



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of February 12, 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: Robert Felder
Mark Heneveld
Matt Howarth
Chip Roberson
James Cribb

*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 December 11, 2014 and January 8, 2015.

CORRESPONDENCE

ITEM #1 – PUBLIC HEARING

REQUEST:

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.

Applicant/Property Owner:

Chris Dluzak/1028 & 1036 Fifth ST E
LLC

Staff: Wendy Atkins

Project Location:

1028 Fifth Street East

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Central-East Area

Base: Low Density Residential (R-L)

Overlay: None

RECOMMENDED ACTION:

Continue to the meeting of March 12, 2015.

CEQA Status:

Categorically Exempt

ITEM #2 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to allow use of a residential unit as a vacation rental.

Applicant/Property Owner:

Christine Souci/Virgil Rittenhouse and
Sheryl Holloway

Staff: Wendy Atkins

Project Location:

963 Broadway

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Withdrawn by applicant.

CEQA Status:

Categorically Exempt

ITEM #3 – PUBLIC HEARING

REQUEST:

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.

Applicant/Property Owner:

Forrest Jinks/Altus Equity Group, LP

Staff: Rob Gjestland

Project Location:

405 Fifth Street West

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Northwest Area

Base: Commercial (C)

Overlay: None

RECOMMENDED ACTION:

Commission discretion.

CEQA Status:

Categorically Exempt

ITEM #4 – PUBLIC HEARING

REQUEST:

Consideration of a Temporary Use Permit to allow a 5-kilometer run/walk event from the Sebastiani Winery on Saturday, March 7, 2015.

Applicant/Property Owner:

Shelley Marmaduke/Foley Family Wines, Inc.

Staff: Wendy Atkins

Project Location:

389 Fourth Street East

General Plan Designation:

Wine Production (WP)

Zoning:

Planning Area: Northeast Area

Base: Wine Production (W)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #5 – PUBLIC HEARING

REQUEST:

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.

Applicant/Property Owner:

Robert Ryan
/Lea Rubin

Staff: Rob Gjestland

Project Location:

452 First Street East, Suite G

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #6 – PUBLIC HEARING

REQUEST:

Consideration of an Exception from the garage setback requirements to enclose a carport currently under construction on a residential property.

Applicant/Property Owner:

Richard Konecky

Staff: Rob Gjestland

Project Location:

753 Third Street East

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Central-East Area

Base: Low Density Residential (R-L)

Overlay: None

RECOMMENDED ACTION:

Commission discretion.

CEQA Status:

Categorically Exempt

ITEM #7 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to relocate the Boys & Girls Club teen program to a commercial building within Maxwell Village Shopping Center.

Applicant/Property Owner:

Boys & Girls Club of Sonoma Valley/
S & N II Ltd.

Staff: David Goodison

Project Location:

19245 Sonoma Highway(former Citibank location)

General Plan Designation:

Commercial (C)

Zoning:

Planning Area:

West Napa/Sonoma Corridor

Base: Commercial (C)

Overlay: None

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #8 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to operate a micro-brewery in conjunction with an established restaurant use.

Applicant/Property Owner:

Sherpa Hospitality, LLC/Anne Thornton

Staff: Rob Gjestland

Project Location:

165 West Napa Street

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #9 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit and Parking Exception to allow the outdoor retail display of Tiny House models.

Applicant/Property Owner:

Tumbleweed Tiny House Co. /Tilmar Properties LLC

Staff: David Goodison

Project Location:

15 West MacArthur Street

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Commission discretion.

CEQA Status:

Categorically Exempt

ISSUES UPDATE

COMMENTS FROM THE COMMISSION

COMMENTS FROM THE AUDIENCE

ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on February 6, 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
December 11, 2014**

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

Draft MINUTES

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

Roll Call:

Present: Chair Tippell, Comms. Felder, Howarth, Roberson, Howarth, Cribb (Alternate)

Absent: Comm. Heneveld

Others

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

Chair Tippell 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 of the decision date to the City Council. Comm. Felder led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: No public comment

APPROVAL OF MINUTES: Comm. Roberson made a motion to approve the Minutes of November 13, 2014. Comm. Willers seconded. The motion unanimously carried.

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Late mail was received on Item #2.

Item #1 – Public Hearing- Consideration of an Exception to the parking standards in conjunction with a second dwelling unit at 663 Second Street East.

Applicant/Property Owner: Sidney Hoover

Associate Planner Atkins presented staff's report.

Comm. Cribb questioned the parking requirement for the vacation rental use and confirmed the site plan would not accommodate parking for a vacation rental and second unit.

Sidney Hoover, co-owner of the property, said the request is to accommodate elderly family members with no intention for a vacation rental even though it is currently a permitted use.

Chair Tippell confirmed that the applicant is open to vacating the vacation rental permit.

Planning Director Goodison said this could be incorporated into the conditions of approval if desired.

Chair Tippell opened the item to public comment.

Roger Wright, neighbor, supported vacating the vacation rental permit and appreciated the applicant agreeing to move his cars from the street to allow for more guest parking.

Chair Tippell closed the item to public comment.

Comm. Felder supported the application as long as the vacation rental is vacated, as the applicant agreed to in his presentation.

Comm. Felder made a motion to approve the Exception subject to the conditions of approval, including the condition that the previous approval for a Use Permit allowing a residence to be operated on the property as a vacation rental (approved on April 10, 2008) is no longer valid. Comm. Roberson seconded. The motion was unanimously adopted.

Item #2 – Public Hearing- Consideration of a Use Permit to remodel and convert a commercial building to allow for the production and retail sale of chocolates at 921 Broadway.

Applicant/Property Owner: Anne and Jeff McKibben/Lloyd and Nancy Griffith

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

Senior Planner Gjestland presented staff's report.

Comm. Felder confirmed with staff that the proposal does not trigger the requirement for a residential component.

Chair Tippell opened the item to public comment.

Anne McKibben, co-applicant, summarized the proposal, including production and packaging processes, floor plan layout, and concept for retail tasting room. She emphasized that deliveries to and from the site would be minimal with no more than 3 outbound deliveries per month.

Comm. Roberson asked how loud the production plant would be. The applicant indicated that noise from the production plant is not very loud; that ear muffs for noise protection are not necessary and that people can converse over noise from the production plant. Comm. Roberson confirmed with the applicant their intention to manufacture and flow wrap the chocolates on site but that final packaging would occur off site and that only a small storage area would be necessary.

Comm. Cribb clarified with the applicant that only low levels of heat (≤ 120 degrees Fahrenheit) are necessary for the chocolate molding process and that cooking with fire is not part of production activities. The applicant noted that the Sonoma County Health Department only requires a 3-compartment sink and dishwasher for the use.

Comm. Cribb confirmed with the applicant that toxins from the existing print facility would be remediated by the resurfacing all walls and other surfaces.

Comm. Howarth and Felder inquired about the request for special events. The applicant clarified that they have no intention of creating an event center and that the events are essentially for marketing purposes and could involve use of the outdoor garden area.

Chair Tippell inquired about the request for weekend production hours. The applicant emphasized that chocolate production would likely occur only a couple days per month and they desired this allowance so that customers could see production activities on weekends. Chair Tippell confirmed with the applicant that they would be amenable to revising the production hours to 8a.m.-5p.m. or 7a.m. - 4p.m. daily.

Comm. Roberson confirmed with the applicant that trash/recycling containers would be screened at the back of the building or site.

Tom Anderson, General Contractor, is prepared to comply with all conditions of approval and requirements of other agencies. He is satisfied that the applicant has fully researched the proposal and will meet all government agency requirements. Mr. Anderson felt the project will benefit the community.

Comm. Roberson confirmed with the General Contractor that the building would be made solar-ready to accommodate future application of photovoltaic panels.

Chair Tippell closed the item to public comment.

While the commission was comfortable with the level of use and operating characteristics presented by the applicant, concerns were expressed by Commrs. Roberson and Howarth about the potential for intensification of use in the future (possibly under different ownership) along with associated noise/delivery impacts. A discussion ensued on whether specific limitations should be placed on the number/time for deliveries or type of production activities allowed.

Planning Director Goodison emphasized that business operations would be subject to the decibel limits of the City's Noise Ordinance and would also be tied to the activities described in the project narrative.

Ultimately, the Planning Commission was satisfied with the conditions with an amendment to allow production activities from 8a.m. to 5p.m. daily, to include weekends as requested by the applicant.

Comm. Tippell expressed support for all aspects of the project.

Comm. Roberson made a motion to approve the Use Permit with an amendment to condition 1.a to allow production/manufacturing activities between the hours of 8a.m. and 5p.m. daily. Comm. Howarth seconded. The motion was unanimously approved.

Item #3 – Discussion – Summary of extension activity for an approved Planned Development Permit for a for a four-unit project at 881-887 First Street West.

Applicant/Property Owner: Clyde Ikeda

Comm. Willers recused due to proximity.

Comm. Howarth inquired about the number of tentative map applications pending because of extensions granted over the years.

Planning Director Goodison explained the legislative review/extension process.

Comm. Roberson confirmed with staff that the Planned Development Permit was given a one year extension and that further State actions extended the application until 2018.

Chair Tippell opened the item to public comment.

No public comment.

Chair Tippell closed the item to public comment.

The Planning Commission accepted the report.

Comm. Willers returned to the dais.

Item #4 – Discussion – Consideration of an ordinance prohibiting the establishment and operation of automated purchasing machines (APMs).

Planning Director Goodison presented staff's report.

Comm. Howarth requested clarification on the specific issue or concern that generated tonight's dialogue.

Planning Director Goodison stated that as a result of a concern expressed by local law enforcement, the City Council asked staff to review the issues raised by automated purchasing machines and suggest changes should be made to the Development Code.

Chair Tippell opened the item to public comment.

No public comment.

Chair Tippell closed the item to public comment.

Comm. Roberson is concerned with the approach of narrowly defining and banning a certain type of product, when it is possible that other devices of a similar nature could cause the same problems as those attributed to APMs. He is also concerned that technological advancements could provide the adequate safeguards for APMs in the future and therefore he would like to see a sunset provision

Comm. Felder also expressed support for a sunset clause.

Comm. Roberson recognized that the incentives of economic interest are not always in the public's best interest, but he also believes that through competition it is likely that adequate verification safeguards will be developed for APMs.

Comm. Tippell supported the recommendation of the Police Chief to consider prohibiting automated purchasing machines.

Comm. Cribb clarified with staff that this discussion was not a result of a specific case or problem from the use of automated purchasing machines in Sonoma.

Comm. Willers made a motion to forward a recommendation of support to the City Council that included a sunset date of five years and a recommendation to consider a broader definition of the term "automated purchasing machine." Comm. Cribb seconded. The motion was approved on a vote of 4-1-1. Comm. Howarth opposed, Comm. Roberson abstained.

Election of Officers:

Comm. Felder nominated Comm. Willers for Chairman. Comm. Roberson seconded. The nomination was unanimously approved.

Comm. Roberson nominated Comm. Felder for Vice Chairman. The nomination was unanimously approved.

Chair Tippell enjoyed his experiences working with his fellow commissioners and staff over the years as he served on both the Planning Commission and Design Review and Historic Preservation Commission. Although he is moving out of City limits he will continue to operate his business in the City of Sonoma and continue to be an active participant in the Community.

Issues Update:

Planning Director Goodison reported the following:

The Housing Element update will be reviewed at the January 8th meeting.

Matthew Tippell was thanked for his years of service to the Planning Commission and will be missed.

Comments from the Audience: City Councilmember Gary Edwards felt fortunate to have served on the Planning Commission. He thanked outgoing Commissioner Tippel for his service.

Adjournment: The meeting adjourned at 8:20 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, January 8, 2015.

I HEREBY CERTIFY that the foregoing minutes of December 11, 2014 were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the the day of,

Approved:

Cristina Morris, Administrative Assistant

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
January 8, 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, Howarth, Heneveld, Roberson, Comm. Cribb (Alternate)

Absent: None

Others Present: 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. Felder led the Pledge of Allegiance.

Item #5 postponed until the February 8th meeting.

Item #6, the Housing Element, will be heard at a special Planning Commission meeting on January 22, 2015.

COMMENTS FROM THE PUBLIC: None

APPROVAL OF MINUTES: None

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: None

Item #1 – Public Hearing – Consideration of an Exception from the fence height standards to allow an over-height fence within the street-side yard setback of a residential property at 910 Arguello Court.

Applicant/Property Owner: Peter Shone/Shone Living Trust

Associate Planner Atkins presented staff's report.

Chair Willers opened the item to public comment.

Pete Shone, Sonoma Valley resident, described the fence and felt it conformed with the other fences in the neighborhood.

Tina Shone, resident/realtor, sold the home and recommended keeping the existing fence. She noted that ten neighbors signed a letter in support of the existing fence.

Tom Conlon, complainant, leases space in Sonoma, is of the opinion that there are many non-conforming fences in the immediate area within both the City and County jurisdictions. He is disappointed that the property owner/fence builder disregarded the regulations when constructing the fence.

Chair Willers closed the item to public comment.

Comms. Felder and Howarth suggested reducing the fence height to six feet.

Comm. Cribb felt strongly that the fence should be returned to the state at the time the property was annexed to the City. He stressed that all parties were aware of the rules and signed numerous disclosures with the real estate sales transaction.

Chair Willers suggested an “over the counter” fence permitting process that would help mitigate some of the issues associated with constructing fences.

Comm. Roberson made a motion to approve the Exception from the fence height standards to allow an over-height fence within the street-side yard setback with the conditions of approval including the condition to reduce the height of the fence to a maximum height of six feet of solid material. Comm. Heneveld seconded. The motion was adopted 4-2. Comms. Howarth and Felder opposed.

Item #2 – Public Hearing- Consideration of a Use Permit to convert an office into a one-bedroom vacation rental at 515 First Street West.

Applicant/Property Owner: Jeff Montague/Ingrid and George Martinez

Associate Planner Atkins presented staff’s report.

Chair Willers opened the item to public comment.

Jeff Montague, applicant/resident, stated that he was available to answer any questions.

Chair Willers closed the item to public comment.

Comm. Felder is concerned that having a vacation rental without additional designated parking spaces would be problematic.

Comms. Roberson and Howarth agreed with Comm. Felder that parking would be an issue but supported a vacation rental conversion.

Comm. Cribb stated the parking area is not ample for the existing usage of the buildings. He questioned that even if a parking space was designated for the vacation rental would it be available to the renters of the unit when needed?

Comm. Howarth stated that all vacation rentals require off street parking.

Associate Planner Atkins clarified that an off street parking space is required for this vacation rental proposal.

Chair Willers is not in full support of the proposal because a parking space would be eliminated.

Chair Willers reopened the public hearing.

Jeff Montague requested an ADA space in his request. He confirmed with Associate Planner Atkins that the Development Code requires one parking space for the vacation rental and the first designated space needs to be accessible for persons with disabilities.

Chair Willers closed the public hearing.

Comm. Howarth made a motion to approve the Use Permit subject to the conditions of approval, including the condition that two dedicated parking spaces be provided in the existing parking lot (one of which shall be accessible), and the total number of parking spaces (currently 20) shall not be reduced in providing the additional accessible parking space. Comm. Roberson seconded. The motion was adopted 5-1. Comm. Felder opposed.

Item #3 – Public Hearing – Consideration of Tentative Map to subdivide a developed 0.42-acre property into two residential lots at 500 West Spain Street.

Applicant/Property Owner: Linda Moore

Senior Planner Gjestland presented staff's report.

Comm. Howarth confirmed with staff that the only driveway recommended for removal is the south driveway on Fifth Street West and that requirement for covered parking would be triggered with any future expansion of a residential unit.

Chair Willers opened the item to public comment.

Linda Moore, the property owner, and her daughter Kimberly Matulaitis expressed concern that the cost of undergrounding the existing overhead electric lines as required under Condition 2.e would be prohibitive and make the project infeasible. They requested that this requirement be deferred.

Chair Willers asked staff if the Planning Commission had any authority to defer this requirement under the subdivision code.

Senior Planner Gjestland responded that he had specifically asked this question of the City Engineer who confirmed that undergrounding utility services is a mandatory requirement of the City's subdivision code and there does not appear to be any flexibility from this standard. Staff indicated that the commission could add some type of language to Condition 2.e giving the City Engineer discretion so the applicant can have a further conversation about this requirement with the City Engineer, but expressed doubt that deferral would ultimately be an option.

Kimberly Matulaitis requested that the Planning Commission add the language suggested by staff to Condition 2.e.

Leo Merle, realtor for the applicant, noted that underground utilities are not typical for homes in this older neighborhood and that the proposed subdivision conforms to all zoning standards and would not change current conditions. He felt there should be some flexibility from the City to allow for the existing overhead electrical service to remain. He indicated that the requirement for undergrounding utilities would be an extreme and unfair burden on the applicant and could make it infeasible for her to reside there. He hoped the Planning Commission could come up with a solution for the applicant.

Robert Berger, resident/local contractor, agreed that the requirement for undergrounding utilities would be a burden on the applicant and it does not seem typical for this type of lot split based on his experience. He felt that it would make more sense to defer such a requirement.

Chair Willers closed the item to public comment.

Comm. Howarth emphasized that the Planning Commission does not have jurisdiction over the undergrounding requirement but supported adding language to the conditions that would allow the applicant to have a further discussion with the City Engineer about this matter to see if something could be worked out. Aside from that issue, he felt the proposed subdivision was simple and appreciated its conformance with the zoning regulations..

Commrs Roberson, Cribb, and Heneveld concurred.

Comm. Howarth made a motion to approve the Tentative Map, with an amendment to the condition of approval 2.e adding the language "at the discretion of the City Engineer." Comm. Cribb seconded. The motion was unanimously adopted.

Item #4 – Consideration of Use Permit, Planned Development Permit and Tentative Map to construct a 7-unit Planned Development on a +0.50 acre site.

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, summarized the changes that were made based on Commissioner comments from the previous review: 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. He clarified that the development would include an HOA.

Comm. Howarth asked the architect to identify what project features address the requirement for a higher level of quality, design and/or site amenities necessary for approval of a Planned Development Permit. The project architect pointed out the rear-loaded garages, which would not be visible from the street, the community garden, that the form and mass of the building has been broken up to form front and rear courtyards, and that the project functions as a good transition between the adjoining shopping center and single-family homes to the north and east.

Chair Willers closed the item to public comment.

Comm. Roberson indicated that the revised proposal is a significant improvement over the previous concept but expressed reservations about the width of the units. He recognized the property is tough to develop given adjoining street traffic and the transitional location. He liked incorporation of the one-story unit at the corner and the courtyards. He felt it is a good use of the site, and while contemplating the PDP findings, could not identify many options for further improvement aside from removing a unit to create a more up-scale development. In general, he was pleased with the improvements and felt the project is a functional plan.

Comm. Felder concurred with Comm. Roberson and commended the applicant on responding to the Commissioners comments from the study session. He indicated that he still had some reservations about the number of units proposed but realized that a certain number were needed to make the project feasible. In general, he supported the project and noted that landscaping will be important to help soften views of the project at the corner.

Comm. Heneveld concurred that it is a difficult site to develop and that the project is much improved. However, he expressed concern that the west building elevation would appear massive coming down West Spain Street (eastbound). He noted the property has been in poor condition for a long time.

Comm. Felder emphasized that he would want the conditions of approval to require a HOA and prohibit use of the units as vacation rentals.

Comm. Roberson suggested that the applicant cover the outside bicycle parking area.

Comm. Crib appreciated the significant revisions but agreed that ideally there would be one less unit with two three-unit buildings versus one large building with seven units. He expressed concern, however, that the ideal, visually appealing project would likely not be economically feasible and result in no project. He noted that the roses currently growing over the fence along the west property boundary are 12-15 feet high and should soften the west building elevation.

Comm. Howarth expressed concern about vertical townhome concept and mass of the west elevation, which he felt should be reduced to a single story like the other side of the building. He did support the proposal as presented.

Chair Willers concurred with some of the other commissioner's concerns and indicated that he cannot make the findings necessary to approve a PDP. He noted the proposed residential building is 3,000 square feet larger than the commercial building previously approved for the site and mass was a significant consideration in review of that former project. He indicated that the proposal still over utilizes the site and the housing type proposed, attached for-sale homes, is not consistent with the intent of the General Plan in terms of providing true multi-family units at the density levels allowed. He appreciated the one-story element toward Fifth Street West but felt the building is still too massive and bulky for the location. He felt the larger gables facing West Spain Street add to the mass as well as the flipped gable on west end.

Comms. Felder and Heneveld were persuaded by Chair Willer's comments that further modifications were needed, especially on the west end of the building, to gain their support.

Chair Willers reopened the public comment.

Randy Figueiredo, project architect explained the design features and discussed potential changes to the west end.

Gina Clyde, realtor working with the applicant, expressed frustration that several proposals have been put forward but nothing seems to get past this point. Meanwhile, the property remains in poor condition.

Chair Willers closed the public comment.

A discussion ensued on how to proceed, whether to continue or deny the project, given the concerns expressed by commissioners. There was consensus that the project did not meet the PDP findings and that, at minimum, further modifications were necessary to reduce massing on the west end and the higher gables.

Chair Willers asked the applicant if he would prefer that the commission take action to deny the project or continue review of the item. The applicant, Forrest Jinks, indicated that he would prefer a continuance to see if they could address some of the concerns.

Comm. Roberson made a motion to continue the item. Comm. Heneveld seconded. The motion was unanimously adopted.

Item # 5 – Consideration to revise the conditions of approval for a four-lot subdivision to allow for the removal of 9 additional trees on the property at 1028 Fifth Street West.

Item # 5 was withdrawn and removed from the agenda at applicant's request.

Item #6 – Public Hearing – Consideration of the draft 2015-2023 Housing Element of the General Plan, including review of draft Initial Study.

Comm. Roberson made a motion to continue Item #6 to a Special Meeting on January 22, 2015. Comm. Howarth seconded. The motion was unanimously adopted.

Issues Update: None

Commissioner comments: Comm. Howarth is concerned with Planning Commission approvals that are changed as a result of remodels and demolitions that go beyond the scope of the project approvals. Staff noted that the Building Department manages this issue but staff will report back on the Commission's concerns.

Chair Willers recommended a "trigger" at the early stages of a proposal so that staff can assure that the fencing regulations are followed.

Comments from the Audience: None

Adjournment: Comm. Heneveld made a motion to adjourn the meeting at 9 p.m. to the next special meeting scheduled for 6:30 p.m. on Thursday, January 22, 2015. Comm. Felder 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 the day of, 2015.

Approved:

Cristina Morris, Administrative Assistant

MEMO

To: Planning Commission

From: Senior Planner Gjestland

Subject: Continued review of an application for 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: Forrest Jinks).

Background

On January 8, 2015, the Planning Commission considered an application to develop a seven-unit Planned Development on the subject property. This review followed a study session held in July 2014 and subsequent revisions by the applicant based on feedback from that meeting. In considering the item last month, the commission acknowledged the difficulties in developing this particular site and that economics were a significant factor in whether the project would be feasible for the applicant. Despite substantial adjustments made since the study session review, at the January meeting it appeared that two commissioners opposed the development plan in general, and ultimately the Planning Commission was of consensus that the project did not rise to the level to justify a Planned Development Permit and the building was still too massive, especially with respect to the west end and roof structure. Ultimately, the Planning Commission continued the item to allow the applicant an opportunity to address these concerns. The draft minutes from the January 8, 2015 Planning Commission are included in commissioner packets for consideration.

Proposed Modifications

In response to the concerns expressed by commissioners at last month's meeting, the applicant has made the following additional modifications to the project:

1. The two large gables facing West Spain Street have been eliminated. Smaller gables, only as wide as the unit, face West Spain Street over units 2, 4, and 6. The roofs of the other two-story units (Units 1, 3 and 5) are rotated 90 degrees.
2. The footprint of Unit 1 has been modified to break up the west building wall into two planes and provide articulation.
3. The front building wall of Units 1 and 4 have been shifted forward slightly to reduce the uniformity of the front facade.
4. A cover has been provided over the bicycle parking and adjacent bench seat.

Further details can be found in the revised project narrative and drawings (attached). Building elevations from the previous review are also attached for comparison.

Recommendation

Staff recommends commission discretion.

Attachments

1. *Findings*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Revised Project Narrative*
5. *Revised Site Plan. Tentative Map, Floor Plans & Building Elevations*
6. *Previous Elevations from 1/8/15 Review*

cc: Forrest Jinks (via email)
Altus Equity Group, LP
120 College Avenue
Santa Rosa, CA 95401

Randy Figueiredo AIA (via email)
Tierney/Figueiredo Architects
817 Russell Avenue, Suite H
Santa Rosa, CA 95403

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Jinks Planned Development
405 Fifth Street West

February 12, 2015

Based on substantial evidence in the record, including but not limited to the initial study and staff report, 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:

Tentative Map Findings

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the 2020 General Plan land use designation requirements and the applicable provisions of the Development Code (including exceptions specifically authorized through the Planned Development Permit).
2. That the tentative map complies with the requirements of the Article VI (Subdivisions) of the Development Code.
3. That the site is physically suited to the type and density of the proposed development, regulated by the conditions of project approval.

Planned Development Permit Findings

1. The PUD is consistent with the General Plan, any applicable Specific Plan, and the intent and objectives of Section 19.54.070 of the Development Code;
2. The design of the development is consistent with the intent of applicable regulations and design guidelines of the Development Code;
3. The various use and development elements of the Planned Development relate to one another in such a way as to justify exceptions to the normal zoning standards of the Development Code;
4. The design flexibility allowed by the Planned Development Permit has been used to creatively address identified physical and environmental constraints; and
5. The proposed development will be well-integrated into its setting, will relate appropriately to adjacent uses, and will retain desirable natural features of the site and the surrounding area.

Use Permit Findings

1. The proposed use is consistent with the General Plan;
2. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this Development Code;
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.

City of Sonoma Planning Commission
**CONDITIONS OF PROJECT APPROVAL AND
MITIGATION MONITORING PROGRAM**

Jinks Planned Development
405 Fifth Street West

February 12, 2015

1. The planned development shall be constructed in conformance with the approved tentative map, site plan, floor plans and building elevations, except as modified by these conditions and the following:
 - a. As indicated on the elevation drawings, buildings would be made solar-ready with conduit provided from electrical panels to attics of south and west facing roofs for potential future photovoltaic panels.

Enforcement Responsibility: Planning Department; Building Division; Public Works Division, City Engineer
Timing: Ongoing

2. Vacation rentals, as defined under Chapter 19.92 of the Development Code, shall be a prohibited use for residential units within the Planned Development.

Enforcement Responsibility: Planning Department; City Attorney
Timing: Ongoing

3. The following are required by the City and other affected agencies prior to the approval of the Final Map.

- a. A Final Map shall be prepared and submitted to the City Engineer and Planning Director for approval along with the following supporting data: recent (within the most recent three months) preliminary title report, closure calculations and copies of records used to prepare survey (such as deeds and easements, filed maps, etc.). Upon approval and acceptance by the City, the map will be released to the Applicant's title company for filing at the office of the Sonoma County Recorder. The Applicant shall provide the number and types of copies to the City as directed by the City Engineer.
- b. All required sidewalk, street, storm drainage, water, sewer, access and public utility easements shall be dedicated to the City of Sonoma or to other affected agencies of jurisdiction, as required and shown on the Final Map.
- c. Three-quarter inch iron pipe monuments shall be set at all tract corners and at all lot corners, unless otherwise approved by the City Engineer. Street centerline monuments shall be set as directed by the City Engineer. All monuments must be approved by the City Engineer.
- d. The applicant shall show proof of payment of all outstanding engineering plan check fees within thirty (30) days of notice for payment and prior to Final Map recordation, whichever occurs first.

Enforcement Responsibility: Planning Director; City Engineer
Timing: Prior to acceptance of the Final Map

4. A grading and drainage plan and an erosion and sediment control plan shall be prepared by a registered civil engineer and submitted to the City Engineer and the Sonoma County Water Agency for review and approval. A new drainage easement in favor of Valley Mart may be required for water received from the Valley Mart driveway by the swale across the southwest side of the subject property. The required plan shall be approved prior to the issuance of a grading permit and commencement of grading/construction activities. The erosion control measures specified in the approved plan shall be implemented during construction prior to the first rains or October 1st. Grade differences between lots will not be permitted unless separated by properly designed concrete or masonry retaining walls. This requirement may be modified or waived at the discretion of the City Engineer. Plans shall conform to the City of Santa Rosa LID Standards and the City of Sonoma Grading Ordinance (Chapter 14.20 of the Municipal Code). Applicable erosion control measures shall be identified on the erosion control plan and shall be implemented throughout the construction phase of the project: soil stabilization techniques such as hydroseeding and short-term biodegradable erosion control blankets or wattles, silt fences and/or some kind of inlet protection at downstream storm drain inlets, post-construction

inspection of all facilities for accumulated sediment, and post-construction clearing of all drainage structures of debris and sediment. Applicant shall submit a Final Stormwater Mitigation Plan (SMP) in conformance with the City of Santa Rosa LID Standards with the grading plans. The improvement plans (see Condition #4 below) will not be accepted by the City Engineer for review without first reviewing and approving the SMP.

Enforcement Responsibility: City Engineer; SCWA; Public Works Department
Timing: Prior to issuance of the grading permit

5. The following improvements shall be required and shown on the improvement plans subject to the review of the City Engineer, Planning Administrator and Fire Chief. Public improvements shall meet City standards. The improvement plans shall be prepared by a registered civil engineer and approved by the City Engineer prior to recording of the Final Map. All drainage improvements shall be designed in accordance with the Sonoma County Water Agency "Flood Control Design Criteria." Plans and engineering calculations for drainage improvements, and plans for sanitary sewer facilities, shall be submitted to the Sonoma County Water Agency (and a copy of submittal packet to the City Engineer) for review and approval.
 - a. Frontage improvements on Fifth Street West including the provision of curb, gutter, sidewalk, including the possibility for a wider sidewalk area to accommodate trash/recycling bins and unobstructed pedestrian circulation on garbage collection days. Provision of an ADA ramp at southwest corner of the Fifth Street West/West Spain Street intersection. Paving upgrades to centerline of the West Spain Street and/or Fifth Street West in front of the property may be required. Any non-ADA conforming sidewalk shall be reconstructed to meet applicable public agency standards and existing residential driveways shall be eliminated. Driveways shall be constructed in conformance with the City's standard specifications for commercial driveways and shall meet ADA accessibility requirements. Existing curb, gutter, sidewalk, and street sections along the West Spain Street frontage that are damaged or deemed by the City Engineer to be in disrepair shall be replaced to the applicable agency standards. An encroachment permit shall be required for any work within the public right of way. Additional ductwork may be required along the frontage of the site to accommodate future signalization.
 - b. The joint pole located on the Fifth Street West frontage shall be relocated outside the path of the proposed driveway and/or new public sidewalk as deemed necessary by the City Engineer. If required by the City Engineer, the above ground PG&E cabinet on the Fifth Street West frontage shall be relocated into an underground vault.
 - c. Storm drains and related facilities, including off-site storm drain facilities as necessary to connect to existing storm drain facilities.
 - d. Stormwater BMPs as approved in the Applicant's preliminary and final Stormwater Mitigation Plan (SMP) shall be shown on the drainage and improvement plans.
 - e. Grading and drainage plans shall be included in the improvement plans and are subject to the review and approval of the City Engineer, Planning Administrator and the Building Official.
 - f. Sewer mains, laterals and appurtenances, including off-site sewer mains and facilities as required by Sonoma County PRMD Sanitation Division/Sonoma County Water Agency; water conservation measures installed and/or applicable mitigation fees paid as determined by the Sonoma County Water Agency.
 - g. Water services for domestic use and a dedicated irrigation line, including service laterals and water meters to all lots. Separate water meters for landscaping shall be provided. The location of water meters and any required backflow assembly shall be identified on the improvement plans.
 - h. Private underground utility services, including gas, electricity, cable TV and telephone, to all residential lots/units in the subdivision.
 - i. Public street lighting as required by the City Engineer.
 - j. Fire hydrants in the number and at the locations specified by the Fire Chief. Fire hydrants shall be operational prior to beginning combustible construction.
 - k. Signing and striping plans shall be submitted to the City Engineer for review and approval. Said plans shall include "No Parking" signs/markings along the appropriate drive aisles, traffic control signs, and pavement markings as required by the City Engineer and or SVFRA/Fire Chief.
 - l. Parking and drives shall be surfaced with an all-weather surface material as approved by the Building Department.

- m. The property address numbers shall be posted on the building or property in a manner visible from the public street. Type and location of posting are subject to the review and approval of the City Engineer, Fire Chief and Planning Administrator.
- n. All necessary sidewalk, street, storm drainage, water, sewer, access and public utility easements shall be dedicated to the City of Sonoma or to other affected agencies of jurisdiction, as required.
- o. The applicant shall show proof of payment of all outstanding engineering plan check fees within thirty (30) days of notice for payment and prior to the approval of the improvement plans, whichever occurs first.
- p. All grading, including all swales, etc., shall be performed between April 1st and October 15th of any year, unless otherwise approved by the City Engineer

Enforcement Responsibility: City Engineer; Public Works Department; Building Department; Planning Department; Fire Department; SCWA

Timing: Prior to the approval of the Final Map and issuance of the grading and encroachment permits

- 6. The applicant shall obtain an encroachment permit from the City of Sonoma for all work within the West Spain Street and Fifth Street West rights-of-way.

Enforcement Responsibility: City Engineer; Public Works Department; Building Department

Timing: Prior to City approval of public improvement plans

- 7. The applicant shall be required to pay for all inspections prior to the acceptance of public improvements, or within 30 days of receipt of invoice; all plan checking fees at the time of the plan checks; and any other fees charged by the City of Sonoma, the Sonoma County Water Agency or other affected agencies with reviewing authority over this project, except those fees from which any designated affordable units are specifically exempted.

Enforcement Responsibility: Public Works Department; Building Department; City Engineer; Affected agency

Timing: Prior to the acceptance of public improvements, or plan check, or within 30 days of receipt of invoice, as specified above

- 8. No structures of any kind shall be constructed within the public easements dedicated for public use, except for structures for which the easements are intended.

Enforcement Responsibility: City Engineer; Public Works Department; Planning Department

Timing: Prior to the issuance of any grading/building permit; Ongoing

- 9. The project shall comply with the City of Santa Rosa Low Impact Development (LID) standards. Applicant shall submit a preliminary and final Stormwater Mitigation Plan (SWP) conforming to the City of Santa Rosa LID Standards to the City's Stormwater Coordinator and City Engineer for review and approval. Said SMP shall identify specific BMPs and include the BMPs in the project drainage and improvement plans.

Enforcement Responsibility: City Engineer; Public Works Department

Timing: Prior to the issuance of any grading/building permit

- 10. 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 approvals for the project remain valid.

Enforcement Responsibility: City Engineer; Public Works Department

Timing: Prior to issuance of any building permit

11. A soils and geotechnical investigation and report, prepared by a licensed civil engineer, shall be required for the development prior to the issuance of a grading permit and/or approval of the improvement plans, as determined by the City Engineer. Recommendations identified in the geotechnical investigation and report shall be incorporated into the construction plans for the project and into the building permits.

Enforcement Responsibility: City Engineer; Building Department
Timing: Prior to issuance of a grading/building permit or recording of the Final Map

12. Provisions shall be made to provide for temporary parking of construction related vehicles and equipment on or adjacent to the project site, and not in the adjacent neighborhoods, to be approved by the City of Sonoma Building, Planning, and Public Works Department. The contractors shall be required to maintain traffic flow on all affected roadways adjacent to the project site during non-working hours, and to minimize traffic restrictions during construction. The contractors shall notify all appropriate City of Sonoma and Sonoma County emergency service providers of planned construction schedules and roadways affected by construction in writing at least 48 hours in advance of any construction activity that could involve road closure or any significant constraint to emergency vehicle movement through the project area or the adjacent neighborhoods.

Enforcement Responsibility: Building, Planning & Public Works Departments; Police & Fire Departments
Timing: Ongoing during construction

13. Any wells on the site shall be abandoned in accordance with permit requirements of the Sonoma County Department of Environmental Health; or equipped with a back-flow prevention device as approved by the City Engineer. Wells that will remain shall be plumbed to irrigation system only and not for domestic use.

Enforcement Responsibility: City Engineer; Public Works Department
Timing: Prior to approval of the Grading Plans and Improvement Plans

14. 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 County Water Agency [For sewer connections and modifications and interceptor requirements, and for grading, drainage, and erosion control plans]
- b. Sonoma Valley Unified School District [For school impact fees]
- c. Sonoma County Department of Environmental Health [For abandonment of wells]

Enforcement Responsibility: Building Department; Public Works Department
Timing: Prior to the issuance of any grading/building permit

15. A sewer clearance shall be provided to the City of Sonoma Building Division 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 Water Agency immediately to determine whether such fees apply.**

Enforcement Responsibility: Building Department
Timing: Prior to the issuance of any building permit

16. The applicant/developer shall comply with all sanitation conditions of the Sonoma County Permit and Resource Management Department as set forth in their letter dated December 31, 2014 (attached).

Enforcement Responsibility: PRMD/SCWA; City Engineer; Public Works Department; Planning Department
Timing: As set forth in the letter dated 12/31/2014; Prior to final occupancy

17. All Building Department requirements shall be met, including Building Code requirements related to compliance with CALGreen standards. Building permits shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

18. All Fire Department requirements shall be met, including any code modifications effective prior to the date of issuance of any building permit. Automatic fire sprinkler systems shall be provided in all buildings/units.

Enforcement Responsibility: Fire Department; Building Department
Timing: Prior to the issuance of any building permit

19. The following dust control measures shall be implemented as necessary during the construction phase of the project: 1) all exposed soil areas (i.e. building sites, unpaved access roads, parking or staging areas) shall be watered at least twice daily or as required by the City's construction inspector, 2) exposed soil stockpiles shall be enclosed, covered, or watered twice daily; and 3) the portion of Fifth Street West and/or West Spain Street providing construction vehicle access to the project site shall be swept daily, if visible soil material is deposited onto the road.

Enforcement Responsibility: Building Inspector; Public Works Inspector
Timing: Ongoing during construction

20. One (1) unit within the development (the unit located on Lot 7) shall be designated as affordable units for households in the low or moderate income categories. The affordable unit shall be recorded against the deed of the lots on which it lies at the County Recorder's Office, with a standard City Affordability Agreement subject to review and approval by the Planning Administrator. The developer shall enter into a contract with the City assuring the continued affordability of the designated units for a minimum period of 45 years and establishing maximum rents, maximum sale prices, and resale restrictions. The affordable units shall be constructed in conjunction with construction of the market rate units.

Enforcement Responsibility: Planning Department, Building Department
Timing: Prior to occupancy of any unit.

21. The applicant shall submit a Conditions, Covenants and Restrictions document for review and approval by the City Attorney, Planning Director, and City Engineer in conjunction with the establishment of a homeowner's association (HOA) for the subdivision. At a minimum, the CC&R's shall provide for maintenance and specify standards to be used to maintain the private driveway, private parking lot, private street furniture/light standards, private street signs, red-curbings and other pavement markings/stripping, private drainage facilities, private community garden, and common landscape areas/features (including any private street trees) and shall be recorded with the County of Sonoma. The CC&R's shall also include requirements prohibiting use of the units as vacation rentals and mandating that garages be maintained for vehicle parking. This project shall be developed as a common interest subdivision.

Enforcement Responsibility: City Engineer, City Attorney
Timing: Prior the recordation of the Final Map

22. The project shall be constructed in accordance with the following requirements related to tree preservation, mitigation and replacement:
- a. Trees removed from the site shall be replaced at a 2:1 ratio with 15-gallon trees or a lesser ratio if 24-inch box size replacement trees are used.
 - b. The developer shall adhere to the tree protection measures included within the arborist report.
 - c. Any replacement trees planted along the property frontages shall be consistent with the City's Street Tree Planting Program, including the District Tree List.
 - d. The oak tree in the northwest corner of the site shall be preserved and the project arborist shall review the grading and drainage plan to ensure that the area around the oak tree is treated appropriately in terms of material and fill.

Enforcement Responsibility: Planning Department, Design Review Commission
Timing: Throughout demolition/construction; Prior to the issuance of any occupancy permit

23. The development shall be subject to the review and approval of the Design Review Commission (DRC). This review shall encompass elevation details, colors and materials, landscaping (including fences and walls), lighting, and site details (such as bike racks and trash enclosures), and any other issues specifically referred to the DRC by the Planning Commission.

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to the issuance of any building permit

24. Solid wood fencing with a minimum height of 6 feet shall be installed along the south and west boundaries of the development in compliance with Development Code §19.40.100 (Screening and Buffering) and §19.46 (Fences, Hedges, and Walls). The fencing shall be subject to the review and approval of the Design Review Commission (DRC) as part of the landscape plan.

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to any occupancy permit

25. A landscape plan shall be prepared by a licensed landscape architect. The plan shall be subject to the review and approval of the Design Review Commission (DRC). The plan shall address site landscaping, the community garden/open space area, fencing/walls, hardscape improvements, required tree plantings. Street trees along the West Spain Street and Fifth Street West frontages shall be consistent with the City's Tree Planting Program, including the District Tree List. The landscape plan shall comply with City of Sonoma's Water Efficient Landscaping Ordinance (Municipal Code §14.32) and Development Code Sections 19.46 (Fences, Hedges, and Walls), 19.40.070 (Open Space for Multi-Family Residential Projects), 19.48.090 (Landscaping of Parking Facilities), and 19.40.060 (Landscape Standards).

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to any occupancy permit

26. Onsite lighting shall be addressed through a lighting plan, subject to the review and approval of the Design Review Commission (DRC). All proposed exterior lighting for the buildings and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines contained under Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security.

Enforcement Responsibility: Planning Division; DRC
Timing: Prior to issuance of occupancy permit

27. If archaeological remains or a dense concentration of historic period site indicators are uncovered, work at the place of the discovery shall be halted immediately until a qualified archaeologist can evaluate the finds. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

Enforcement Responsibility: Building Department; Planning Department; Public Works Department
Timing: Ongoing during construction

28. If paleontological resources are identified during construction activities, all work in the immediate area will cease until a qualified paleontologist has evaluated the finds in accordance with the standard guidelines established by the Society of Vertebrate Paleontology. If the paleontological resources are considered to be significant, a data recovery program will be implemented in accordance with the guidelines established by the Society of Vertebrate Paleontology.

Enforcement Responsibility: Building Department; Planning Department; Public Works Department
Timing: Ongoing during construction

29. If human remains are encountered, excavation or disturbance of the location shall be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission. The Native Heritage Commission will identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations regarding the treatment of the remains with appropriate dignity.

Enforcement Responsibility: Building Department; Planning Department; County Coroner
Timing: Ongoing during construction

30. The project applicant shall pay a proportionate share of the cost of signaling the intersection at Fifth Street West/West Spain Street.

Enforcement Responsibility: City Engineer; Planning Department; Public Works Department

Timing: Prior to acceptance of the Final Map

31. The project applicant shall be required to prepare and implement a recycling plan for both the deconstruction of existing structures and new construction detailed in the project description. The recycling plan shall address the major materials generated through deconstruction of existing structures and construction of new buildings, and shall identify the means to divert these materials away from landfill disposal. Typical materials included in such a plan are soil, brush and other vegetative growth, sheetrock, dimensional lumber, metal scraps, cardboard packaging, and plastic wrap.

Enforcement Responsibility: Planning Department; Building Department; Public Works Department

Timing: Prior to demolition and/or construction; Ongoing through construction

PROJECT NARRATIVE

Fifth Street West Homes

405 5th St West, Sonoma CA

APN: 127-221-007

Location: The south west corner of 5th St West and West Spain St

Size: Approximately 0.49 acres

Current Zoning: Commercial, Northwest Planning Area

Allowable Units: 9

Proposed Units: 7 “townhome” style units, including 1 medium income designated unit. This project is a Planned Development that will include subdividing the existing property into seven individual properties plus an 8th parcel for the driveway, common areas, and landscaping. This project is being brought before the Planning Commission as a Planned Development project in accordance with City of Sonoma Ordinance 19.54.070 Planned development permit with the following qualifications:

1. Due to the setbacks, density, and height restrictions of this site it is extremely difficult to design a project that meets all the zoning criteria. Specifically, there is only one location allowable for both vehicular ingress and egress and that is located near the southeasterly corner of the property. Additionally, the southern property line abuts an alley that is used by semi-trucks to service the shopping center to the south of the property. Those trucks are required to make early morning deliveries. These two conditions result in a building envelope in the northern half of the property.
2. This plan meets the setback, density, and height requirements of the current property zoning, but does not meet the required minimum lot size and width, and thus requires the Planned Development (PD) designation.
3. This plan replaces an approved commercial plan which, while in accordance with the current zoning, was out of place at the location and not preferred by the neighbors and/or the Planning Commission. This plan provides an architecturally pleasing design, needed additional housing, and decreased traffic impact as compared to the originally approved commercial project.
4. Affordable housing is included in the project without reducing the visual attractiveness or design quality of the project.
5. This plan has been reviewed by the various City departments who found no unworkable concerns. City staff has encouraged a residential use for the property versus a

commercial use. The initial study session with the Planning Commission provided some suggested changes, all of which were included in the new design other than a reduction in the number of units which was discussed at the study session; the Commissioners indicated they understood and could accept the proposed density. Additionally, all of the Planning Commissioners were contacted for additional comments on the revised plan from the study session. Four of the Commissioners responded to the request to meet in person. All the comments provided by those commissioners has been incorporated into the more recent designs.

Maximum Height: Less than 30 feet

Project Overview: While there was a previous approval for a mixed use retail/office building for this site, there is currently a stronger demand for residential properties than commercial properties within the City of Sonoma area. Despite much of the ground work being done on the previous approval for the office/retail project, the economics do not work for us to proceed with the project as previously approved. The zoning allows for up to 20 units per acre with a simple use permit which would allow a maximum of 10 units on this site. Due to the various location and zoning constraints of the property, such as the 30 ft height limit and setbacks from each of the two streets that border the property, we do not believe we can construct more than 7 units on the property and still have a product that would appeal to home buyers.

The design as conceptually proposed results in six two-bedroom two-bath townhomes and one one-bedroom one-bath single story home in a row house style of development. One of the seven will be designated as a moderate income inclusionary unit. Each unit will have one covered parking space in a private garage with the remainder of the required parking being shared outdoor parking in a paved parking lot.

We believe the design meets all the site's required design criteria as defined by the Zoning Ordinance and we are not asking for any variances. The Planned Development designation is being sought to allow the smaller lots required to provide each of the 7 townhomes their own individual properties. This submission has taken into account comments provided by the Planning Committee's study session in July 2014 and revisions based on those comments include:

1. Reduced massing as viewed from the intersection of 5th St West and W Spain
2. Increased variation in the northern elevation to increase building attractiveness
3. Internal courtyards on three of the units to increase usability and size of yard space
4. Redesign of eastern elevation to provide a single story scale at the intersection
5. Orientating the easterly units entry onto Fifth Street West
6. Ensuring all units have a location on the floor plans for a washer and dryer
7. Identifying locations for refuse containers

After the initial redesign we met with a few of the Planning Commissioners on site for additional feedback, which was also incorporated into the next design:

1. Change of siding material for increased aesthetic appeal
2. Wrapping the patio wall of the eastern most unit (7C) to further break up the eastern elevation

Lastly, after the January 2015 Planning Commission meeting we incorporated additional changes. The following is a list of Planning Commissioner comments and the changes made to the design in response to the comments.

1. Reduce visual impact of large double gables along West Spain Street.
Response: The West Spain Street (north) elevation has been redesigned to have only three small gables only as wide as one unit rather than the original taller double gable spanning the width of two units. The units between the three gables now have lower roofs rotated 90 degrees as the Chairman suggested.
2. West elevation is too large, flat and harsh.
Response: The footprint of the westerly unit (unit #1) has been modified so that only a small portion of the wall directly adjacent to the property line is two stories in height and the wall is broken into two vertical planes instead of being flat as it originally was designed. Since the roof over unit #2 has been rotated it no longer has a high blank wall facing west. The two story portion of unit #1 doesn't begin until approximately 50 feet from the back of sidewalk at West Spain Street.
3. Provide cover at bike racks.
Response: A cover over the bike racks and the concrete wall bench has been shown on the Site Plan.

Additionally, the building footprints were modified by sliding the front walls of units #1 and #4 toward W Spain Street. This will reduce the uniformity of the front façade. Sliding unit #4 to the north also increases the size of its rear patio. The elevation drawings in our presentation now include the patio walls/fences which give a more complete picture of the final product.

With the inclusion of these three rounds of suggested design improvements to our project, we believe we meet, at least in part, all 6 items stated as Objectives under the PD Ordinance.

In between our initial review in July 2014 and the resubmission for formal review we explored several design options for the project including one that we brought before the Planning Department for review and comment. As a result of this six month process we believe this proposal represents the best design possible for the economically feasible development of this currently underutilized site.

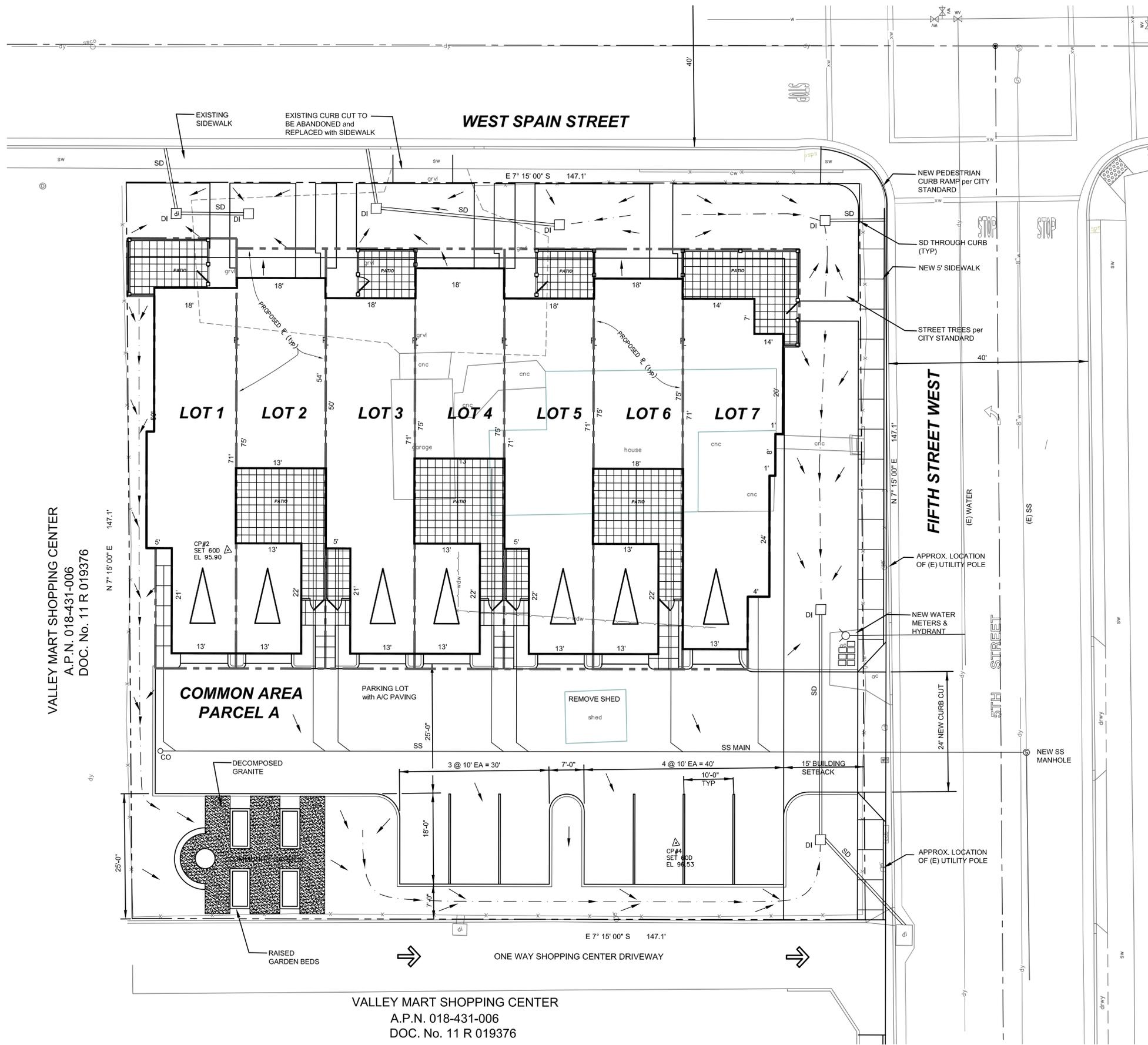
If for some reason the site improvement costs associated with this project are higher than anticipated and the project loses its economic feasibility the existing house will be repaired and sold as a single family dwelling.

NO.	DATE	REVISION



1-23-15
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TENTATIVE MAP
FIFTH STREET WEST HOMES
 ALTUS EQUITY GROUP, LP
 405 FIFTH STREET WEST
 SONOMA CALIFORNIA



ABBREVIATIONS

- SCREENED and/or lower case DENOTES EXISTING IMPROVEMENTS
- ± PLUS/MINUS
 - AC ASPHALT CONCRETE
 - APN ASSESSOR PARCEL NUMBER
 - APPROX APPROXIMATE
 - C&G CURB & GUTTER
 - CLSTR CENTERLINE
 - CLSTR CLUSTER
 - CMP CORRUGATED METAL PIPE
 - CNC CONCRETE
 - DE DRAINAGE EASEMENT
 - DI DROP INLET
 - DN DOCUMENT NUMBER
 - EM ELECTRIC METER
 - EX EXISTING
 - FF FINISHED FLOOR
 - FL FLOWLINE
 - GM GAS METER
 - IFO IN FAVOR OF
 - INV INVERT
 - LF LINEAR FEET
 - (max) MAXIMUM
 - (min) MINIMUM
 - O/H OVERHEAD UTILITY LINES
 - PLTR PLANTER
 - R PROPERTY LINE
 - PP POWER POLE
 - PUE PUBLIC UTILITY EASEMENT
 - R RADIUS
 - RDWD REDWOOD
 - RCP REINFORCED CONCRETE PIPE
 - R/W RIGHT OF WAY
 - SD STORM DRAIN
 - SF SQUARE FEET
 - SS SANITARY SEWER
 - SSCO SANITARY SEWER CLEANOUT
 - SW SIDEWALK
 - SWE SIDEWALK EASEMENT
 - (typ) TYPICAL
 - W WATER

LOT AREAS

LOT No. 1	1,506 SF
LOT No. 2	1,500 SF
LOT No. 3	1,515 SF
LOT No. 4	1,495 SF
LOT No. 5	1,515 SF
LOT No. 6	1,490 SF
LOT No. 7	1,561 SF
PARCEL A	11,057 SF
TOTAL	21,639 SF

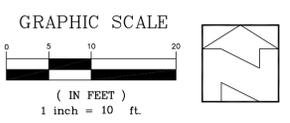
NOTES:

- THERE ARE NO KNOWN WELLS OR SEPTIC TANKS ON THE PROPERTY.
- THERE ARE NO EXISTING WATERCOURSES THROUGH THE SITE.
- ALL STRUCTURES ON THE PROPERTY WILL BE REMOVED.
- THE PROPERTY IS NOT SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.

VALLEY MART SHOPPING CENTER
 A.P.N. 018-431-006
 DOC. No. 11 R 019376

COMMON AREA
PARCEL A

VALLEY MART SHOPPING CENTER
 A.P.N. 018-431-006
 DOC. No. 11 R 019376



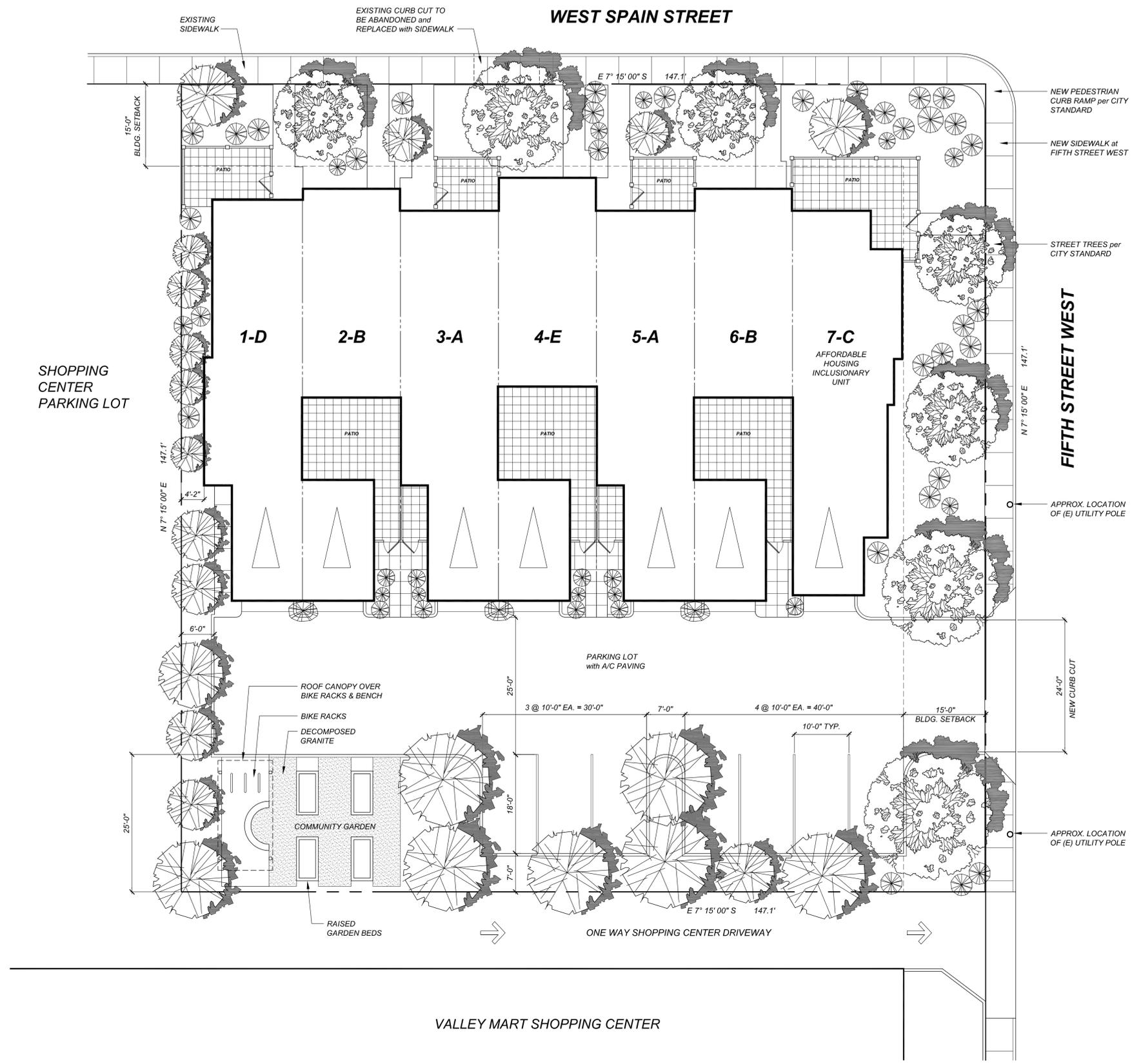
OWNER/SUBDIVIDER
 Altus Equity Group, LP
 Mr. Forrest Jinks
 P.O. Box 6787
 Santa Rosa, CA 95406

TENTATIVE MAP
FIFTH STREET WEST HOMES
405 FIFTH STREET WEST SONOMA, CA

A.P.N. 127-221-007 7 LOTS + PARCEL A 0.50 ACRE January, 2015

DOC. No. 14 R 010673
 REAL PROPERTY IN THE CITY OF SONOMA, COUNTY OF SONOMA,
 STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 509 OF THE FORMER PUEBLO OF SONOMA, NEAR SONOMA; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 509, A DISTANCE OF 147.1 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT A DISTANCE OF 147.1 FEET; THENCE EASTERLY AND PARALLEL WITH THE NORTHERLY OF SAID LOT A DISTANCE OF 147.1 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE NORTHERLY OF SAID LOT A DISTANCE OF 147.1 FEET TO THE POINT OF BEGINNING. TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS THEREON.



VICINITY MAP



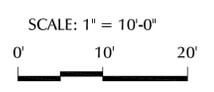
PROJECT DATA

PROJECT LOCATION:	405 WEST FIFTH STREET CORNER OF WEST FIFTH STREET and WEST SPAIN STREET
ASSESSOR PARCEL #:	127-221-007
EXISTING ZONING & LAND USE:	NORTHWEST AREA
GENERAL PLAN DESIGNATION:	C - COMMERCIAL
PROPOSED ZONING:	PD - PLANNED DEVELOPMENT (RESIDENTIAL)
SITE AREA:	21,638 S.F. (APPROX. 0.50 ACRE)
# OF HOMES:	7
HOME SIZES	
HOME TYPE "A"	1252 S.F. with 272 S.F. GARAGE
HOME TYPE "B"	1103 S.F. with 286 S.F. GARAGE
HOME TYPE "C"	878 S.F. with 332 S.F. GARAGE
HOME TYPE "D"	1235 S.F. with 272 S.F. GARAGE
HOME TYPE "E"	1138 S.F. with 286 S.F. GARAGE
OVERALL SITE COVERAGE	31% (including 4 attached garages)
OVERALL SITE F.A.R.	42% (including 4 attached garages)
INDIVIDUAL LOT DATA	
LOT #1	COVERAGE: 78% F.A.R.: 103%
LOT #2	COVERAGE: 45% F.A.R.: 74%
LOT #3	COVERAGE: 76% F.A.R.: 101%
LOT #4	COVERAGE: 45% F.A.R.: 74%
LOT #5	COVERAGE: 76% F.A.R.: 101%
LOT #6	COVERAGE: 45% F.A.R.: 74%
LOT #7	COVERAGE: 78% F.A.R.: 78%
COMMON AREA PARCEL A	- Coverage and F.A.R. Not Applicable (No Buildings on Common Area Parcel)
PARKING:	
COVERED	1 GARAGE PER UNIT = 7 SPACES
UNCOVERED	7 SPACES
TOTAL PROVIDED	14 SPACES (2 spaces per 2 bedroom home)
OPEN SPACE:	
PRIVATE (PATIOS)	1750 S.F.
COMMUNITY GARDEN AREA	1350 S.F.
	3100 S.F. (443 S.F. per home)

FIFTH STREET WEST HOMES

405 FIFTH STREET WEST, SONOMA, CALIFORNIA

CONCEPTUAL SITE PLAN



TIERNEY/FIGUEIREDO

817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403
(707) 576-1557 (707) 576-1555 FAX TFA@SONIC.NET

ARCHITECTS AIA

01/15/15 #1413



FIFTH STREET WEST HOMES

405 FIFTH STREET WEST, SONOMA, CALIFORNIA

CONCEPTUAL FIRST FLOOR PLANS

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



TIERNEY/FIGUEIREDO

817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403
(707) 576-1557 (707) 576-1555 FAX TFA@SONIC.NET

ARCHITECTS AIA

01/15/15
#1413

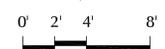


FIFTH STREET WEST HOMES

405 FIFTH STREET WEST, SONOMA, CALIFORNIA

CONCEPTUAL SECOND FLOOR PLANS

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



TIERNEY/FIGUEIREDO

817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403

(707) 576-1557 (707) 576-1555 FAX TFA@SONIC.NET

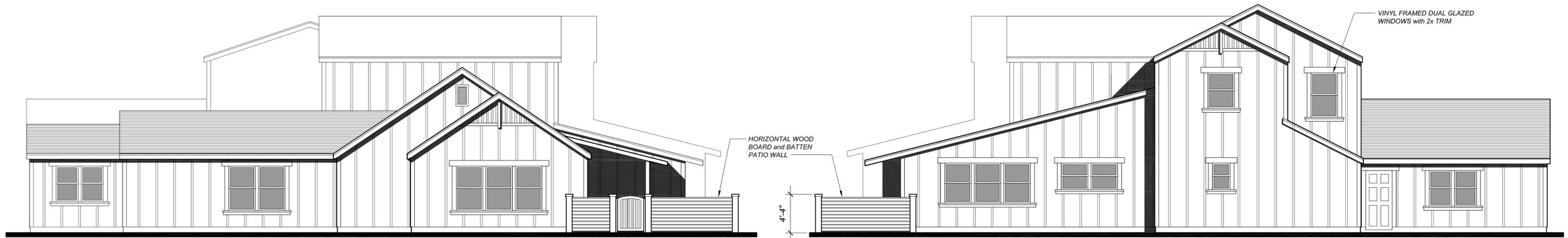
ARCHITECTS

AIA

01/15/15
#1413



NORTH - WEST SPAIN STREET



EAST - FIFTH STREET WEST

WEST



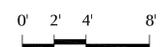
SOUTH

FIFTH STREET WEST HOMES

405 FIFTH STREET WEST, SONOMA, CALIFORNIA

CONCEPTUAL ELEVATIONS

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



TIERNEY/FIGUEIREDO

817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403
(707) 576-1557 (707) 576-1555 FAX TFA@SONIC.NET

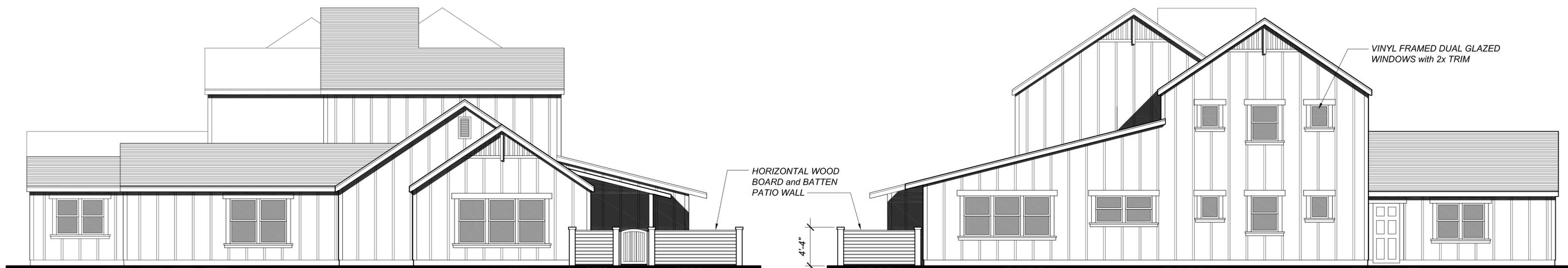
ARCHITECTS AIA

01/15/15
#1413



PATIO WALLS OMITTED FOR CLARITY

NORTH - WEST SPAIN STREET



VINYL FRAMED DUAL GLAZED WINDOWS with 2x TRIM

HORIZONTAL WOOD BOARD and BATTEN PATIO WALL

4'-4"

EAST - FIFTH STREET WEST

WEST



CONDUIT PROVIDED FROM ELECTRICAL PANELS TO ATTICS OF SOUTH and WEST FACING ROOFS FOR POTENTIAL FUTURE PHOTOVOLTAIC PANELS

ARCHITECTURAL GRADE COMPOSITION SHINGLES

2x CORNER TRIM

VERTICAL WOOD BATTEN OVER RESAWN PLYWOOD SIDING

28'-10"

SOUTH

FIFTH STREET WEST HOMES

405 FIFTH STREET WEST, SONOMA, CALIFORNIA

CONCEPTUAL ELEVATIONS

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

0' 2' 4' 8'



REVIEWED BY PLANNING COMMISSION ON 1/8/15

TIERNEY/FIGUEIREDO

817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403

(707) 576-1557 (707) 576-1555 FAX TFA@SONIC.NET

ARCHITECTS

AIA

12/05/14 #1433

Agenda Item Title: Application for a Temporary Use Permit to allow for a 5-kilometer run/walk event from the Sebastiani Winery on Saturday, March 7, 2015, at 389 Fourth Street East.

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

Site Address/Location: 389 Fourth Street East

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 02/02/15

PROJECT SUMMARY

Description: Application of Shelley Marmaduke for a Temporary Use Permit to for a 5-kilometer run/walk event from the Sebastiani Winery at 389 Fourth Street East on Saturday, March 7, 2015.

General Plan Designation: Wine Production (WP)

Zoning: **Base:** Wine Production (W) **Overlay:** Historic (/H)
Site

Characteristics: The Sebastiani Winery is located on Fourth Street East between East Spain Street and Lovall Valley Road. The facility consists of a several properties and buildings used for wine production, wine tasting, and related activities. The proposed 5 kilometer event would occur in the grassy area toward Lovall Valley Road, referred to as the "Arbor Park."

Surrounding Land Use/Zoning: **North:** Single Family Residences/ Low Density Residential
South: Single Family Residences/ Low Density Residential
East: Winery Building/ Wine Production
West: Winery Office/ Low Density Residential

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 subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

Shelley Marmaduke, Senior at Sonoma Valley High School, is requesting approval of a Temporary Use Permit to hold a 5-kilometer run/walk event outdoors on the grounds of the Sebastiani Winery. The purpose of the event is to satisfy the Sonoma Valley High School Senior Project graduation requirement. The event would begin and end in the grass park area located toward Lovall Valley Road on Saturday, March 7, 2015, between 7 a.m. to 12 p.m. (including set-up and breakdown time). The race itself would occur from 8 a.m. to 9:30 a.m. and take place on city and county streets in the neighborhood. To minimize noise impacts on the nearby residential neighborhood, no microphones or music are proposed as part of the event. It is anticipated that up to 100 people may attend the event.

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

The property is designated Wine Production by the General Plan. This designation is intended to recognize the Sebastiani Winery. Within this land use designation, agricultural or food processing, wineries, and winery accessory uses are allowed subject to use permit review. The scope of this proposal does not raise issues with regard to General Plan goals and policies.

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

Use: The property is zoned Wine Production (WP). “Winery Accessory Uses” are allowed in the Wine Production zone with a use permit. Winery accessory uses are defined as follows: *Uses and activities conducted in conjunction with a winery, including wine tasting, food service and restaurants, gift sales and special events.*

On-Site Parking: Parking for the event would be accommodated by the winery’s main parking lot, which has over 190 parking spaces. Given the significant amount of off-street parking available at the winery, it is staff’s view that the proposal does not raise any parking adequacy issues.

Development Standards: Because the proposal does not involve construction of any new permanent structures, coverage, setbacks, building height, and other development standards are not applicable.

Temporary Use Permit Approval: Pursuant to Development Code Section 19.54.030.J, the Planning Commission may approve a Temporary Use Permit provided that the following findings can be made:

1. That the establishment, maintenance or operation of the temporary use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use; and
2. The temporary use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and
3. The temporary use does not involve the construction of new permanent structures for which a building permit is required.

Because the winery has not elected to apply for an annual calendar of special events, individual outdoor events (excluding weddings), such as special events, are now forwarded to the Planning Commission for review on a case-by-case basis in order to allow public notice and comment from neighboring residents. In this instance, it appears the findings for a temporary use permit can be made in that the event is one-time community event with the majority of activity – the race itself – occurring offsite between 8 a.m.

and 9:30 a.m. That being said, in review of the permit the Planning Commission can take into consideration the frequency of special events at the winery and the winery's responsiveness to neighbor concerns that have arisen from previous events.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing or minor alteration of existing private structures and facilities is Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

The primary issue to be considered in the review of the event is compatibility with neighboring residential uses in terms of noise. It should be noted that the applicant hand-delivered a letter to all City of Sonoma residences along the route and engaged in conversations with many of them. A summary of the outreach is attached. Given the limited hours of the event (7 a.m. to 12 p.m. with the event occurring from 8 a.m. to 9:30 a.m.) and that music, microphones and/or amplification are not proposed it is staff's view that the event would not significantly impact residential neighbors.

RECOMMENDATION

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

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location map*
4. *Project narrative*
5. *5 kilometer event route map*
6. *Correspondence*
7. *Site plan*

cc: Shelly Marmaduke
415 Church Street
Sonoma, CA 95476

Linda Benson, via email

Sebastiani Winery
Attn: Christopher Johnson
389 Fourth Street East
Sonoma, CA 95476

Linda McGarr
486 Lovall Valley Road
Sonoma, CA 95476

Jim and Cathy Wallis
440 Lovall Valley Road
Sonoma, CA 95476

Dan Sondheim
461 San Lorenzo Court
Sonoma, CA 95476

Bret Sackett, Police Chief

Dean Merrill, Streets Supervisor

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Temporary Use Permit for 5-Kilometer Run/Walk Event
389 Fourth Street East

March 7, 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:

Temporary Use Permit Findings

1. That the establishment, maintenance or operation of the temporary use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use; and
2. The temporary use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and
3. The temporary use does not involve the construction of new permanent structures for which a building permit is required.

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Temporary Use Permit for a 5-Kilometer Run/Walk Event
389 Fourth Street East

March 7, 2015

1. The event shall be operated and managed in accordance with the project narrative and approved site plan, except as modified by these conditions of approval.

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. Hours of operation in for the event, including set-up, breakdown, and attendance by the public shall not exceed 7 a.m. to 12 p.m.

Enforcement Responsibility: Planning Department
Timing: Ongoing

3. Compliance with the decibel limits of the Noise Ordinance shall be required.

Enforcement Responsibility: Planning Department
Timing: Ongoing

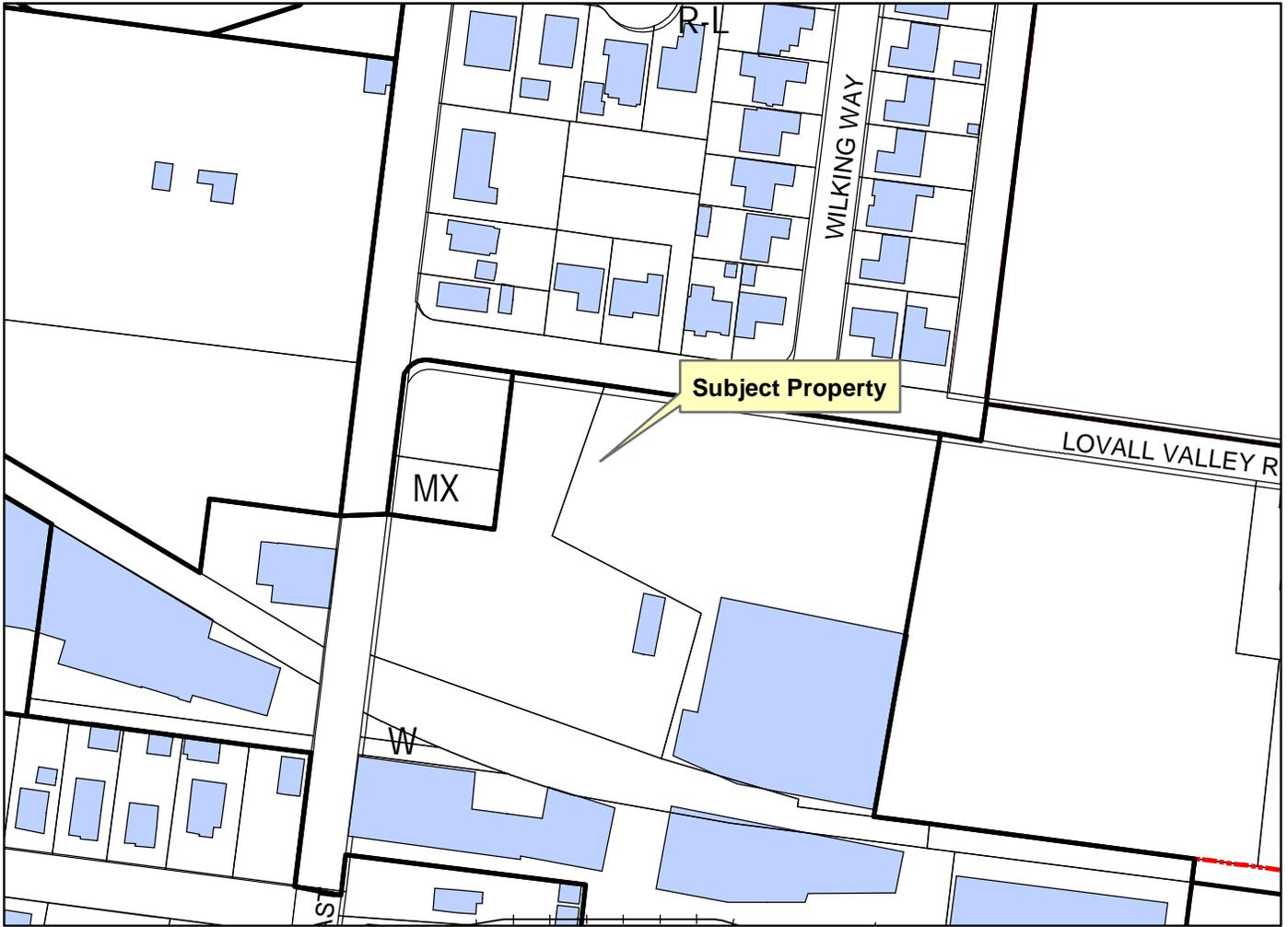
4. No other outdoor activities, including food service, the performance of live music or the playing of pre-recorded music are authorized under this permit.

Enforcement Responsibility: Planning Department
Timing: Ongoing

5. There shall be no amplification associated with the event.

Enforcement Responsibility: Planning Department
Timing: Ongoing

Vicinity Map

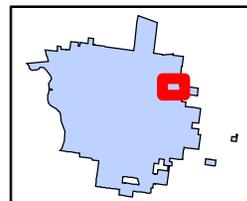


Project Summary

<i>Project Name:</i>	Marmaduke TUP
<i>Property Address:</i>	389 Fourth Street East
<i>Applicant:</i>	Shelley Marmakuke
<i>Property Owner:</i>	Foley Family Wines, Inc.
<i>General Plan Land Use:</i>	Wine Production
<i>Zoning - Base:</i>	Wine Production
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration of a Temporary Use Permit to allow for a 5-kilometer run/walk event.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, 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 Denisty 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



0 100 200 400 Feet

1 inch = 200 feet

RECEIVED

JAN 13 2015

CITY OF SONOMA

5k Run Event Details

Event: 5k run for Senior Project: Non-Profit

Date: March 7th 2015

Location: Sebastiani Winery grass area

Amount of People: At least 100 people

Helpers/volunteers and set up and check in: 7:00am

Length of race: 5k (3 miles)

Race Start time: 8:00am – 9:30am

We should be at Sebastiani Winery from 7:00 am until most likely 12pm, depending on how long clean up and the end of the event takes.

After Race: I will do a brief speech thanking everyone for participating and supporting my senior project and explaining my project. Lynda has planned to have booths there that will have water and snacks (donated, probably from local business and stores). Also I will have a raffle and the winner will pour ice water on me for the ALS Ice Bucket Challenge.

Sound Use: I will have a microphone + speakers

Clean Up: I will have my family and my volunteers to help clean up and direct people.

Trafficking: Police department and volunteers to help direct people which ways to go for the route. No roads will be shut down.

Price for race: 25 dollars for everyone, high school students 15 dollars, ages 10 and under 10 dollars

Race Route:

START: Sebastiani Winery, down Lovall Valley Road

Left on 7th street east

Right on Castle Road

All the way down to Bartholomew Winery's gate, turn around back down castle

Left on 7th Street East

Right on Lovall Valley Road

Right on Gehricke

Left on Brazil Street

Left on 4th Street East

Left on Lovall Valley Road- back to Sebastiani



 tables for donations/
registration/vendors

RECEIVED

JAN 30 2015

CITY OF SONOMA

Wendy Atkins

From: Shelley Marmaduke <shelley.marmaduke@hotmail.com>
Sent: Wednesday, January 21, 2015 5:10 PM
To: Wendy Atkins
Subject: RE: 5k run

Hi Wendy,

This is my summary of when I talked to Linda and handed out the letters:

I wrote a small letter that described what was happening on March 7th and why. The letter explained when the race would start and also that the neighbors didn't have to worry about roads being shut down because the roads are being shared with the runners. I left the letter on everyone's doorstep/mailbox. I was able to talk to a couple of the neighbors who were outside and they were supportive about my event. I then went to Linda McGarr's house and told her who I was and about my Senior Project and handed her the letter I wrote. Once I told her the event was at Sebastiani, she said that upsets her already but to keep going. I explained more about my project, basically summarizing my whole plan of the event. She asked why the events and runs always have to be in this area. I said because it is a nice area and not really any busy roads. Then she said that "you people" need to realize that the people living here don't want to be woken up or disturbed, we live in this area for a reason. I told her there wouldn't be any music and I would be giving a brief speech to everyone at the end of the race thanking them for supporting my Senior Project so the noise shouldn't be a huge issue. When I told her there would be at least 100 people she also was mad about that. She was polite in saying that she knows my parents and they are great people, and encourages my Senior Project she just doesn't want events done at Sebastiani. She said you need to let everyone know that we don't want anymore events or races done over here. Then she said so are you asking for donations, and I said well right now I'm just notifying the neighbors of the event but later I will have a page online where people can donate. She said well I'm not good with internet, and I said well you can walk over in the morning the day of the event and donate then if you want and she said okay great.

Anything else that I need to include?

Shelley.

RECEIVED

JAN 22 2015

CITY OF SONOMA

From: WendyA@sonomacity.org
To: shelley.marmaduke@hotmail.com
Subject: RE: 5k run
Date: Tue, 20 Jan 2015 17:32:36 +0000

Hi Shelley,

Yes, I received Christopher's email. Also just type up a small paragraph about the neighbor outreach when it is complete.

Wendy Atkins

Hello, my name is Shelley Marmaduke and I am a Senior at Sonoma Valley High School. I am reaching out to you and your neighbors in hopes of having your support for my Senior Project. Each year every Senior is required to do a Senior Project in order to graduate. I have chosen to put on a 5k run event that raises money for ALS {known as Lou Gehrig's Disease}. I have chosen to do this event in memory of my grandmother, who passed from the disease two years ago.

My grandmother was the center of our family and she is deeply missed. This disease is devastating to everyone. It is an experience we went through as a family and was heartbreaking. I am hoping to raise more awareness about ALS and give back. I am just one small piece of the puzzle, but am hoping to do something amazing with my 5k event.

Here are the Event details:

Date of event is Saturday, March 7th, 2015

A 5k run/walk {3 miles} starting at Sebastiani Winery. The course route includes Lovall Valley Road, 7th Street East, Castle Road, Gehricke, Brazil and 4th Street East. The roads will **NOT** be blocked during this time, but will be shared with runners/walkers. We will be starting the set up around 7:00 a.m. on Saturday morning, the race will start at 8:00 a.m. and should not last longer than an hour and half. The race will end at Sebastiani Winery grass area.

We will not have loud music or sound equipment. We will have someone announcing the start of the race and a brief "thank you" speech for all those who come out to support the cause. I am hoping to have anywhere from 50 to 100 participants. Most of these people will be local community members and possibly families. We plan on having everything cleaned up and all people cleared out by 12:00 noon.

I am looking forward to seeing such an event take off and be successful and without your help and support, it would not be possible.

Thank you for your time and if you have any questions, OR if you would like to participate and/or just donate to the cause please feel free to contact me at shelley.marmaduke@hotmail.com

Sincerely,

Shelley Marmaduke

RECEIVED

FEB - 2 2015

CITY OF SONOMA

January 28, 2015

City Hall
No.1 The Plaza
Sonoma, CA 95476

RE: Temporary Use Permit for Shelley Marmaduke

Planning Commission:

I wish to state my support for Shelley Marmaduke and her application for a 5 kilometer run event. I have known Shelley for many years and watched her successfully progress through our public schools, local soccer programs and as a member of the SVHS Dragons soccer team. I am sure her run is for her senior project at SVHS. Her family is the owners of the ice cream shop, Grandma Linda's Ice Cream, and have been long time supporters of many local youth organizations. Now is the time for the community to support her. The project should be approved and the permit should be issued to her.

Thank you,



Dan Sondheim

461 San Lorenzo Ct.
Sonoma, CA

RECEIVED

FEB - 4 2015

To: Sonoma Planning Commission

CITY OF SONOMA

Re: Public Response regarding Shelley Marmaduke's application for a 5 kilometer run event on Saturday, March 7, 2015

From: Jim and Cathy Wallis

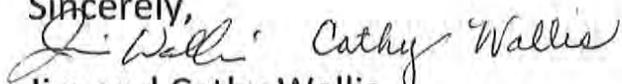
Sonoma Planning Commission,

We live at 440 Lovall Valley Road, and we are in favor of allowing Shelley Marmaduke to proceed with her plan involving acquiring a Temporary Use Permit to allow for a 5 kilometer run. The event is planned to be from the Sebastiani Winery at 389 Fourth Street East.

We had the privilege of meeting Shelley Marmaduke and her Mom when they were in our neighborhood. They were passing out information regarding the event. Shelley told us that the purpose of her proposed event was to raise awareness of ALS and to give back in memory of her grandmother. We think that this is an excellent cause, and we are in total support of her efforts. We had a dear friend die from this devastating disease not too long ago.

We hope that our neighborhood will be totally supportive of such a fine endeavor.

Sincerely,


Jim and Cathy Wallis



RECEIVED
JAN 13 2015
CITY OF SONOMA

Agenda Item Title: Application for 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.

Applicant/Owner: Robert Ryan/Lea Rubin

Site Address/Location: 452 First Street East, Suite G

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 2/6/12

PROJECT SUMMARY

Description: Application of Robert Ryan for a Use Permit to convert an existing wine tasting room to a beer and wine bar at 452 First Street East, Suite G, in conjunction with amendments to the current Music Venue License.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic

Site Characteristics: The subject property is a commercial condominium located within the Mercato shopping center off First Street East opposite the Plaza. Suite G is a 550-square foot unit with small courtyard located on the south side of the complex at the end of an alley running between The Chocolate Cow and La Salette Restaurant. The parking lot serving the complex is located east of the shopping center.

Surrounding Land Use/Zoning:

North: Other commercial units/businesses within the Mercato, including The Chocolate Cow, Footcandy Shoes, Angelique Clothing, and La Salette Restaurant/Commercial

South: Commercial businesses within the Place des Pyrenees, including Basque Boulangerie Cafe and Murphy's Irish Pub/Commercial

East: Walled outdoor storage area for La Salette Restaurant, with Mercato parking lot beyond /Commercial

West: Other commercial units/businesses within the Mercato, including Terra Firma real estate office/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 subject to conditions.

PROJECT ANALYSIS

BACKGROUND

The applicant has operated a wine tasting room at this location for several years, first as Jonathon Smith Cellars and then Erik K. James Vineyards (the tasting rooms have operated under a Type 02 ABC license – a duplicate license that only allows for serving wine from a specific winery). Subsequently, in November 2012, the Planning Commission approved a Music Venue License for the tasting room, with a focus on evening jazz performances three nights per week from 7p.m. to 10p.m. The applicant would now like to change the business from a tasting room to a broader entertainment venue and drinking establishment that would operate under a Type 42 ABC license, which allows for the sale of beer and wine but not distilled spirits/liquor.

DETAILED PROJECT DESCRIPTION

The applicant is requesting approval of a Use Permit to operate a beer and wine bar at the premises and modify the current Music Venue License to allow a broader entertainment venue. The bar would operate under a Type 42 ABC license, which means that a variety of beer and wine could be served, but not distilled spirits/liquor. Beverages for sale would include premium bottled beer, wines produced by Erik K. James Vineyards and other wineries, coffee, espresso, and bottled non-alcoholic beverages. Proposed hours of operation for the business are noon to midnight (12p.m.-12a.m.) Monday through Wednesday, and 11a.m. to 1a.m. Thursday through Sunday. In addition, the applicant is requesting flexibility in the Music Venue License to allow the following types of music entertainment:

- Regular amplified performances typically with 3-4 musicians between 6pm and midnight (12a.m.) Thursday through Sunday, and also on Tuesday evenings when the Farmer’s Market is in session.
- Restricted/unplugged performances between noon (12p.m.) and business close daily.

The music genres would continue to focus on vintage heritage styles, including jazz. The applicant indicates the small outdoor patio would be used primarily by patrons during the daytime when the weather is good. The owner and management team would oversee operations, security and music performances. Further details can be found in the attached project narrative.

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. Bars and music venues are allowed in the corresponding Commercial zone subject to review and approval by the Planning Commission. The proposal does not raise any significant issues in terms of consistency with the General Plan; however compatibility with surrounding uses and the potential for noise impacts need to be evaluated (refer to “Project Issues” below).

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. Bars are allowed in the Commercial zone subject to review and approval of a Use Permit by the Planning Commission. Music Venues are also allowed in the Commercial zone subject to review and approval of a Music Venue License by the Planning Commission

Development Standards: The bar and music venue would operate within an existing commercial unit within the Mercato complex. Accordingly, the proposal does not raise any issues in terms of compliance with building setback, FAR, lot coverage, open space, and building height standards.

On-Site Parking Requirements: The parking requirement for a bar is one space per each four seats, while the parking requirement for a wine tasting room (the current use) is one space per 300 square feet of floor area. This results in a greater parking requirement for the proposed use. However, as illustrated on the floor plans, the amount of indoor seating would actually be reduced from 32 to 24 seats with a reconfiguration of the interior space. In addition, the amount of patronage at any one time would remain consistent with levels already experienced during music performances at the tasting room and the small area of unit is limiting in this regard. The venue is also a walkable location that draws a substantial pedestrian clientele. For these reasons, it is staff's view that the proposal will not increase parking demand.

Music License Regulations: In February 2012, the City Council adopted Ordinance 02-2012, which established regulations and a licensing process for live music venues. In part, the ordinance amended the Development Code to allow music venues in the Commercial, Gateway-Commercial, and Mixed-Use zones, subject to review and approval of a Music Venue License by the Planning Commission. The purpose of the licensing requirements is to ensure that live music performances are conducted in a manner compatible with adjacent land uses. In contrast to a Use Permit, a Music Venue License:

- Is not an approval that runs with the land.
- Is approved for a specific business/entity/site and must be reconsidered by the Planning Commission with any change of ownership.
- Is subject to reconsideration by the Planning Commission one-year after being exercised and must be renewed annually thereafter.
- May be terminated by the Planning Commission at any time subject to certain findings.

As previously noted, in November 2012, the Planning Commission approved a Music Venue License for the existing tasting room, with a focus on evening jazz performances three nights per week from 7p.m. to 10p.m. The venue has operated without any complaints or calls for service since that time. The applicant is now seeking revisions to the license to allow a broader entertainment venue.

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

Noise Ordinance: Chapter 9.56 of the Sonoma Municipal Code addresses allowable noise levels within the City to control adverse effects on the public. The bar and music venue would be subject to the maximum noise/dba limits set forth in the noise ordinance, which are enforced by the Police Department. This requirement is included the draft conditions of approval.

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

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

DISCUSSION OF PROJECT ISSUES

Compatibility with Surrounding Uses: The primary consideration in review of the request is compatibility with nearby land uses, including the potential for noise impacts. While the bar and music venue require separate approvals they would operate as a single, integrated enterprise. As previously noted, the ABC license for the bar would not allow for the sale or consumption of liquor, thus limiting

the potential for incidents, and a condition of approval has been included restricting the bar to the Type 42 license. In addition, the venue's focus on heritage music as well as its unique location and small size should also limit the potential for noise disturbances or other enforcement issues.

Specifically with respect to noise, staff agrees that the venue's location is well suited to avoid adverse impacts on residences or other businesses in the vicinity. The commercial unit is not in proximity to residential uses, many nearby commercial businesses would be closed at the time of amplified performances, and there are preexisting walls and other building elements that would function as sound barriers. In addition, music performances would be strictly indoors and the relatively small size of the room would inherently require moderate volume levels to avoid overwhelming patrons. The music venue has operated for the past two years without any complaints and the applicant has gained written support from all other businesses within the Mercato for the proposed change. For these reasons, even though the proposal requests a much broader allowance for music performances especially in terms of days/hours, staff does not anticipate that the establishment would adversely impact properties or businesses in the vicinity. As conditioned, the Music Venue License would also be subject to reevaluation in one year to ensure compatibility and address any issues that could come up.

Police Department Comments: The application was referred to the Police Chief for comment, who expressed some concern about the breadth of hours initially proposed for music citing the potential for noise disturbances (primarily related to amplified performances). In response the applicant clarified the types of music proposed and reduced the hours for regular amplified music performances. Ultimately, the Police Chief indicated that he would issue the "Letter of Public Convenience or Necessity" necessary for the Type 42 license provided that the Planning Commission approve a Use Permit for the bar. The Police Chief also recommended ABC Responsible Beverage Service training and appropriate identification checking procedures for staff/employees of the business (a condition of approval has been included to this end).

RECOMMENDATION

Staff recommends approval of the Use Permit and Music Venue License, subject to the attached conditions.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval for Bar Use Permit*
3. *Draft Conditions of Approval for Music Venue License*
4. *Vicinity Map*
5. *Project Narrative*
6. *Site Plan*
7. *Floor Plan*
8. *Letters of Support*

cc: Erik K. James Vineyards
Attn: Robert Ryan
452 First Street East, Suite G
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Sonoma Speakeasy & American Music Hall
452 First Street East, Suite G

February 12, 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).
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.

Music Venue License Findings

1. The proposed Music Venue License is consistent with the General Plan and the Development Code (SMC Chapter 19);
2. The nature, scale and operating characteristics of the proposed Music Venue are compatible with the existing and future land uses in the vicinity; and
3. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, and all other conditions that may be attached to the License.

City of Sonoma Planning Commission
CONDITIONS OF LICENSE APPROVAL
Music Venue License for Sonoma Speakeasy & American Music Hall
452 First Street East, Suite G

February 12, 2015

1. The music venue shall operate in conformance with the approved management plan (aka project narrative), except as modified by these conditions.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

2. Doors shall remain closed to the extent feasible when music is performed within the commercial unit/building. Doors shall not be propped open.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

3. The outdoor patio shall not be used: 1) during evening music performances involving amplified music, and 2) after 10 p.m. daily.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

4. The music venue shall operate in compliance with the noise limits and standards of the City's Noise Ordinance.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

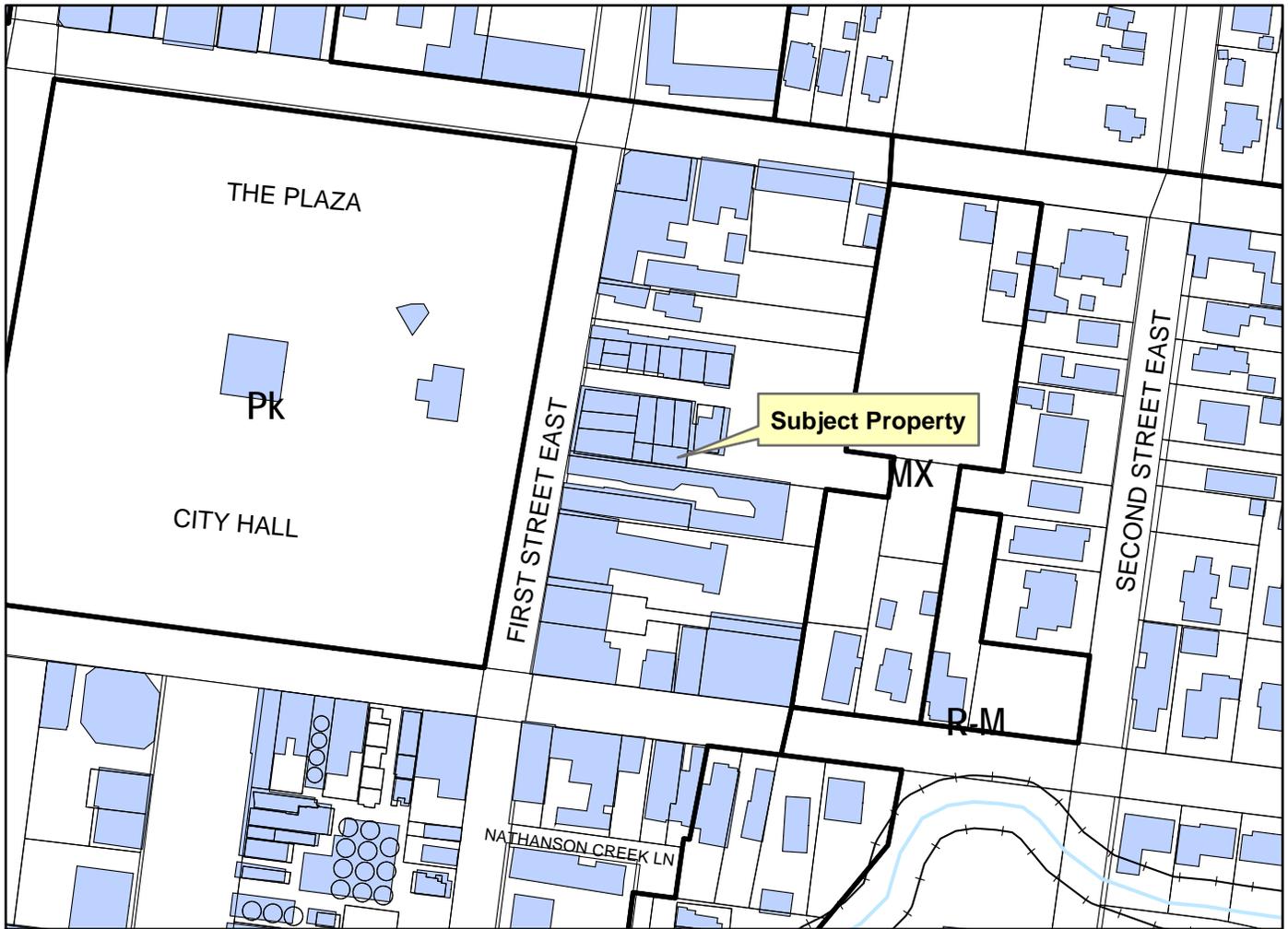
5. Live music performances shall be allowed indoors only within the following timeframes and subject to the following limitations:

- a. Regular amplified performances with up to five (5) musicians shall be allowed between the hours of 6pm and midnight (12a.m.) Thursday through Sunday, and also on Tuesday evenings when the Farmer's Market is in session.
- b. Acoustic/unplugged performances shall be allowed between the hours of noon (12p.m.) and 1a.m. daily.

6. The Music Venue License shall be reevaluated by staff one year after approval/commencement of operation.

Enforcement Responsibility: Planning Department; Police Department
Timing: One year after approval/commencement of operation

Vicinity Map



Project Summary

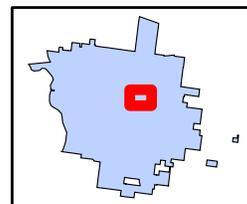
<i>Project Name:</i>	Sonoma Speakeasy & American Music Hall
<i>Property Address:</i>	452 First Street East, Ste. G
<i>Applicant:</i>	Robert Ryan
<i>Property Owner:</i>	Lea Rubin
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	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.



1 inch = 200 feet

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



To: The Sonoma Planning Commission
From: Robert Walter Ryan (O'Maoilriain)
Location: Eric K James at 452 1st ST E, STE G Sonoma CA 95476
Purpose: 1) Change of Use Permit and 2) Amendment to existing 2012 Music Permit
Form: Project Narrative

Overview

Dear Sonoma Planning Commission and Sonoma Residents: I, Robert Ryan (O'Maoilriain) on January 16th 2015, am seeking a Conditional Use Permit Change to allow the addition of a type 42 "On-Sale Beer and Wine for Public Premises" and for an amendment to my existing music license at my Eric K James Vineyards Tasting Room location at 452 1st St. E, ste G Sonoma, CA 95476. The location will begin doing business as Sonoma Speakeasy and American Music Hall in the future. I hope it serves to diversify a business away from being a tasting room and that it continually acts to foster the arts, entertainment and community in Sonoma.

Use

The business will change from being a winery tasting room with a limited music permit into small community entertainment venue and meeting place with its main revenue center being beer & wine bar service. Additionally a small percentage of revenues will come from Coffee, Tea, Kombucca and an occasional cover charges and a small selection of branded merchandise. The location will not be a restaurant. The number of seats will remain around the same while the floor plan will change to make the entertainment more visible from all seats and to create a more open dance floor with less furniture in the way. The total number of seats will remain approximately the same. Parking needs will remain very low as 90% of guests walk from their homes nearby or B&B's and will be consistent with the parking needs of the business the last few years. I will be losing a large percentage of my revenues from being a tasting room and to make this economically viable I will need much greater flexibility in entertainment and hours to make up for it.

Motivation Behind Change of Use

In listening to what my extremely loyal locals have requested the last few years I wish to change my business to fit their preferences and entertainment needs. Additionally I seek to provide a increased experience and greater number of products. My local patrons specially want a much greater selection of products than I can manufacture and more entertainment consistent with my last few years of live music shows. The unique entertainment type is otherwise unmet by other venues, especially those within walking distance of the area. I am encouraged that my venue has often been called the best small venue for live music in Sonoma by a lot of people in music. On review sites like yelp my location as been called over and over again: "The best experience in Winecounty" by National and Bay Area visitors. I feel strongly that we more than earned a chance to provide more to our guests as we have been good and respectful neighbors without complaint or incident since our music program began years ago. I feel great that the level of entertainment I provide in town keeps cars and drinkers off the road as most of my guests live within a few blocks of my location or are staying in lodging a block or two away and want I want to continue this. My uniquely tucked away location has been acting as a very popular, often heavily visited, community entertainment venue, meeting place and drinking place. The location has naturally been joking referred to by Patrons for years as being like a "Speakeasy" as it is so hidden away and intimate. This has become what this space is best suited for as well as what local patrons want.

JAN 26 2015

Entertainment

A) Entertainment will be divided into two distinct types:

1) "Regular Amplified Performance" is a similar sound level and genre as has been played here three nights per week since 2012 without a single noise complaint or police incident. This music has in fact been extremely complimentary to the outdoor patio service of neighbors like La Salette and the Chocolate Cow. The evening waiters and managers at La Salette commonly ask us not to lower the volume and the owner of Chocolate cow has asked several times if we could please mount a speaker playing the music over his outdoor guest seating area pointing toward the plaza to attract guests. All three of us have good symbiotic business relationships where are our businesses complement one another and bring people done the Mercato in the evening.

a. Instruments may include Pianos, Saxophones, Trombones, Violins, Standard Drums which are generally unamplified and Electric keyboards, Stand Up Cello Bass, Guitar, Bass Guitar and Vocals that generally require amplification to be audible when the room is full of patrons.

b. "Regular, Full Performance" will only be played some time between 6pm and 12pm on Thursdays, Fridays, Saturdays and Sundays most of the season and on Tuesday evenings after farmers markets.

c. All doors will remain closed during these performances other than when guests are entering or leaving. There are no windows that open currently in this unit.

d. 90% or more of all bands will have 3 or 4 musicians with additional temporary "sit in's" and special guests including myself as I sing with all of my bands between serving guests.

2) "Restricted Unplugged Performance" that will utilize instruments and instrument uses that make the music low volume and inaudible to neighboring retail shops and residents on 2nd Street or East Spain such as unplugged instruments and low volume instruments.

a. Instruments may include Piano, Violins, Acoustic Guitars, Acoustic Bass Guitar, Mandolin, Ukulele, and hand held percussion such as shakers unplugged and Microphones that may be lightly amplified at a low volume.

b. "Restricted Unplugged Performance" may be allowed during normal hours between 12 noon and 1am at their quieter volume.

B) Genres- Musicians' sub-genres, playlists and styles of playing are currently strictly controlled, regulated and limited to fit a branding theme and an existing market perception and are limited to Vintage Heritage Music such as Rhythm & Blues, Jazz, Swing, Creole Jazz, Zydeco, Boogie Woogie, 1950's, New Orleans Piano Blues, Mambo, Caribbean, etc. I will never host loud rock bands, modern rock, heavy metal or other often louder music types.

C) Audience- We are definitely not a "pick up bar" or "dive bar." Most of my patrons are Seniors, Baby Boomers, Sophisticated Same Sex Couples, Younger Professional Couples from the Bay/ SF, etc. Less than 5% of my patrons are young single people.

D) Sound Volume- My uniquely tucked away location severely limits negative impacts of sound. The unit itself is like a concrete vault. It was formerly Mary's Cold Storage Space which gives you

an idea of how insulated it is. There is absolutely no residential within 100ft. Outside there are numerous architectural sound barriers that inhibit the sound from traveling east the residential on second street east approximately 250 ft away.. The entrance is in a long alleyway which reduces sound. Because the space is small and the crowd is older volume is naturally limited. Our closest neighbors who are open during amplified music hours like my music and see it as beneficial as a complimentary amenity and as something that drive business their way. Improvements inside the building will be continually made to increasingly dampening sound.

Food

This location will not be a restaurant or bonafide eating place. If the ABC requires us to make prepackaged chips or nuts available then we will make only those thing available. We have always allowed guests to bring in outside food and snacks and would like to continue that practice though it doesn't happen very frequently (less than 1% of guests). For any event including served food I will request a single event permit from the Planning Commission.

Products

Most of our beverages sold (80% minimum) will be local Sonoma County produced. A selection of local, premium bottled beer, both wines produced by us and other wines, French Press Coffee Pots, Loose Tea Coffee Pots, Espresso Drinks, bottled non-alcoholic beverages. I will not be offering discount or cheap domestic beers or other similar beverage.

Parking

While almost all of our patrons walk to our location from their nearby homes or hotels (approximately 80% to 90% of guests or more) we offer parking in large Mercato Parking Lot behind us. During our peak night time business the parking lot currently is half empty showing there is more than enough parking to accommodate the few guests who drive to our location during our busy hours. Part of our lease pays to maintain this large parking lot which is newly repaved and in great working order.

Security

We have never had an incident or had report to police in years of operating. A large majority of our local regulars are Seniors, Baby-boomers, Professional Couples, Same Sex Couples, Business Owners and local artists and I purposely cater to a more mature, sophisticated and established demographic. Both the inside and outside of the location will be fitted with security cameras. Part of our permanent management team is a recently retired San Francisco Police Department Officer. He will oversee security and loss prevention. All regular staff will have responsible vendor training and certifications. The location will become 21 and over as is required by the ABC for a type 42 license. Under ABC guidelines guests will be required to be 21 to enter the courtyard or the inside of the building.

Sound

In the years of having my music permit we have never had a noise complaint. The location offers numerous natural sound buffers and is a great distance from residential. Most surrounding retail shops are usually closed during our busiest hours. We maintain a strong working relationship with the Chocolate Cow and La Salette Restaurant, Eminent Design, Angeliq and other nearby businesses.

Employees

The location will have a bartender and a manager most times of the day. A host may be added for some events. As the owner in will be present during most entertainment as well as perform in most bands as well as DJ recorded music between shows and sets. All regular employees will be responsible vendor certified.

Outdoor Patio

The outdoor patio area will be limited to 21 and over. It will used mostly during the daytime by guests who want to sit outside on warm, good weather days. Outlets will be numerous for guests with laptops and cell phones to utilize making it a daytime work space and break area for nearby employees.

Hours

Seven days a week approximately from 11am to close. Mondays, Tuesdays and Wednesdays 12pm to 12am; Thursdays, Fridays Saturdays and Sundays 11am to 1am. Delivery hours will be between 12pm and 3pm during Tuesday, Wednesday and Thursday. All shipping and packing is current outsourced to Bodegas Shipping of Sonoma who picks up once weekly during between 2pm and 5pm.

Updated Floor Planning 1-27-15

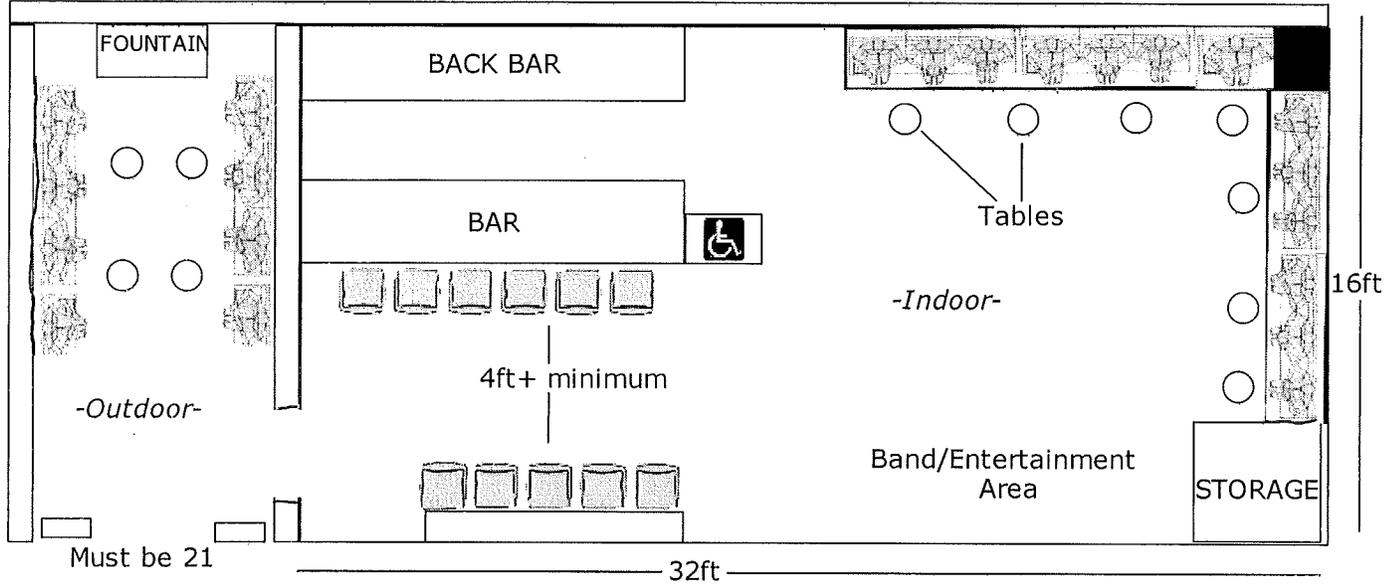
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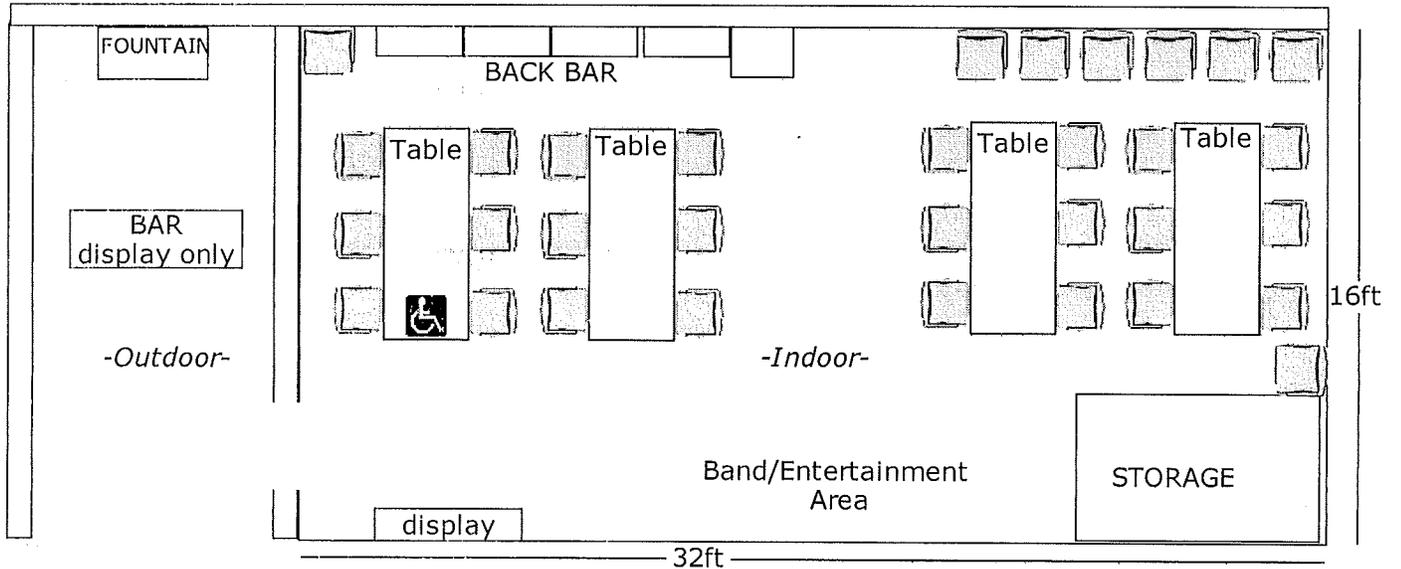
CITY OF SONOMA

452 1st ST. E., STE G, SONOMA CA 95476

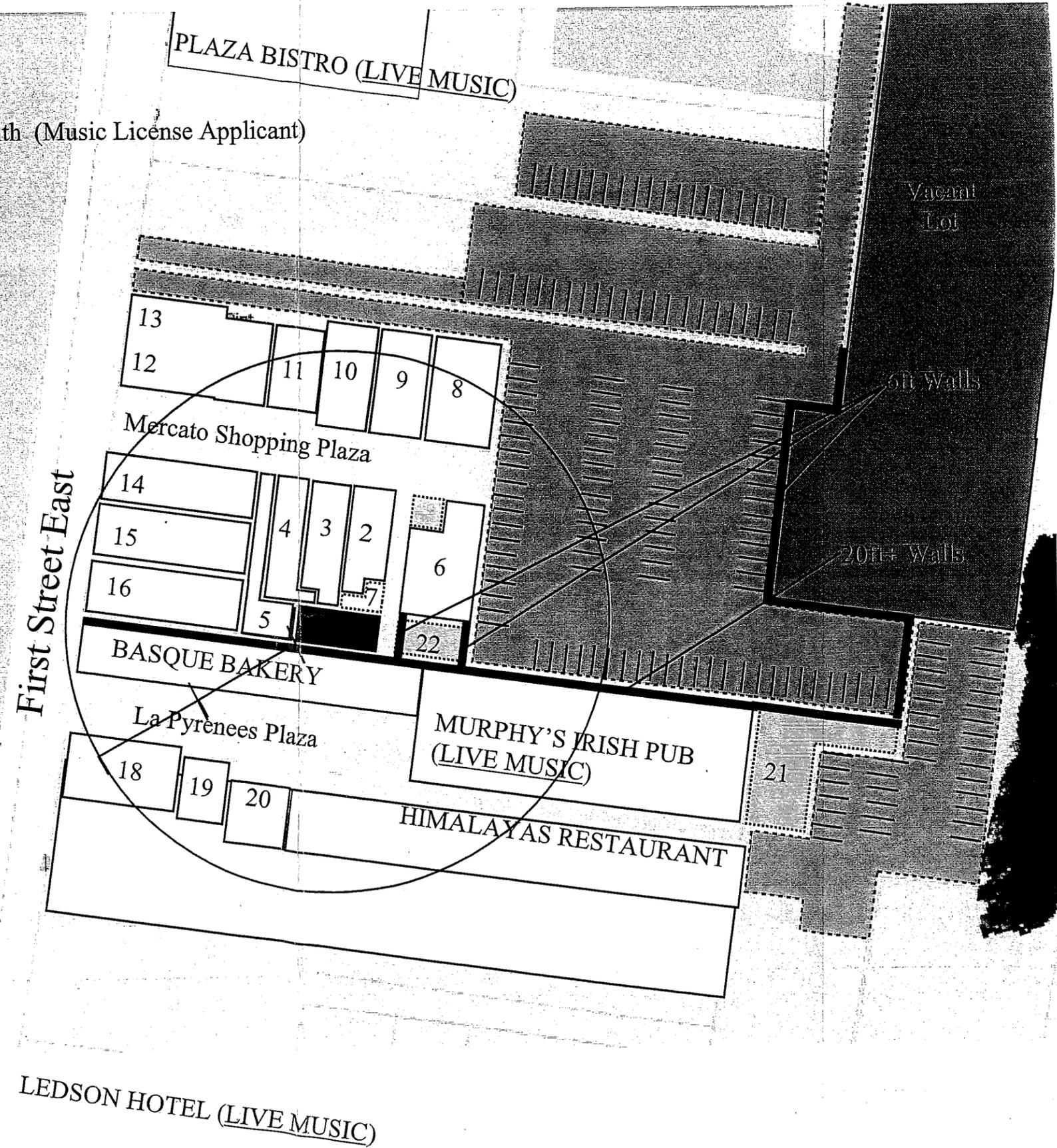
NEW FLOOR PLAN- 30-33 Seats



CURRENT FLOOR PLAN- 30-33 Seats



1. Eric K James Tasting Room/Jonathan Smith (Music License Applicant)
2. The Chocolate Cow
3. Footcandy Shoes
4. Angelique Clothing
5. Terra Firma Office Space
6. La Salette Restaurant
7. Bathrooms
8. Energy Fitness Studio
9. Venus Envy Clothing
10. Eminent Design
11. The Total Look
12. Half Pint
13. Artifax
14. Message-Envy
15. Lisa Kristine Gallery
16. Terra Firma Gallery
17. Basque Bakery
18. Law Office
19. Parmelee Aryco. Rugs
20. Briar Patch
21. Outdoor storage for Murphys Pub
22. Outdoor storage for La Salette



100% of both Mercato buildings, Add to work already submitted

To: The Sonoma Planning Commission

From: Robert Walter Ryan (O'Maolriain)

Location: Eric K James at 452 1st ST E, STE G Sonoma CA 95476

Purpose: 1) Change of Use Permit and 2) Amendment to existing 2012 Music Permit

Form: Business Approval Signature Cover Letter, "Good Neighbor form"

- La Salette Restaurant
- The Chocolate Cow
- Footcandy Shoes
- Angelique Clothing
- Terra Firma Gallery and Terma Firma office unit *Both units*
- Energy Fitness Studio
- Sox de Vine
- Eminent Design
- The Total Look
- Half Pint *Both units*
- Artifax
- Message-Envy
- Lisa Kristine Gallery
- Basque Bakery
- Convention Housing Partners (upstairs)
- A, B, C Unit K (upstairs)

JAN 30 2015

Business Name: Roger Wright A, B, C &

Address: 450 1st St. E Units K

Title: Owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Roger Wright Date: 1/27/15

Business Name: Energy Fitness studio

Address: 450 1st St. East, "J"

Title: Owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Renee Wiggs Date: 1/29/15

Name Printed Renee Wiggs

Business Name: Terra Firma Gallery

Address: 452 First Street East, St. A

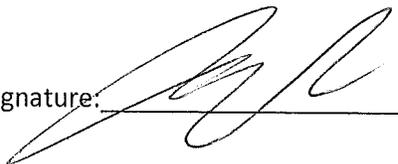
Title: Managing Director

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Z. Custer Date: 1/24/15

Business Name: Manuel Arevalo Caslette
Address: 45 E First Street Suite H
Title: Chef/Owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1/23/15

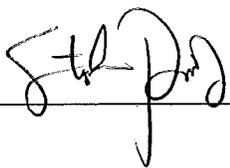
JAN 26 2015

Business Name: THE CHOCOLATE COW

Address: 452 1st STREET EAST #F

Title: OWNER

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1-24-15

JAN 26 2015

Business Name: Footcandy Shoes

(based out of St. Helena)

Address: 452 1st East.

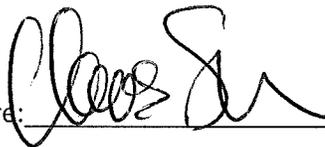
Title: Sales / manager

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1.24.15

Business Name: Angelique
Address: 452 First Street East, #D
Title: Claire Samaras,
owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1/23/15

Business Name: Sopde Vine

Address: 450 First Street East #11

Title: Owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Jannette Jung Date: 1/23/15

Business Name: EMINENT DESIGN

Address: 450 First St E Suite G

Title: Owner Thomas McLabe

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: T McLabe Date: 1/24/15

Business Name: TOTAL LOOK
Address: 450 1ST ST EAST F11
Title: MANAGER

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1-23-15

Business Name: Half pint

Address: 450 First Street East, Unit E

Title: Unit owner

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Ma Sherman Date: 1-23-2015

Business Name: Half-pint

Address: 450 First Street East, Units D and E

Title: ^{Business}Owner / Building Owner of Unit D

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Pam Howard Date: 1/23/2015

Business Name: ARTIFAX
Address: 450-C 1ST ST. E
Title: OWNER

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Nath Baul Date: 1/24/15

Business Name: Massage Envy Spa
Address: 452 First St. East suite C
Title: Business Manager

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature: Dominique Alu Date: 1/23/2015

Business Name: Bourgeois Boulangerie Cafe

Address: 460 1st St East

Title: Manager (Cafe)

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1/23/15

Business Name: LISA KRISTINE (GALLERY)

Address: 452 B 1st St. E.

Title: MGR / GALLERY DIRECTOR

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

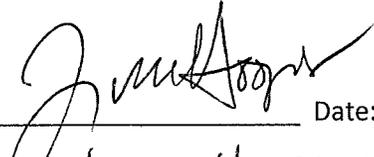
Signature: ~~Laura Bern~~ Date: 1-23-15

Business Name: Convention Housing Partners

Address: 450 1st. St. East Suite A

Title: CEO

I support the "change of use" of Eric K James Tasting Room at 452 1st ST East, Suite G from a Winery Tasting Room to a Beer and Wine Bar. I also support a less restricted live music permit to include more nightly performances in the current style and sound volume after 6pm as well as restricted low volume and unplugged music during the day at a volume that is not audible to surrounding businesses.

Signature:  Date: 1/26/15

Name Printed Larry Harper

MEMO

To: Planning Commission
From: Senior Planner Gjestland
Subject: Application of Richard Konecky for an Exception to the garage setback requirements to enclose a carport under construction at 753 Third Street East.

Background

On August 14, 2014, the Planning Commission approved an exception from the side yard setback requirements to substantially remodel and add onto the residence at 753 Third Street East. The approved project design included an attached carport on the north side of the property in line with the front of the home. The project is under construction and the applicant would now like to enclose the carport to create a garage.

Garage Setback Exception

The applicant would like to modify the approved plan to enclose the attached carport and create a garage, presumably for secure vehicle parking/storage and aesthetic considerations. However, the property's R-L zoning requires garages to be setback 20 feet from the face of the residence (a provision that does not apply to open carport structures). Because the new carport is in line with the front of the home, enclosing it is subject to Planning Commission review of an Exception from the garage setback standard. The findings required for approval of an Exception are set forth below:

1. *The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;*
2. *An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;*
3. *Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.*

As noted in the project narrative, creating a garage in line with the front of the home would be consistent with conditions in the cul-de-sac as most homes have forward or in-line garages (residences in the neighborhood were constructed prior to adoption of the garage setback

standard). The applicant further notes that the majority of property owners/residents within the cul-de-sac would prefer an enclosed garage and have signed in support of the request. A high-quality garage door would also be used. These circumstances weigh in favor the proposed modification. Staff's primary concern is that the remodel project was originally designed and presented to the Planning Commission with a carport to avoid the garage setback requirement or another exception and the original home was conforming in this regard. Staff's evaluation of the side yard setback request in August noted that the proposal would result in more building mass across the front of the property than typical of conditions within the cul-de-sac, but that would be somewhat offset by the open carport feature. That being said, the applicant explains that the original plan was rushed and misguided by the designer, which has resulted in reconsideration of this matter during the construction phase.

Recommendation

Staff recommends commission discretion.

Attachments

1. *Findings*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Correspondence/Letters of Support*
6. *Site Plan (Previous and Approved)*
7. *Elevations (Previous, Approved and Proposed)*

cc: Matt McGinty (via email)
950 Harley Street
Sonoma, CA 95476

Richard Konecky (via email)
1000 Chestnut St. #4B
San Francisco, CA 94109

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Konecky Garage Setback Exception – 753 Third Street East

February 12, 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:

Exception Approval:

1. The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;
2. An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;
3. Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Konecky Garage Setback Exception – 753 Third Street East

February 12, 2015

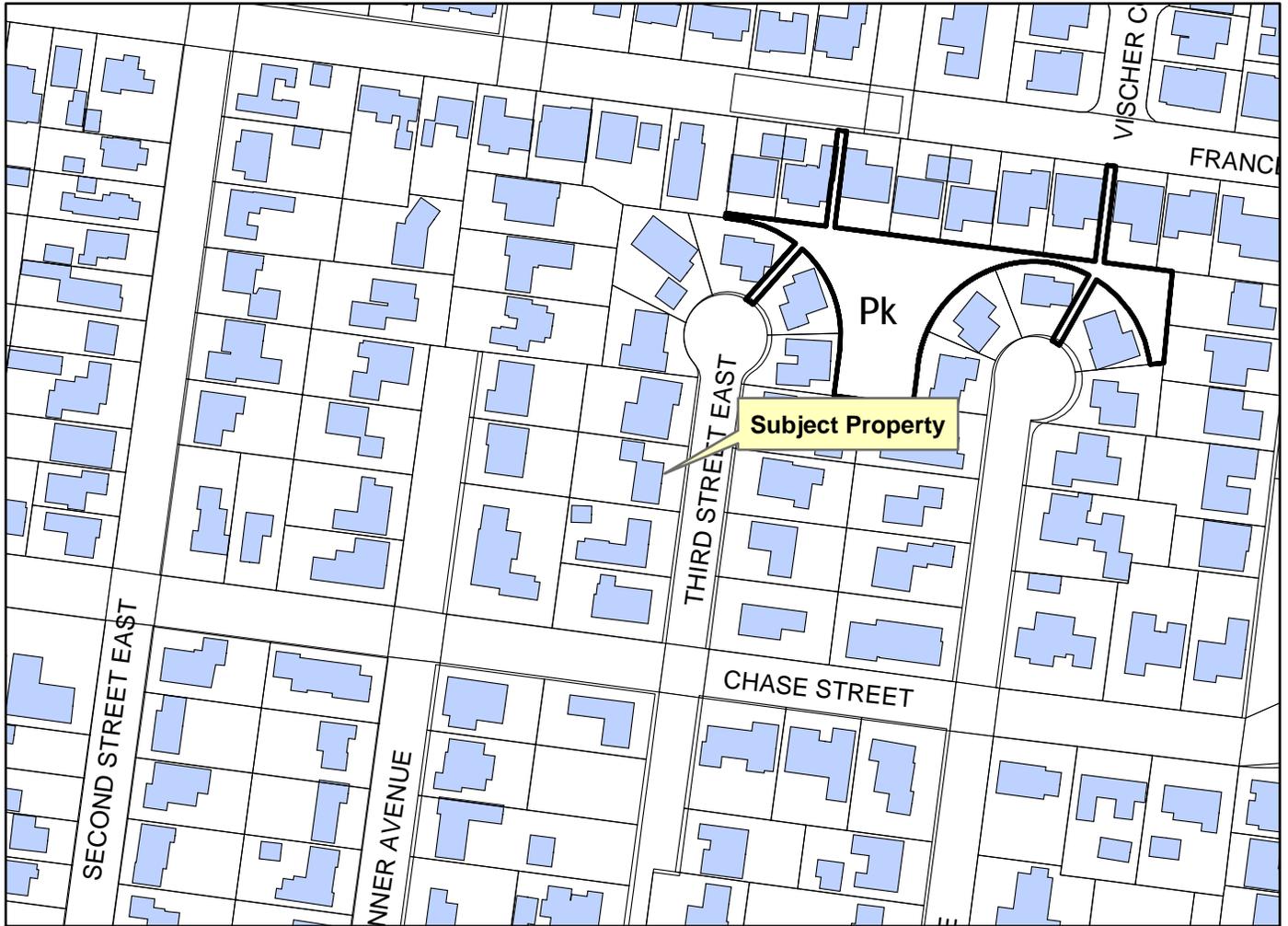
1. Conversion of the carport into a garage shall be constructed in conformance with the project narrative, approved site plan and building elevations.

Enforcement Responsibility: Planning Department; Building Department
Timing: Prior to construction; Prior to final occupancy

2. All Building Department requirements shall be met. A design change application/building permit shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

Vicinity Map

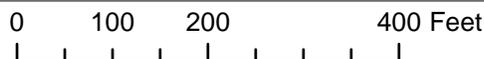


Project Summary

<i>Project Name:</i>	Konecky Garage Setback Exception
<i>Property Address:</i>	753 Third Street East
<i>Applicant:</i>	Richard Konecky
<i>Property Owner:</i>	Richard Konecky
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	None

Summary:

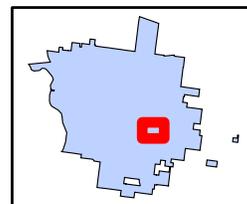
Consideration of an Exception to the garage setback requirements to enclose a carport under construction as part of a residential remodel project.



1 inch = 200 feet

Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, 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 Denisty 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



Date: January 22, 2015

To: City of Sonoma Planning

From: Richard Konecky, owner of 753 Third Street East
Matthew McGinty, General Contractor

Re: Proposed exception to modify carport to garage at 753 third Street East

I am the owner of 753 Third Street East. I am seeking an exception to enclose the approved carport area and making it a garage.

I understand that we have already received an approval for the structure as it is currently being built, but at the request and consensus of the neighbors and a re-evaluation as the owner and soon to be resident we would like to re-examine this as a possibility for the following reasons.

- The initial submittal was a rushed plan and I wasn't adequately advised by my designer as to options in achieving my original plan.
- The proposed design is nearly identical in size, location, setbacks and style of my neighbors directly to the north.
- We aren't changing the previously approved building envelope
- The proposed garage setback is equal to or greater than the majority of the neighborhood
- The architecture is consistent with the third St. neighbors and neighborhood as a whole.
- We have received overwhelming support for this change by all the neighbors

Please come by to see my project and see how this would be in keeping with the neighborhood.

I appreciate you taking the time to review our proposal and look forward to your response.

Thank you,

Richard Konecky

Thank you,

Hi Matt,
Thanks for sharing the plans to the house on Third St East with me tonight.
I do not have an objection to the addition of the garage door.
Thanks again,

--

Victor Zarzana
740 Third St East
Sonoma, CA 95476
707 815-9012

Hi Matt - Looks good. We approve.

On Jan 22, 2015, at 6:44 PM, Matt McGinty <matt@rs-brand.com> wrote:

Julie,

Take a look at the rough dwg.

We aren't changing the foot print of the house, just closing side and adding 16' carriage style door.

Thanks for your help.

Matt McGinty

RS Brand

<SCAN0004.PDF>

To whom this may concern:

My residence is located south of the house being re-modeled at 753 3rd Street East. I do not object to the change in plans with regards to building a garage instead of a carport at the afore mentioned address. I think it would be more appropriate to the neighborhood to include a garage to the newly remodeled house.

Sincerely,

Karen A. Pedersen/homeowner
767 3rd Street East
Sonoma, CA 95476
#707/938-1967

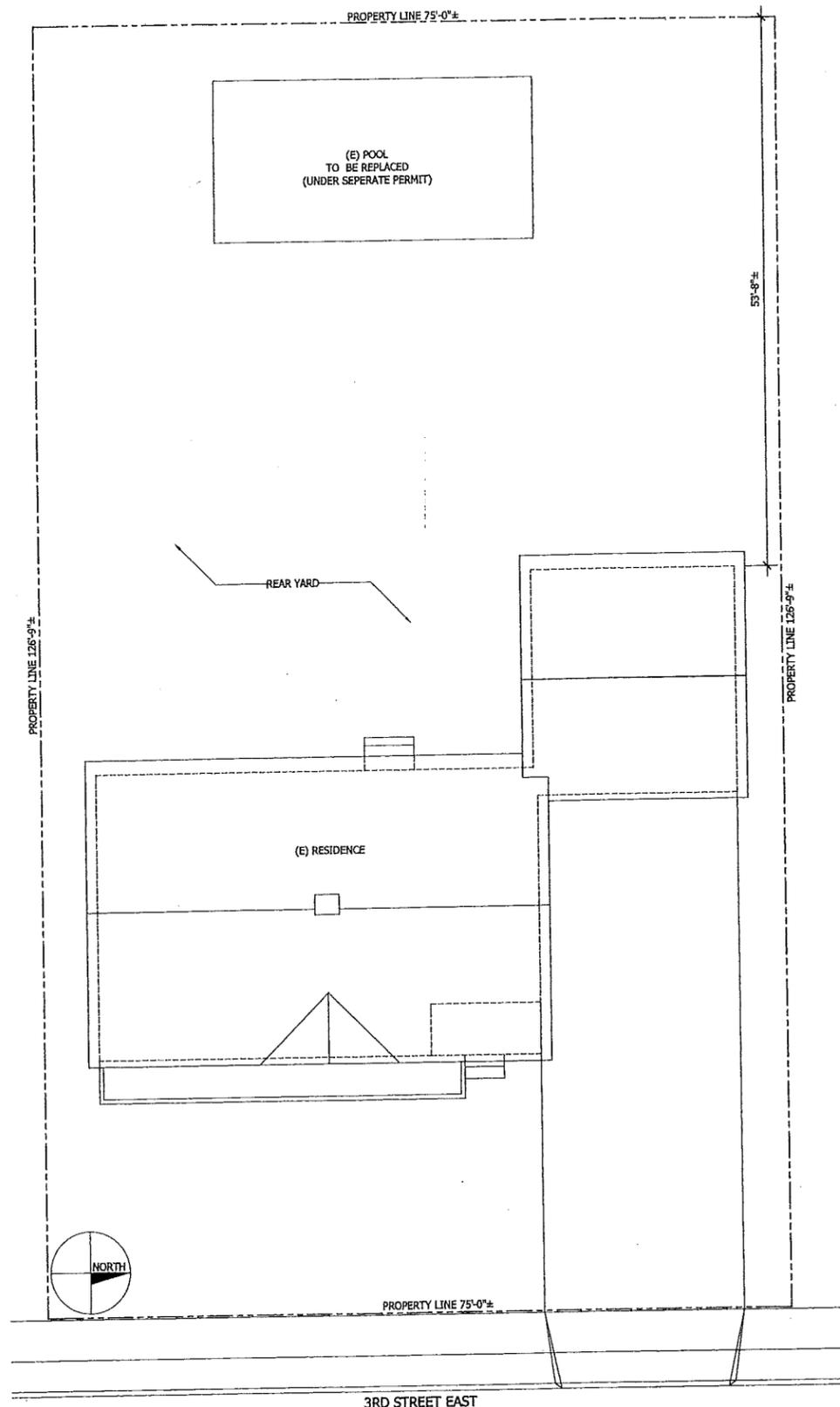
My name is Catherine M O'Neill and I live at 760 Third Street East, across from the above named address

I have reviewed the plans to enclose the carport and put on a garage door and I have no opposition to the plan and in fact endorse it. I view the house directly and the change/addition will only enhance the building project.

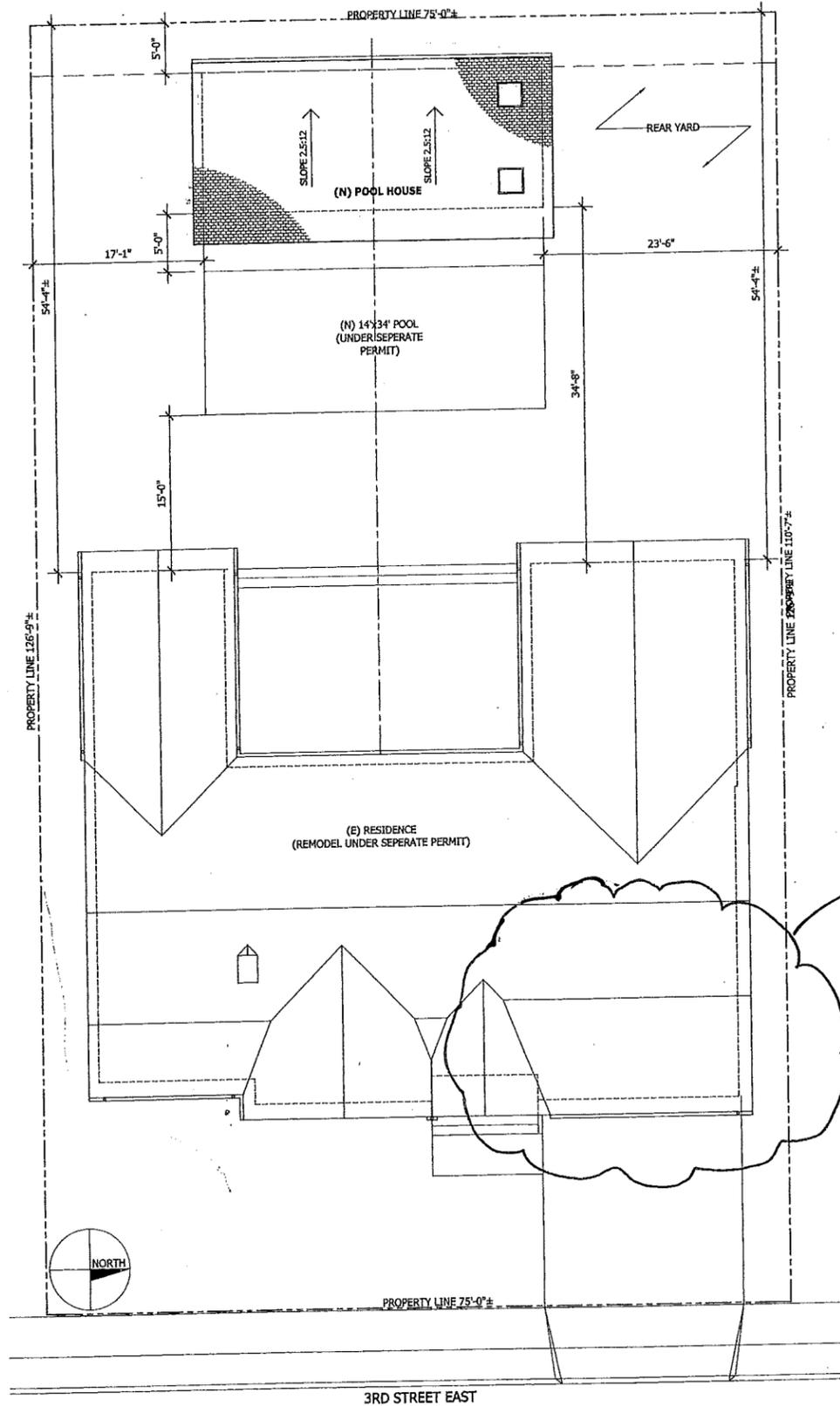
If you have any questions, please do not hesitate to call me.

Cathy O'Neill
415/846-6552

Sent from my iPad



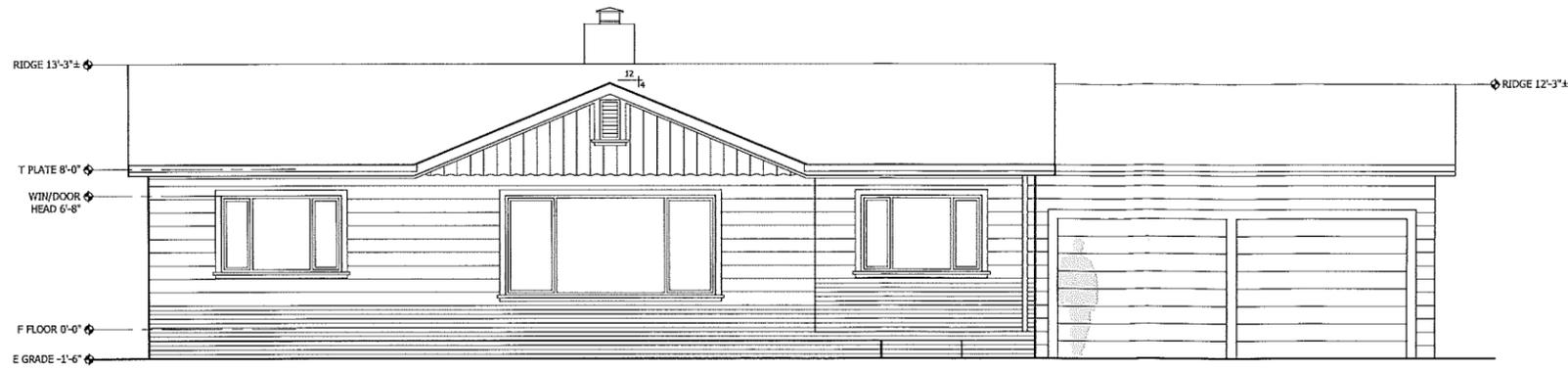
(E) SITE PLAN 1/8" = 1'-0"



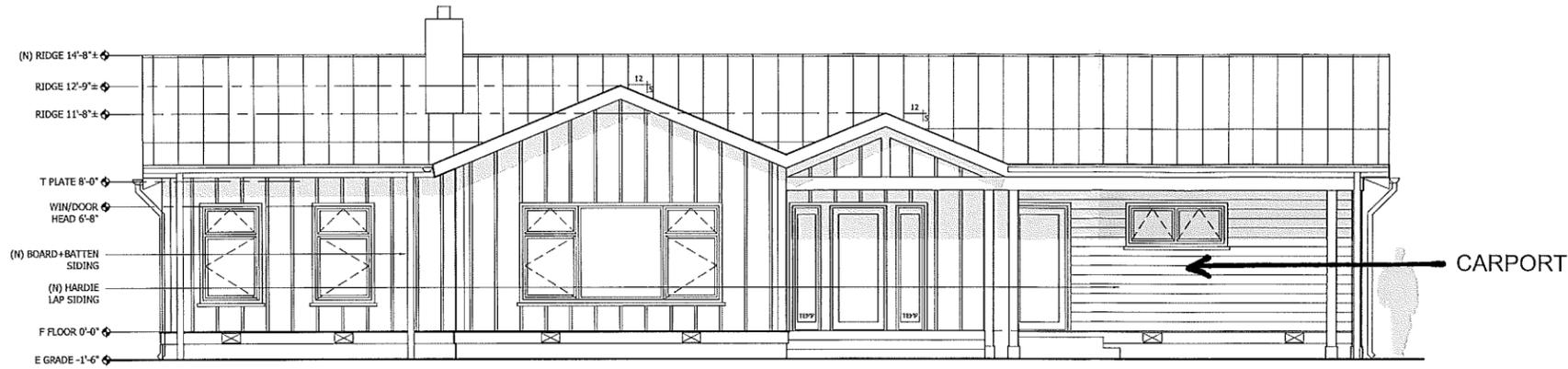
(N) SITE PLAN 1/8" = 1'-0"

2 Set
4' Pipe

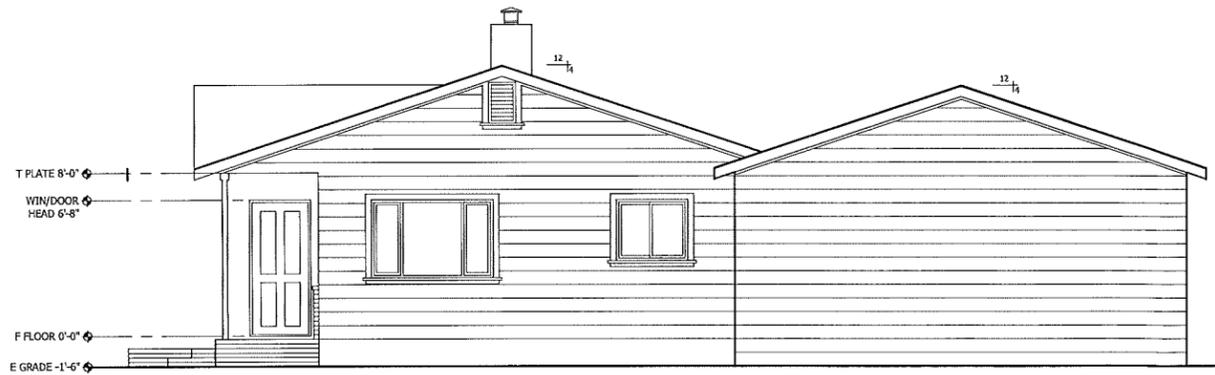
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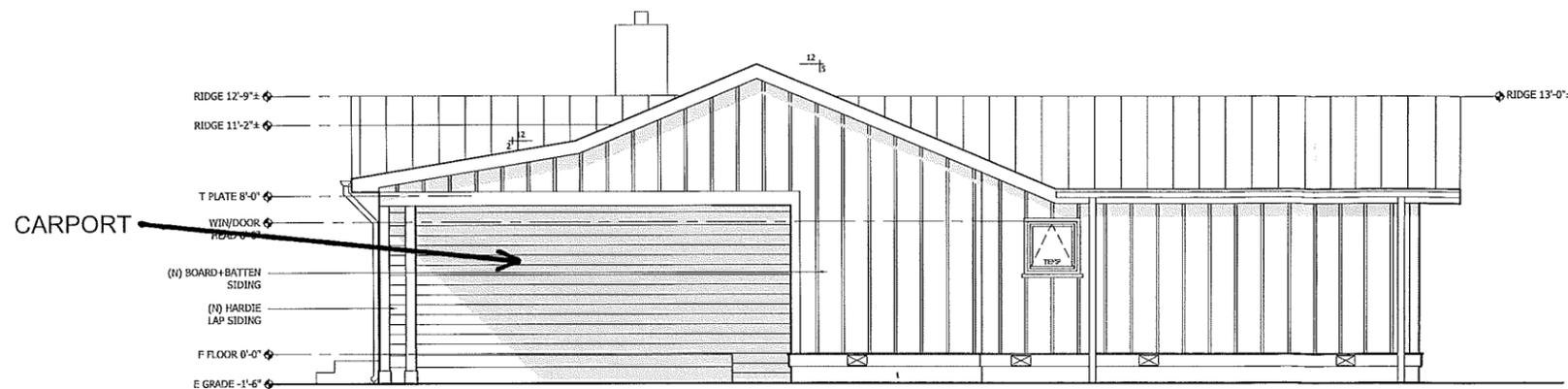
(E) ELEVATION 1A 1/4" = 1'-0" EAST ELEVATION - ORIGINAL HOME



(E)+(N) ELEVATION 1B 1/4" = 1'-0" EAST ELEVATION - 2014 PC APPROVAL



(E) ELEVATION 2A 1/4" = 1'-0" NORTH ELEVATION - ORIGINAL HOME



(E)+(N) ELEVATION 2B 1/4" = 1'-0" NORTH ELEVATION - 2014 PC APPROVAL

bevan + associates
sonoma, california

P.O. BOX 605
SONOMA, CALIFORNIA 95476
(415) 722 - 9217
www.bevanassociates.com



KONECKY RESIDENCE

753 3RD STREET EAST
SONOMA, CA 95476
APN:018-361-030

The designs, details and specifications contained in this drawing are confidential. The recipients of this drawing hereby acknowledge and agree that it is the sole property of Bevan + Associates and that they shall neither use nor reveal any of the designs, details and specifications contained in this drawing outside of the contractual agreement with Bevan + Associates and without expressed written permission from Bevan + Associates.

Deviations from this drawing shall not be made without consulting Bevan + Associates. In case of incongruities between drawings, specifications and details included in contract agreements, Bevan + Associates shall decide which indication must be followed and their decision shall be final.

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REVISIONS:

PRE PERMIT: 6/12/14

PERMIT: 7/3/14

DRAWN BY: PA

SCALE: 1/4"=1'

DATE: 7/21/14

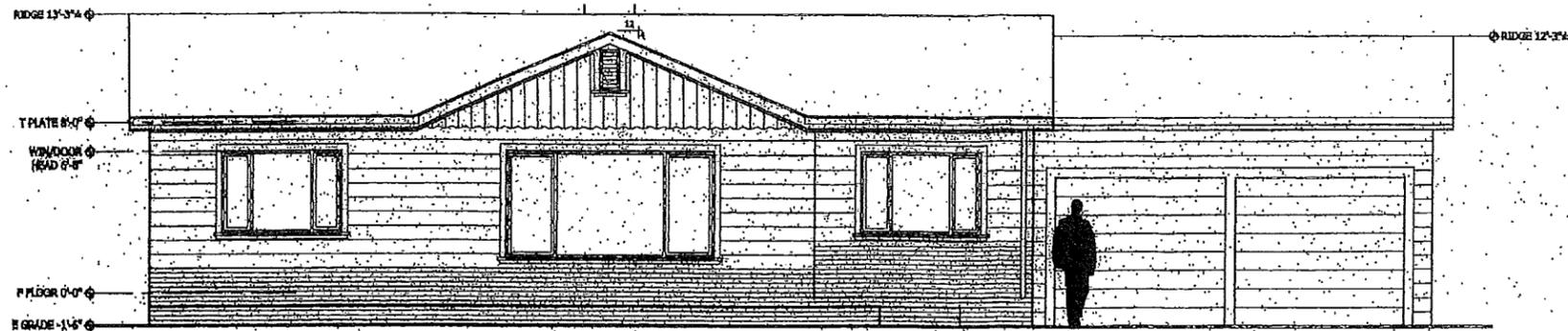
CHECK:

SHEET TITLE:

ELEVATIONS

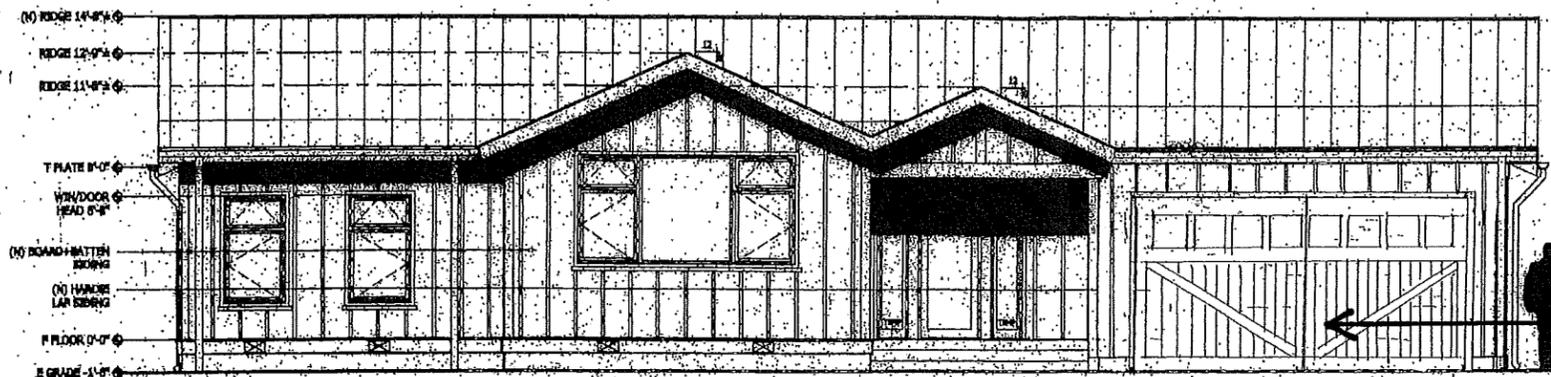
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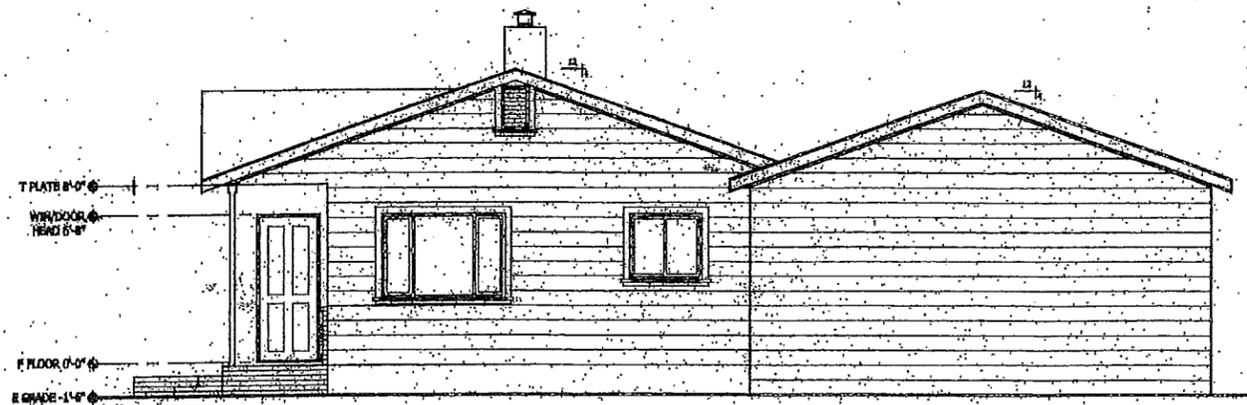
(E) ELEVATION 1A 1/4" = 1'-0" EAST ELEVATION - ORIGINAL HOME

AM 760 3rd St E

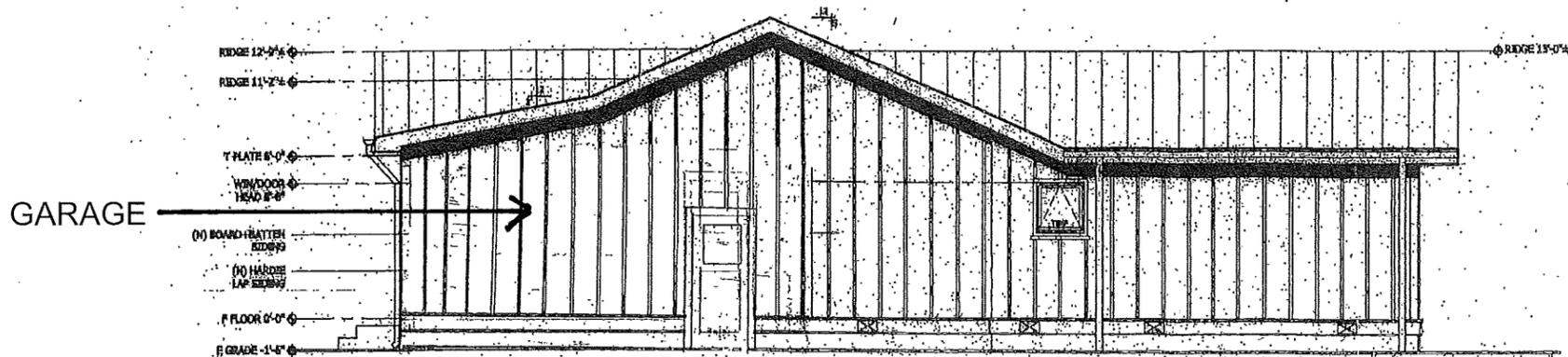


(E)+(N) ELEVATION 1B 1/4" = 1'-0" EAST ELEVATION - PROPOSED

*Catherine McNeill 760 Third St. East
Schwartz 770 8th St E
Vogel 740-30 St E*



(E) ELEVATION 2A 1/4" = 1'-0" NORTH ELEVATION - ORIGINAL HOME



(E)+(N) ELEVATION 2B 1/4" = 1'-0" NORTH ELEVATION - PROPOSED

Agenda Item Title: Application for a Use Permit to establish a teen center in the commercial tenant space at 19245 Sonoma Highway (within the Maxwell Village Shopping Center)

Applicant/Owner: Boys and Girls Club of Sonoma Valley/Niles Company

Site Address/Location: 19245 Sonoma Highway

Staff Contact: David Goodison, Planning Director
Staff Report Prepared: 02/05/15

PROJECT SUMMARY

Description: Application for a Use Permit to establish a teen center in the commercial tenant space at 19245 Sonoma Highway (within the Maxwell Village Shopping Center)

General Plan

Designation: Commercial (C)

Zoning: **Base:** Commercial (CO) **Overlay:** None

Planning Area: West Napa Street/Sonoma Highway Corridor

Site

Characteristics: The tenant space, which has an area of 3,015 square feet, is located at the southeast corner of the shopping center, adjacent to Sonoma Highway.

Surrounding

Land Use/Zoning: **North:** Shopping center parking and tenant spaces/Commercial
South: Gas station/Commercial
East: Mini-Storage facility (across Sonoma Highway)/Commercial
West: Shopping center parking and tenant spaces/Commercial

Environmental

Review: Categorical Exemption Approved/Certified
 Negative Declaration No Action Required
 Environmental Impact Report Action Required
 Not Applicable

Staff

Recommendation: Approve, subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The Boys and Girls Club of Sonoma Valley (BGCSV) currently operates an array of youth programs from their clubhouse located in the Maxwell Farms Regional Park, which adjoins the Maxwell Village Shopping Center on the north. These programs include a teen-oriented service known as “Future Focus,” which operates out of a portable building next to the main Clubhouse. This setting is less than ideal and the BGCSV has been looking for an alternative site better suited to the program but still in proximity to the main Clubhouse and centered in the service area. Recently, the subject tenant space was identified as a suitable candidate. Located within the Maxwell Village Shopping Center, the tenant space (which was formerly occupied by a bank) is accessible by the bike path and the local bus service and it is within walking distance of the BGCSV clubhouse. The teen center program encompasses the following services:

- College preparation
- Career training and guidance counseling
- Life skills training
- Case management
- Supervised social activities

According to the applicant, the Club’s teen program operates during the school year Monday through Friday, afterschool, from 2:30 p.m. to 7 p.m. Generally, teens begin to arrive around 3:30 to 4:00 p.m. and many depart between 5:30 – 6:00 p.m., after their parents finish work. Teens may arrive as early as 2:30 p.m., following regular school hours. However, those having extracurricular activities arrive later in the afternoon. Average daily attendance is 30 teens and the peak use period is from 4:00 p.m. to 6:00 p.m. Four staff persons are assigned to the program, but not all are on site at the same time. Typically, there are three staff persons on hand during periods of peak attendance. Although the afterschool program represents the highest level of attendance, there are other activities that the applicant would like to accommodate. In the summer, teen camps are held at the Maxwell Park location, but it is not yet known whether there would be any camp activities at the subject location. In addition, the applicants anticipate holding some classes on weekends, such as training for the SAT test, and they would like to be able to have occasional evening activities, such as movie nights.

The proposed change in use would entail minimal internal building improvements and there would be no changes to the building exterior, except for the possible replacement of some of the existing doors. A conceptual floor plan for the facility has been provided (attached). Further details can be found in the attached project narrative and supporting materials.

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, as well as specified public uses, in association with apartments and mixed-use developments and necessary public improvements. The following General Plan policy applies to the project:

Community Development Element, Policy 3.2: Work cooperatively with public agencies and citizens toward long-term, environmentally appropriate methods for providing services in the Sonoma Valley.

The proposed teen center use is consistent with the intent of the Commercial land use designation and policies of the *City of Sonoma 2020 General Plan*. Staff appreciates that the BGCSV provides an important community service for the families and youth of Sonoma Valley. That being said, the adequacy of on-site parking must be considered (refer to “Discussion of Project Issues” below).

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: The property is located within a Commercial (C) zoning district. Community Centers are allowed in the Commercial zone subject to review and approval of a Use Permit by the Planning Commission.

Development Standards: Other than minor internal changes to the existing tenant space, the proposal does not involve any modifications to the approved shopping center complex. As a result, the project does not raise any issues in terms of compliance with building setback, FAR, lot coverage or height standards.

Parking: The shopping center parking lot has 405 spaces. The former use of the tenant space, a bank, had a parking demand of ten spaces, per the City’s parking standards. The Development Code does not specify parking requirement for a Community Center, which means that it is up to the Planning Commission to evaluate parking demand and the adequacy of available parking to support the proposed use. According to the project narrative, the typical staffing during peak periods (4:00 p.m. – 6:00 p.m.) would be three persons. The number of clients on site would normally not exceed thirty. Because the clients are teens, few have cars and those who are not dropped off at the Center would walk, bike, or ride-share to get there. As a practical matter, the BGCSV has experienced a demand for a maximum of four staff parking spaces and four student parking spaces in conjunction with program at its current location, which is somewhat less than the number of parking spaces required to support the previous use of the tenant space as bank. In staff’s view, the proposed use would not create a parking demand in excess of the former use of the tenant space and therefore the parking available in the shopping center is adequate to support the change in use.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the operation, permitting, leasing, or minor alteration of existing private structures or facilities, involve negligible or no expansion of use are categorically exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

Compatibility: The proposal does not raise any issues of compatibility with other land uses in the vicinity as the property is located within a commercial shopping center with no residential neighbors. The size, nature, and intensity of the proposed use are all compatible with the proposed location within an existing commercial space, including adjoining commercial uses.

Parking Adequacy: As discussed above, the Development Code does not identify a parking ratio for the “Community Center” use, meaning that parking adequacy must be evaluated on a case-by-case-basis through use permit review. In this proposal, the teen center would be located within a shopping center tenant space, replacing a bank use having a parking requirement of ten spaces. Based on the proposed level of staffing and the number and nature of the clients being served—teens who for the most part do not own a car—it is staff’s view that the proposed use is consistent with the amount of parking available within the shopping center.

RECOMMENDATION

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

Attachments

1. *Findings*
2. *Draft Conditions of Approval*
3. *Location Map*
4. *Project Narrative*
5. *Site plans/Interior Plans/Elevations*

cc: Rachel Cusick, Director of Development and Marketing, BGCSV

Michael Ross, RDC Architecture

Michael Woods

Tina Luther, Property Manager
The Niles Company
P.O. Box 298
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Boys and Girls Club of Sonoma Valley Teen Center Use Permit
19245 Sonoma Highway

February 12, 2015

Based on substantial evidence in the record, including but not limited to the staff report, 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).
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.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Boys and Girls Club of Sonoma Valley Teen Center Use Permit
19245 Sonoma Highway

February 12, 2015

1. The BGCSV Teen Center shall occupy the tenant space and operate in conformance with the project narrative and conceptual floor plan.

Enforcement Responsibility: *Planning Department*
Timing: *Ongoing*

2. All Building Department and Fire Department requirements shall be met, including requirements related to disabled access (ADA). A building permit shall be required for the necessary interior and exterior improvements.

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

3. The Applicant shall pay any required increased water fees that may be applicable to the change 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*

4. 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. In accordance with Section 5.05, "Alteration of Use", of the Sonoma Valley County Sanitation District Ordinances, the Applicant shall pay any increased sewer use fees associated with the conversion of the existing structure to a teen center. The increased sewer use fees, if applicable, shall be paid the Engineering Division of PRMD prior to the commencement of the use(s).
- b. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that any applicable sewer fees have been paid prior to the issuance of any building permit.

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*

5. Allowed hours of operation shall not exceed 8:00 a.m. to 9:30 p.m., seven days a week.

Enforcement Responsibility: *Planning Department*
Timing: *Ongoing*

6. Signage for the use shall be subject to review and approval by City Staff or the Design Review Commission (DRC) as applicable.

Enforcement Responsibility: *Planning Department or Design Review Commission*
Timing: *Prior to installation of signage*

7. BGCSV Teen Center staff shall manage and monitor the use so as to prevent loitering outside of the premises.

Enforcement Responsibility: *Planning Department*
Timing: *Ongoing*

8. Signage for the teen center shall be subject to review and approval by City Staff or the Design Review Commission (DRC) as applicable.

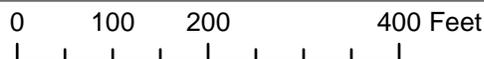
Enforcement Responsibility: Planning Department or Design Review Commission
Timing: Prior to installation of signage

Vicinity Map



Project Summary

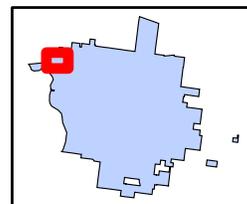
<i>Project Name:</i>	Boys & Girls Club Use Permit
<i>Property Address:</i>	19245 Sonoma Highway
<i>Applicant:</i>	Boy & Girls Club of Sonoma Valley
<i>Property Owner:</i>	S & N IILTD
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	None
<i>Summary:</i>	Consideration of a Use Permit to relocated the Boys & Girls Club teen program.



1 inch = 200 feet

Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, 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 Denisty 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



18294
Sonoma Highway
Sonoma
CA 95476

TEL 707 996 8448
FAX 707 996 8542

RECEIVED

JAN 16 2015

CITY OF SONOMA

RossDrulisCusenbery

ARCHITECTURE

January 15, 2015

PROJECT NARRATIVE

Application Type: City of Sonoma Minor Conditional Use Permit

Project Name: Boys & Girls Clubs of Sonoma Valley Teen Community Center

Project Location: 19245 Sonoma Highway, Sonoma, CA 95476

Project Sponsor: Boys & Girls Clubs of Sonoma Valley

Project Architect: RossDrulisCusenbery Architecture, Inc., Michael B. Ross, AIA

PROJECT OVERVIEW

Boys & Girls Clubs of Sonoma Valley (BGCSV), a Sonoma Valley based non-profit organization founded in 1962, proposes to relocate their teen program, including Future Focus, from a portable structure located adjacent to Maxwell Clubhouse in Maxwell Regional Farms Park, 100 W. Verano Avenue, Sonoma, CA to 19245 Sonoma Highway, Maxwell Village (former Citibank/Citizen's Federal location).

The project includes the relocation of approximately four staff (typically two staff are present at any one time). Light Tenant Improvements (TI's) and building repairs to 19245 Sonoma Highway will be provided as necessary to support the implementation of teen programs in the near term.

A change of use is proposed. The prior building occupancy classification was Business Group B office space. The proposed use is a mixed occupancy Community Center.

It is BGCSV's intent to provide a thinking and activity space as well as a social hub to teens in Sonoma Valley. College & Career Counselors will provide 1:1 case management with staff and adult volunteer support to implement the various facets of the teen Future Focus program providing teens with college preparation, career readiness training, and life coaching activities. No food preparation will occur at the facility. The success of teen programs at BGCSV since 2009 provides a foundation that supports the future success of teen programs at 19245 Sonoma Highway.

The historic parking requirements for teen programs at Maxwell Clubhouse in Maxwell Regional Farms Park have been minimal. Staff parking since the inception of the program has not exceeded four parking spaces at any one time. Teen parking needs have fluctuated since 2009 between no parking spaces and four parking spaces at any one time. Most teens participating in the Club program will walk or use alternative means of transportation thereby not increasing the parking demand over the prior bank requirements.

The Club at Maxwell Village, Sonoma, CA
Use Permit Project Narrative
January 15, 2015

BGCSV is requesting a Minor Conditional Use Permit to convert the existing office building to a teen Community Center. Building permits will be applied for any applicable tenant improvements or building repair work. A design review application will be submitted for any applicable signage or exterior painting. The attached drawings indicate the proposed building occupancy plan.

SPECIFIC PROJECT DATA

Site Parcel Addresses: 19245 Sonoma Highway, Sonoma CA
APN: 127-141-022
Zoning: West Napa Street/Sonoma Highway Corridor, Commercial

BUILDING AREA

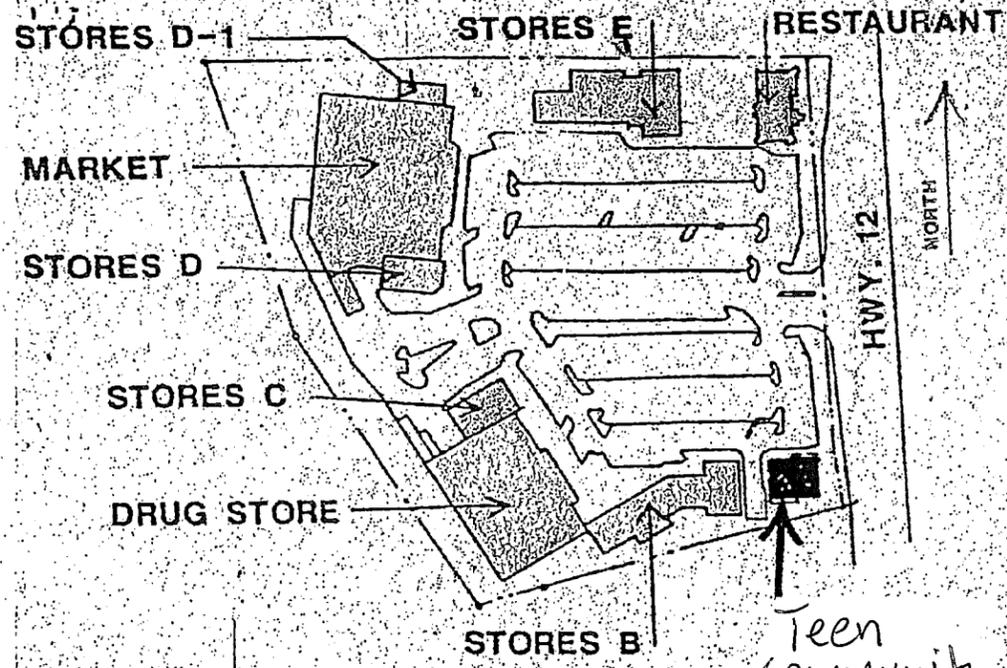
First Floor: 3,014 SF - Type V, No-hour
Occupancy: Mixed primarily B-2

DEVELOPMENT FEATURES

Building Setbacks:
Front and street: 15'
Side: none required except when abutting a residential zone
Rear: none required
Building Height: 30'
Parking: 1/300 SF. Ten Required. Ten Provided in Shopping Center Lot.
Total Lot Area: +/- 3,014 SF Common Tenant Areas Apply
Existing Building Coverage: 3,014 SF
Allowable Lot Coverage: 40% N/A
Actual Lot Coverage: N/A
Allowable FAR: 0.80
Actual Building Area: 3,014 SF
Open Space: Shared Shopping Center Site
Landscape: Existing Shopping Center Site

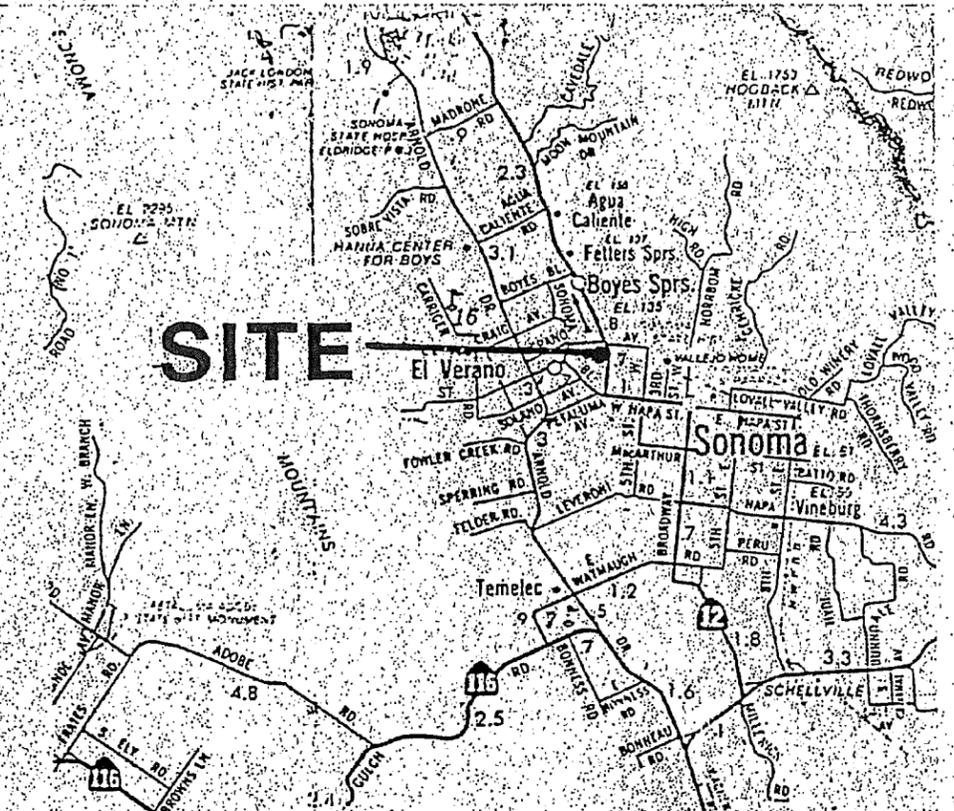
Submitted by:
Michael B. Ross, AIA, NCARB
Principal, CEO
RossDrulisCusenbery Architecture, Inc.
.18294 Sonoma Highway
Sonoma, CA

LOCATION MAP



Teen Community Center

VICINITY MAP



TENANT IMPROVEMENTS FOR

THE CLUB

At Maxwell Village



Maxwell Village 19243
Sonoma Highway,
Sonoma, CA

REVISIONS

No.	Description	Date
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FOR PRELIMINARY PRICING

Sheet Title
PLANS

Drawn By Author Checked By Checker

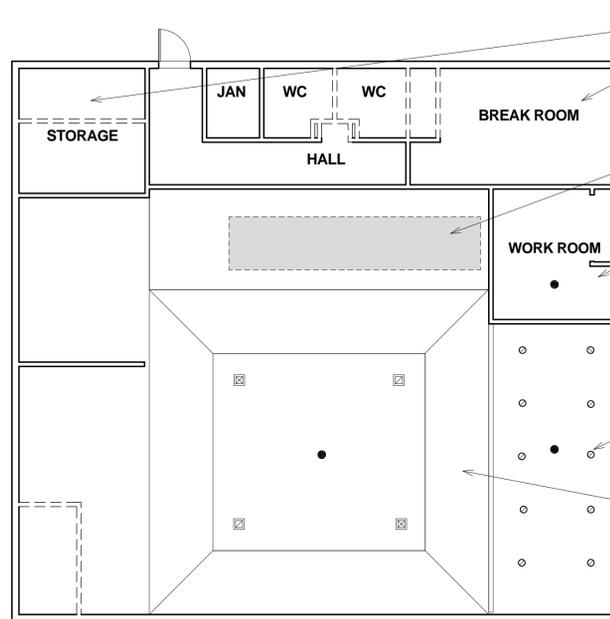
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Date:
January 20 2015

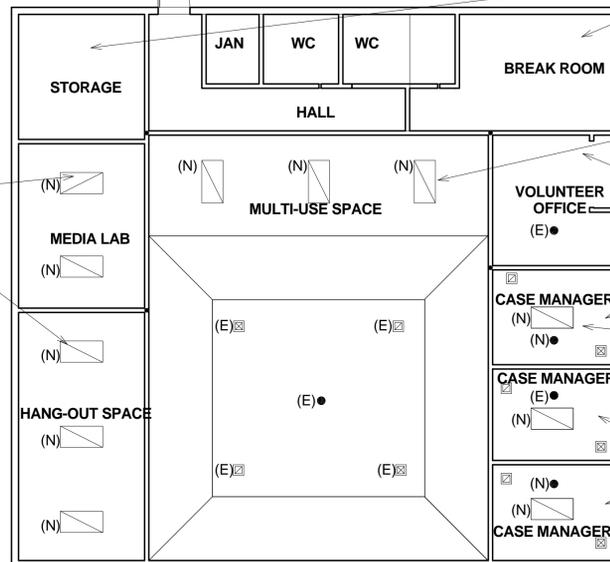
Project No. Project Number

A1.00
Drawing No.

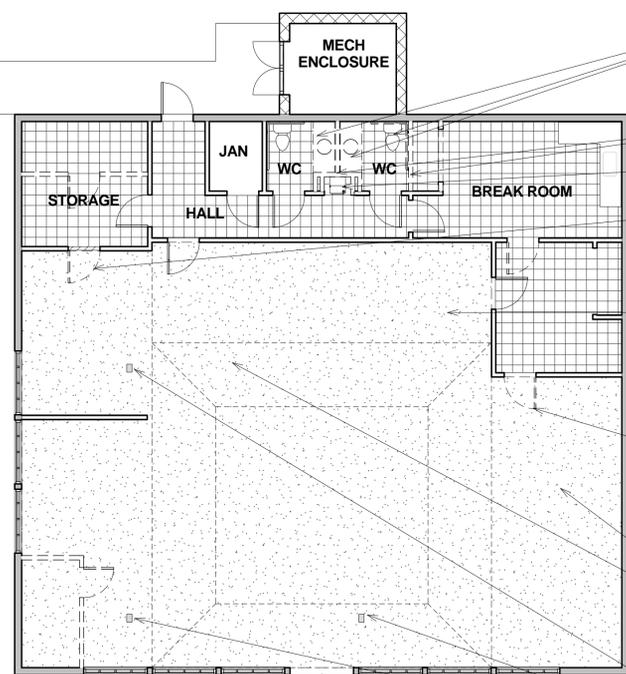
If this drawing is not 24" x 36" it is a reduced print - scale accordingly. All rights reserved. Material may not be reproduced in any form without permission from RossDrulisCusenbery Architecture, Inc.



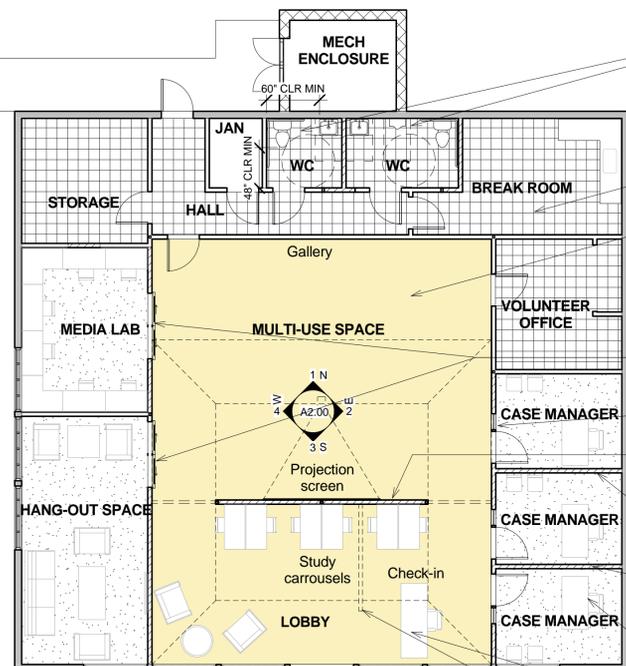
3 RCP-01 EXISTING AND DEMOLITION
1/8" = 1'-0"



4 RCP-02 PROPOSED
1/8" = 1'-0"



1 EFP-01 EXISTING AND DEMOLITION
FLOOR PLAN
1/8" = 1'-0"



2 FP-01 PROPOSED FLOOR PLAN
1/8" = 1'-0"

- (E) TOILET AND GRAB BARS REMOVED. RETAIN THE GRAB BARS FOR REUSE. REMOVE THE VANITIES, SINKS AND FAUCETS FROM BOTH BATHROOMS.
- (E) WALLS REMOVED.
- REMOVE (E) DRINKING FOUNTAIN. SEAL (E) PLUMBING.
- REMOVE (E) DOOR AND INFILL OPENING. MATCH GYP. FINISH
- REMOVE (E) BANK TELLER LINE CASEWORK (TYP)
- REMOVE (E) DOOR AND INFILL OPENING. MATCH GYP. FINISH
- REMOVE (E) CARPET AND UNDERLAY. PREPARE FOR FINISH
- (E) FLOOR MOUNTED POWER TO BE RELOCATED PER PROPOSED PLAN

- (N) ADA COMPLIANT UNISEX RESTROOMS. REUSE (E) GRAB BARS. NEW FLOOR MOUNTED LOW FLOW TOILET AND WALL HUNG ADA SINK AND FAUCET
- REUSE (E) FLOOR COVERING WHERE POSSIBLE
- SEAL (E) CONCRETE FLOOR
- (N) 2 X 4 FLUSH MOUNTED LIGHT FIXTURES
- (N) SLIDING WOOD AND TEMPERED GLASS "BARN" DOORS.
- (N) 3'-0" X 6'-8" SINGLE LIGHT FRENCH DOORS WITH 2'-0" TEMPERED GLASS SIDE LIGHT (TYP)
- (N) ROOM DIVIDER WALL
- (N) METAL STUD OFFICE PARTITIONS WITH ACOUSTIC BATT INSULATION (TYP)
- ALL MOVABLE FURNITURE, FIXTURES AND EQUIPMENT NIC (TYP)
- REMOVE (E) FLOOR MOUNTED POWER. EXTEND POWER TO ROOM DIVIDER WALL - SAW CUT (E) CONCRETE.

- (E) CEILING AND LIGHT FIXTURES TO REMAIN IN BREAK ROOM, WC'S, HALL JANITORS CLOSET AND STORAGE ROOM. PAINT (E) CEILING.
- REMOVE (E) RECESSED LIGHT SYSTEM. PROVIDE (N) 2 X 4 FLUSH MOUNTED LIGHT FIXTURES.
- (E) LIGHT FIXTURE, HVAC RETURN, SUPPLY AND SPRINKLER TO REMAIN
- (E) LIGHT FIXTURES REMOVED AND REPLACED. SEE PROPOSED RCP. PATCH AND REPAIR AND PAINT (E) CEILING AS NECESSARY. MATCH (E) CEILING FINISH.
- PROTECT (E) EXPOSED WOOD CEILING SYSTEM. NO WORK IN (E) WOOD CEILING SYSTEM REQUIRED.

- (E) CEILING AND LIGHT FIXTURES TO REMAIN IN BREAK ROOM, WC'S, HALL, JANITORS CLOSET AND STORAGE ROOM. PAINT (E) CEILING AND WALLS
- (N) 2 X 4 FLUSH MOUNTED LIGHT FIXTURES
- (E) LIGHT FIXTURE, HVAC RETURN AND SUPPLY AND SPRINKLER TO REMAIN
- NEW HVAC SUPPLY AND RETURN
- EXPAND (E) SPRINKLER SYSTEM: ADD NEW SPRINKLER TO EACH NEW ROOM
- NEW HVAC SUPPLY AND RETURN

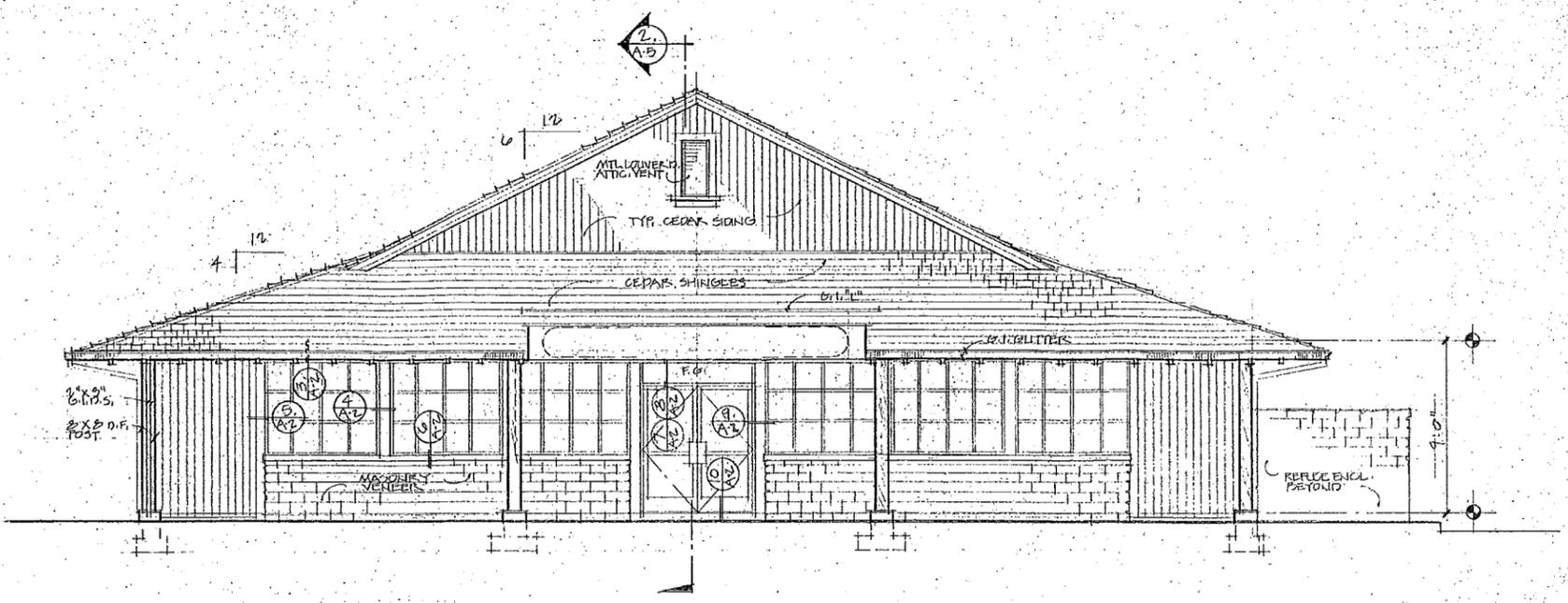
REVISIONS	BY

WILLIAM L. DIMICK AIA
 292 FRANCE ST. SONOMA, CALIF.
 95476 TELEPHONE 707-938-5726
ARCHITECT

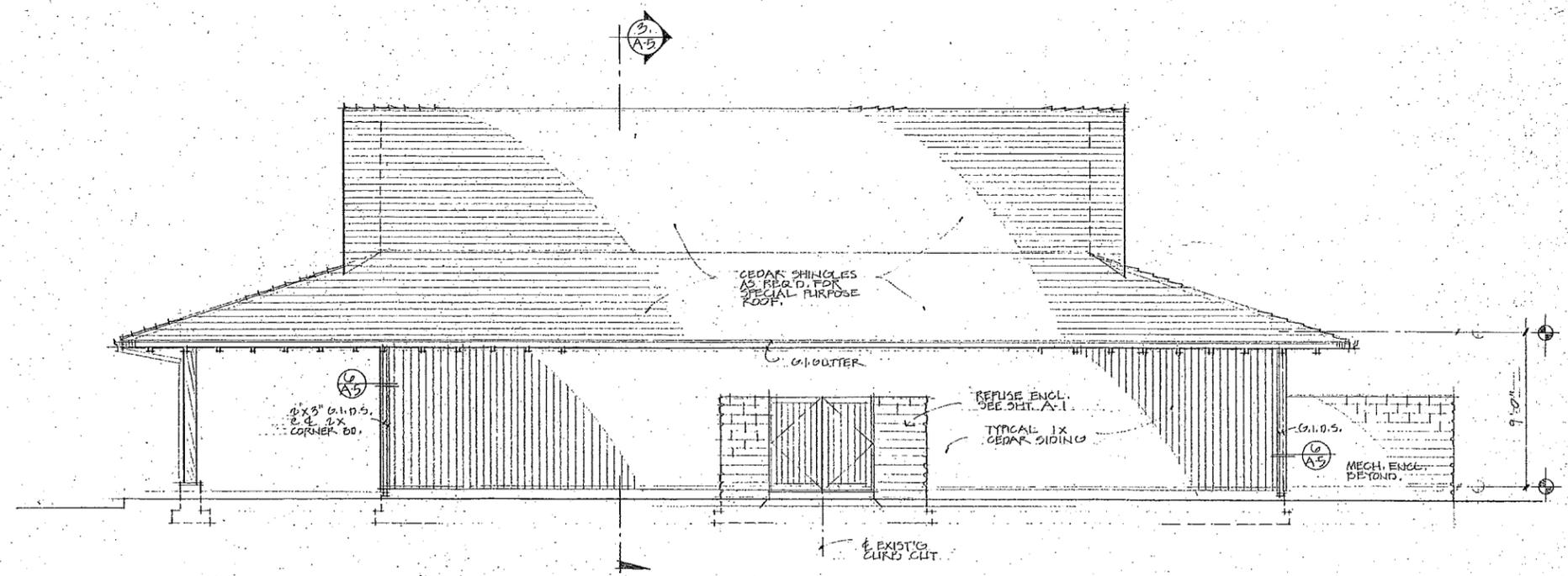
William L. Dimick
 WILLIAM L. DIMICK ARCHITECT #15594

CITIZENS FEDERAL
 MAXWELL VILLAGE
 14045 SONOMA HWY.
 SONOMA, CA

DATE	1-09-21
SCALE	AS NOTED
DRAWN	W.L.D.
JOB	2827
SHEET	A-3
OF 6 SHEETS	



NORTH ELEVATION 1/4" = 1'-0"



WEST ELEVATION 1/4" = 1'-0"

PRO DRAFTING FORM NO. 121-4

Agenda Item Title: Application for a Use Permit to operate a nano-brewery in conjunction with an established restaurant use.

Applicant/Owner: Sherpa Hospitality, LLC/Anne Thornton

Site Address/Location: 165 West Napa Street

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 1/30/15

PROJECT SUMMARY

Description: Application of Sherpa Hospitality, LLC for a Use Permit to operate a nano-brewery in conjunction with an established restaurant use at 165 West Napa Street.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic

Site Characteristics: The project site has an area of 18,000 square feet, consisting of three adjoining parcels on the south side of West Napa Street, between First and Second Street West. The site is currently developed with a commercial building constructed in 1934 and flanking parking. The building was most recently occupied by Meritage restaurant.

Surrounding Land Use/Zoning: **North:** Vacant commercial buildings approved for vacation rental use (opposite West Napa Street)/Commercial
South: Hotel/Commercial
East: Retail shop/Commercial
West: Service station/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 subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicant is requesting approval of a Use Permit to operate a nano-brewery in conjunction with a new restaurant at the former location of Meritage Martini Oyster Bar & Grille. Brewing would be accomplished by a 7-barrel system located in a former storage area (± 45 square feet). The applicant intends to brew the minimum amount of beer required by the Type 75 ABC Brewpub-Restaurant license, which is 100 barrels per year (ABC uses the federal unit of measure for a barrel of beer which is 31 U.S. gallons). This is the equivalent of 3,100 gallons per year or just under four typical 15.5-gallon kegs per week on average. As proposed, beer would only be sold and consumed on-site and would not be distributed to other locations. The brewing process would be handled by the restaurant management and staff. One reason for incorporating the brewery element is to acquire a Type 75 license which, in addition to beer manufacturing, allows for the service of beer, wine, and distilled spirits but at a fraction of the cost of a Type 47 ABC General-Restaurant license, which is essentially a full liquor license. It is also staff's understanding that the availability of Type 47 licenses is limited, which contributes to their high cost.

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. Microbreweries and beverage manufacturing are allowed in the corresponding Commercial zone subject to review and approval of a Use Permit by the Planning Commission. The proposal does not raise any significant issues in terms of consistency with the General Plan.

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. Microbreweries and beverage manufacturing are allowed in the Commercial zone subject to review and approval of a Use Permit by the Planning Commission.

Development Standards: The brewing system would occupy a small area within an existing commercial building. 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 restaurant operates under a Use Permit approved by the Planning Commission in 1999 that allows for a total of 79 seats (49 indoor and 30 outdoor). More than adequate on-site parking is provided for this amount of seating and the nano-brewery would be accessory to the restaurant and not significantly intensify the use. In this regard, staff would emphasize that production levels would be roughly the minimum allowed by the ABC license and no distribution or off-site delivery would occur (conditions of approval have been included to this end). Accordingly, the proposal does not raise issues of consistency with the City's parking regulations.

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

ENVIRONMENTAL REVIEW (**Not Applicable to this Project**)

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

DISCUSSION OF PROJECT ISSUES

Compatibility with Surrounding Uses: The use would occur on a property appropriately located in the downtown commercial district and in conjunction with an established restaurant use. As previously noted, the brewing component would be accessory to the restaurant with low production levels. Off-site distribution is not proposed and any additional activity associated with the brewery would be negligible. For these reasons, staff does not anticipate that brewing activities would adversely impact properties in the vicinity.

Other Required Permits/Approvals: Depending on the type of brewing system, a building permit may be required for its installation and additional water fees may apply, subject to review by the City Engineer/Public Works Director. In addition, the brewing system and operation will be subject to any applicable requirements of County PRMD Sanitation Division and County Environmental Health Division in terms wastewater discharge and the production of beverages for public consumption. The draft conditions of approval reflect these items.

Police Department Comments: The application was referred to the Police Chief for comment, who recommended ABC Responsible Beverage Service training and appropriate identification checking procedures for staff/employees of the business (a condition of approval has been included to this end).

RECOMMENDATION

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

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Floor Plan*

cc: Ngima Sherpa (via email)
165 West Napa Street
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Sherpa Hospitality Nano-Brewery – 165 West Napa Street

February 12, 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).
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.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Sherpa Hospitality Nano-Brewery – 165 West Napa Street

February 12, 2015

1. The nano-brewery shall operate in conformance with the project narrative, except as modified by these conditions and the following:
 - a. Beer brewed on the premises shall not be distributed or delivered to off-site locations. There shall be no delivery vehicles associated with the brewery.
 - b. On-site beer production shall not exceed 110 barrels per year. For purposes of this condition, the Federal unit of measure for a barrel shall apply, which is 31 U.S gallons.

Enforcement Responsibility: *Planning Department*
Timing: *Ongoing*

2. The applicant shall obtain a Type 75 License from the California Department of Alcoholic Beverage Control (ABC) and operate the brewpub-restaurant in conformance with the requirements of that license.

Enforcement Responsibility: *ABC*
Timing: *Prior to operation; Ongoing*

3. The applicant shall coordinate with the Police Chief on opportunities for ABC Responsible Beverage Service Training and appropriate identification checking procedures for employees/staff.

Enforcement Responsibility: *Police Department*
Timing: *Prior to operation; Ongoing*

4. All Building Code and Fire Department requirements shall be met. A building permit may be required for installation of the brewing equipment/system, as determined by the Building Official.

Enforcement Responsibility: *Building Department; Fire Department*
Timing: *Prior to operating and/or issuance of occupancy permit*

5. The applicant shall pay for any necessary City water upgrade fees, as determined by the City Engineer/Public Works Director.

Enforcement Responsibility: *City Engineer; Public Works Director*
Timing: *Prior to operating and/or issuance of occupancy permit*

6. The applicant shall obtain any necessary approvals from the Sonoma County Environmental Health Division for the brewery element.

Enforcement Responsibility: *Building Division; Sonoma County Environmental Health Division.*
Timing: *Prior to operating and/or issuance of occupancy permit*

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

- 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 this Survey, the Applicant shall comply with the terms and requirements of the Survey prior to commencing any brewing activities. 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 any increased sewer use fees that may apply for the new brewery element. 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

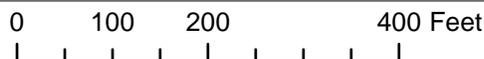
Timing: Prior to issuance of a building permit

Vicinity Map



Project Summary

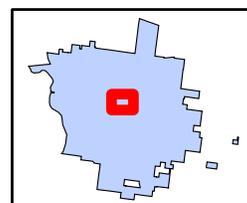
<i>Project Name:</i>	Sherpa Hospitality Microbrewery
<i>Property Address:</i>	165 West Napa Street
<i>Applicant:</i>	Sherpa Hospitality, LLC
<i>Property Owner:</i>	Anne Thornton
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration of a Use Permit to operate a microbrewery in conjunction with an established restaurant use.



1 inch = 200 feet

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)
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- 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



To,
City of Sonoma
Planning, Building and Public Works.

1/14/2015

Greetings,

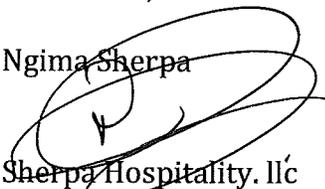
My name is Ngima Sherpa. I am planning on opening a new restaurant in 165 West Napa St. Sonoma. Since there was a restaurant in that location previously which has been closed for couple months, I plan on continuing to make a use of the location to reopen a new restaurant. The menu will feature dishes influenced by California and Italian cuisine, including a variety of seafood dishes. An authentic seafood restaurant will add to the choice of dining experiences already available in Sonoma.

In addition to serving food, wine, beer and distilled spirit will be served.

Besides that I also plan on having a beer brewery in the restaurant. I intend to have a seven-barrel system brewery to produce 100 barrels annually. As for the location of the brewery I will be using a previous storage location in the restaurant. The location will be shown exactly on the site plan. I plan on brewing beer around noon. As mentioned by the Department of Alcohol and Beverage Control the beers brewed in the restaurant will be served only on the premises. Therefore, I would like to request the City of Sonoma to offer me a conditional use permit to continue my project.

Thank You,

Ngima Sherpa



Sherpa Hospitality, llc

Agenda Item Title: Application for Use Permit to allow an outdoor commercial display area at 15 West MacArthur Street, including consideration of a Parking Exception.

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

Site Address/Location: 15 West MacArthur Street

Staff Contact: David Goodison, Planning Director
Staff Report Prepared: 02/09/15

PROJECT SUMMARY

Description: Application for Use Permit to allow an outdoor commercial display at 15 West MacArthur Street, including consideration of a Parking Exception.

General Plan Designation: Mixed Use (MU)

Zoning: **Base:** Mixed Use (MX) **Overlay:** Historic District

Site Characteristics: The site is a 12,371 square foot property with frontage on Broadway, West MacArthur Street, and First Street West. Development consists of a commercial building of approximately 3,000 square feet in area, located on the eastern portion of the property, along with a detached carport/garage. The building is divided into two tenant spaces, one occupied by the Sonoma Academy of Music and the other by the administrative offices of the Tumbleweed Tiny House Company. With the exception of a small shed, the west half of the site is vacant. Off-street parking consists of a two-car garage (with two apron spaces) and a two-car carport, all fronting on West MacArthur Street.

Surrounding Land Use/Zoning: **North:** Gas station (across West MacArthur Street)/Mixed Use
South: Office building, commercial parking/ Mixed Use
East: Hotel (across Broadway)/ Mixed Use
West: Residential condominiums/Medium Density Residential

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: Commission discretion.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The Tumbleweed Tiny House Company (TTHC) manufactures small houses designed and built on wheeled beds and classified as RVs so that they may be readily towed into place. The houses are built in Colorado, which is also where the company showroom is located. The Sonoma location is one of several administrative offices. TTHC is applying for a use permit to allow the outdoor display of up to three of their models in the vacant portion of the subject property. The property would remain fenced and access for viewing the models occur from the office. The models would be display units that would not be for sale. The units themselves are 7.5 feet wide, up to 24 feet long, and 13.5 high. Because many of the company's sales are made online, TTHC believes it would be useful to have models available that prospective buyers could view. According to the project narrative, current business hours are 9:00 a.m. to 5:00 p.m., seven days a week and it is proposed that the models would be made available for viewing on a by-appointment basis. The applicants anticipate 5-15 tours per week in the summer and 1-2 per week in the winter months. Because the display units would not normally be for sale, they would remain on site for extended periods, meaning that there would be little turnover.

Note: this application was made following an enforcement notification. In the past, the company has stored as many as three units on the site. These units were not display models, but were being stored by TTHC on behalf of their owners, who eventually took possession of them.

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

The property is designated Mixed Use by the General Plan, a designation that is intended to accommodate uses that provide a transition between commercial and residential districts, to promote a pedestrian presence in adjacent commercial areas, and to provide neighborhood commercial services to adjacent residential areas. In addition, a residential component is required in new development, unless an exemption is granted through the use permit review. This application does not raise any significant issues in terms of consistency with the General Plan.

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

Use: The property is zoned Mixed Use (MX). Retail uses, including outdoor retail sales and activities, are allowed in the Mixed Use zone, subject to the review and approval of a Use Permit by the Planning Commission.

Planning Area Standards and Guidelines. The Development Code planning area in which the subject property is located is the "Broadway Corridor." Because this proposal does not involve any new construction or changes to the footprints of the existing buildings on the site, it does not raise any issues with respect to setbacks, coverage, or Floor Area Ratio requirements.

On-Site Parking: For the "outdoor retail" use, the Development Code specifies a parking requirement of one space for every one thousand square feet of display area. Assuming three models on the site, 2-3,000 square feet represents a conservative estimate, in staff's view, of the necessary display area. If this estimate is used, that translates into a requirement for 2-3 off-street parking spaces based on the normal standards of the Development Code. Currently, the site does not have any excess off-street parking and in fact is technically under-parked as there are only four non-tandem off-street parking spaces available to serve the two commercial tenants. This deficiency is mitigated by the fact that the music school is a very low intensity use that typically has only one staff person on-site, with most students dropped off and picked up.

As noted in the project narrative, the proposed use would increase the level of activity on the site as the outdoor display capability would bring prospective clients to the office who would not otherwise be there. That said, the amount of traffic anticipated by TTHC is rather limited and, on that basis, the Planning Commission could consider an Exception to the normal off-street parking requirement. If the parking is deemed necessary, it appears to be feasible to develop a 3-4 stall parking area (including one accessible space) at the back of the property, accessed from the existing driveway cut on First Street West. The development of parking in that area would leave sufficient space for a screened display area located between the parking lot and the carport/garage. However, most of the trees located in the undeveloped portion of the site would need to be removed in order to accommodate this approach.

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

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing or minor alteration of existing private structures and facilities is Categorically Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

Neighborhood Compatibility: Prior to filing the Use Permit application, the applicant conducted outreach to neighboring property owners (see attachment to the project narrative). For the most part, those contacted stated that they did not have any concerns about the proposed use. However, the owner of the office located south of the site, off of First Street West, contacted City staff to express his opposition to the proposal. He is listed in the attachment as “no objections/no endorsement”, but upon further consideration he has decided to oppose the application. In discussing his concerns with staff, he made the following points:

1. During the removal of one of the houses, the exit driveway serving his office was blocked for several hours and the person coordinating the removal was not responsive.
2. Several months ago, a segment of the fence that separates the office parking lot from the proposed display area was knocked down, presumably to gain access to the units back there at time for purposes of theft or vandalism. This incident leads to concern on the part of the neighboring property owner that the display area could become an attractive nuisance.
3. The units will be visible from the office property as they have a height of up to 13.5 feet.

Staff has attempted to address these concerns in the draft conditions of approval. For example, a condition is proposed that would require that in the placement or removal of any unit, on-site by TTHC staff shall be required to ensure that traffic rules are obeyed and that not neighboring access is blocked. (In the previous incident, the removal was managed by the unit’s owner, not TTHC staff.) Other conditions would require the installation of motion detectors/lighting and a minimum ten-foot setback for the placement of any unit from the southern property line. That said, it is staff’s understanding that the neighboring property owner continues to oppose the application.

Parking: As discussed above, while the applicants believe that the level of traffic generated by the proposed use will be low, the site is already deficient in on-street parking. Although it appears that there is sufficient space on the site to accommodate a parking area, in staff’s view a parking plan is needed to show exactly how it would be laid out, should additional onsite parking be required. Alternatively, the Planning Commission could consider an Exception to the normal requirements, if it is concluded that the level of use does not warrant the development of additional parking.

RECOMMENDATION

Commission discretion.

Note: In the event that the Planning Commission wishes to approve the Use Permit with a parking exception, then the item should be continued to the April meeting with direction to the applicant to prepare a parking plan so that the Commission may review it prior to taking final action.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location Map*
4. *Site Plan/Parking Plan*
5. *Floor Plan*

Company website:

<http://www.tumbleweedhouses.com>

cc: Ross Beck, TTHC (via email)

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Tumbleweed Tiny House Company, Outdoor Sales – 15 West MacArthur Street

February 12, 2015

Use Permit Findings

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:

1. The proposed use is consistent with the General Plan;
2. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this Development Code;
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.

Parking Exception

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:

1. That the adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan and the overall objectives of this Development Code.
2. That the Exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development.
3. That the granting of the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
Tumbleweed Tiny House Company, Outdoor Sales – 15 West MacArthur Street

February 12, 2015

1. The use shall operate in conformance with the project and site plan narrative as set forth in the staff report dated February 9, 2015, except as modified by these conditions and the following:
 - a. Public hours for the outdoor display area shall be limited 9 a.m. to 5 p.m. Monday through Sunday.
 - b. No more than three models may be displayed on the site at any time.
 - c. Models shall be owned by the Tumbleweed Tiny House Company (TTHC). The storage of units owned by others shall be prohibited.
 - d. Models shall be used for display, demonstration, and marketing, but shall not be offered for sale on the site.
 - e. The viewing of models shall be conducted by appointment only and the display area shall be accessed from the TTHC office.
 - f. Manufacturing on-site shall be prohibited.
 - g. A ten-foot setback from the southern property line shall be maintained.
 - h. The screening fence shall be maintained at a minimum height of six feet.

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. The placement and removal of display units from the property shall be managed on-site by staff of HTTC so as to assure that all traffic laws are obeyed and that the driveways and access to adjacent properties remain open.

Enforcement Responsibility: Planning Division; Sonoma County Health Dept.
Timing: Prior to occupancy; Ongoing

3. The display area shall be fitted and maintained with motion-actuated lighting.

Enforcement Responsibility: Planning Division
Timing: Prior to occupancy; Ongoing

4. Any signs or landscaping improvements shall be subject to review and approval by City Staff or the Design Review Commission (DRC) as appropriate.

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to installation of signage or exterior alterations to the building

Vicinity Map



Project Summary

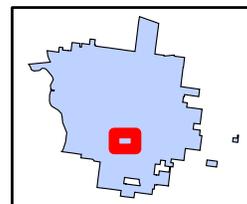
<i>Project Name:</i>	Tumbleweed Tiny House Co. Use Permit
<i>Property Address:</i>	15 West MacArthur Street
<i>Applicant:</i>	Tumbleweed Tiny House Co.
<i>Property Owner:</i>	Tilmar Properties LLC
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration of a Use Permit to allow the outdoor retail display of Tiny House models.



1 inch = 200 feet

Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, 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 Denisty 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



Outdoor Retail Display Application

Tumbleweed Tiny House Co.
15 W. MacArthur Street
Sonoma, Ca 95476

Zoned: Mixed Use

Contact: Ross Beck, Operations Manager
Tel: 877-331-8469 ext. 767, ross@tumbleweedhouses.com
Web: www.tumbleweedhouses.com

Tumbleweed Tiny House Co. (Tumbleweed) has maintained administrative offices at 15. W. MacArthur Street, Sonoma, CA since September 2012. There is no manufacturing activity at this location, nor has there ever been.

Tumbleweed creates and sells a range of products from DIY building plans to instructional DVDs to educational workshops (33 across the US and Canada) to trailers to Ready-to-Go Tiny Houses (Park Model RVs).

The manufacture and sales of Tumbleweed Trailers and Ready-to-Go Tiny Houses occurs in Colorado Springs, CO, where we have a build facility and showroom. The sale of all other products is done online or at workshops; we do not have a retail store.

We are requesting an Outdoor Retail Display inside our fenced and locked location to allow customers to view and tour a Ready-to-Go Tiny House model(s). We anticipate having from 1-3 Tiny House display models within the fenced area.

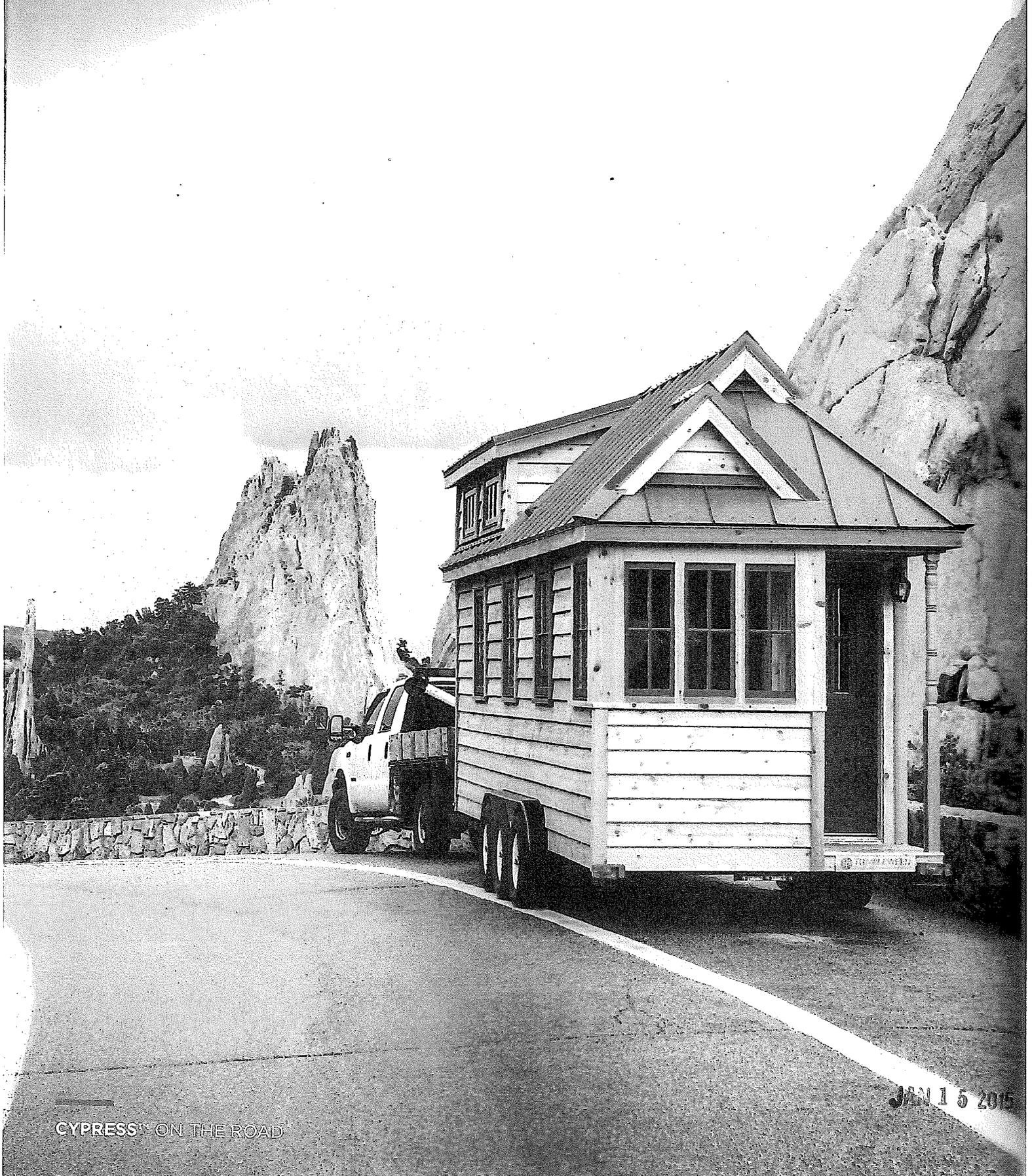
We do not market our Sonoma location as it is for administrative activities (accounting, human resources, marketing, customer services, technical support, etc.) However, we do receive requests from individuals and couples to see and tour a Tiny House. In winter we average 1-2 tour requests per week. In summer we average 5-15 tour requests per week. We propose scheduling guided tours, conducted by staff, during our regular office hours of Monday through Sunday, 9:00 a.m. to 5:00 p.m. All visitors must enter through the offices. There is no open public access and the double gate on First Street is kept locked at all times.

Since all trailer and Ready-To-Go Tiny House sales occur in Colorado, there is no regular delivery to or shipment from the Sonoma location. Display models are expected to stay in position for extended periods of time. Customers are unable to purchase any products from the Sonoma location.

This request for an Outdoor Retail Display is to provide a resource to potential west coast customers.



JAN 15 2015



Survey Results

Conducted 1/14/15

Address	Do you know we have tiny houses at 15 W. MacArthur St?	Do you know we give tours of the tiny houses?	Do you have any concerns about our application for an Outdoor Retail Display?
Quickstop, Jaloye, 925 Broadway	Yes	No	"None"
Printshop, Griffith, 921 Broadway	Yes	No	None, "Don't mind at all."
Music Lessons, Brad, 901 Broadway	Yes	No	"No concerns"
Auto Repair, Rigo, 899 Broadway	Yes	No	"No"
76 Gas Station, Waleron, 899 Broadway	Yes	Yes	"No"
Mentoring Alliance, 916 First St	Yes	Yes	"No problem. Maybe not right next to fence"
Law Office Duffy & Preston, 924 First St	Yes	Yes	"No objections, no endorsement"
Law Office Helen Marsh, 930 first St	Yes	Yes	"No, great idea!"
Regina Phillips, 933 First St	Yes	No	"No. Good luck!"
Ms. Janse, 111 MacArthur St.	Yes	No	"None at all. Good luck."
887 First St Front yard locked, no access to door	n/a	n/a	n/a

JAN 15 2015

Tumbleweed Tiny House Co.
Neighborhood Survey - Application for Outdoor Retail Display

Address: _____

Name: _____

INTRO: My name is Ross Beck and I am with Tumbleweed Tiny House Co, located at 15 W. MacArthur and First St. West.

PURPOSE: I'm conducting a short survey about our application for an Outdoor Retail Display in our fenced yard on MacArthur St.

BACKGROUND: We build tiny houses on trailers at our facility in Colorado. About 18 months ago we parked three of them behind our fence so that customers could make an appointment to tour them. There is no public access to the display models and visits are by appointment only, which is about five per week in winter and up to about 25 tours per week in summer.

We were recently notified by the City of Sonoma that we need to submit an Outdoor Retail Display permit to park them in our fenced yard for tours. The City Council will review our application at their February 12th board meeting.

QUESTIONS

1. Are you aware that we have parked tiny houses at 15 W. MacArthur? Y N

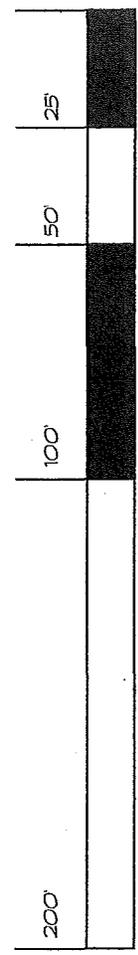
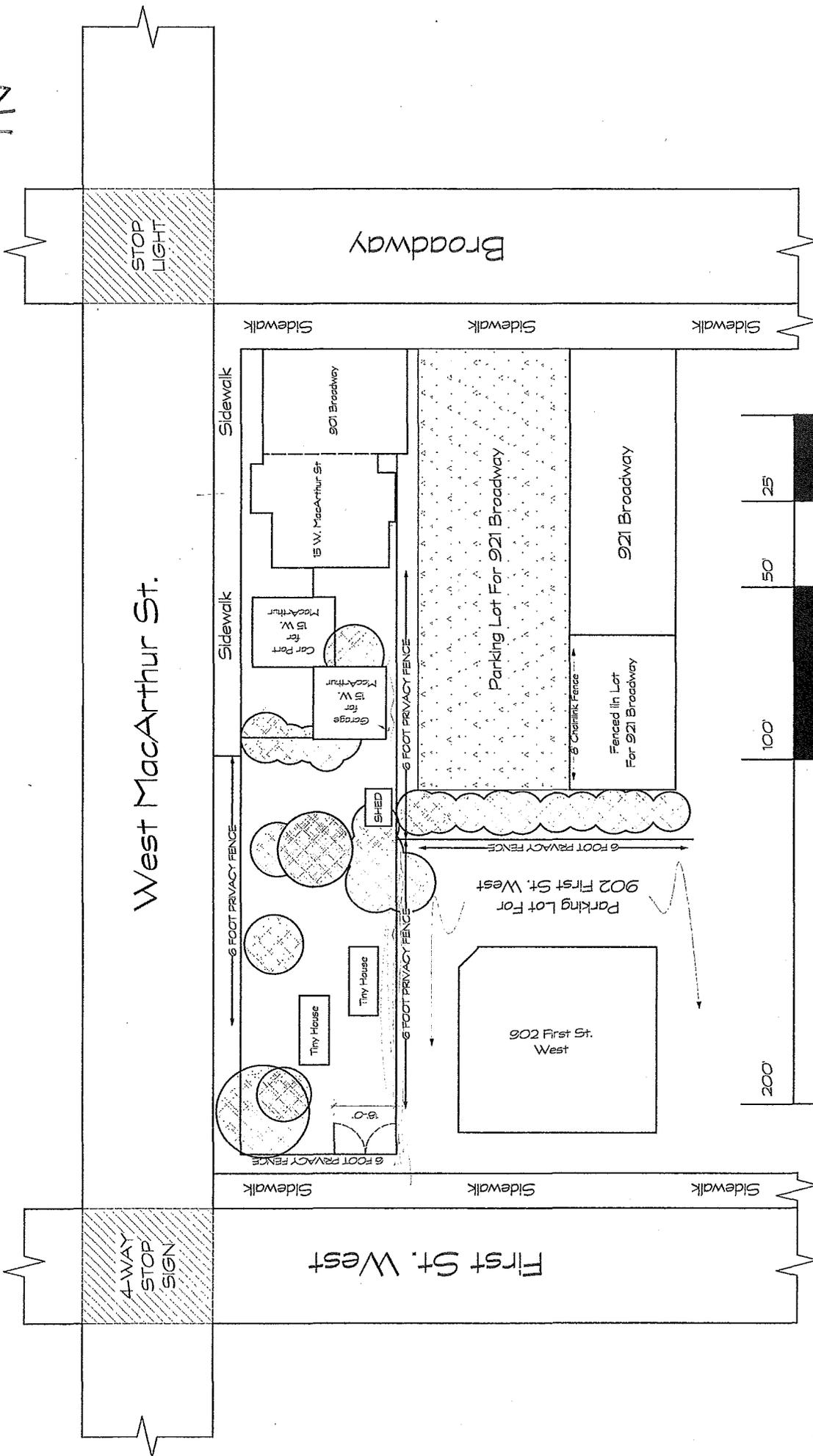
Notes _____

2. Are you aware that we were giving tours at that address? Y N

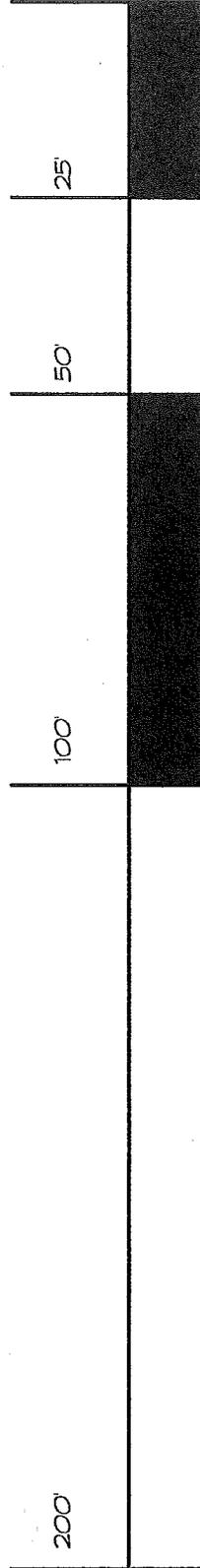
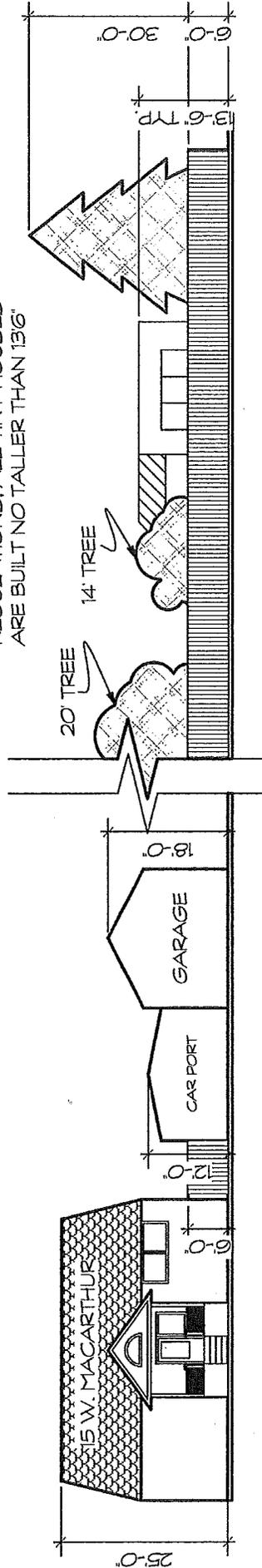
Notes _____

3. What concerns might you have with our application to continue having Outdoor Retail Display models for potential customers?

Comments _____



NOTE:
DUE TO FEDERAL ROAD
REGULATIONS, ALL TINY HOUSES
ARE BUILT NO TALLER THAN 13'6"



Broadway

First st