



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission
DRAFT MINUTES

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: April 18, 2019
Meeting No.: 19-02

ROLL CALL

Dick Fogg
Todd Tamura
Komron Shahhosseini
Ariel Kelley
John Lowry, Chair

STAFF MEMBERS

Milan Nevajda
Brian Millar
Nina Bellucci
Arielle Kohn, Secretary
Jennifer Klein, Chief Deputy County Counsel
Sita Kuteira, Deputy County Counsel

1:00 PM Call to order and Pledge of Allegiance

Public Appearances - Michelle Miller, Rosanne Schneider, Kat Eddy, Vanessa Steele, Pat Mitchell, Richard Hannan, and Vanessa Vanderbeck, spoke regarding concerns about activities and permits issued at the Paul Hobbs Winery in Sebastopol.

Items scheduled on the agenda

PLANNING COMMISSION REGULAR CALENDAR

Item No.: 1
Time: 1:20 PM
File: PLP18-0015
Applicant: Tracy Torano
Owner: Tracy Torano
Cont. from: N/A
Staff: Brian Millar
Env. Doc: Mitigated Negative Declaration

Proposal: Request for a Zone Change from C3 (General Commercial) SR (Scenic Resources) to C2 (Retail Business and Service) SR (Scenic Resources) and Use Permit with Design Review to allow for a mixed-use development consisting of a new commercial retail building of 1,342+/- square feet with two 671+/- square foot one-bedroom residential units on the upper

floor, above the retail space, on a 6,750+/- square foot parcel currently served by public sewer and water.

Location: 21020 Highway 101 (aka Geyserville Avenue), Geyserville
APN: 140-100-008
District: 4
Zoning: General Commercial (C3), Scenic Resources (Highway)

Commissioner Disclosures: **Commissioner Kelley** met with the applicant on the Geyserville project a couple months ago to gain a better understanding of the project upon listening to community concerns.

Brian Millar summarized the staff report, which is incorporated herein by reference.

Commissioner Fogg asked if Caltrans was involved with the project. **Staff Millar** said Transportation and Public Works (TPW) reviewed and commented on the project but referred any final action to Caltrans in terms of an encroachment permit. **Commissioner Fogg** asked where that process stands and **Staff Millar** said the applicant would have to apply for encroachment permits as they are ready to proceed with the project.

Commissioner Fogg said the Design Review Committee (DRC) found the prospected parking acceptable. However, he was not aware that the DRC had any jurisdiction over parking. This is the first time something like this has come up over all the years being a commissioner. **Staff Millar** said for the DRC projects he has been involved with there was some discussion relative to parking. In this case the issue involved how onsite parking might be accommodated, and understanding it would probably be for 1 or 2 spaces offsite which is where that discussion went. **Commissioner Fogg** stated that although he doesn't mind that the DRC's involvement, he doesn't think it's their responsibility to do that.

Commissioner Tamura noted that the project is not in the jurisdiction of Bay Area acuity because the project is located in Geyserville which conflicts with statements made in the air quality section of the Mitigated Negative Declaration (MND). He said although he does not disagree with the conclusion that it is not a significant impact, the statements made there are incorrect.

Commissioner Tamura referred to the page 17 of the Staff Report noting a greenhouse gas reduction plan be prepared by the applicant. He asked if the County has prepared a greenhouse gas reduction plan template because this topic has come up in the past projects. **Deputy Director Nevajda** said a draft was prepared and they have received some input. Staff is reviewing and developing the plan which will be put into place when ready. **Commissioner Tamura** requested confirmation that the County is asking the applicant to prepare the plan. **Deputy Director Nevajda** said they are asking the applicant to develop a plan because they haven't come up with the template language of what might be included, and it would be up to the applicant to propose. Staff would evaluate whether it would be consistent. **Commissioner Tamura** asked if that would be consistent with Condition 95 which has very specific requirements listed. **Deputy Director Nevajda** responded that their normal practice is to engage applicants early in the question of how they intend to address greenhouse gas reductions. In those conversations sometimes an applicant that already has a number of different proposals in place, other times it is a negotiation where conditions are developed like the ones in this project. For this project, we would be starting from that point, at bare minimum, something the applicant has already proposed to do. When they develop their actual greenhouse gas reduction plan we would be looking for both those items and anything else that they might be willing to propose and evaluate when it is appropriate. **Commissioner Tamura** asked if the applicant already proposed to do this plan as described here. **Staff Millar** said the applicant proposed this but Staff reviewed the conditions with a narrower focus.

Commissioner Kelley asked if any of these components have been incorporated into the project such as solar, bike parking and electronic vehicle charging and **Staff Millar** said they haven't been incorporated for this part of the project but could be looked at as the building permit findings come in. **Commissioner Tamura** said his issue is that Staff is requiring a plan that hasn't been scoped and are asking the applicant to do everything that is feasible, without identifying what Staff thinks is feasible which has come up in past projects. **Commissioner Lowry** shared the same concern that before conditions are brought forward, there needs to be more "development of the menu" as it seems confusing. He said additional work is needed and assumes the current conditions are a placeholder and the applicant is not going to be held up on this. In terms of buildings and greenhouse gases, the most significant thing you can do is go all electric and not put in a gas system at all which is more significant than putting solar panels on the roof. Looking at the various alternatives and weighing them based on an informed discussion would make a lot of sense. **Deputy Director Nevajda** stated that is their intention to land at evaluated measures that can be negotiated with applicants ahead of time, they can include

within their projects, understand all the implications such as cost and feasibility, etc. It must be done on a site by site basis, even to the extent Staff develops a menu of options that is vetted, which is the process being worked on now, would still require the applicant understanding of onsite implementation with some negotiation afterwards. It would still require developing the plan. For this project, we have an interim measure and we recognize that until we get more concrete data on what might be solid recommendations, here would still be negotiation with the applicant to make sure those are appropriate with that site.

Commissioner Shahhosseini mentioned the importance that Staff has some sensitivity to the cost of the project. He said this is a small project, and going solar and then all electric hurts in terms of sale ability of the units because people do still prefer gas. Adding additional and costly requirements could stop the project. He suggested a threshold in terms of number of units or footage so that small businesses are not put out of business. Costs need to be considered for the small businesses. **Commissioner Lowry** agreed and said it's a small project.

Commissioner Lowry said the County and other jurisdictions should be looking at wise use of available land and the project doesn't seem like it's using the land efficiently. **Commissioner Shahhosseini** stated there isn't much land left on the site after the parking and fire lanes are put in.

Public Hearing Opened: 1:49 p.m.

Arthur Torano, applicant, purchased the lot 3 years ago and agreed that it is a very small building. He would have liked it to be bigger but did what he was allowed to do to work around the conditions. Everything that was designed for the project is conditional and they are eager to move forward with the project. The project team worked hand in hand with the Geyserville Planning Committee and noted he wanted to make sure to address any questions or concerns about the project.

Commissioner Tamura referred to Condition 95 regarding the applicant being required to have a greenhouse gas reduction plan and asked **Mr. Torano** if he was aware of that detail and he replied no, he was not aware. **Mr. Torano** asked if two of the requirements could be incorporated into the plans, two bike parking spaces and having solar power on the unit, noting that he would rather use the top area for events, but to comply with the conditions, they are willing to do that.

Commissioner Fogg commented that this is a good project.

Commissioner Kelley asked if an electrical charging station is in the project plans in which **Mr. Torano** said they hadn't given it any thought. **Commissioner Kelley** asked if he knew of an electrical charging station in the vicinity of the project. **Mr. Torano** deferred to the architect on the project, **Jim McCalligan**, who stated he needs to verify with CALGreen, but believes they are required to have 1 electric auto charging station. In response to the discussion about the greenhouse gas reduction plan, **Mr. McCalligan** stated that CALGreen does require a lot of those things to be implemented into the design. They implemented the bicycle parking but are not sure if they will go all electric and plan to discuss that further. They are thinking about a mix of both gas and electric but that will depend on what the County's requirements will be once a plan is developed.

Commissioner Kelley asked if there is an intention that the two housing units ever be combined into one unit. **Mr. McCalligan** said they are going to remain two housing units. **Commissioner Kelley** asked if those would be rental units and **Mr. Torano** said they would be rental units.

Deputy Director Nevajda referred to a typo found in one of the presentation slides and clarified that it should read May 2018, not May 2019.

Brice Jones, Geyserville Planning Committee, stated there are no electric charging stations anywhere in Geyserville at this time. There has not been a lot of new construction and not very many projects that come their way. Most of those are winery projects. They regularly see comments about the about the housing in Geyserville. The community is really excited to see this property developed and happy that the applicant included some residential in this project. They are very supportive of the mixed-use concept for the project and are excited to see the project move forward soon.

Public Hearing Closed: 1:57 p.m.

Commission Discussion:

Commissioner Tamura is in favor of the project but asked if Condition 95 could be modified because the applicant had already incorporated some of the requirements and also to avoid having the applicant go through an onerous plan on top of that. He also suggested to Staff, as they continue to work on a greenhouse gas reduction plan template, to include a list of all of the other GHG requirements applicants already have to meet as part of their projects.

Chief Deputy County Counsel Jennifer Klein requested a brief recess to allow County Counsel and Staff to discuss Condition 95 and create new language for a modification.

Commissioner Kelley stated electric vehicle (EV) charging is a concern in the community and asked the applicant if they would be willing to provide that even if it is not a requirement in the conditions. **Commissioner Shahhosseini** stated the project might not be the right one to address this concern because of the limited parking. The project site does not have enough excess parking to accommodate an EV charging station; however, a larger project may be able to. For this project it would be difficult because those stations are only for EVs. If the space is not being used it becomes a parking space that sits open until another EV parks there. The project doesn't have enough excess parking to accommodate that.

Commissioner Tamura referred to the residences above and asked if they have parking spaces available. **Mr. Torano** stated they will have parking available. **Commissioner Tamura** mentioned that he owns an EV and was able to purchase an EV charge box that plugs into the 220 plug located in his garage and that it was very affordable. **Commissioner Shahhosseini** noted that the units are going to be rentals and the costs for any EV charger would need to be factored in. **Commissioner Tamura** said he was trying to make the distinction between residential EV and commercial EV. **Commissioner Kelley** said whoever is renting the units, if they have an EV, they can't live there because they won't be able to charge their car. This is less about people who are shopping in downtown Geyserville and more about the tenants. **Commissioner Shahhosseini** said he would support an EV charging station if it was a larger project. He said it's too small and not the appropriate project to bring EV charging to Geyserville. **Commissioner Tamura** said they have to start somewhere and said if the tenants have EVs it is not very expensive for the charger. **Commissioner Shahhosseini** responded the units have no garages and are designated for affordable housing, in which they agreed this is not the appropriate project to make EV charging a requirement.

Commissioner Tamura said the MND mentions the need for a plan, it is pretty ambiguous as far as exactly what it would have required. The applicant's proposed seems more than adequate than what the plan would have included and said it is equivalent. **Commissioner Kelley** asked if the bike storage is secure. **Mr. Torano** said they have bike storage with standard racks. They are not covered. He noted they are going to have 2 separate bike junctions where people can park their bikes taking into consideration that Highway 128 is particularly busy on the weekends.

Commissioner Kelley said she is in support the project and that they intend to include solar. She is very excited to see mixed use to provide additional housing to the community.

Commissioner Shahhosseini said due to the size of the units they are considered very close to affordable by design.

Deputy County Counsel Sita Kuteira stated for the record what the proposed changes are to the Conditions of Approval. The changes are as follows:

PLACEHOLDER – AWAITING CHANGES TO COAs – THEY WILL BE INCLUDED IN THE 2ND SUBMISSION

Action: **Commissioner Tamura** motioned to approve the project with modified conditions.
Seconded by **Commissioner Kelley** and passed with a 5-0-0 vote.

Appeal Deadline: 10 days

Resolution No.: 19-002

Vote:

Commissioner Fogg	Aye
Commissioner Tamura	Aye
Commissioner Shahhosseini	Aye
Commissioner Kelley	Aye
Commissioner Lowry	Aye

Sonoma County Planning Commission Minutes

Date: April 18, 2019

Page 5

Ayes: 5
Noes: 0
Absent: 0
Abstain: 0

Item No.: 2
Time: 2:20 PM
File: ZCE18-0019
Applicant: Serena Coltrane Briscoe
Owner: Christopher McCook and Serena Coltrane Briscoe
Cont. from: N/A
Staff: Nina Bellucci
Env. Doc: CEQA Exempt (Pub. Resources Code section 21080.17, ordinances implementing Government Code section 65852.2 re accessory dwelling units; CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations)

Proposal: Request for a Zoning Change to remove the Z Accessory Dwelling Unit Exclusion Combining District from a parcel zoned RR B6 3 Z VOH
Location: 4391 Price Avenue, Santa Rosa
APN: 035-081-033
District: 5
Zoning: RR (Rural Residential District) B6 3 (three acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion Combining District), VOH (Valley Oak Habitat Combining District)

Nina Bellucci summarized the staff report, which is incorporated herein by reference.

Public Hearing Opened: 2:28 p.m

No Public Comments for this item.

Action: **Commissioner Lowry** motioned to approve the project as recommended. Seconded by **Commissioner Fogg** and passed with a 5-0-0 vote.
Appeal Deadline: 10 days
Resolution No.: 19-003

Vote:

Commissioner Fogg	Aye
Commissioner Tamura	Aye
Commissioner Shahhosseini	Aye
Commissioner Kelley	Aye
Commissioner Lowry	Aye

Ayes: 5
Noes: 0
Absent: 0
Abstain: 0

Item No.: 3
Time: 2:25 PM
File: ZCE18-0021
Applicant: Miguel and Monika Pelayo
Owner: Enrique Pelayo and Josefina Pelayo, Miguel Pelayo and Monika Pelayo
Cont. from: April 18, 2019
Staff: Nina Bellucci

Env. Doc: CEQA Exempt (Pub. Resources Code section 21080.17, ordinances implementing Government Code section 65852.2 re accessory dwelling units; CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations)

Proposal: Request for a Zoning Change to remove the Z Accessory Dwelling Unit Exclusion Combining District from a parcel zoned LEA B6 60 Z, RC 50/50 SSR

Location: 5565 Bodega Avenue, Petaluma

APN: 113-010-003

District: 2

Zoning: LEA (Land Extensive Agriculture District) B6 60 (60 acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion Combining District), RC 50/50 (Riparian Corridor Combining District, 50-foot setbacks) SR (Scenic Resources Combining District)

Item continued to May 2, 2019 at or after 2:20 pm

Public Comments continued for items not on the Agenda: 2:30 p.m.

Robert McGilley, James Savage, Mary Morrison, Richard Hannon continued their public comments regarding John Jenkel's property and **John Jenkel** concluded. **Commissioner Lowry** referred to **Mr. Jenkel's** comment about the air conditioning units that were mentioned. He asked **Mr. Jenkel** if the location of those units is still the case and if the County has taken action. **Mr. Jenkel** told **Commissioner Lowry** where the equipment is and said nothing has been done.

Commissioner Tamura referred to the hearing agenda which states to please be respectful of others

Public Hearing Closed: 2:30 p.m