

CITY OF COTATI
MINUTES for the Regular Meeting of the Planning Commission

DATE OF MEETING: Monday, June 20, 2011
TIME OF MEETING: 7:00 pm
PLACE OF MEETING: Cotati City Hall, City Council Chambers
201 West Sierra Avenue, Cotati, CA 94931

I. CALL TO ORDER

Chair Moore called the meeting to order at 7:02 pm

II. ROLL CALL

Commissioners Present: Brady, Ford, Hancock Ritter and Moore
Commissioners Absent: None
Staff Present: Lustig, Harris, and Pajon

III. APPROVAL OF MINUTES

None

IV. CHANGES TO THE AGENDA

There were no changes to the agenda.

V. ORAL AND WRITTEN COMMUNICATIONS

There were no oral or written communications.

VI. MATTERS AT HAND

- A. Hearing to consider Revocation of the Use Permit for an existing massage therapy business known as Joy Spa and Massage, located at 7981 Old Redwood Highway, Ste F.

APN: 144-200-019

Applicant: Hal Anijalg

Acting Community Development Director Lustig presented the staff report. She summarized the violations and explained that use permit revocation is recommended due to the egregious nature of the violations. Staff recommends adoption of PC Resolution No.11-06 for revocation of the Use Permit.

PUBLIC HEARING opened at 7:12 pm

PUBLIC HEARING closed at 7:12 pm

Chair Moore expressed appreciation to staff, police, and fire for their work on this item and stated that she agreed with staff's recommendation.

Commissioner Hancock said that he has spoken to other businesses in the area and they've expressed concern with traffic from the massage business. He stated that the police have done a good job of adequately documenting issues and he agrees with the revocation of the Use Permit.

Vice Chair Ritter said that staff has done a lot of work on this item and that he appreciates the City's response to citizen concerns and complaints.

Commissioner Brady stated that she is hoping there will be some healthy commercial growth filling the many existing vacancies in the shopping center.

Commissioner Ford agrees with the staff report and the comments from the Planning Commissioners.

Chair Moore read a letter into record from Claire Fetrow at Hub Cyclery, who is in support of revoking the Use Permit.

Motion:	Commissioner Ford made a motion and Vice Chair Ritter seconded the motion to approve PC Resolution No. 11-06.
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Yes: 5 Noes: 0 Abstain: 0 Absent: 0

- B. Request for Design Review, Hillside Development Permit, Variance, and minor amendments to the Final Map for a proposed single-family home located at 104 MacKinnon Court.

PA#: 02/11 Applicant: Joyce Delario
APN: 144-460-019

Assistant Planner Harris presented the staff report, reviewing each of the items requested. Staff recommends approval of PC Resolution No. 11-07 with Conditions of Approval.

In response to Commissioner Ford, Assistant Planner Harris clarified the setbacks.

In response to Commissioner Hancock, Assistant Planner Harris explained that features such as building color, downcast lighting, and non-glare windows will allow the house to better fit with the natural environment on the property.

PUBLIC HEARING opened at 7:25 pm

Norm Oliver, designer, showed a revised site plan and explained how the home would layout on the property after the Final Map is amended.

PUBLIC HEARING closed at 7:27 pm

In response to Commissioner Brady, Assistant Planner Harris said that the site plan presented this evening by Mr. Oliver appears to comply with the ordinance but the City has not had the opportunity to review it.

Acting Community Development Director Lustig explained that staff is not requesting the approval of Mr. Oliver's proposed site plan; he is presenting a revised site plan based on staff's recommended Conditions of Approval.

The Planning Commissioners all expressed support for the proposed resolution.

Chair Moore stated that she would like to have time to review the lower roof pitch consideration as a policy change.

Acting Community Development Director Lustig stated that the 5:12 minimum roof pitch is required to assure architecture quality, especially in tract homes. She stated that staff can bring back this discussion regarding roof pitch policy. If the Commission is agreeable, staff will modify the policy to allow a lower roof pitch for custom craftsman homes.

Commissioner Ford agreed with allowing a lower roof pitch for this project, but stated that he doesn't like a policy change on the back of a project and asked where the policy was established.

Acting Community Director Lustig responded that it has been in informal policy from the Design Committee for at least 20 years and is codified only for mobile homes.

Motion:	Commissioner Hancock made a motion and Commissioner Ford seconded the motion to approve PC Resolution No. 11-07 with Conditions of Approval.
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Yes: 5

Noes: 0

Abstain: 0

Absent: 0

RELEVANT ORIGINAL CONDITIONS OF APPROVAL, 8910 CYPRESS AVENUE SUBDIVISION, PA# 07/05

1. **AMENDED.** Prior to issuance of any building permits, full Design Review shall be required for all three homes eventually to be constructed, *including, but not limited to, consideration of front yard landscape treatments and the landscaped buffer between the driveway and APN 144-460-006, as well as fencing, colors, materials, architecture and site design and layout.*
2. As part of Design Review for future homes, the layout and design of each lot shall accommodate adequate off-street parking spaces.
3. Construction shall be limited to the City's Construction Hours as outlined in section 17.30.050.C.3 of the Land Use Code (Monday through Friday, 7:00 a.m. to 7:00 p.m.; no construction will be permitted on Saturdays, Sundays, or Holidays).
4. All new construction shall comply with the City of Cotati's Sustainable Building Ordinance. [5/12/11 NOTE: The Sustainable Building Program has been eliminated and

replaced with mandatory State measures. See Condition no. 32].

5. Landscaping shall be reviewed as part of Design Review for any proposed homes.
6. All utilities and utility boxes (including cable and P G & E) shall be undergrounded in compliance with the City Municipal Code. PG&E transformer utility boxes shall not be visible from or within the public right-of-way.
7. **AMENDED.** No private security gate shall be installed *on the shared access driveway of this project.* ~~in conjunction with this project, or any future homes to be constructed within this subdivision.~~
8. Construction drawings shall indicate that any fireplaces or stoves installed in the residence will be non-wood burning. Natural gas or pellet stoves are acceptable alternatives.
9. Sprinkle all construction areas with water (recycled when possible) at least twice a day, during excavation and other ground-preparing operations, to reduce fugitive dust emissions. Wetting could reduce particulate (dust) emissions by up to 50 percent.
10. Cover stockpiles of sand, soil, and similar materials, or surround them with windbreaks. This measure will substantially reduce wind erosion of any stockpiled materials during construction, reducing the potential of the project to contribute suspended particulate (dust) concentrations when the wind exceeds 10 miles per hour.
11. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
12. Sweep up dirt and debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over those surfaces. The Building Inspector will make periodic visits during construction to ensure compliance.
13. In the event that any cultural resources are uncovered during earthmoving activities, all construction excavation activities shall be suspended for a period to be determined by a City of Cotati-approved archaeologist to allow for adequate inspection, recommendation, and retrieval, if appropriate. The Building Inspector will make period visits to ensure compliance.
14. Prior to issuance of a grading permit, the applicant shall submit an erosion control plan for review and approval by the City Engineer and Regional Water Quality Control Board.
15. Prior to issuance of a grading permit, the applicant shall submit a soils report for review and approval by the City Engineer.
16. The contractor shall comply with “Best Management Practices” as defined in California Storm Water Best Management Practices Handbooks “Construction Activity” and all requirements of the State of California “General Construction Activity Storm Water Permit,” including the following:
17. Appropriate erosion control devices shall be utilized to retain sediment within the project areas during the construction season.
18. Prior to any grading constructed after October 1 and before May 1, storm drains, outlet structures, check dams and ditches shall be constructed.
19. Storm water shall not be allowed to flow directly down unprotected slopes. Energy dissipating structures and erosion control devices shall be placed at all drainage outlets, which discharge into natural channels.
20. Sediment basins or filtration systems shall be used to ensure that water entering the storm drain system below the construction site is the same quality and character as the water above the site.

21. Storm water runoff from the construction site shall be directed toward an inlet with a sediment or filtration interceptor prior to entering the storm drain system.
22. After construction is complete all storm drain systems associated with this project shall be inspected and cleared of accumulated sediments and debris.
23. Between October 15 and April 15, all paved areas will be kept clear of earth material and debris. The site is to be maintained by the developer, contractor or owner so that a minimum of sediment-laden runoff leaves the site.
24. During the rainy season (October 15 to April 15) all sediment barriers are to be inspected and repaired at the end of each working day and, in addition, after each storm. Sediment shall be removed as needed and filters cleaned or replaced when accumulations reach one-third the height of the barrier.
25. Entrance to the project shall be maintained in a condition that will prevent tracking or flowing of sediment into a public right-of-way.
26. All pertinent construction vehicles and equipment shall be equipped with devices to muffle and reduce noise generation in accordance with standard practices to reduce noise impacts to a less than significant level. The Building Inspector shall make periodic site visits during construction to ensure compliance.
27. The applicant shall call the Underground Service Alert (USA) to mark gas lines prior to grading.

PRELIMINARY DESIGN REVIEW

28. For Final Design Review, the applicant shall submit the following information:
 - a. Specifications for lighting, fencing, and any other pertinent details
 - b. A colors and materials board, including permeable concrete color
 - c. Preliminary grading and drainage plan
29. For Final Design Review approval, the applicant shall submit final landscape and irrigation plans that reflect a minimum of 50% native plants in each plant category (groundcover, shrubs, and trees) to the satisfaction of the Design Review Committee. In addition to required percentages, the plant palette shall include the following information: quantity, size, common name, scientific name, drought tolerant status, and native status.
30. The applicant shall ensure that lighting does not cast off-site light or glare on adjacent properties.
31. For Final Design Review, the applicant shall call out the locations of all utilities and mechanical equipment, including air conditioning and heating units, and proper screening to the satisfaction of the Design Review Committee. All such equipment shall be located outside of all setbacks and adequately screened from view from the public right-of-way. Utilities shall be undergrounded.
32. The applicant shall comply with CALGreen Mandatory plus Tier 1 measures.
33. For Final Design Review, the applicant shall provide evidence that the mailbox location is approved in writing by the Post Office and approved by the City of Cotati to the satisfaction of the Community Development Director. Gang mailboxes, if required by the Post Office, shall utilize an architectural and landscaping treatment.
34. ~~DELETED. For Planning Commission, the applicant shall revise the plans to include a minimum roof slope of 5:12.~~

PLANNING DIVISION

35. This project consists of a single-family home with associated improvements and a future second unit. The planning application for the future second unit shall be processed administratively because the environmental review and entitlements, including the Hillside Development Permit, have considered construction of a second unit. Approval of a Variance does not grant the property with special privileges.
36. Prior to issuance of a Certificate of Occupancy, the applicant shall provide a letter from the project landscape architect that certifies the plants installed are of the species and size of those indicated on the landscape plans, including 50% native species and 80% drought tolerant, to the satisfaction of the Community Development Director.
37. Prior to issuance of a building permit, the applicant shall provide specifications demonstrating that all the windows visible from off-site are non-glare in accordance with Land Use Code Section 17.53.050.B to the satisfaction of the Community Development Director.
38. Prior to Final Design Review, the applicant shall modify the plans to reflect the hillside development setbacks required by Land Use Code Section 17.53.050.C. The front setback is 10 feet, the side setbacks are 14 feet (10% of parcel width). The rear setback is the top of the slope, as shown on the Final Map.
39. Prior to issuance of a building permit, the applicant shall note the location and design of temporary construction fencing at the top of the slope to ensure the hillside is delineated and protected during construction. Fencing shall be 6 feet tall, chain link, similar to tree protection fencing.
40. The applicant shall mitigate for any trees removed in accordance with the City's Tree Preservation Ordinance, to the satisfaction of the Community Development Director. If the applicant chooses to plant trees on-site, the location and species shall be included on the plans prior to Final Design Review approval.

RANCHO ADOBE FIRE PROTECTION DISTRICT

41. The driveway design shall meet the Sonoma County Fire Code Fire Safe Standards.
42. Prior to issuance of a building permit, the applicant shall submit the required plans and fees to the Fire District for review and approval.

ENGINEERING DEPARTMENT

43. The applicant shall utilize City Standards and Specifications to the satisfaction of the City Engineer.
 44. The applicant shall comply with the City's water-efficient landscape ordinance to the satisfaction of the City Engineer.
- C. Request for Design Review and a Minor Use Permit approval for a 46-unit residential infill project on a 3.88-acre site at 690 East Cotati Avenue, also known as the Village Walk Subdivision.

PA#: 14/05

Applicant: Standard Pacific Homes

APNs: 144-292-027 through -077

Assistant Planner Harris presented the staff report, reviewing the applicant's request and staff and the Design Review Committee's recommendations. Staff recommends adoption of Resolution PC No. 11-08 with Conditions of Approval.

PUBLIC HEARING opened at 7:37 pm

Aaron Ross-Swain with Standard Pacific Homes, Applicant, introduced his team and gave an overview and the history of their company. He presented their project, explaining the revised proposal from the original approval on this property in 2004.

Laurie Moffett-Fehlberg, Project Architect, spoke about the project architecture and how the team revised this project for 2011.

Ralph Alexander, Landscape Architect, reviewed the landscaping plan. He feels they have a well balanced plan.

Mr. Ross-Swain closed the presentation, expressing his desire to move forward with this project.

In response to Commissioner Hancock's question on including passive cooling features, Ms. Moffett-Fehlberg explained that through working with the Design Review Committee, they added sun shading elements on the larger windows.

In response to Committee Member Ford's request to consider putting in a community garden, Ms. Moffett-Fehlberg explained that the site plan was an already an approved PUD.

Commissioner Hancock asked Mr. Alexander if calculations were done on the proposed water usage and if the plants would require less water once established.

Mr. Alexander said the plants were selected to be low or very low water use and, once established, they can save 30%-60% over normal water usage.

PUBLIC HEARING closed at 8:03 pm

In response to Commissioner Hancock, Acting Community Development Director Lustig stated that the development of this project would not impact the bike route on Lancaster Drive.

Commissioner Ford said that given the PUD is already complete, he would prefer to defer the aesthetics to the Design Review Committee.

The Planning Commissioners had no objection.

Commissioner Hancock stated that he appreciates the overview of the presentation.

Vice Chair Ritter stated that he agrees with the comments.

Chair Moore said that she agrees with the comments and loves the idea of the park and a play structure.

Motion:	Commissioner Ford made a motion and Commissioner Ritter seconded the motion to adopt PC Resolution No. 11-08 with Conditions of Approval.
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Yes: 5

Noes:

Abstain:

Absent:

PRELIMINARY DESIGN REVIEW

1. For Planning Commission, the applicant shall revise the plans to show sidewalk ramps that are perpendicular to the street, consistent with the Improvement Plans, State law, and City standards to the satisfaction of the City Engineer.
2. AMENDED. For Planning Commission, the applicant shall *stagger the AC units and shrubs if the location of the AC units is consistent with the previously approved project.* ~~remove the air conditioning (AC) units from the side yards on every unit, as mechanical equipment cannot block access or be located in a setback (Land Use Code 17.30.042). If AC units are visible from the public right-of-way, screening is required (Land Use Code 17.17.30.030.F.2.a) to the satisfaction of the Community Development Director.~~
3. For Planning Commission, the applicant shall show the correct playground design and equipment or provide an alternative and submit substantial information supporting the change, including how it will benefit the community. The playground shall meet ADA requirements to the satisfaction of the Building Official.
4. For Planning Commission, the applicant shall provide front doors on the attached units that are solid with a small upper window to provide better privacy and allow natural lighting.
5. DELETED. ~~For Planning Commission, the applicant shall ensure the balconies are a minimum of 67 square feet on the four interior units and 186 square feet on the 16 end units, consistent with the previously approved project.~~
6. For Planning Commission, the applicant shall provide details for the 8' fence on the western boundary, meeting the requirements of Land Use Code section 17.30.030.B.
7. For Final Design Review, the applicant shall ensure the final landscaping and irrigation plans work with the drainage design, to the satisfaction of the City Engineer.
8. For Final Design Review, the applicant shall submit a colors and materials board.
9. DELETED. ~~For Final Design Review, the applicant shall revise the plans to ensure each tree is planted entirely on one parcel.~~
10. For Final Design Review, the applicant shall provide details for fencing, mailboxes, benches, lighting, and similar project elements.
11. For building permit, the applicant shall demonstrate that zero-step entries are incorporated into every Unit 1 structure, at a minimum, to ensure the unit is truly accessible.
12. The construction hours shall be revised from the original project approval to comply with Land Use Code section 17.30.050.C.3 as follows:
 - a. Monday through Friday - 7:00 a.m. to 7:00 p.m.
 - b. Saturday, Sunday, Holidays – no construction permitted

13. AMENDED. The plans shall continue to reflect the following direction from Preliminary Design Review:
- a. To maximize passive cooling opportunities, incorporate shading through eaves or awnings a minimum of 24” in depth for every window on the rear elevation of the attached units and provide programmable fans that vent to the outside.
 - b. *Consider increasing the height of the plate of the front entry shed roofs.* ~~Provide enhanced entries on the façades of the attached units.~~
 - e. ~~Limit the amount of stucco.~~

ENGINEERING DEPARTMENT

14. Prior to City acceptance of the Improvements, the applicant shall ensure the signal controllers at East Cotati Avenue/Adrian Avenue and East Cotati Avenue/Lancaster Avenue are intertied for coordinated operation.

RANCHO ADOBE FIRE PROTECTION DISTRICT

15. Prior to issuance of building permit for an attached unit, the applicant shall demonstrate that the attics of the attached units will be sprinklered utilizing properly insulated iron sprinkler pipe for the expected attic temperatures.

VII. REPORTS BY STAFF

Acting Community Development Director Lusting asked the Commissioners if they were available for a special meeting on July 25th.

Commissioner Ford stated that he will be out of town.

VIII. REPORTS BY COMMISSION

None

MEETING ADJOURNED by Chair Moore at 8:15 pm

Keri L. Pajon
Administrative Secretary