



County of Sonoma
Permit & Resource Management Department

Sonoma County Board of Zoning Adjustments Draft Minutes

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

March 10, 2022
Meeting No.: 22-04

Roll Call

Greg Carr, District 1, Items 2 & 3
Larry Reed, District 2, All items
Shawn McCaffery, District 4, Item 1
Kevin Deas, District 4, Items 2 & 3
Eric Koenigshofer, District 5, All items
Greg Carr, District 1, Chair, Item 1
Jacquelynne Ocaña, Chair, District 3, Items 2 & 3

Staff Members

Scott Orr, Deputy Director of Planning
Joshua Miranda
Claudette Diaz
Marina Herrera
Alexandria Sullivan, Secretary
Jennifer Klein, Chief Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes Draft BZA Minutes, January 27, 2022 & February 10, 2022

Correspondence

Planning Commission/Board of Supervisors Actions

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Board of Zoning Adjustments Regular Calendar

Item No.: 1
Time: 1:05 PM
File: UPE20-0008 Muir Wood
Applicant: Muir Wood Adolescent & Family Services- Scott Sowle
Owner: KKS Property LLC
Cont. from: October 14, 2021
Staff: Joshua Miranda
Env. Doc: Categorical Exemption

Proposal: Use Permit to expand an existing Small Residential Community Care Facility to a Large Residential Community Care Facility with 11 employees and 24-hour care for 10 people in a 5- bedroom single family dwelling. The facility currently provides 24-hour care for 6 people and operates with 9 employees. The proposed expansion in residential care service requires no new construction on a 3.13 acre parcel.

Location: 1743 Skillman Lane, Petaluma

APN: 048-250-002

District: Two

Zoning: Agriculture and Residential (allowed density: 2 acres per dwelling unit) and combining zone for Valley Oak Habitat.

Public Hearing Closed via prior hearing and Commission discussion Opened: 1:10PM

Commissioner Reed commented on the resolution. 0h9m

Commissioner Koenigshofer asked for clarification on the resolution. 0h11m

Action: **Commissioner McCaffery** motioned to deny with prejudice. Seconded by **Commissioner Koenigshofer** and approved with a 4-0-1 vote. 0h13m

Appeal Deadline: 11 days
Resolution No.: 22-002

Vote:

| | |
|---------------------------|--------|
| Commissioner Reed | Aye |
| Commissioner McCaffery | Aye |
| Commissioner Koenigshofer | Aye |
| Commissioner Carr | Aye |
| Commissioner Belforte | Absent |

Ayes: 4
Noes: 0
Absent: 1
Abstain: 0

Item No.: 2
Time: 1:05 pm
File: PLP19-0009 Laughlin Hotel
Applicant: Scott Schellinger, Landmark Hotels, Inc.
Owner: Royal Oak Development Co. LLC
Cont. from: N/A
Staff: Claudette Diaz
Env. Doc: Categorical Exemption
Proposal: Request for an Amendment to the Airport Industrial Area Specific Plan, Development Agreement, Use Permit, and Design Review for an 114,472 square foot, 85-foot-tall hotel with 165 guest rooms, conference facilities, and a 150-176-seat rooftop restaurant located on a 3.52 acre parcel.

Location: 3750 N Laughlin Road, Santa Rosa
APN: 059-370-033
District: Four
Zoning: Industrial Park with a 2-acre average (2 AC AVG) and combining zone for Valley Oak Habitat (VOH)

Commissioner Disclosures: **Commissioner Ocaña & Commissioner Deas** spoke with Schellinger today and drove by the site. **Commissioner Reed & Commissioner Carr** spoke with him previously and drove by the site. **Commissioner Koenigshofer** stated he has driven by the site. 0h15m

Tennis Wick, Director of Permit Sonoma, gave an introduction to the project. 0h16m

Commissioner Questions:

Commissioner Koenigshofer asked about the state & timeline of the update, recommendations in the documents, map area, and work force housing. **Director Wick & Scott Orr, Deputy Director of Planning** responded. 0h24m

Commissioner Koenigshofer asked about today's project recommendations being carried over to the draft new plan, map outline of area, and asked if there is a component of work force housing in the new plan. **Director Wick** stated that the update has a potential with a work force overlay but may not specifically for this site. 0h24m

Commissioner Deas asked about the purpose of the development agreement. **Director Wick** responded. 0h26m

Claudette Diaz summarized the staff report, which is incorporated herein by reference. 0h28m

Commissioner Questions:

Commissioner Koenigshofer asked about the number of maximum persons on site. Staff Diaz stated the maximum number is calculated using the current Airport Land Use Plan. 0h36m

Staff Diaz continued presentation. 0h40m

Commissioner Carr asked for clarification on offsite parking, asked if there is going to be downcast lighting on North Laughlin Road, and about reduce set back with the possibility of their needing to be four lanes on Airport Boulevard. **Staff Diaz**, clarified there is no additional onsite parking, all new lighting will be downcast and the project does have to go back to the Design Review Committee for final review to confirm the final lighting and landscape plans. **Director Wick**, commented on the possibility of a reduced set back and improvement of the specific plan. 0h47m

Commissioner Deas asked if there was any increased traffic concern on the little one lane bridge on Laughlin Road just south of the project. **Staff Diaz** responded. 0h53m

Commissioner Koenigshofer asked if Public Works would know about any projects related to fixing that bridge. 0h55m

Commissioner Ocaña, asked about accessibility to the smart train station. **Commissioner Carr** responded. 0h55m

Commission Carr, asked for clarification on the calculations on the traffic pattern zones occupancy standard. **Staff Diaz** stated the entire development site's square footage is used to calculate the standard according to the Comprehensive Airport Land Use Plan. 0h56m

Public Hearing Opened: 2:04PM

Mr. Scott Schellinger, Applicant, & Eric Price, Lowney Architecture, gave an overview of the project. 1h02m

Public Comment 2:12pm

Merrill, Arnone & Jones LLP
Tom Conlon
Jon Stout

Commissioner Carr inquired about the Mitigated Negative Declaration (MND) looking at the potential impacts of expanding hotel opportunities, and about the consistency of the zoning code with this project. **Staff Diaz** responded future projects would have to go through the same process with environmental review. 1h19m

Deputy Director Orr clarified who is available to answer traffic questions. 1h24m

Janice Thompson, Deputy Director of Public Works, clarified the fees collected do not apply towards widening of Airport Boulevard, discussed adding a roundabout to the location, and the bridge on Laughlin Road project being put on hold due to funding. 1h25m

Linda Schiltgen, County Counsel, asked for clarification on the Transportation of Public Works mitigation impact fee and the fair share contribution to the roundabout fees. **Deputy Director Thompson** responded. 1h26m

Cecily Condon, Project Review Planning Manager, referred to Commissioner Carr's question about opening up hotels within the plan area and that hotels are allowed by the plan amendment. **Commissioner Carr** responded. 1h27m

Commissioner Koenigshofer asked for clarification on the MND. **Staff Diaz** responded. 1h29m

Commissioner Koenigshofer stated concern on accepting this project and the impacts it will have on other projects. **Deputy Director Orr & Director Wick** clarified that the upcoming specific plan update would be able to address the concerns about land use types, and density housing. 1h31m

Commissioner Reed discussed the development agreement process, and traffic improvements. 1h36m

Commissioner Deas commented on the style of development for this project. 1h38m

Commissioner Carr commented on the project, the specific plan amendment, the housing and job potential in the industrial zones. 1h39m

Applicant Schellinger responded to comments and concerns. 1h43m

Commissioner Koenigshofer asked a procedural question about specific references to this project being helpful or not to the specific plan changes. **Director Wick & Jennifer Klein, Chief Deputy County Counsel**, responded. 1h45m

Planning Manager Condon, requested clarification on the amendments, relating to the project height, requiring a no hazard determination by the Federal Aviation Administration, flexibility in the design standards not related to use, are they only applied to this parcel or in the specific plan area or the first amendment proposed related to the more commercial uses? 1h47m

Commissioner Carr stated all three would be part of that limitation and concerns about the setback to Airport Boulevard. 1h48m

Public Hearing Closed, and Commission discussion Opened: 2:51PM

Commissioner Deas asked for clarification that the exceptions are allowed for this project and would not be used for future projects. Later to be addressed during the new site specific area plan. **County Counsel** clarified the proposed Specific Plan Amendment be limited to application for this subject property. 1h49m

Action: **Commissioner Koenigshofer** motioned to recommend approval of the project as recommended by staff to the Board of Supervisors with a modification to the Specific Plan Amendment, applied specifically to this project site. Seconded by **Commissioner Deas** and approved with a 5-0-0 vote. 1h51m

Appeal Deadline: N/A
Resolution No.: 22-003

Vote:

Commissioner Carr
Commissioner Reed

Aye
Aye

| | |
|---------------------------|-----|
| Commissioner Deas | Aye |
| Commissioner Koenigshofer | Aye |
| Commissioner Ocaña | Aye |

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

Planning Commission took a rest at 2:55 PM

Planning Commission return at 3:05 PM

Item No.: 3
Time: 2:00 pm
File: UPE19-0086
Applicant: Robert Bjorkquist
Owner: Royal Oak Development Co LLC
Cont. from: N/A
Staff: Marina Herrera
Env. Doc: Categorical Exemption
Proposal: Request for a Use Permit to allow for a six foot fence along the front property line and to legalize an existing business as a Live/Work use on a 2 acre parcel located.
Location: 309 W. Matheson Street, Healdsburg
APN: 088-220-031
District: Four
Zoning: Rural Residential (RR, 1 acre density), Valley Oak Habitat (VOH)

Commissioner Disclosures: Commissioner Carr, Reed, Koenigshofer did a drive by through neighborhood.
2h4m

Marina Herrera summarized the staff report, which is incorporated herein by reference. **2h4m**

Commissioner Questions:

Commissioner Carr asked for clarification on uses inside the structure and use inside the other garage, and ask a question about the code violation. **Staff Herrera** responded that the use for the other garage is a zone permit for a home occupation and not related to use of this application. There was a complaint received in 2019 and Code Enforcement recorded the violation where the applicant applied for the permit the following week.
2h14m

Commissioner Ocaña asked for clarification on a public comment referencing removal of plants along a creek bed and if there is a violation of removal. **Staff Herrera** stated there is no creek bed it is a drainage course and there was vegetation management of removing Black Berry bushes. No violation was found in relation to environmental concerns. **2h17m**

Commissioner Koenigshofer noted the entrance of the property in relation to the proposed fence site line. Staff Marina responded that there were no site line issues found by TPW. The project has been condition for site line issues and during conditions compliance staff will be confirming the conditions during the building permit.
2h16m

Public Hearing Opened: 3:20 PM

Mr. Bob Bjorkquist, Applicant, gave an overview of the project. **2h19m**

Commissioner Carr asked about where the vehicle graphics are done and applied. Staff Herrera responded that the application of the graphic is done on site in the garage. **2h26m**

Commissioner Ocaña asked for clarification on the amount of time application takes and which vehicles are on the property at a time. **Applicant Bjorkquist** responded. 2h31m

Public Comments 2h34m

Kathy
Barbra Rosen
Ron Don
Mike Rosen

Applicant Bjorkquist responded to comments in addition questions about deliveries. 2h42m

Commissioner Carr asked about the signage on the property. **Applicant Bjorkquist** responded. 2h45m

Commissioner Koenigshofer asked staff about the occupancy code for the garage structure with employees and public in and out. **Staff Herrera** asked for a moment to obtain that information. 2h46m

Commissioner Reed asked about the signage and what is the purpose of the fence being built. **Applicant Bjorkquist** stated wanting to build a fence to help the site line for the neighborhood. 2h47m

Commissioner Koenigshofer asked if there is a limit to how many “home occupations” can be allowed on a parcel. **Deputy Director Orr & Staff Herrera** responded there is an allowance for one home occupation and one live work permit. 2h49m

Commissioner Ocaña asked for clarification on the difference between a home occupation permit and a live work permit. **Staff Herrera** responded that home occupation is a business that allow 4 customer visits in a day, a single employee is the resident in the dwelling and are allowed for one on one services. Examples would be music or dance lessons, tailoring or jewelry making. Live Work expands the limitations of allowed uses, is conducted in the entirety of the accessory structure, and allowed two employees with more being allowed by a use permit. 2h51m

Commissioner Carr stated standards of live work and concerns about the neighborhood compatibility. 2h53m

Commissioner Deas asked if it is a garage or a shop. **Applicant Bjorkquist** responded. 2h56m

Deputy Director Orr clarified that the structure is allowed under the building permit system and the definition of a residential accessory unit. 2h58m

Commissioner Koenigshofer asked about the occupancy code. **Staff Herrera** stated the garage is permitted as a S1 occupancy. **Commissioner Deas** added that there is a building downtown in Healdsburg that is a 6000 square feet, open floor plan and used as a mechanics garage categorized as a S1. 3h0m

Public Hearing Closed, and Commission discussion Opened: 4:03PM

Commissioner Deas discussed the project and recommending to move the project forward as recommended. 3h1m

Commissioner Koenigshofer asked about if the property changes hands what would be allowed for a new owner. **Staff Herrera** explained that Live Work Use Permits expire upon sale or transfer of the property and don't follow with the land. 3h3m

Commissioner Ocaña responded that the possibility of ownership passing from one person to another. **Commissioner Koenigshofer** responded. 3h4m

Commissioner Reed discussed the project and future traffic concerns. 3h6m

Commissioner Carr commented on the project and asked for clarification on the conditions. 3h8m

Commissioner Deas discussed the project signage and the fence. 3h12m

Commissioner Ocaña invited the applicant to speak on the limit on signage and about the neighborhood concerns on deliveries. **Applicant Bjorkquist** responded. 3h13m

County Counsel clarified in the conditions of approval the delivery hours are 8:00 am to 4:30 pm. **Commissioner Ocaña** asked for clarification on late night deliveries and complaints would be sent to code enforcement. **County Counsel** responded. 3h16m

Commissioner Ocaña commented on the project and the amount of deliveries. 3h17m

Deputy Director Orr, clarified condition 5 addresses the sign restriction. 3h17m

Action: **Commissioner Deas** motioned to approve the project as recommended by staff. Seconded by **Commissioner Carr** and approved with a 5-0-0 vote. 3h18m

Appeal Deadline: 11 days
Resolution No.: 22-004

Vote:

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|---------------------------|-----|
| Commissioner Carr | Aye |
| Commissioner Reed | Aye |
| Commissioner Deas | Aye |
| Commissioner Koenigshofer | Aye |
| Commissioner Ocana | Aye |

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

Hearing Closed: 4:21 PM

Minutes Approved: February 10, 2022