

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

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

**MINUTES**

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

**Roll Call:**

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

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

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

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

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

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

**Applicant/Property Owner: Mike Rabbitt**

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

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

**Applicant/Property Owner: Moaya Scheiman/Maria Lounibos**

Senior Planner Gjestland presented staff's report.

**Chair Willers opened the item to public comment.**

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

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

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

**Chair Willers closed the item to public comment.**

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

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

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

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

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

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

**Applicant/Property Owner: Josef Cuneo**

Associate Planner Atkins presented staff's report.

**Chair Willers opened the item to public comment.**

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

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

**Chair Willers closed the item to public comment.**

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

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

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

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

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

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

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

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

**Applicant/Property Owner:** Newcomb Holdings LLC

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

Senior Planner Gjestland presented staff's report.

**Chair Willers opened the item to public comment.**

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

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

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

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

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

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

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

**Chair Willers closed the item to public comment.**

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

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

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

Comm. Cribb confirmed the setbacks are in conformance.

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

Chair Willers allowed another public comment from a neighbor.

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

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

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

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

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

Comm. Wellander returned to the dais.

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

**Applicant/Property Owner:** Tommy DeHennis/Diann Sorenson

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

Planning Director Goodison presented staff's report.

**Chair Willers opened the item to public comment.**

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

**Chair Willers closed the item to public comment.**

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

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

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

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

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

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

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

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

**Applicant/Property Owner:** 835 Broadway LLC

Chair Willers recused due to proximity and left the dais.

Planning Director Goodison presented staff's report.

**Chair Felder opened the item to public comment.**

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

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

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

**Chair Felder closed the item to public comment.**

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

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

Chair Willers returned to the dais.

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

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

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

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

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

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

Chair Willers concurred that additional controls and incentives are necessary.

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**Issues Update:**

Planning Director Goodison reported on the following:

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

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**Commissioner comments:** None

**Comments from the Audience:** None

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

I HEREBY CERTIFY that the foregoing minutes of were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the 10<sup>th</sup> day of December, 2015.

Approved:

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Cristina Morris, Administrative Assistant