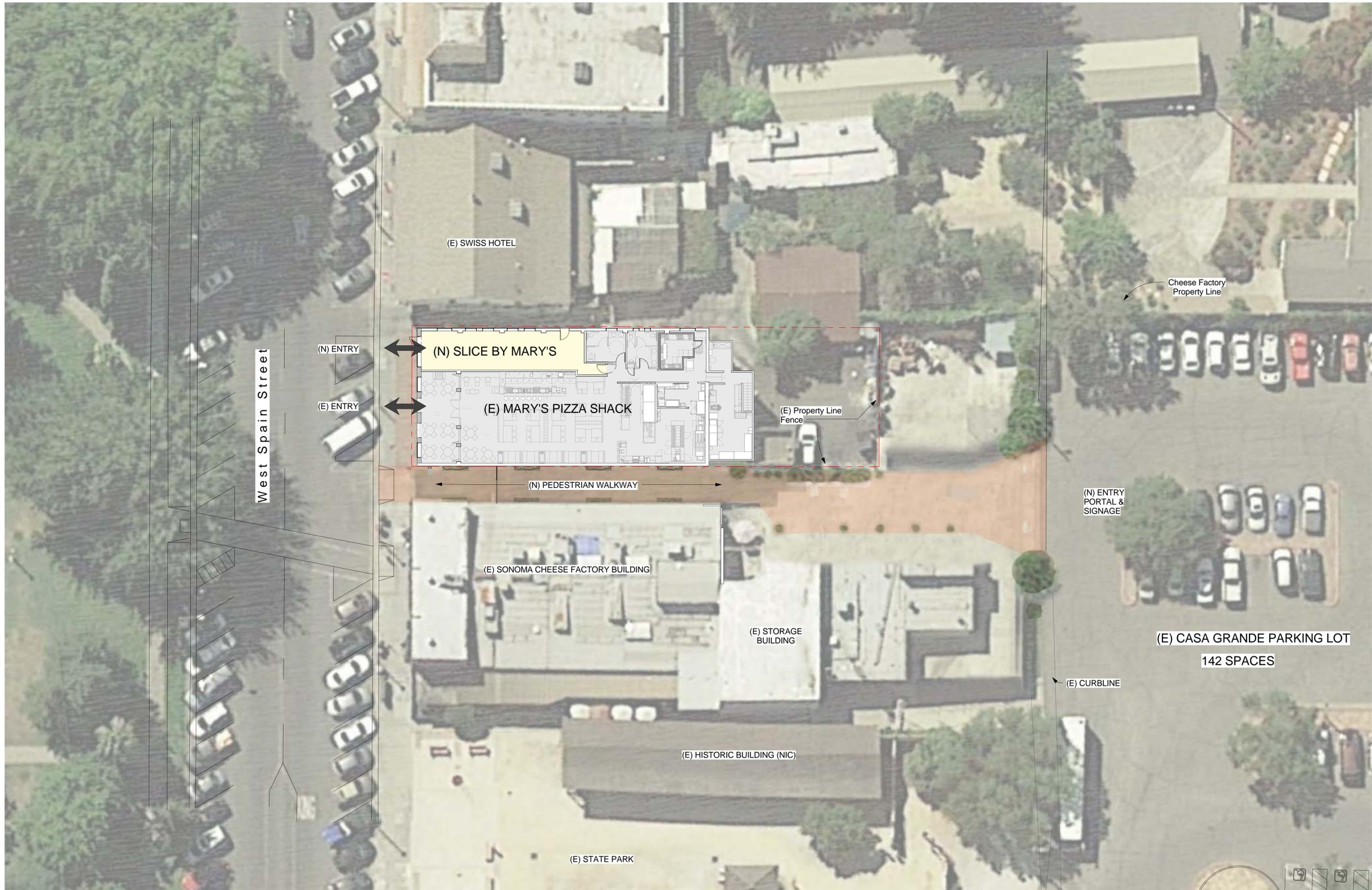
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1 FIRST FLOOR PLAN - ALL PHASES
1/16" = 1'-0"

11/19/2015 1:31:46 PM C:\Users\Susan72\Documents\Slice by Marys_Siteplan.rvt

SLICE BY MARY'S

**8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003**

**PROJECT USE PERMIT
DRAWINGS**

Sheet Title
FLOOR PLANS (E)

Drawn By ER Checked By Checker

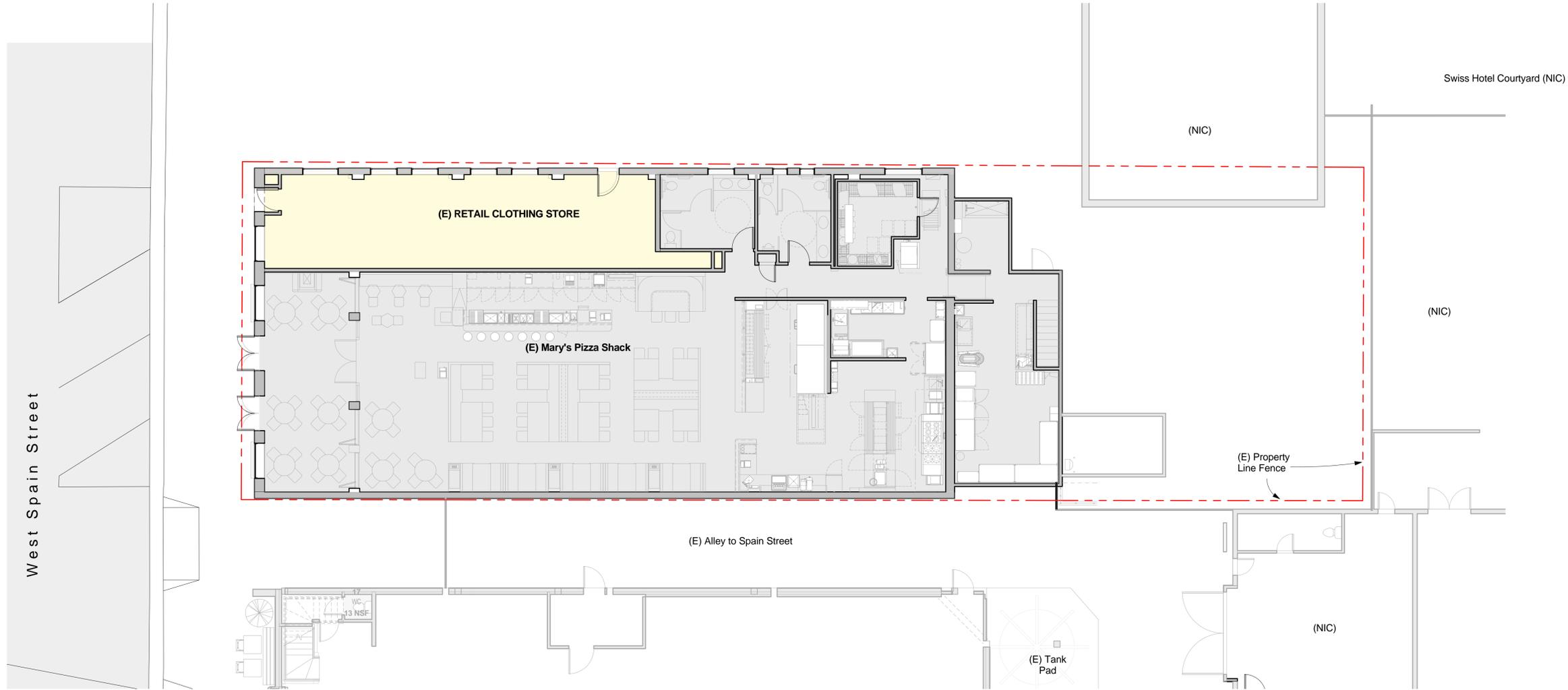
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1 FIRST FLOOR - EXISTING
1/8" = 1'-0"

PANTRY 14 AREA:	745 SQFT
EXISTING MARY'S PIZZA SHACK AREA:	3,881 SQFT
TOTAL BUILDING AREA:	4,626 SQFT

Note: All individual interior spaces are expressed in Net Square Feet (NSF)

SLICE BY MARY'S

8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003

PROJECT USE PERMIT
DRAWINGS

Sheet Title
FLOOR PLANS-
DEMOLITION

Drawn By ER Checked By Checker

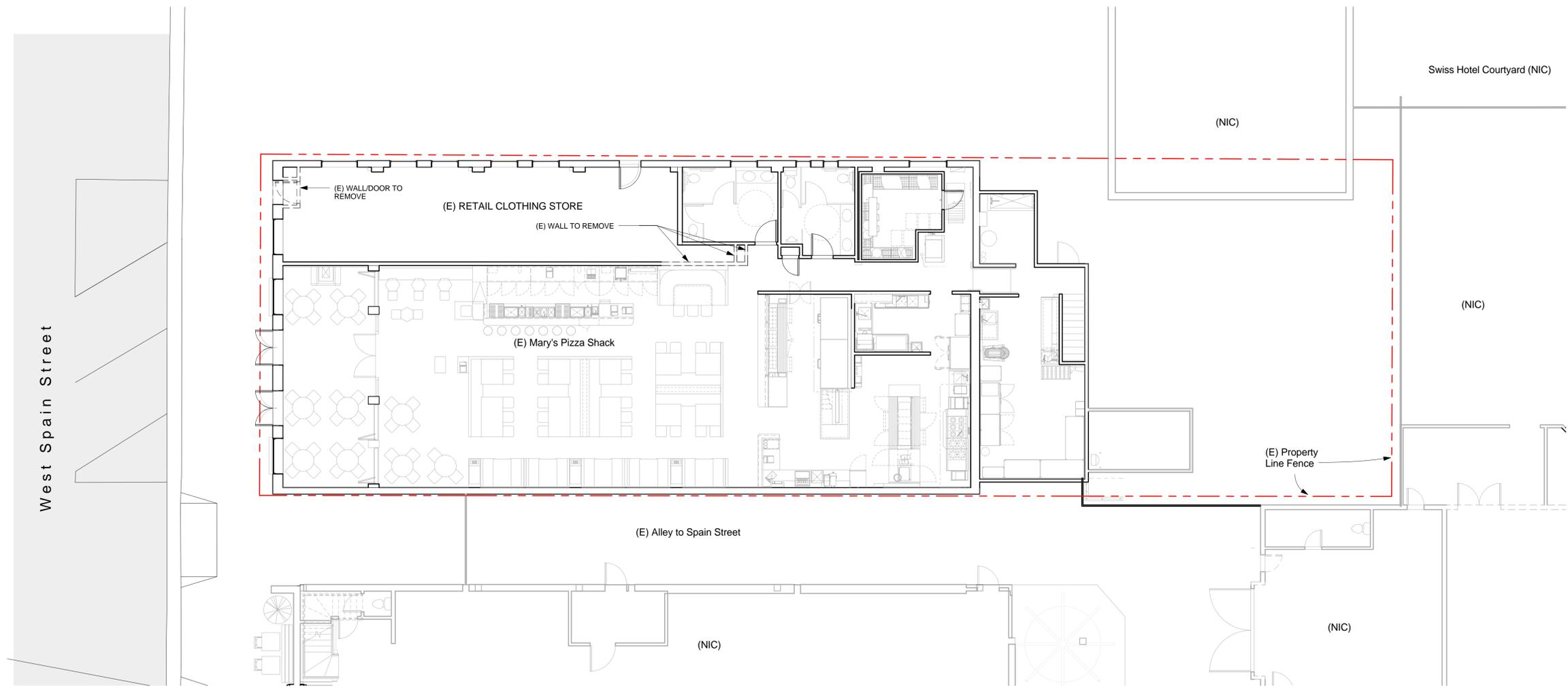
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Date:
11/19/2015

Project No. Project Number

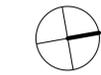
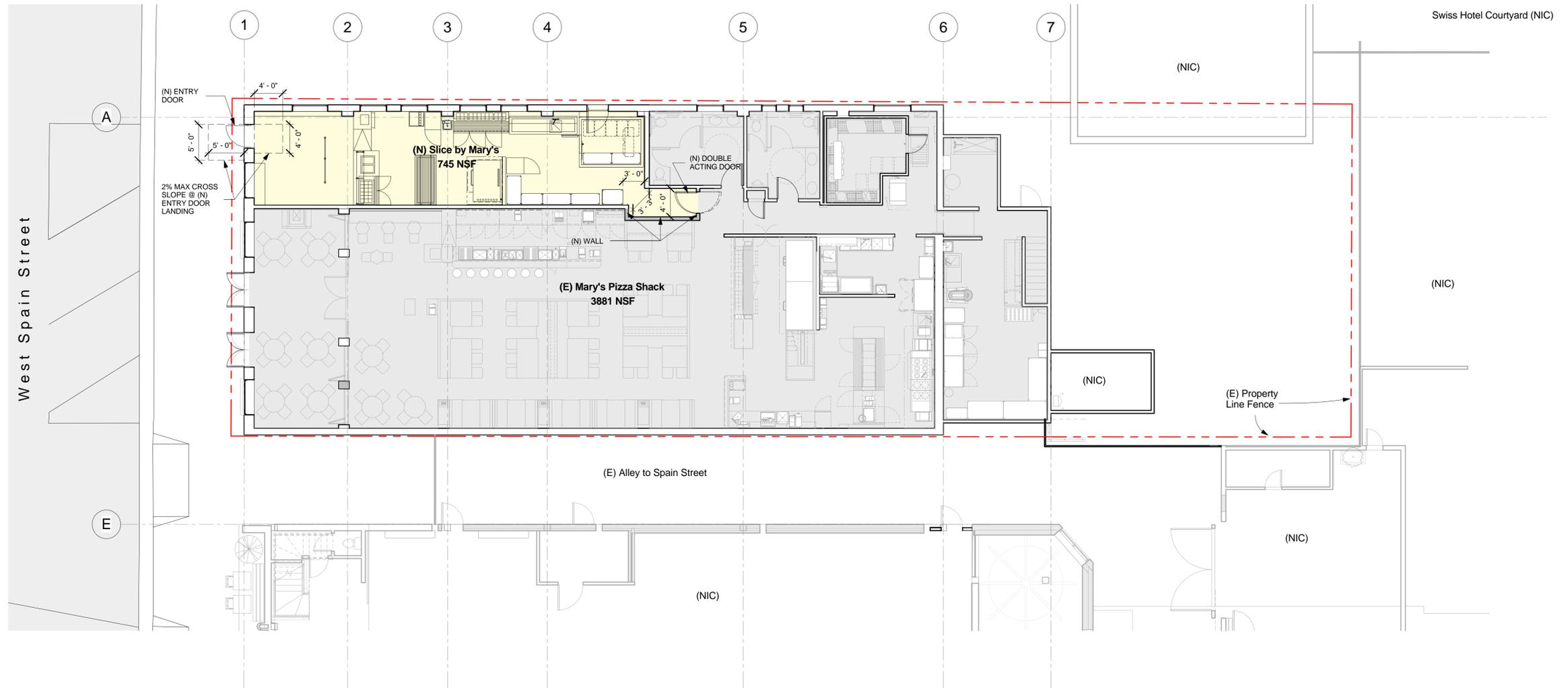
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1 SITE PLAN - DEMOLITION
1/8" = 1'-0"

--- TO BE DEMOLISHED / REMOVED
— TO REMAIN



① FIRST FLOOR PLAN - PHASE I
1/8" = 1'-0"

SLICED BY MARY'S AREA: 745 SQFT
 EXISTING MARY'S PIZZA SHACK AREA: 3,881 SQFT
 TOTAL BUILDING AREA: 4,626 SQFT

Seat locations/ numbers are representational and subject to change
 Preliminary Design Concepts. Design Subject To Change. Not For Construction Purposes.

SLICE BY MARY'S

**8 West Spain Street,
 Sonoma, CA. 95476
 A.P.N. # 018-162-003**

**PROJECT USE PERMIT
 DRAWINGS**

Sheet Title
FLOOR PLANS (N)

Drawn By ER Checked By Checker

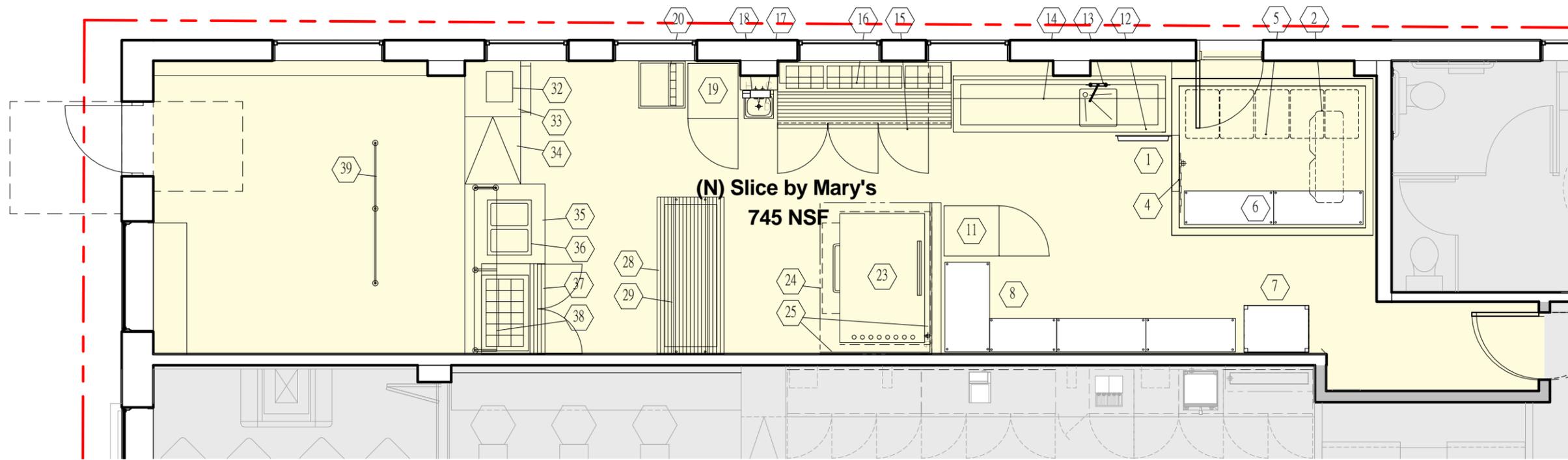
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Date:
 11/19/2015

Project No. Project Number

A2.10
 Drawing No.

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SLICE BY MARY'S

1 FIRST FLOOR PLAN - PHASE I with keynote
3/16" = 1'-0"

8 West Spain Street,
Sonoma, CA. 95476
A.P.N. # 018-162-003

EQUIPMENT LIST		
ITEM NO	QTY	EQUIPMENT CATEGORY
1	1	WALK-IN COOLER, MED TEMP
2	1	EVAPORATOR COIL, MED TEMP
3	1	CONDENSING UNIT, MED TEMP
4	1	STRIP CURTAIN
5	LOT	PIZZA BOX ON DOLLY
6	LOT	SHELVING UNIT
7	1	CAN RACK
8	LOT	SHELVING UNIT
9	-	- SPARE NUMBER -
10	-	- SPARE NUMBER -
11	1	FREEZER, REACH-IN
12	1	WORK TABLE WITH PREP SINK
13	1	FAUCET, DECK MOUNT
14	1	SHELF, WALL MOUNTED
15	1	REFRIGERATED PIZZA PREP TABLE
16	1	SHELF, WALL MOUNTED
17	1	HAND SINK WITH SPLASH GUARDS
18	LOT	DISPENSERS, SOAP/PAPER TOWEL
19	1	REFRIGERATOR, GLASS DOOR REACH IN
20	1	DISPENSER, SODA/ICE W/ CARBONATOR

EQUIPMENT LIST		
ITEM NO	QTY	EQUIPMENT CATEGORY
21	-	- SPARE NUMBER -
22	-	- SPARE NUMBER -
23	1	PIZZA OVEN, SINGLE DECK
24	1	EXHAUST HOOD, CLASS II
25	1	INSULATED WALL LINING
26	1	FAN, EXHAUST
27	1	FAN, SUPPLY
28	1	WORK TABLE, MAPLE TOP
29	1	SHELF, TABLE MOUNTED
30	-	- SPARE NUMBER -
31	-	- SPARE NUMBER -
32	1	POS UNIT
33	1	FRONT COUNTER, CASHIER SECTION
34	1	FRONT COUNTER, LIFT UP SECTION
35	1	SERVING COUNTER
36	1	DROP-IN, HOT WELLS
37	1	REFRIGERATOR, SANDWICH/SALAD PREP
38	1	SNEEZE GUARD WITH SHELF
39	1	TRAFFIC GUARD

Sheet Title
**FLOOR PLAN
WITH KEYNOTE**

Scale: 3/16" = 1'-0"

Date: 11/19/2015

A03
Drawing No.