From:

Rose Zoia <rzoia@sbcglobal.net>

Sent:

Tuesday, February 27, 2018 4:41 PM

To:

Madolyn Agrimonti; David@cvmgrapes.com; City Council; Gary Edwards; Amy

Harrington; Rachel Hundley

Cc:

Cathy Capriola; 'Jeff Walter'; David Goodison

Subject:

RE: RE: Brazil Street/4th St E project - March 1, 2018 hearing

**Attachments:** 

Machi letters final.pdf

Dear Mayor Agrimonti and Council Members,

Please see attached updated three (3) letter reports from Matthew Machi, Atterbury & Associates. These replace those attached to my letter sent on February 23<sup>rd</sup>.

# The changes are as follows:

- In each conclusion paragraph for each letter, the sentence "The submittal should include exhibits demonstrating compliance with the Development Code for review from staff and the public that identify areas that have been interpreted as compliant for confirmation by City Staff" is added.
- In the letter with the Subject Lot 227, under Comments Specific to Lot 227: a new first bullet point is added that states "19.40.050.E.2. states that "lot pad grading should be limited to the boundaries of the structure's foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads should not exceed 5,000 square feet in total area." Per our calculations, the pad proposed appears to exceed 9,700sf."
- In the letter with the Subject Lot 228, under Comments Specific to Lot 228: a new first bullet point is added that states "19.40.050.E.2. states that "lot pad grading should be limited to the boundaries of the structure's foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads should not exceed 5,000 square feet in total area." Per our calculations, the pad proposed appears to exceed 12,000sf."
- In the same letter, under Comments Specific to Lot 228: a new second bullet point is added that states "The proposed plan proposes an over 10 ft retaining wall for the pool. 19.40.050.E.6. States that "Retaining walls that result in large uniform planes shall be avoided... Generally, no retaining wall should be higher than five feet."

Also, the exhibit on site coverage (blue color on map) is updated to show increased coverage including overhangs and building inclusive terraces. The exhibit is referenced in the letter re 149 Fourth Street, Comments Specific to Lot 149, 5<sup>th</sup> bullet point.

Best regards,

<sup>~</sup> Rose Zoia

#### [NOTE CHANGE OF ADDRESS]

Law Office of Rose M. Zoia P.O. Box 3166 Santa Rosa CA 95402 tel: 707.526.5894 / fax: 267.381.6097 www.zoialaw.com

Important Notice: This message contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not an addressee or the person responsible for delivering this message to an addressee, please do not read, disseminate, distribute, or copy this message. If you have received this message by mistake, please immediately notify me by replying to this message and then completely deleting the original message and your reply. Thank you.

**From:** Rose Zoia [mailto:rzoia@sbcglobal.net] **Sent:** Friday, February 23, 2018 11:45 AM

**To:** 'Madolyn.Agrimonti@sonomacity.org'; 'David@cvmgrapes.com'; 'citycouncil@sonomacity.org'; 'Gary.Edwards@sonomacity.org'; 'Amy.Harrington@sonomacity.org'; 'Rachel.Hundley@sonomacity.org'

**Cc:** 'ccapriola@sonomacity.org'; 'Jeff Walter'; 'David Goodison' **Subject:** RE: Brazil Street/4th St E project - March 1, 2018 hearing

Dear Mayor Agrimonti and Council Members,

Please see attached letter on behalf of appellants in this matter.

Best regards,

~ Rose Zoia

### [NOTE CHANGE OF ADDRESS]

Law Office of Rose M. Zoia P.O. Box 3166 Santa Rosa CA 95402 tel: 707.526.5894 / fax: 267.381.6097 www.zoialaw.com

Important Notice: This message contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not an addressee or the person responsible for delivering this message to an addressee, please do not read, disseminate, distribute, or copy this message. If you have received this message by mistake, please immediately notify me by replying to this message and then completely deleting the original message and your reply. Thank you.



February 26, 2018

City Council of Sonoma 1 The Plaza Sonoma, CA

Subject: 149 Fourth Street East - Lower Lot 2 - Residence

To the Honorable Council Members of the City of Sonoma:

My name is Matthew Machi and I am a Licensed Civil Engineer in the State of California, currently doing business in Sonoma County. I have been asked to address some of the concerns of neighboring City of Sonoma residents on the basis of the development standards prescribed in the Sonoma City Municipal Code. In my review, I have identified a number of items that merit additional review or interpretation. My comments have been broken into two categories: Comments that apply to the entire development and comments that are specific to individual lots. My comments area as follows:

# **General Comments Common to Overall Development**

- The BASMAA Post-Construction Manual "where a project results in an increase of more than 50% of the impervious area of a previously existing development, runoff from new, replaced, and previously existing impervious surfaces must be included to the extent feasible." It appears that there are areas of existing and proposed impervious improvements that are not being directed to stormwater mitigation. Please see my attached exhibit.
- All three lots are accessed via proposed 16' driveways; however the proposed driveways are served by an existing 12' driveway to 4<sup>th</sup> Street East. This causes a bottleneck for the most heavily traveled portion of driveway nearest to the road. This is especially problematic for fire ingress and egress.
- The April 7, 2016 Supplemental Geotechnical Investigation by PJC & Associates, Inc. describes a single proposed residence and 4 exploration pits but no map is included. The report should be expanded to include all three residences and the pit locations evaluated for their applicability to the current site plan. Additionally, section 3 states "... the native soils in the vicinity of the proposed residence are considered to have moderate expansion potential. Shrinking and/or swelling of these soils due to loss or increase of moisture content can cause irregular and excessive ground movement..." The project proposes 7 stormwater mitigation areas on the native hillsides. By hydraulically loading the soils on slopes with stormwater mitigation there is greatly increased potential for slope failure and concentrated subsurface flows, the most concerning being the areas uphill of the neighboring property. These features are not currently addressed under the geotechnical report and should be added. A qualified geotechnical engineer should review the final plans for seismic, slope stability, and overall design feasibility prior to project approval.
- Although the stormwater mitigation areas may be sized to attenuate flows to pre-project flows, their reduced footprint compared to sheet flow releases water at a higher concentration and with greater energy.

#### Comments Specific to Lot 149

There appear to be significant differences between the civil and architectural drawings. The
applicant should confirm consistency of the final submittal package prior to final review.



- Placing Stormwater BMP-1 and BMP-2 in such close proximity to the eastern property line presents increased probabilities of cross lot drainage and hillside failure onto the neighboring property to the east.
- Runoff from BMP-3 and the driveways are also unimpeded from cross lot drainage to the neighboring property.
- 19.40.050.E.2. states that "lot pad grading should be limited to the boundaries of the structure's foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads should not exceed 5,000 square feet in total area." The lot pad grading area calculations provided either exempt or do not address many large areas. A portion of the main house, the main terrace, the fire pit terrace, and the barn are being claimed as exempt because they are on elevated footings. Spread footing, stem wall foundation is extremely common and is not novel enough justify an exemption from the stated ordinance.

Additionally, the pool terrace, the barn terrace, and the barn screened porch are exempted as they will be located on "previously graded areas". There is no provision in the ordinance that states only new areas apply to the pad limitations. In actuality, 19.40.050.E.1. Terrain Alteration states that "The project should be designed to fit the terrain rather than altering the terrain to fit the project." Almost to imply that the project should be largely limited to the existing graded area. Lastly, the pool, lawn, front yard, and multiple potions of the rear yard are not accounted for. As these are all features of a yard area, they should be included in the calculations. Should the calculations be held this standard, the lot pad grading exceeds 23,000 sf, well in excess of the 5,000 sf limit.

- City Code table 3-3 stats that R-H\$ zones projects may not exceed 15% in site coverage. We have measured the coverage to be 20.4%. Please see our attached exhibit.
- 19.40.050.E.6. States that "Retaining walls that result in large uniform planes shall be avoided... Generally, no retaining wall should be higher than five feet." The stem walls resulting from elevated footing construction have the same visual effect as retaining walls and appear to exceed 5 ft in height. Breaking them up and screening are recommended.

I feel strongly that these concerns warrant additional review of the project proposals for consistency with the City of Sonoma Development Code by the City Staff and Planning Commission and a relatively major redesign of the project. The submittal should include exhibits demonstrating compliance with the Development Code for review from staff and the public that identify areas that have been interpreted as compliant for confirmation by City Staff. Please feel free to contact me with any additional questions or clarification you need.

Very Respectfully,

Matthew R. Machi, P.E. 83663 Project Manager

- rojece manager



- 18% driveway is very steep, especially considering the loss of momentum due to the low speed turns. It is common to require concrete pavement above 15%. The two 27 ft inside radii are extremely difficult for fire trucks to navigate.
- The fire turnaround exceed 12% in maximum slopes. 8% is the general limit for the area.
- Placement of Stormwater Mitigation BMPs 1 & 2 on steep slopes increases the probability of hillside failure.
- The proposed driveway appears to be concentrating stormwater at the intersection with the existing driveway.
- The large engineered slopes and walls will be highly visible from downhill vantage points.

I feel strongly that these concerns warrant additional review of the project proposals for consistency with the City of Sonoma Development Code by the City Staff and Planning Commission and a relatively major redesign of the project. The submittal should include exhibits demonstrating compliance with the Development Code for review from staff and the public that identify areas that have been interpreted as compliant for confirmation by City Staff. Please feel free to contact me with any additional questions or clarification you need.

Very Respectfully,

Matthew R. Machi, P.E. 83663

Project Manager



February 23, 2018

City Council of Sonoma 1 The Plaza Sonoma, CA

Subject: Lot 227 (Brazil Street Lot 4)

To the Honorable Council Members of the City of Sonoma:

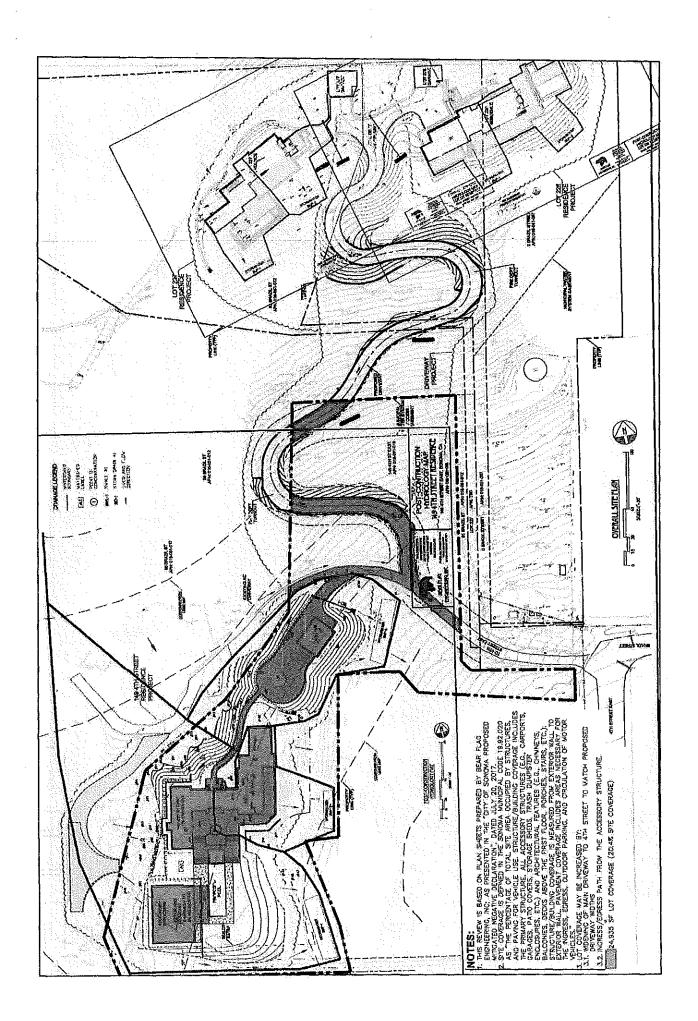
My name is Matthew Machi and I am a Licensed Civil Engineer in the State of California, currently doing business in Sonoma County. I have been asked to address some of the concerns of neighboring City of Sonoma residents on the basis of the development standards prescribed in the Sonoma City Municipal Code. In my review, I have identified a number of items that merit additional review or interpretation. My comments have been broken into two categories: Comments that apply to the entire development and comments that are specific to individual lots. My comments area as follows:

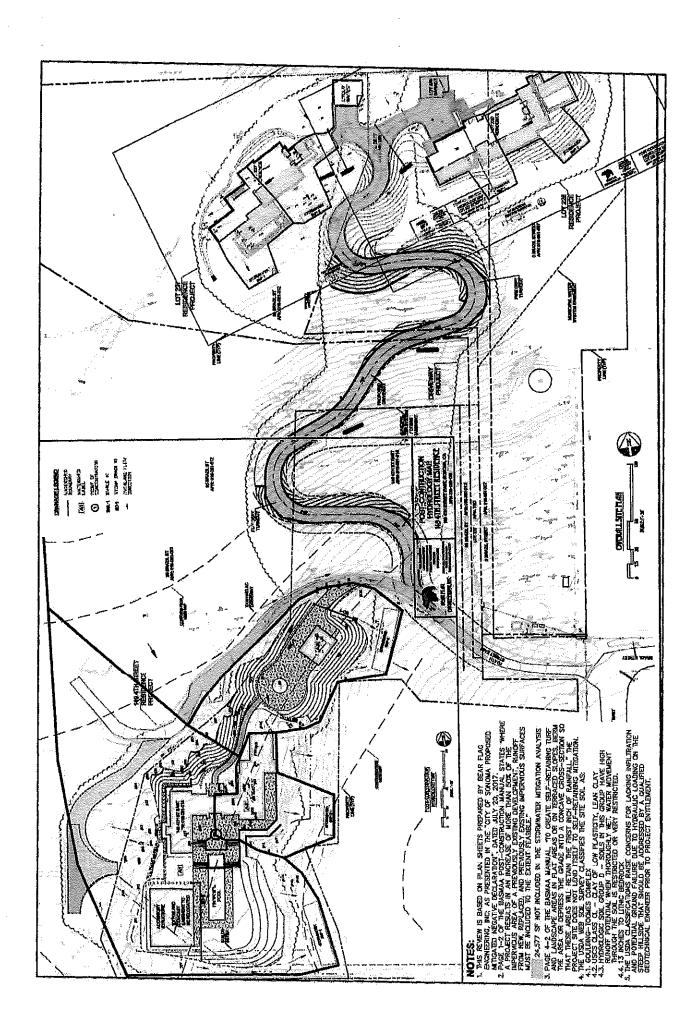
### General Comments Common to Overall Development

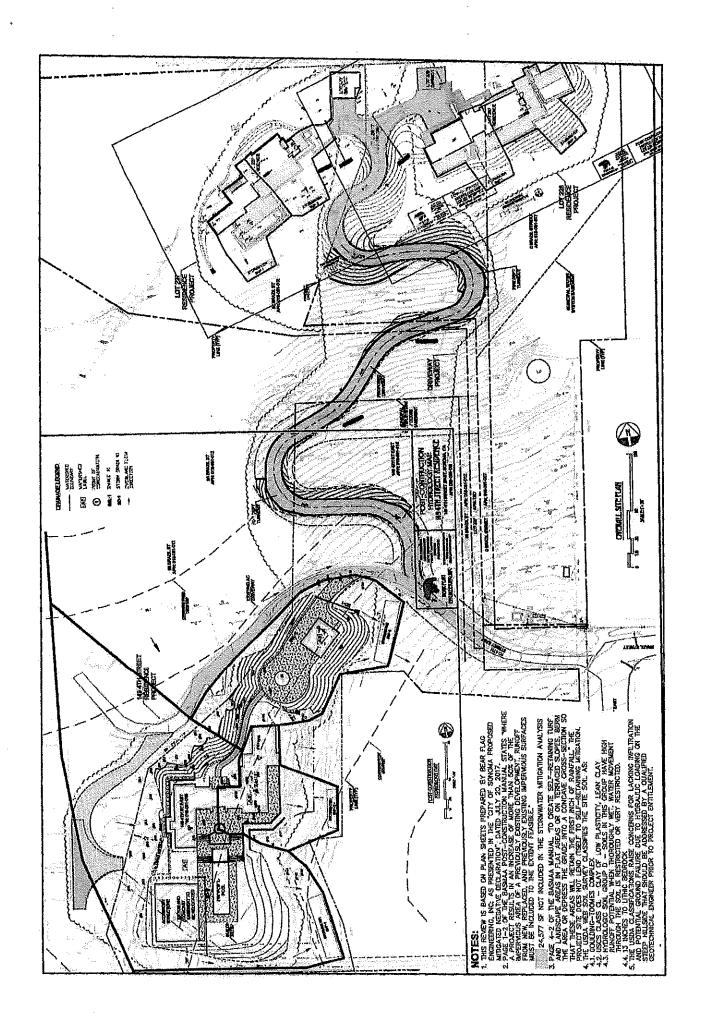
- The BASMAA Post-Construction Manual "where a project results in an increase of more than 50% of
  the impervious area of a previously existing development, runoff from new, replaced, and
  previously existing impervious surfaces must be included to the extent feasible." It appears that
  there are areas of existing and proposed impervious improvements that are not being directed to
  stormwater mitigation. Please see my attached exhibit.
- All three lots are accessed via proposed 16' driveways; however the proposed driveways are served by an existing 12' driveway to 4<sup>th</sup> Street East. This causes a bottleneck for the most heavily traveled portion of driveway nearest to the road. This is especially problematic for fire ingress and egress.
- The April 7, 2016 Supplemental Geotechnical Investigation by PJC & Associates, Inc. describes a single proposed residence and 4 exploration pits but no map is included. The report should be expanded to include all three residences and the pit locations evaluated for their applicability to the current site plan. Additionally, section 3 states "... the native soils in the vicinity of the proposed residence are considered to have moderate expansion potential. Shrinking and/or swelling of these soils due to loss or increase of moisture content can cause irregular and excessive ground movement..." The project proposes 7 stormwater mitigation areas on the native hillsides. By hydraulically loading the soils on slopes with stormwater mitigation there is greatly increased potential for slope failure and concentrated subsurface flows, the most concerning being the areas uphill of the neighboring property. These features are not currently addressed under the geotechnical report and should be added. A qualified geotechnical engineer should review the final plans for seismic, slope stability, and overall design feasibility prior to project approval.
- Although the stormwater mitigation areas may be sized to attenuate flows to pre-project flows, their reduced footprint compared to sheet flow releases water at a higher concentration and with greater energy.

### Comments Specific to Lot 227

19.40.050.E.2, states that "lot pod groding should be limited to the boundaries of the structure's
foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads
should not exceed 5,000 square feet in total area." Per our calculations, the pad proposed appears
to exceed 9,700sf.









February 23, 2018

City Council of Sonoma 1 The Plaza Sonoma, CA

Subject: Lot 228 (Brazil Street Lot 3)

To the Honorable Council Members of the City of Sonoma:

My name is Matthew Machi and I am a Licensed Civil Engineer in the State of California, currently doing business in Sonoma County. I have been asked to address some of the concerns of neighboring City of Sonoma residents on the basis of the development standards prescribed in the Sonoma City Municipal Code. In my review, I have identified a number of items that merit additional review or interpretation. My comments have been broken into two categories: Comments that apply to the entire development and comments that are specific to individual lots. My comments area as follows:

#### **General Comments Common to Overall Development**

- The BASMAA Post-Construction Manual "where a project results in an increase of more than 50% of
  the impervious area of a previously existing development, runoff from new, replaced, and
  previously existing impervious surfaces must be included to the extent feasible." It appears that
  there are areas of existing and proposed impervious improvements that are not being directed to
  stormwater mitigation. Please see my attached exhibit.
- All three lots are accessed via proposed 16' driveways; however the proposed driveways are served by an existing 12' driveway to 4<sup>th</sup> Street East. This causes a bottleneck for the most heavily traveled portion of driveway nearest to the road. This is especially problematic for fire ingress and egress.
- The April 7, 2016 Supplemental Geotechnical Investigation by PJC & Associates, Inc. describes a single proposed residence and 4 exploration pits but no map is included. The report should be expanded to include all three residences and the pit locations evaluated for their applicability to the current site plan. Additionally, section 3 states "... the native soils in the vicinity of the proposed residence are considered to have moderate expansion potential. Shrinking and/or swelling of these soils due to loss or increase of moisture content can cause irregular and excessive ground movement..." The project proposes 7 stormwater mitigation areas on the native hillsides. By hydraulically loading the soils on slopes with stormwater mitigation there is greatly increased potential for slope failure and concentrated subsurface flows, the most concerning being the areas uphill of the neighboring property. These features are not currently addressed under the geotechnical report and should be added. A qualified geotechnical engineer should review the final plans for seismic, slope stability, and overall design feasibility prior to project approval.
- Although the stormwater mitigation areas may be sized to attenuate flows to pre-project flows, their reduced footprint compared to sheet flow releases water at a higher concentration and with greater energy.

#### Comments Specific to Lot 228

19.40.050.E.2. states that "lot pad grading should be limited to the boundaries of the structure's
foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads
should not exceed 5,000 square feet in total area." Per our calculations, the pad proposed appears
to exceed 12,000sf.



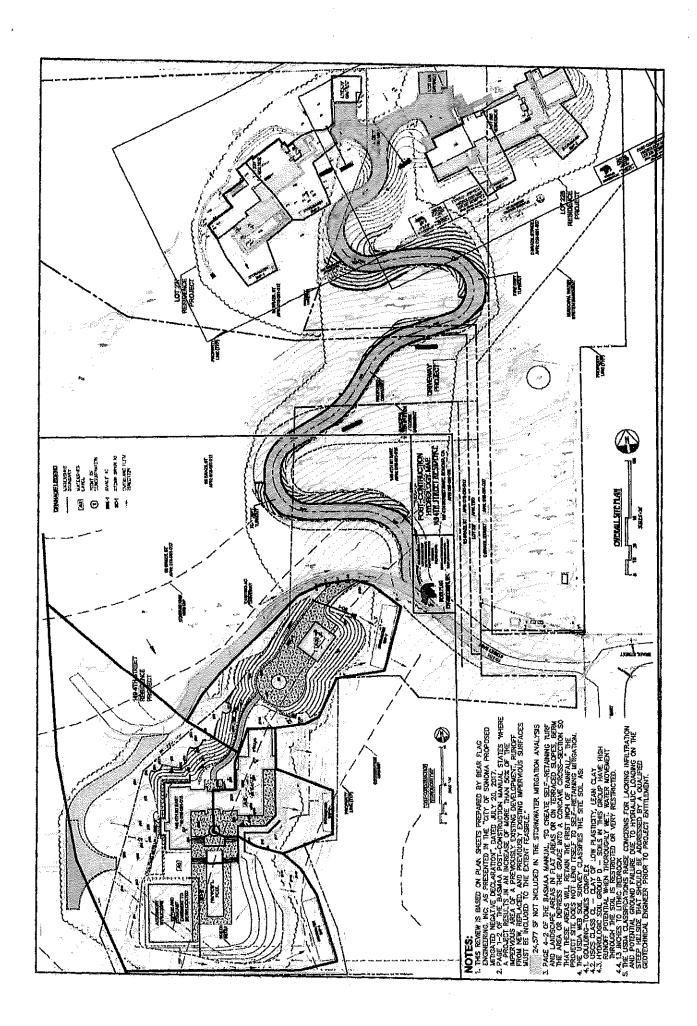
- The proposed plan proposes an over 10 ft retaining wall for the pool. 19.40.050.E.6. States that
   "Retaining walls that result in large uniform planes shall be avoided... Generally, no retaining wall
   should be higher than five feet."
- 18% driveway is very steep, especially considering the loss of momentum due to the low speed turns. It is common to require concrete pavement above 15%. The two 27 ft inside radii are extremely difficult for fire trucks to navigate.
- The fire turnaround exceed 12% in maximum slopes. 8% is the general limit for the area.
- Placement of Stormwater Mitigation BMPs 1 & 2 on steep slopes increases the probability of hillside failure.
- The proposed driveway appears to be concentrating stormwater at the intersection with the existing driveway.
- The large engineered slopes and walls will be highly visible from downhill vantage points.

I feel strongly that these concerns warrant additional review of the project proposals for consistency with the City of Sonoma Development Code by the City Staff and Planning Commission and a relatively major redesign of the project. The submittal should include exhibits demonstrating compliance with the Development Code for review from staff and the public that identify areas that have been interpreted as compliant for confirmation by City Staff. Please feel free to contact me with any additional questions or clarification you need.

Very Respectfully,

Matthew R. Machi, P.E. 83663

Project Manager



Fred Allebach 3/1/18

### Public comment on hillside homes appeal

Mayor and City Council members,

In the interests of brevity, I will limit my comments to the following. I urge you to uphold all appeals and send all of this back to the Planning Commission with the direction to:

One, limit each of the three lots to one 5000 square foot pad per lot, as intended by the Hillside Ordinance.

Two, request an independent analysis of the view-scape impacts on the city.

Three, insure that any homes built will be on the lower portions of the hill and that they will not be visible as the backdrop to the historic town of Sonoma.

Four, determine if the lot line adjustment process was ill-considered or possibly illegal, and if city actors were not acting in the best interests of the city.

I also urge you to **not succumb to bullying** and threats of legal action by the **applicant(s)**. I am sure that the town's citizens will be happy to pay to fight bullies. The **applicant(s)** are the *real bullies* in this matter as evidenced by multiple legal attacks on the city, city council members, the Planning Commission, and on city process. These said legal attacks have one purpose, and are clearly designed to chill any opposition.

The whole line that these bullies are the victims of concerned neighbors is a farce, and a false equivalence argument that is frankly laughable.

Please stand your ground and vote with the people of the town and not wealthy 1% developers who think money can rule over all.

Fred Allebach

From:

Jennifer Palladini < jennifer.palladini@gmail.com>

Sent:

Thursday, March 01, 2018 8:51 AM

To: Subject: City Council Shocken Hill

Dear Members of the City Council.

I am unable to attend tonights meeting, but wanted to write and show my support for the appeal of the Schocken Hill development. The Planning Commission clearly dropped the ball on this one. One has to go out of their way to interpret the hillside development code to mean individual pads must be less than 5000 sq ft, but you could have more than one such pad per lot.

The code clearly states: "Pads should not exceed 5,000 square feet in **total** area". The proposed projects include areas double or triple this size. I have also seen statements from former City representatives who drafted and approved this ordinance stating that they did in fact intend 5,000 feet to be the maximum total to protect sensitive hillsides. This confirms that the developers interpretation is false.

Section 19.40.5 of Sonoma's General Property and Use Standards was clearly meant to prevent a development of this scope and size. It states that the Planning Commission shall evaluate a conditional use permit application for hillside development based on a number of factors including, "protection of natural topographic features and appearances through limitations on successive padding and terracing of building sites and the preservation of significant ridgelines, steep slopes, natural rock outcroppings, drainage courses, prominent trees and woodlands, vernal pools, and other areas of special natural beauty".

The members of the Planning Commission that accepted the developer's erroneous interpretation of our hillside protections clearly abdicated their responsibilities to protect the character of our City and the interests of its citizens.

For these reasons, I urge you to uphold the appeal of this project, and protect the character of Sonoma for <u>all</u> of its residents by preventing irreparable damage to one its most visible, scenic and iconic landmarks.

Thank you,

Jennifer Palladini

271 Wilking Way

From:

Mike Coleman <friendsofbilljasper@gmail.com>

Sent:

Wednesday, February 28, 2018 8:29 PM

To:

City Council; Planning

Subject:

Support Bill Jasper's New Homes

# Council Member,

After several years of working collaboratively with the Planning Commission, City Staff, and neighbors, Bill Jasper has received approval for a thoughtful plan to build three new homes in Sonoma. The homes comply with the Hillside Guidelines by protecting the view from the valley, are appropriate in scale, and mitigate environmental impacts while adding new housing. I urge you to confirm the findings of the Planning Commission and deny the appeal.

### Mike Coleman

# mikecoleman371@gmail.com

| Email address      | mikecoleman371@gmail.com   |
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| Untitled Section   |  |
|                    |  |
| Name               | Mike Coleman   |
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| Additional Comment | All the best to you. You deserve better than what the anti people are smearing you with! |

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From:

Saul <friendsofbilljasper@gmail.com>

Sent:

Wednesday, February 28, 2018 6:59 PM

To:

City Council; Planning

Subject:

Support Bill Jasper's New Homes

# Council Member,

After several years of working collaboratively with the Planning Commission, City Staff, and neighbors, Bill Jasper has received approval for a thoughtful plan to build three new homes in Sonoma. The homes comply with the Hillside Guidelines by protecting the view from the valley, are appropriate in scale, and mitigate environmental impacts while adding new housing. I urge you to confirm the findings of the Planning Commission and deny the appeal.

Saul

# saulrozema@yahoo.com

| Email address      | saulrozema@yahoo.com   |
|--------------------|--|
| Untitled Section   |  |
| Name               | Saul Communication of the Comm |
| Additional Comment | Bill is a great guy and he builds beautiful homes he is an asset to the community.   |

Bill is a great guy and he builds beautiful homes he is an asset to the community.

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