

**CITY OF SONOMA  
PLANNING COMMISSION  
REGULAR MEETING  
August 13, 2015**

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

**MINUTES**

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

**Roll Call:**

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

Absent:

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

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

**COMMENTS FROM THE PUBLIC:** None

**APPROVAL OF MINUTES:** None

**CHANGES TO AGENDA ORDER:** None

**CORRESPONDENCE:** Late mail was received on items 1, 2, 3, 4, and 5.

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**Item #1 – Public Hearing – Consideration of a request to allow a metal roof on a second-story residential as a revision to the conditions of approval for an Exception at 348 Patten Street.**

**Applicant/Property Owner: Darrel and Catherine Jones**

Planning Director Goodison presented staff's report.

Chair Willers confirmed with staff his no vote from the last Planning Commission hearing on this item.

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

Darrel Jones, property owner, explained that his project is a summation of his goal to build an energy efficient home. He used LEED prescribed methods approved through the Green Building Council. He described a rainwater capture system that is more effective with a metal roof and

exceeded the cool roof requirements from the City of Sonoma. He responded to Mr. Weinberg's objection to a metal roof.

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

Comms. Roberson and Heneveld stated that they favored the green-building approach used in the design and felt that the metal roof was consistent with that direction.

Comm. Heneveld made a motion to approve the revision to the conditions of approval pending an appeal. Comm. Cribb seconded. The motion was adopted 6-0 (Chair Willers abstained.)

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**Item #2 – Public Hearing- Consideration of a Use Permit to allow an auto body repair shop within an existing auto repair building at 19285 Sonoma Highway.**

**Applicant/Property Owner: G & C Auto Body/Gary and Terrie Heon**

Senior Planner Gjestland presented staff's report.

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

Shawn Crozat, G & C Auto Body, operates his family business with his siblings. He indicated that the collision repair shop will generate less traffic and parking demand than the previous tenant, McLea's Tire & Automotive since only two cars would be repaired per day on average. While existing parking is less than required under current standards, he was confident the amount of parking on-site and within the building would be adequate for the intended use. With respect to concerns about bondo dust, he confirmed their sanding equipment includes vacuums for dust extraction to protect employees and the public. With regard to paint overspray and fumes, he noted that water based paint would be used within a down draft paint booth in conformance with the BAAQMD permit requirements.

Comm. Roberson confirmed the following with the applicant:1) the cargo containers on the property will be removed, 2) new/damaged parts are placed on a carts within the shop (between vehicles) while cars are being repaired, 3) the shop would not keep a parts inventory, and 4) damaged parts would not be stored on site.

Comm. Wellander expressed concern about volume and whether there was sufficient area to accommodate cars waiting to be repaired.

The applicant confirmed that more than two cars will be repaired within the shop per day but the intent is to process vehicle repairs quickly.

Chair Willers confirmed with the applicant that roughly ten vehicles would be processed through the facility at any one time.

Comm. Coleman confirmed the building is not equipped with fire sprinklers and asked how flammable products would be addressed.

The applicant was confident there will be no issues since the potential of a fire is less than with the former business operation due to the nature of the products used.

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

Comm. Heneveld met with Shawn Crozat and toured G & C's Santa Rosa facility. He also viewed G & C's Rohnert Park and Petaluma locations. He did not detect fumes and was impressed by the condition of the shops and how quiet the equipment operated. He felt this location is a good fit for the proposed use and noted that the business would have less volume and generate less noise than the previous tenant. He expressed support for the request.

Comm. Roberson supported the proposal which he felt met all the requirements. He expressed concern about the parking and traffic congestion generated by the adjacent carwash.

Chair Willers concurred but recommended that the shop be managed so that parking is not filled up with cars waiting for repair.

Comm. Roberson made a motion to approve the application subject to the conditions included in the report. Comm. Felder seconded. The motion was unanimously approved.

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**Item #3 – Public Hearing – Consideration of a Use Permit to allow vocational specialty businesses within a mixed-use building at 430 West Napa Street.**

**Applicant/Property Owner:** Extraordinary Ventures of California/Peak Napa Street Associates LLC

Planning Director Goodison presented staff's report.

Comm. Coleman inquired about the proposed wash and fold delivery service.

The applicant clarified that there will only be one washer/dryer hook-up in conjunction with this service.

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

Mark Jackson, introduced Van Hatchel from North Carolina, and said their mission is to create jobs for persons with disabilities.

Van Hatchel, Extraordinary Ventures of California/Peak Napa Street Associates LLC, stated that his organization is a 501 C that was developed by concerned citizens to provide integrated employment opportunities for young adults with special needs.

Comm. Cribb inquired about the site space and confirmed that employees will not drive to work.

Mark Jackson explained that the dog walking services will occur off-site.

Comm. Coleman felt the timing is good with the imminent closing of the State of California's Sonoma Development Center.

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

Comms. Felder, Roberson and Heneveld expressed appreciation for the continued efforts of the applicant to improve the quality of the lives of persons with disabilities.

Comm. Felder stated that in his view, the proposed use would be less intensive than that of the Health Center, which previously occupied the building.

Comm. Felder made a motion to approve a Use Permit to allow vocational specialty businesses within a mixed-use building as submitted subject to the conditions of approval. Comm. Roberson seconded. The motion was unanimously approved.

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**Item #4 – Public Hearing – Consideration of an Exception to the garage setback requirements to enclose a carport at 753 Third Street East.**

**Applicant/Property Owner:** Richard Konecky

Planning Director Goodison presented staff's report.

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

Richard Konecky, property owner, apologized for not attending the previous meeting due to unexpected personal commitments and was unable to file a timely appeal. He thanked the Planning Commission for hearing his revised proposal. He acknowledged that mistakes were made in the initial application for setback Exceptions in which a carport was proposed due to bad advice from the previous architect, but he disagreed with the notion that he intended to piecemeal the planning process. This application is based on changed circumstances. The remodel that has been accomplished is a tremendous improvement that adds to the neighborhood. One issue is that the residence was burglarized, which made him realize that a carport was not adequate in terms of security. In addition, after the remodel was substantially complete, he learned that his neighbors would prefer a garage. The project design was based on keeping with the character of the neighborhood, which included maintaining a single-story. The correspondence received demonstrates strong support for a garage. In addition, the proposal to enclose the carport as a garage is consistent with neighborhood conditions and would not increase building mass or encroachment. In his view, the findings for project approval can be met, as the proposal is consistent with the General Plan, consistent with neighborhood conditions, and compatible with neighboring properties.

Comm. Roberson asked if it was his intention to live on the property. Mr. Konecky stated that while it had originally been his intention to use the property as a second home, his personal circumstances had changed and he now had the house on the market.

Comm. Cribb asked about the safety concern and how a garage door would make a difference when there are many other points of entry. Mr. Konecky stated that his concern was that the carport itself was vulnerable with respect to vehicle break-ins and storage. Motion sensors can be activated by animals and are a potential disturbance to his neighbors.

Matt McGinty, contractor, represented Mr. Konecky at the previous Planning Commission review. He disagreed with statements made at the previous review. The residence was not demolished and the remodeling was completed in accordance with the approved plans and renderings. The floor area ratio (FAR) is less than the plans indicated. While he understands that in new developments the garage setback standard adopted in 2003 makes sense, it is not as applicable in an existing neighborhood where few if any of the homes have garages that are set back. The neighbors in the area support enclosing the carport, because that approach is consistent with neighborhood conditions, as are the side yard setbacks of the residence. Most of the houses in the vicinity have garages that are actually set forward. In the revised proposal,

windows are provided to lighten the feel of the garage. He noted that the neighbors opposed having a gate, which has been mentioned as an alternative to enclosing the garage, and they preferred an enclosed garage.

Comm. Wellander asked whether it was felt that if there had been a garage there would not have been a burglary. Mr. McGinty stated that in his view, the carport is an attractive nuisance. He noted that while the house was not occupied at that time of the break-in, construction was substantially complete.

Comm. Coleman asked staff if the garage setback requirement applied to a remodel. Planning Director Goodison stated that it did and it was applicable to this project.

Bruce Tenenbaum, neighbor, stated that the remodel was a substantial improvement over the previous condition of the house. However, the carport feels unfinished and anomalous. He supports the carport conversion and viewed it as an improvement for the neighborhood that will also enhance safety. He encouraged the Planning Commission to approve the exception since in his view it is a minor change that would complete the house without creating harm to any neighbor.

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

Comm. Roberson stated that his opinion had not changed. Prior to the remodeling project the house had a garage and there was an opportunity to develop a design early on that would have provided for a garage as part of the renovation. The City has a code that establishes a garage setback, but that also grants a different allowance for a carport. The carport path was chosen by the applicant. If the original remodel proposal made to the Planning Commission had been to convert the garage at the back to living space and replace it with a garage at the front, he would not have approved that then and therefore he would not vote to approve it today.

Comm. Cribb concurred. He has not been persuaded to change his opinion.

Comm. Felder noted that prior to the remodel the residence had a garage that complied with the setback requirements. That was the historical condition. It had a garage that met the setback requirement. When this request was presented to the Planning Commission in February of 2015 there was no mention of the burglary, so bringing it up now feels more like a justification than a true impetus. In any event, that incident does not change the circumstances of the original approval and so he is still not inclined to approve this Exception.

Comm. Coleman appreciated the contractor's efforts and felt that an Exception should be considered because the original proposal was flawed as a result of bad advice from the project architect. He is of the opinion that Exceptions should be considered neighborhood by neighborhood. In this instance, neighbors support the Exception and to his mind it is consistent with neighborhood conditions. He supports the proposal.

Comm. Wellander noted that he did not participate in the previous reviews of the project. He has read the entire record and he is having a difficult time accepting the argument that the carport is a detriment to the neighborhood. In his view the existing design looks good and it is not an intrusion to the neighborhood.

Comm. Heneveld stated that he remained opposed to the Exception for the reasons stated by his fellow Commissioners.

Chair Willers noted that the consideration of this request cannot be separated from the review of the original remodeling project. Whatever the reasons were, a trade-off was made in the original proposal. The design called for converting the existing, Code-complaint garage into living space, and replacing it with a carport, which in turn was Code complaint. That trade-off enabled the Planning Commission to make the findings to approve the other setback Exceptions that were requested. If at that time a garage had been proposed at the location of the carport, he could not have made the findings approval and he cannot make them now. A different design would have been required. The issues have not changed.

Comm. Cribb made a motion to deny the request for an Exception to the garage setback requirements to enclose a carport. Comm. Roberson seconded. The motion was approved 6-1. Comm. Coleman dissenting

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**Item #5 – Public Hearing – Study session on a proposal to construct a mixed-use building with ground floor commercial use and three upstairs condominiums at 19366-19370 Sonoma Highway.**

**Applicant/Property Owner: Kibby Road, LLC**

Planning Director Goodison presented staff's report.

Alicia Hansel, property co-owner, and Levi Conover, the project architect, reviewed the proposal.

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

Joan Jennings, resident/Villas de Luna, opposed the project. She felt Sonoma needed more residential housing, not retail space. She stated that the Home Owners Association was interested in purchasing the site, but that their efforts to date had been successful.

Brian Rowlands, resident/Villas de Luna, stated that parking is the biggest issue facing the residents and he is concerned that the proposed development will exacerbate this problem.

Mr. Sabo, resident/HOA President Villas de Luna, is concerned with overflow parking since the townhomes have no designated guest parking. He is dismayed that the preliminary site design has a garbage enclosure across from his unit.

Steve Jennings, resident/Villas de Luna, appreciated staff's availability to discuss the project. He opposed a commercial/retail use since in his view it will generate more traffic. He recommended residential housing that would provide for a percentage allocated for affordable housing units.

Nick Dolata, resident/HOA board member Villas de Luna, opposed a mixed-use development and recommended another traffic study before any proposal is considered. He hopes that a compromise can be made through continued dialogue between the residents and developer.

Kelly Dolata, resident/Villas de Luna, said the existing gate is not adequate. She encouraged the Planning Commission to oppose any development since traffic and parking is already problematic for the residents.

Tom Elster, neighbor, expressed his concern about traffic and garbage issues.

Junhui Ding, resident/Villas de Luna, Sonoma Valley Citizens Advisory Committee member, is disappointed with the current proposal for the site as he feels it will increase traffic congestion. The Villas de Luna development was approved in 2005 and the Valley Oaks affordable housing project was approved in 2010 and off-site parking space is very limited as a result. He appreciated the Commission's review.

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

Comm. Roberson met with several of the residents to discuss their concerns. He felt the main issue raised is a change in intensity, but noted that the proposal before the Planning Commission was actually less intense than what had originally been approved. He recognized that a commercial use is already approved and the applicant desired to make some changes in the use. He felt the gate is a mitigating factor with regard to cut-through traffic and agreed with the neighbors that trash enclosures are problematic and residents should not have to view them.

Comm. Felder confirmed with staff that a commercial component is not required in the Mixed Use zone.

Comm. Coleman met with several residents who oppose the proposal. If the HOA purchased the site it could remain undeveloped as a buffer or common open space for the neighboring residential development. He hoped the Developer and HOA could work out an acceptable plan for the parcel.

Comm. Cribb sympathized with the residents' primary concerns: parking and traffic. He recommended that the developer entertain a fair market value offer for a sale or develop the site with consideration for the residents.

Comm. Wellander valued the neighbors input and felt there are no set architectural images on this stretch of Highway 12 and the overall traffic issues will be difficult to solve. He agreed with Comm. Cribb that a sincere offer by the Home Owners Association should be considered by the developer.

In response to a question from Comm. Wellander regarding the trees on the site, Planning Director Goodison noted that at the request of the City the developer had installed interim plantings for screening.

Chair Willers appreciated the residential component since the developer is entitled to have 100% commercial on the parcel. He recommended a careful redesign of the building, as in his view the architectural form as proposed does not adequately address Sonoma Highway, the corner, or the residences to the east.

Alicia Hansel stated that she appreciated the input and discussion and will report back to her business partners.

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**Item #6 – Public Hearing** – Consideration of an amendment to the Development Code that would identify “grazing” as a conditionally-allowed use in the “Park” zoning district.

Planning Director Goodison presented staff's report.

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

No public comment.

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

All the Commissioners agreed with a change to the Development Code to allow continued grazing on the Montini Preserve. The Commission discussed whether a minimum site area should be established, but ultimately concluded that the requirement for use permit review would be sufficient.

Comm. Roberson made a motion to recommend approval of the Zoning Ordinance amendment establishing an allowance for grazing in the Park zone. Comm. Heneveld seconded. The motion was unanimously approved.

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**Issues Update**

Planning Director Goodison reported the following:

There is a tentative study session for the Circulation Element Update/Downtown Parking Study scheduled for August 27<sup>th</sup>.

The Developer/Investment Team for the Gateway Mixed Use Development at 870 Broadway is exploring the feasibility of a fully residential project.

Comm. Roberson stated that the new owners of CocaPlanet at 921 Broadway were impressed with the Building Department's processing of their permits.

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**Comments from the Audience: None**

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

**Adjournment:** The meeting adjourned at 9:46 p.m. to the next regular meeting scheduled for 6:30 p.m. on Thursday, September 10, 2015

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma Planning Commission on the 12<sup>th</sup> day of November, 2015

Approved:

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Cristina Morris, Administrative Assistant