

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

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

MINUTES

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

Roll Call:

Present: Chair Willers, Comms. Felder, Howarth, Roberson, Cribb

Absent: Comm. Heneveld

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. Howarth led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: Yvonne Bowers, President of the Sonoma Women's Club, and Jean Miller, Historian, discussed the history of the Women's Club that was founded in 1901. They are extremely proud of being placed on the Historic official registry and thanked the City and various other groups for their support.

APPROVAL OF MINUTES: Comm. Howarth made a motion to approve the Minutes of December 11, 2014 and January 8, 2015 with no changes. Comm. Roberson seconded. The motion was unanimously adopted.

CHANGES TO AGENDA ORDER: Items #1 and #2 were removed from the agenda. Item # 1 was continued to the March 12th meeting. Item # 2 was withdrawn by the applicant.

CORRESPONDENCE: Late mail on items #2, #5, #9, and a staff-prepared summary of approved music license venues.

Item #1 – Public Hearing – Consideration of a revision to the conditions of approval for a four-lot subdivision to allow the removal of 9 additional trees on the property at 1028 Fifth Street East.

Applicant/Property Owner: Chris Dluzak/1028 & 1036 Fifth Street East LLC

Comm. Roberson made a motion to continue Item # 1 to the meeting of March 12, 2015. Comm. Howarth seconded. The motion was unanimously adopted.

Item #2 – Public Hearing – Consideration of a Use Permit to allow use of a residential unit as a vacation rental at 963 Fifth Street East.

Applicant/Property Owner: Christine Souci/Virgil Rittenhouse and Sheryl Holloway

The application was withdrawn by the applicant.

Item #3 – Public Hearing – Continued review of a Use Permit, Planned Development Permit and Tentative Map to construct a 7-unit Planned Development on a ±0.50 acre site at 405 Fifth Street West.

Applicant/Property Owner: Forrest Jinks/Altus Equity Group, LP

Senior Planner Gjestland presented staff's report.

Chair Willers opened the item to public comment.

Randy Figueiredo, project architect, noted that this is the third site plan revision presented to the Planning Commission and summarized the changes that were made. Most recently, the east unit has been reduced to a one-bedroom, single-story unit with only 850 square feet of floor area. Its entry courtyard now engages Fifth Street West. Rear/internal patios are now provided for the Type B units, exterior materials have been changed to board and batten siding, the west gable has been rotated 90 degrees, second floors have been staggered for variety, and home sizes have been reduced by 200 square feet on average.

Doug McBie, neighbor, supported the project.

Chair Willers closed the item to public comment.

Comms. Roberson, Howarth, and Felder are satisfied with the improvements made and supported as revised.

Chair Willers is opposed to the project since he is not able to make the findings required by the Development Code. In his view, the Mixed Use zone is for lower-cost, multi-family housing with smaller unit sizes than that which has been proposed in this project.

Comm. Cribb stated that the site is difficult to develop and marketplace demands are the driving force for the application. In his opinion, the proposal will provide needed housing of type that is not often seen.

Comm. Roberson was contacted by two constituents that supported the project. Although he respected Chair Willers expertise on the subject he remains supportive of the project.

Comm. Cribb made a motion to approve as submitted. Comm. Roberson seconded. The motion passed 3-2. Chair Willers and Comm. Howarth opposed.

Item #4 – Public Hearing – Consideration of a Temporary Use Permit to allow a 5-kilometer run/walk event from the Sebastiani Winery on Saturday, March 7, 2015 at 389 Fourth Street East.

Applicant/Property Owner: Shelley Marmaduke/Foley Family Wines, Inc.

Associate Planner Atkins presented staff's report.

Comm. Cribb asked if there would be amplified music since the applicant's letter referenced a loud speaker.

Chair Willers opened the item to public comment.

Shelly Marmaduke, Sonoma Valley High School Senior, described the charity fundraiser for ALS in memory of her late grandmother. She responded to Comm. Cribb's concern regarding event announcements and said there would not be amplification. She hand-delivered event notification to residents for neighborhood outreach.

Linda Benson, Fitness Coach/Project Mentor, anticipated approximately 50-100 participants.

Robert Ryan, neighbor/business owner, supported the plan.

Chair Willers closed the item to public comment.

Comm. Roberson is pleased there is no amplification or vendors proposed therefore less of a potential negative impact for the neighborhood.

Comm. Cribb disagreed with Comm. Roberson and felt the run could have a negative impact for the neighbors given concerns over noise from other special events at the Sebastiani Winery.

The Commission discussed methods that could be used to limit the event to no more than 100 participants.

Comm. Howarth made a motion to approve the temporary use permit. Comm. Felder seconded. The motion was adopted 4-1. Comm. Cribb opposed.

Item # 5 – Consideration of a Use Permit to convert an existing wine tasting room to a beer and wine bar, in conjunction with amendments to the current Music Venue License at 452 First Street East, Suite G

Applicant/Property Owner: Robert Ryan/Lea Rubin

Senior Planner Gjestland presented staff's report.

Chair Willers opened the item to public comment.

Robert Ryan, business owner, explained his objective to provide a broader entertainment experience that would include serving beer and wine. He has hosted over 250 music performances with no complaints or incidents since obtaining the music license permit in November 2012. The majority of his patrons/clientele walk to the location which he believed is safer than driving.

Comm. Howarth confirmed with the applicant the difference between the (current) 02 License and the 42 License (proposed) is that that the type 42 license allows for the sale of beer and wine but not distilled spirits/liquor and prohibits outside food sales.

Bill Casey, musician, said Robert Ryan created a great atmosphere for musicians and supported the request.

Megan Belton, Girl & the Fig employee, is pleased to refer customers to the place.

Jody Stevens, resident, commended the business owner for providing music and a mellow atmosphere for Sonoma.

Brenna Hanson, resident/music student, applauded Robert Ryan for the fundamental respect he has in his business relationships and the variety of patrons and high quality musicians attracted to the business.

Steve Kallis, resident, felt engaged with the business and supported the change from a tasting room to a broader entertainment venue and drinking establishment.

Peter Scarborough, Sonoma Valley resident, is proud that Sonoma has this unique type of business.

Rebecca, Santa Rosa resident, supported the expanded services.

Glenn McNaughty, professional musician, supported the location and the unique environment created by Robert Ryan and said he has a great skill at managing the tasting room.

Chair Willers closed the item to public comment.

Comm. Roberson confirmed with staff that the small space is not an issue for the expansion of services and that if the business expanded in the future it would be required to come back before the Planning Commission for an intensification of use.

Comm. Felder appreciated the comments of support but suggested this might be an example of morphing a tasting room into a bar and expressed concern that it may establish a precedent. He noted that the public comments were about the music, not the beverages served.

Comm. Roberson disagreed with Comm. Felder and felt this is a unique situation since it is located on "an alley within an alley" and cannot be generalized as a typical tasting room.

Comm. Howarth agreed with Comm. Roberson that the music venue license worked well over the years without a complaint, but he concurred with Comm. Felder that the hours should be scaled back.

Comm. Cribb is pleased that the expansion efforts blend music and artistic endeavors, that in his opinion are derived from customer demand.

Chair Willers is satisfied with the proposal, subject to a change in the hours.

Comm. Howarth made a motion to approve the application, subject to changing the conditions of approval to set the close of business at midnight and specify a maximum of 33 seats. Comm. Roberson seconded. The motion was adopted 4-1. Comm. Felder opposed.

Item #6 – Public Hearing – Consideration of an Exception from the garage setback requirements to enclose a carport currently under construction on a residential property at 753 Third Street East.

Applicant/Property Owner: Richard Konecky

Senior Planner Gjestland presented staff's report.

Comm. Howarth questioned carport requirements for the development. Staff responded that the Development Code is silent on carports.

Chair Willers opened the item to public comment.

Matthew McGinty, General Contractor, described the proposed change. He noted that the property owner has reached out to neighbors on the block and that they support the application.

Elizabeth Fenton, neighbor, supported the plan and is pleased with the construction project.

Chair Willers closed the item to public comment.

Comm. Roberson is uncomfortable with the proposal since he did not expect the home to be taken down to the foundation when it was initially approved. He considered this piecemeal planning and is not persuaded to grant the exception.

Comm. Howarth concurred with Comm. Roberson's comments.

Comm. Cribb opposed granting the Exception.

Chair Willers agreed with Comm. Cribb and expressed his opposition to the application.

Comm. Cribb made a motion to deny the application. Comm. Howarth seconded. The motion was unanimously adopted.

Item #7 – Public Hearing – Consideration of a Use Permit to relocate the Boys & Girls Club teen program to a commercial tenant space at 19245 Sonoma Highway.

Applicant/Property Owner: Boys & Girls Club of Sonoma Valley/ S & N II Ltd.

Planning Director Goodison presented the staff report.

Chair Willers opened the public hearing.

Rachel Cusick, representing the applicant, explained that the Teen program has been an integral part of Sonoma Valley since 2009. She is excited to relocate from the temporary trailer to a permanent 3,000 square foot space that requires minimal tenant improvements and agreed with the revised conditions of approval in the staff report.

Michael Ross, project Architect/RDC Architects, said the shopping center location is an ideal location for the use and he agreed that bike racks could be easily provided.

Comm. Roberson recommended covered bicycle parking.

Linda Corrado, resident, is concerned with safety since the traffic flow is problematic at the shopping center driveway connection to Sonoma Highway.

Robert Berger, Berger Concrete, offered to install the bicycle racks.

Nick Haley, Teens Program Director, said the program has outgrown the existing space.

Magda, student, is excited to relocate to a more comfortable environment to do homework and participate in sports.

Jennifer, student/ten year member, considered the center her second home. She stated that more space and privacy is needed for the students.

Dusty Niles, Maxwell Village property manager, is excited to venture with the Boys and Girls club on this project.

Chair Willers closed the public hearing.

Comm. Roberson supported the proposal and recognized the existing traffic issues.

Comm. Howarth concurred with Comm. Roberson and supported the expansion efforts.

Comm. Felder made a motion to approve with amended conditions of approval for bicycle parking (minimum of four). Comm. Cribb seconded. The motion was unanimously approved.

Item #8 – Public Hearing – Consideration of a Use Permit to operate a micro-brewery in conjunction with an established restaurant use at 165 West Napa Street.

Applicant/Property Owner: Sherpa Hospitality, LLC/Anne Thornton

Senior Planner Gjestland presented staff's report and noted that, since application submittal, the applicant determined that brewing activities would be better accommodated within the detached accessory building off the patio rather than in the restaurant building.

Comm. Howarth confirmed with staff that the previous restaurant at this location, Meritage, had a full liquor license.

Chair Willers opened the public hearing.

Ngima Sherpa, applicant/30-year restaurant owner, thanked the community and staff. He indicated that he has a restaurant in St. Helena, and this is an opportunity for a second business focusing on a different type of cuisine.

Comm. Howarth confirmed with the applicant that the property east of the building is under different ownership but under lease to provide parking for the restaurant.

Bennett Martin, resident, fully supported the proposal and said that the applicant is a first class business owner.

Ken Corde, resident, supported the concept because it will provide a diverse experience for patrons.

Chair Willers closed the public hearing.

Comm. Roberson said it is a good fit and there is no intensification of use. He had no concerns with the proposal. Comm. Felder concurred.

Comm. Cribb made a motion to approve the Use Permit for the micro-brewery. Comm. Howarth seconded. The motion was unanimously adopted.

Item #9 – Public Hearing – Consideration of a Use Permit and Parking Exception to allow the outdoor retail display of up to three Tiny House models at 15 West MacArthur Street.

Applicant/Property Owner: Tumbleweed Tiny House Co./ Tilmar Properties LLC

Chair Willers recused due to proximity and left the room.

Planning Director Goodison presented the staff report.

Chair Felder opened the public hearing.

Ross Beck, Operations Manager/Tumbleweed Tiny House Co, applicant, said the low level of activity does not warrant any additional off street parking.

Comm. Howarth confirmed with the applicant a maximum of three display vehicles on the site.

Comm. Cribb frequented the area and suggested there was ample parking within a block of the location.

Robert Berger, Berger Concrete, felt the use is compatible.

Carol Marcus, resident, recognized the need for small housing, but she noted that the vehicles produced by the applicant do not necessarily meet that need and, in any event, in her view the display of vehicles on the site is not appropriate in the Mixed Use zone. She strongly opposes the application. She did not receive the survey given to other neighbors and felt it may have been distributed only to commercial businesses, not residents that would be more negatively impacted.

Chair Felder closed the public hearing.

Comm. Howarth and Planning Director Goodison discussed the relevance of the Broadway Corridor and that the Use permit is a legal use and does not expire. The structure is defined as a RV under the California vehicle code.

Comm. Felder inquired about the possibility of issuing a temporary use permit for one year.

Chair Felder reopened the public comment.

Ross Beck, Operations Manager, said the RV's are for display purposes only and not for sale.

Carol Marcus is disappointed with the Planning Commissioners discussion of hypothetical scenarios that in her opinion is not typical of other meetings.

Chair Felder closed the public comment.

Chair Felder questioned if the space could be used for other outdoor displays and promotions in the future if approved.

Comm. Howarth is not opposed if the units are non-motorized and no more than 8x20 feet.

Comm. Howarth made a motion to approve the application, including a parking exception, subject to conditions. Comm. Roberson seconded. The motion was unanimously adopted.

Chair Willers returned to the dais.

Issues Update: Planning Director Goodison reported the following:

1. The City Council is scheduled to discuss the Housing Element update in March.
2. Planning Director Goodison recently met with the EIR consultants on the Chateau Sonoma Hotel proposal.

Commissioner Comments:

Chair Felder thanked Comm. Howarth for his many years of dedicated service.

Comm. Roberson valued the questions Comm. Howarth posed to staff and believed the Commission will carry on the tradition of his thoughtful insight.

Comm. Howarth appreciated staff's flexibility and the preparation of thorough reports. He stated he has always taken the public's trust to heart since appointed to the Commission eight years ago and benefited greatly from the public and commissioner discussions that ensued.

Adjournment: Comm. Howarth made a motion to adjourn the meeting at 10:01 p.m. to the next meeting scheduled for 6:30 p.m. on Thursday, March 12, 2015. Comm. Roberson seconded. The motion was unanimously adopted.

I HEREBY CERTIFY that the foregoing minutes of February 12, 2015 were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the 9th day of April, 2015.

Approved:

Cristina Morris, Administrative Assistant