

**Appeal of the Planning Commission approval of the:
MITIGATED NEGATIVE DECLARATION and
CONDITIONAL USE PERMIT for the
SONOMA CHEESE FACTORY REDEVELOPMENT & EXPANSION**

**Submitted to the City of Sonoma
July 25, 2018**

Enclosed:

1. Attorney letter from Rachel Mansfield-Howlett
2. Traffic Engineer letter from expert Tom Brohard
3. Historic Analysis letter from expert Michael Garavaglia
4. Napa Parking Impact Fee Nexus Study (2016)
5. Appeal Supplement (4/27/18)
6. Compromise Proposal (6/21/18)
7. Petition from Plaza Area Business and Property Owners
8. Traffic Study Error Analysis
9. NPR Article from day of Traffic Study – *“After Fires, California Wine Country Wants Tourists Back”*
10. Email from Gary Saperstein, Executive Director of the Sonoma Valley Visitors Bureau
11. 2018-19 City Budget – Fires
12. Graphic: Demolition of Character-Defining Feature of the Building (Historic Massing and Footprint)
13. California Office of Historic Preservation – How can Substantial Adverse Change be Avoided or Mitigated
14. Sonoma State Historic Park - Facilities Management Plan – Field A
15. Sonoma State Historic Park – Facilities Management Plan – Lot
16. Formula Retail Analysis of the Oxbow Market / General Plan Conflict
17. Analysis of the 2004 Cheese Factory Use Permit
18. Napa County 2016-17 Grand Jury – Oxbow Parking Impacts
19. Previous Correspondence #1
20. Previous Correspondence #2

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Sonoma, CA 95476

Via Email and Hand Delivery

July 25, 2018

Re: Appeal, Sonoma Cheese Factory Reconfiguration and Expansion

Dear Mayor Agrimonti and City Council Members,

On behalf of Appellants and the citizens' group, Protect Our Plaza, thank you for the opportunity to address the Council regarding the adequacy of the Initial Study /Mitigated Negative Declaration (MND), attendant approvals, and findings prepared for the Sonoma Cheese Factory Project ("Project", hereafter).

It is my considered legal opinion, having litigated many of these types of cases, that the City has several legally compelling reasons to reject the approval of the MND and the Planning Commission's approval and findings for the Project in favor of preparing an Environmental Impact Report (EIR).¹

¹ My law practice focuses exclusively on the enforcement of CEQA. I have acted as lead or co-counsel for Petitioners in several successful CEQA cases: *Healdsburg Citizens for Sustainable Solutions v. City of Healdsburg* (2012) 206 Cal. App. 4th 988; *Committee for Green Foothills v. Town of Los Gatos* (2009) Case No. 108-CV-106461; *Save San Juan Valley v. Caltrans* (2010) Case No. CU-08-00176; *Healdsburg Citizens for Sustainable Solutions v. City of Healdsburg* (2010) Case No. SCV-243748; *Friends of Historic Hangtown v. City of Placerville* (2011) Case No. PC-20110145; *North Sonoma County Health Care District, Sierra Club v. County of Sonoma* (2011) Case No. SCV 248271; *Los Gatos Citizens for Responsible Development v. Town of Los Gatos* (2010) (2012) Case No. 111-CV-209214 (Petition and Return to Writ); *People's Coalition for Government Accountability v. County of Santa Clara*,

The MND is inadequate and incomplete and fails to adequately analyze impacts to aesthetics, traffic, historic and cultural resources and cumulatively significant impacts. Considering the substantive comments from experts Tom Brohard, PE, principal Tom Brohard and Assoc., regarding the Project's traffic impacts and expert Mike Garavaglia, AIA, LEED BD+C, principal Preservation Architect with Garavalia Architecture, Inc., and the testimony from concerned area residents, a fair argument of potentially significant impacts is established such that the City is required to prepare an EIR for the Project. Such review will allow for the fair analysis of the Project's impacts and consideration of appropriate mitigation and alternatives.

The letters and emails submitted for the March 22 and April 12, 2018 Planning Commission hearings, the videos, minutes, and testimony given at the hearings are incorporated here by reference.

Legal Standards

CEQA defines substantial evidence, including evidence required to support a fair argument, as "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Preparation of an EIR rather than a Mitigated Negative Declaration (MND) is required if there is substantial evidence in the "whole record" of proceedings that supports a fair argument that a project "may" have a significant effect on the environment. (CEQA Guidelines § 15064 (f)(1.); *Friends of the San Mateo Gardens v. San Mateo Community College District* (2016) 1 Cal. 5th 937, 957, 959 "Gardens I"; *Friends of the College of San Mateo Gardens v. San Mateo Community College District* (2017) 11 Cal. App. 5th 596, 609-611; "Gardens II"; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75; *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 111-112; *Sierra Club v. California Department of Forestry and Fire Protection* (2007) 150 Cal.App.4th 370.)

An EIR must be prepared whenever there is substantial evidence that significant effects "may" occur. (Public Resources Code §§ 21082.2(a), 21100, 21151.) "May" means a reasonable possibility. (*League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896, 904-05; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 309.) Courts have repeatedly affirmed that the fair argument standard is a "low threshold test."

Case No. (2013) Case No. 112CV236397; *Citizens for Responsible Development v. City of Santa Clara* (2015) Case No. 1-14-CV-275522; *Keep Fort Ord Wild v. City of Monterey* (2017) Case No. M114961.

Stanislaus Audubon Society v. County of Stanislaus (1995) 33 Cal.App.4th 144, 151, stressed the “low threshold” vis-à-vis the presence of a fair argument, noting that a lead agency should not give an “unreasonable definition” to the term substantial evidence, “equating it with overwhelming or overpowering evidence. CEQA does not impose such a monumental burden” on those seeking to raise a fair argument of impacts.

First-hand lay perceptions regarding non-technical impacts meet legislative definitions of substantial evidence because they qualify as “facts [and] reasonable assumptions based on facts” under Public Resources Code §§ 21080(e)(1) and 21082.2(c). Testimony of area residents that are not qualified environmental experts qualifies as substantial evidence when based on relevant personal observations. (*City of Carmel By-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 246 n.8; *Oro Fino Gold Mining Corporation v. County of El Dorado* (1990) 225 Cal.App.3d 872, 882; *Citizens Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 173 (“ . . . an adjacent property owner may testify to traffic conditions based upon personal knowledge. . . . ”); *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1604-1605; *Arviv Enterprises v. South Valley Planning Commission* (2000) 101 Cal.App.4th 1333 (relevant personal observations of neighbors regarding slope, dust, erosion, and access problems supported EIR.)

A conflict in expert opinion over the significance of an environmental impact normally requires preparation of an EIR. (Guideline § 15064(g); *Sierra Club v. CDF* (2007) 150 Cal.App.4th 370.) Opinions based on the expertise of planning commissioners and other public officials with expertise in land use and planning also qualify as substantial evidence supporting a fair argument. (*Stanislaus Audubon Society v. County of Stanislaus* (1996) 48 Cal.App.4th 182; *The Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 934; *Architectural Heritage Association v. County of Monterey* (2004) 122 Cal.App.4th 1095, 1115.) Here, expert testimony supports a fair argument of the Project’s significant environmental impacts, triggering preparation of an EIR.

Traffic, Circulation, and Pedestrian Impacts

The MND’s claim that traffic impacts have been reduced to insignificance is not supported.

As an initial matter, the MND states that intersections are exempt from the City’s Level of Service (LOS) D policy while also stating that traffic impacts should be analyzed. (MND p. 54.) To be clear, regulatory standards do not defeat a fair argument. (*Communities for a Better Environment v. California Resources*

Agency (2002) 103 Cal.App.4th 98; *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281 (CBE).) The Court in CBE struck down some of the 1998 amendments to the CEQA Guidelines. These included the invalidation of a new Guideline provision addressing “thresholds of significance.” The Guideline would have allowed a negative declaration to rely on adopted regulatory standards. (Former Guidelines § 15064(h).) The Court held that “under the fair argument approach, *any* substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR.” A regulatory standard that does not consider evidence supporting a fair argument violates CEQA. (*Id.* at 112-113; *see also Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, [a city’s policy that traffic studies were not needed for housing projects of less than 40 units could not overcome evidence supporting a fair argument of traffic impacts.].) Here, the City may not use regulatory standards or exemptions to circumvent evidence of a fair argument standard.

Expert Civil and Traffic engineer Tom Brohard reviewed the MND and the supporting studies and found the MND is inadequate and incomplete and the Project will result in traffic and pedestrian impacts. (Attached, 7/23/18 letter from Tom Brohard.) Mr. Brohard found that the MND relied on unrealistically low baseline for traffic volumes that did not properly calculate, evaluate, or analyze the increase in vehicle trips that will be created by the Project. The Project will also result in a significant traffic impact in the PM peak hour under cumulative conditions at the First Street East intersection and East Napa Street. Other errors in the traffic analyses included faulty trip generation rates and failure to consider the Tuesday night farmer’s market in the traffic study. Concerned area residents also attested to existing grid lock conditions on the square and objected to the use of abnormally low traffic volumes derived from the weeks directly following the Napa and Sonoma fires, which were not reflective of typical area conditions.

The MND proposes an in-lieu mitigation fee to reduce traffic impacts due to deficit parking cause by the Project’s increased demand, however, fees imposed to mitigate environmental impacts are subject to environmental review. In *California Native Plant Society v. County of El Dorado* (2009) 170 Cal.App.4th 1026, a county ordinance provided for mitigation of impacts to rare plants in specified circumstances by payment of in-lieu fees to acquire and manage rare plant preserves. Since the fee program had not been subjected to environmental review as to its disputed effectiveness in reducing such impacts to a level of insignificance, it could not be relied upon to justify a MND for a project impacting rare plants.

Here, concerned residents and expert Brohard explained that the effectiveness of the \$60 thousand in-lieu fee has not been evaluated and reliance on the fee to mitigate impacts is unwarranted. The Planning Director's assessment that each parking space would cost \$5-7 thousand is not supported by evidence before the Planning Commission. This estimate is also markedly lower than that cited in the City of Napa's parking study, which determined that each parking space would cost upwards of \$23 thousand where land acquisition was necessary. (Attached, Downtown Napa Parking Impact Fee Nexus Study at pg. 16.)

The designation of the Casa Grande property as the permanent location for potential parking is not secure because it is owned by the State and may not be available in the long term. Expert Brohard confirmed that there is no evidence to show whether the in-lieu fee is sufficient to provide the necessary additional parking spaces or if the parking will be provided in a timely manner. The in-lieu fee cannot be relied upon to reduce the Project's impacts to traffic due to the lack of parking.

Appellants note that the unanticipated intensity of use caused by the Napa Oxbow Market, similar to the one proposed by the Project, has created parking problems in downtown Napa. The Napa County Grand Jury May 2017 Final Report describes the problem under the heading, "Impact of Oxbow Development." It states, "Oxbow Market popularity was already creating a parking problem in the Oxbow District when the new South Campus of the Culinary Institute of America (CIA) formally opened at Copia in 2017, sharing the available parking lot. Oxbow's growing popularity has made it a pressure point for Downtown Napa."

Regarding the evaluation of the Project's traffic impacts due to parking shortfalls, the number of parking spaces credited for the Project was miscalculated, which resulted in an undervaluation of the parking deficit that would occur if the Project is approved. The grandfathered parking permits that would increase the number of allotted spaces for the building have expired, therefore the parking credits do not reflect the Project's true parking deficit. Furthermore, the City's parking requirements don't anticipate the intensity of retail use proposed by the Project. The Project increases the number of employees from 10 peak hourly to 60 and the City's parking requirements don't account for a six-fold increase in employee parking for this site.

City policies within the City's Development Code that limit business expansion by requiring additional on-site parking for increased structure square footage and change of use that requires more than one parking space per 300 square feet should be adhered to. (See 4/11/18 letter [with exhibit of Development Code section 19.48.040; application of the Code yields greater number of required parking spaces than is provided by the Project], 3/22/18 email, and 3/8/18 letter from Victor Conforti; 3/7/18 letter from Johana M. Patri, AICP.)

Historic Resources Impacts

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Public Res. Code § 21084.1; Guidelines § 15064.5; *League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896 [demolition of historic building was a significant environmental impact that was not adequately mitigated by display of commemorative plaque and documentation of its historical features]; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587 [proposed demolition of historic house to build a new home for Steve Jobs required an EIR].)

The MND claims that potentially significant impacts to historic resources, including the Sonoma Cheese Factory Building, the adjoining Sonoma State Parks and Servants/Quarters building, and the Sonoma Plaza National Historic Landmark/Sonoma Plaza National Register Historic District have been mitigated. This conclusion relies on a determination that only the front facade of the Cheese Factory presents a character defining historic element and destruction of the rest of the Cheese Factory would therefore not be considered an impact.

Historic and Cultural resource expert Mike Garavaglia, AIA, LEED BD+C, principal Preservation Architect with Garavaglia Architecture, Inc., reviewed the MND and the supporting documents and has determined that the one-story block which includes the body of the building and the rear portions of the Cheese Factory, are historically significant, therefore, the demolition of these resources represents a historic impact. (7/25/18 letter from Mike Garavaglia to the City Council.)

According to expert Garavaglia, the body and rear portions of the Cheese Factory are historically significant under Criterion 1 and 3 of the California Register of Historic Resources and the retention of just the façade of the building does not avoid the Project's impacts to historic resources.

Garavaglia's testimony also shows that the Project results in aesthetic and historic impacts because the proposed new building looms over and overwhelms the historic Servant's Quarters, changing the setting of the State Park's historic structures. The greatly increased size of the rear massing of the Cheese Factory visually impacts the Servant's Quarters.

Garavaglia stated that the Cheese Factory is an early cheese making facility and was designed for this specific purpose; the building has a strong relationship to the cheese making industry, and may be one of the earliest and most prominent in the City of Sonoma.

The MND improperly states that the period of significance for the building ends at 1945, when in fact it is 1945-1968. The original historic evaluation misstated the importance of the body of the building and rear additions. Rear additions that occurred prior to the end of the buildings' period of significance (1968) are all part of the development of the building that supported the cheese-making operation. Only changes to the building that occurred after the period of significance can be considered non-contributing. Demolition of the rear additions represents a significant impact.

The demolition of historic character, massing and footprint results in a failure to comply with the Secretary of the Interior's Standards for the Treatment of Historic Buildings. The Project is also inconsistent with the Standards' requirement that new additions will not destroy historic materials or features and that historic features should be protected and preserved in place.

The MND's conclusion that because the proposed demolition is outside of the period of significance, the Project would not affect the landmark or historic status of the Sonoma Plaza National Historic Landmark/Sonoma Plaza National Register Historic District, is also not supported.

Aesthetics and Public Views Impacts

A fair argument of aesthetic impacts in both rural and urban settings triggers the preparation of an EIR. (*Ocean View Estates Homeowners' Association v. Montecito Water District* (2004) 116 Cal.App.4th 396 (EIR required based on subjective views of residents regarding potential aesthetic impacts of reservoir project affecting private views and public hiking trail.); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (EIR triggered by fair argument of aesthetic impacts of urban housing project.)

The fair argument standard as it relates to aesthetic impacts is set forth in the recent California Supreme Court Case, *Gardens I, supra*, 1 Cal. 5th 937, 957 at 959, and in the remand decision, *Gardens II, supra*, 11 Cal. App. 5th 596 at 609-611, which found that lay subjective public opinion supported a fair argument of aesthetic impacts such that an EIR was required to be prepared.

Evidence of aesthetic impacts was submitted by historic expert Mike Garvaglia and by residents' first hand observations documented in the letters submitted to the Planning Commission.

Resident David Echar explained why the Project is not in compliance with the City's Design Guidelines.

- 5.1.1. "Additions should be subordinate to the main building". Subordinate includes both height and mass. The Secretary of Interior's Standards state, "The new addition should be smaller than the historic building—it should be subordinate in both size and design to the historic building." The new building is not smaller than the historic building; thus it is most definitely not subordinate to the historic building.
- The Downtown Design Guidelines state: "compatible additions, and sensitive new construction that is subservient to the adjacent historic buildings." The new building is neither compatible, nor subservient to the Historic Servant's Quarters.
- 5.1.2. "Locate additions where they will be least visible from the public right of way and do not distract from the main building" – the addition is very visible from the public right of way, both Spain Street and the Casa Grande parking lot, and the design, distracts from the main building.

Resident Carol Marcus stated that allowing the Project to be built to the property line on the western edge impacts the views between the buildings on the north side of the Plaza, where the views are to the hills. (3/8/18 letter from Carol Marcus to David Goodison) Marcus state the Project "represents a significant departure from the massing and scale of other buildings around the Plaza." (*Ibid.*) Resident Susan J. Dorey stated that the large Oxbow type expansion of the Cheese Factory will overwhelm the Sonoma Barracks and State Park. (3/7/18 email from Susan J. Dorey to David Goodison.) Resident Patricia Cullinan stated "the new building will dwarf the adjacent Sonoma State Historic Park lessening its ability to tell the story of Sonoma's history." (3/7/2018 letter from Patricia Cullinan to David Goodison.)

Greenhouse Gasses (GHG)

The MND chose the wrong use designation to determine whether the Project would exceed screening criteria under the 2017 BAAQMD Guidelines for assessment of GHG emissions. The Project entails expansion of a restaurant and specialty food market that more resembles the definition of a supermarket designation rather than the shopping center designation used by the MND. The Project exceeds the screening criteria for a supermarket and therefore a detailed air quality assessment must be performed. (Item #4, 3/2018 letter from David Eichar, quoting Christina Morris.)

Conclusion

For the foregoing reasons, the MND and the City's findings are inadequate and incomplete; substantial evidence supports a fair argument of potentially significant impacts; and, an EIR must therefore be prepared as a matter of law prior to further consideration of the Project.

Appellants respectfully request the Council uphold the appeal of the Planning Commission's decision to adopt the MND and the Project.

Sincerely,



Rachel Mansfield-Howlett

Attorney for Appellants and Protect Our Plaza

Tom Brohard and Associates

July 23, 2018

Ms. Rachel Mansfield-Howlett
Provencher & Flatt, LLP
823 Sonoma Avenue
Santa Rosa, California 95404

SUBJECT: Review of Initial Study for the Sonoma Cheese Factory in the City of Sonoma – Traffic and Transportation Issues

Dear Ms. Mansfield-Howlett:

As you requested and authorized, I, Tom Brohard, P.E., have reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) and related documents for Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West Spain Street in downtown Sonoma.

While the Project is now smaller than originally envisioned, the Project still includes a 3,538 square foot expansion of the 11,397 square foot building plus occupancy and use of currently vacant area within the existing building. Additionally, at least 50 new employees will be added at the site.

Even if the square footage area is calculated correctly in the reports, there is evidence that significant traffic impacts will remain. Baseline data upon which the traffic study is based is flawed. The data was collected during November 2017, an off-season month for Sonoma visitors, and more importantly, it was gathered only two weeks after the October fires had devastated Napa and Sonoma Counties.

Trip generation for the Project was also arbitrarily reduced by 75 percent, a substantial, faulty reduction that is not supported by the supplemental reports provided.

The documents I have reviewed include:

- February 2018 Initial Study for the Sonoma Cheese Factory Reconfiguration and Expansion
- February 14, 2018 Final Transportation Impact Analysis Report (Traffic Study) prepared by Fehr & Peers
- March 20, 2018 Supplemental Traffic Information for the Sonoma Chees Factory Project Transportation Impact Analysis prepared by Fehr & Peers
- April 9, 2018 Sensitivity Traffic Analysis and Additional Information for the Sonoma Cheese Factory Project Transportation Impact Analysis prepared by Fehr & Peers

Ms. Rachael Mansfield-Howlett
Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West Spain Street – Traffic and Transportation Issues
July 23, 2018

It is my professional opinion that there is substantial evidence that the Sonoma Cheese Factory Project at 2 West Spain Street will have adverse traffic and transportation impacts that have not been properly disclosed, analyzed, and mitigated.

The Traffic Study relies on unrealistically low baseline traffic volumes collected immediately after the fires and does not properly calculate, evaluate, or analyze the increase in vehicle trips that will be created by the Proposed Project. The resulting significant traffic impact in the PM peak hour under cumulative conditions at the First Street East intersection with East Napa Street, as well as currently undisclosed impacts, must be appropriately addressed in an EIR that includes implementation of feasible mitigation measures for the Sonoma Cheese Factory Project.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 45 years of professional engineering experience. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. I formed Tom Brohard and Associates in 2000 and now serve as the City Traffic Engineer for the City of Indio and as Consulting Transportation Engineer for the City of San Fernando. I have extensive experience in traffic engineering and transportation planning. During my career in both the public and private sectors, I have reviewed numerous environmental documents and traffic studies for various projects as indicated on the enclosed resume.

Traffic and Transportation Issues

Based on my review of the reports, there is a “fair argument” that the Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West Spain Street will have significant traffic and transportation impacts as follows:

- 1) Site-Specific Retail Square Footage for the Existing Building Has Been Incorrectly Calculated – The Project Description in the Initial Study indicates that there will be a 3,538 square foot expansion of the 11,397 square foot building, bringing the total square footage of the building to 14,935 square feet. The current retail operation in the existing building is about 5,500 square feet, leaving about 6,100 square feet in the existing building not open to the public, in the form of vacant space, offices, and storage. In reality, therefore, the Proposed Project increase in retail square footage goes up from 5,500 square feet to 14,935 square feet with the added building square footage. The

Ms. Rachael Mansfield-Howlett
Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West
Spain Street – Traffic and Transportation Issues
July 23, 2018

expansion of the retail space and the square footage of the Proposed Project is actually about 9,435 square feet, not just the 3,538 square feet in the building's physical addition.

- 2) Trip Generation Rate Calculations Based on Square Footage Are Incorrect - Trip generation rates in the Traffic Study are calculated based on the 11,397 square feet in the existing building, but only 5,500 square feet are being used by the existing retail business. Trip rates must be adjusted to properly represent trips that will be generated by occupancy of the vacant space within the existing building that is now closed to the public as well as the new square footage. This error in the trip generation rate results in trip forecasts that are only about half of what will actually occur. In addition, at least 50 new employees will be added at the site, generating more trips than were forecast by the Traffic Study.
- 3) Trip Generation Rates Were Arbitrarily Reduced To 25% – The Traffic Study developed unique trip generation rates for the space proposed to be added to the Sonoma Cheese Factory. The Supplemental Reports attempt to support these adjusted trip generation rates that were calculated based on dividing the calculated rates by four, using only 25% of the rates. Again, the Supplemental Reports attempt to support this faulty methodology that assumes that Sonoma Cheese Factory patrons will also visit three other businesses in the immediate area. These adjustments appear to have been made to reduce and/or eliminate the significant traffic impacts that would otherwise occur.

A very common, simple, and widely accepted practice in conducting trip generation studies involves interviews with pedestrians and/or motorists to get more information about their trips. With the single pedestrian entrance/exit to the Sonoma Cheese Factory and the counts that were made there, it would have been appropriate to validate the critical assumption that each patron stopped at three other businesses, and that dividing the calculation by four was appropriate and proper. Reduction of the trip rates by 75% cannot be supported and certainly is not validated by the data.

- 4) Inappropriate Baseline Traffic Counts Were Used – Counts of vehicles, pedestrians, and bicyclists for the Traffic Study were conducted on Saturday, November 11, 2017, and on Tuesday, November 14, 2017. Several residents and other sources have pointed out that the counts made for the Traffic Study in mid-November are lower than normally experienced during the higher tourism months from May through September. More importantly, the devastating fires near the community were extinguished at the end of October, only two weeks before the counts were made. It took a number of months for tourism to rebound as many potential tourists believed that the downtown was

Ms. Rachael Mansfield-Howlett
Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West
Spain Street – Traffic and Transportation Issues
July 23, 2018

also damaged by fire. NPR published this article on November 11, 2017, the same day the traffic counts were being conducted:

<https://www.npr.org/2017/11/11/563288201/after-fires-california-wine-country-wants-tourists-back>

While hotel occupancy was somewhat higher than expected in early November, evidence indicates people who rented rooms were those associated with the recovery or residents of the area who had lost their homes, not tourists.

Substantial and dramatic evidence is found by viewing Google-Earth aerial photography. These historical photos show parked vehicles in the downtown area on May 20, 2017 (Saturday) under normal conditions, on October 17, 2017 (Tuesday) when fires raged in the area, and on February 5, 2018 (Monday) when tourism was rebounding. While the Traffic Study and the Supplemental Reports attempt to justify the use of the lower impacted traffic counts, the Google-Earth photos clearly show what occurred.

- 5) Pedestrian Crosswalks Were Not Adequately Evaluated – There is a ladder-style marked midblock pedestrian crosswalk across West Spain Street directly in front of the Cheese Factory. Angle parking adjacent to this crosswalk reduces the visibility of pedestrians crossing the roadway. There are advance “Ped Xing” pavement markings but there are no pedestrian crossing warning signs. Even during the slower activity month of November, “...very heavy pedestrian volumes...” were experienced in the downtown area as noted in the “Field Observations” section of the Traffic Study on Pages 25 and 26. As can be seen on the ground level Google-Earth photography, pedestrian crossings can adversely impact the movement of vehicles during peak hours at the midblock crossing as well as at the adjacent four-way STOP controlled intersections.

Even with this substantial evidence, Page 35 of the Traffic Study concludes that the Proposed Project would not substantially degrade the pedestrian or the bicyclist environments. This conclusion cannot be supported.

Page 36 of the Traffic Study provides recommendations for advance signing of the midblock crosswalk and for bulb-outs at the marked crosswalks to shorten the pedestrian crossing distances. While these are positive and beneficial mitigation measures, they are dropped and not recommended for implementation by the Traffic Study. In addition to their installation at the midblock crosswalk, bulb-outs should also be considered at the adjacent intersections on Spain Street which have long, highly skewed crosswalks.

Ms. Rachael Mansfield-Howlett
Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West
Spain Street – Traffic and Transportation Issues
July 23, 2018

The Proposed Project will add pedestrians crossing at the mid-block crosswalk as well as at the adjacent intersections. Existing pedestrian crossings are described on Page 21 of the Traffic Study but Project impacts at these locations are not studied, analyzed, or evaluated.

All crosswalks including those at the adjacent intersections need to be analyzed and evaluated to determine if pedestrian traffic signals are warranted. Regulation and control of the pedestrian crossings for the increased pedestrian volumes to and from the Proposed Project and to create gaps in the pedestrian crossings to reduce the traffic congestion on Spain Street should be considered.

- 6) Tuesday Night Farmers Market Was Not Considered – Each Tuesday night during the tourist season from May through October, there is a Farmers Market in the Square. There are also other special regularly scheduled events at the Square. These special events draw many visitors to downtown Sonoma, creating additional congestion on the downtown streets as can be seen on Google Maps with the red coloring on the map indicating very slow traffic. The impact of the additional trips to and from the Cheese Factory Expansion were not studied, analyzed, or evaluated together with the Tuesday Night Farmers Market.
- 7) Sufficient Parking May Not Be Provided in a Timely Manner - While the adequacy of parking is no longer a CEQA issue, traffic impacts caused by lack of parking is. The Traffic Study indicates that the demand created for additional parking for the Cheese Factory Expansion will create the need for an additional 13 parking spaces. This additional parking must also accommodate parking required by the 50 additional employees of the Proposed Project. The Traffic Study recommends that the Casa Grande off-street parking lot be redesigned to provide the additional parking needed or that the parking area be expanded. While the Traffic Study recommends that \$60,000 be provided to meet the increased parking demand, there is no evidence to show whether this fee is sufficient to provide the necessary additional parking spaces or if the parking will be provided in a timely manner.

Furthermore, additional parking demand is likely to spillover onto the adjacent residential areas, creating significant traffic impacts.

As discussed throughout this letter, there is substantial evidence that the Sonoma Cheese Factory Reconfiguration and Expansion Project will have adverse environmental impacts that have not been properly disclosed, analyzed, or mitigated. This evidence presents a “fair argument” of traffic impacts.

Ms. Rachael Mansfield-Howlett
Reconfiguration and Expansion of the Sonoma Cheese Factory at 2 West
Spain Street – Traffic and Transportation Issues
July 23, 2018

The various flaws and deficiencies outlined above must be addressed through further analysis in an EIR. Feasible and effective mitigation measures for the significant traffic impacts that will occur under "Cumulative plus Project" conditions in the PM peak hour in downtown Sonoma must also be developed and implemented.

If you have questions regarding these comments, please contact me at your convenience.

Respectfully submitted,

Tom Brohard and Associates



Tom Brohard, PE
Principal



Enclosures

Tom Brohard, PE

- Licenses:** 1975 / Professional Engineer / California – Civil, No. 24577
1977 / Professional Engineer / California – Traffic, No. 724
2006 / Professional Engineer / Hawaii – Civil, No. 12321
- Education:** 1969 / BSE / Civil Engineering / Duke University
- Experience:** 45+ Years
- Memberships:** 1977 / Institute of Transportation Engineers – Fellow, Life
1978 / Orange County Traffic Engineers Council - Chair 1982-1983
1981 / American Public Works Association – Life Member

Tom is a recognized expert in the field of traffic engineering and transportation planning. His background also includes responsibility for leading and managing the delivery of various contract services to numerous cities in Southern California.

Tom has extensive experience in providing transportation planning and traffic engineering services to public agencies. Since May 2005, he has served as Consulting City Traffic Engineer for the City of Indio. He also currently provides “on call” Traffic and Transportation Engineer services to the Cities of Big Bear Lake and San Fernando. In addition to conducting traffic engineering investigations for Los Angeles County from 1972 to 1978, he has previously served as City Traffic Engineer in the following communities:

- Bellflower..... 1997 - 1998
- Bell Gardens..... 1982 - 1995
- Huntington Beach..... 1998 - 2004
- Lawndale..... 1973 - 1978
- Los Alamitos..... 1981 - 1982
- Oceanside..... 1981 - 1982
- Paramount..... 1982 - 1988
- Rancho Palos Verdes..... 1973 - 1978
- Rolling Hills..... 1973 - 1978, 1985 - 1993
- Rolling Hills Estates..... 1973 - 1978, 1984 - 1991
- San Marcos..... 1981
- Santa Ana..... 1978 - 1981
- Westlake Village..... 1983 - 1994

During these assignments, Tom has supervised City staff and directed other consultants including traffic engineers and transportation planners, traffic signal and street lighting personnel, and signing, striping, and marking crews. He has secured over \$10 million in grant funding for various improvements. He has managed and directed many traffic and transportation studies and projects. While serving these communities, he has personally conducted investigations of hundreds of citizen requests for various traffic control devices. Tom has also successfully presented numerous engineering reports at City Council, Planning Commission, and Traffic Commission meetings in these and other municipalities.

In his service to the City of Indio since May 2005, Tom has accomplished the following:

- ❖ Oversaw preparation and adoption of the 2008 Circulation Element Update of the General Plan including development of Year 2035 buildout traffic volumes, revised and simplified arterial roadway cross sections, and reduction in acceptable Level of Service criteria under certain conditions.
- ❖ Oversaw preparation of fact sheets/design exceptions to reduce shoulder widths on Jackson Street and on Monroe Street over I-10 as well as justifications for protected-permissive left turn phasing at I-10 on-ramps, the first such installations in Caltrans District 8 in Riverside County; reviewed plans and provided assistance during construction of both \$2 million projects to install traffic signals and widen three of four ramps at these two interchanges under Caltrans encroachment permits.
- ❖ Reviewed traffic signal, signing, striping, and work area traffic control plans for the County's \$45 million I-10 Interchange Improvement Project at Jefferson Street.
- ❖ Reviewed traffic impact analyses for Project Study Reports evaluating different alternatives for buildout improvements of the I-10 Interchanges at Jefferson Street, Monroe Street, Jackson Street and Golf Center Parkway.
- ❖ Oversaw preparation of plans, specifications, and contract documents and provided construction assistance for over 50 traffic signal installations and modifications.
- ❖ Reviewed and approved over 1,200 work area traffic control plans as well as signing and striping plans for all City and developer funded roadway improvement projects.
- ❖ Oversaw preparation of a City wide traffic safety study of conditions at all schools.
- ❖ Obtained \$47,000 grant from the California Office of Traffic Safety and implemented the City's Traffic Collision Database System. Annually reviews "Top 25" collision locations and provides traffic engineering recommendations to reduce collisions.
- ❖ Prepared over 900 work orders directing City forces to install, modify, and/or remove traffic signs, pavement and curb markings, and roadway striping.
- ❖ Oversaw preparation of engineering and traffic surveys to establish enforceable speed limits on over 400 street segments.
- ❖ Reviewed and approved traffic impact studies for more than 35 major projects and special events including the annual Coachella and Stagecoach Music Festivals.
- ❖ Developed and implemented the City's Golf Cart Transportation Program.

Since forming Tom Brohard and Associates in 2000, Tom has reviewed many traffic impact reports and environmental documents for various development projects. He has provided expert witness services and also prepared traffic studies for public agencies and private sector clients.

May 20, 2017



- Legend**
-  Feature 1
 -  Feature 2
 -  Feature 3
 -  Feature 4
 -  Gallery
 -  Hotel
 -  Real Estate Co
 -  Sonoma Hotel
 -  Sonoma State Historic Park
 -  Warshaw Investment Services

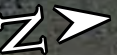


October 17, 2017

Write a description for your map.

Legend

- 1st St Et. & East Spain St
- Feature 1
- Feature 2
- Feature 3
- Feature 4
- Feature 5
- Feature 6
- Gallery
- Hotel
- Present Pregnancy
- Sonoma State Historic Park
- Sonoma Valley Sun
- Steiner's Tavern
- Warshaw Investment Services





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25 July 2018

City of Sonoma
Mayor Agrimonti and City Council Members
CityCouncil@sonomacity.org
Planning Director, David Goodison
davidg@sonomacity.org
No. 1 The Plaza
Sonoma, CA 95476

Re: Appeal Sonoma Cheese Factory Reconfiguration and Expansion

Dear Mayor Agrimonti and City Council Members,

I have been asked by the appellants and citizen's group, Protect Our Plaza, to provide input on the historic preservation aspects of the project review and approval determinations as presented in the MND and other approval documents. My review focuses on the impacts to historic resources.

CULTURAL RESOURCES

The historic resource evaluation found that the Sonoma Cheese Factory was found eligible for the CA Register under Criterion 1 (association with events). This cheese-making context is well presented and initial historic eligibility determination logical - but not complete. The existing building, as an early cheese making facility, is also a type of building designed for a specific purpose. Therefore it should be considered historic for that reason under Criterion 3. Criterion 3 should not be limited to architectural style as it also includes types of building. As this building has a strong relationship to the cheese making industry, and may be one of the earliest and most prominent cheese making factories in the City of Sonoma, the entire building that evolved over its period of significance should rise to a higher level of importance. Also, changes that were made over time to accommodate cheese-making functions should be evaluated for consideration as character defining features.

Analysis of character defining features- the original evaluation generally misstated the importance of the body of the building and rear additions. Rear additions that occurred prior to the end of the buildings POS (1968) are all part of the development of the factory building supporting the cheese-making operation. Only changes to the building that occurred after the POS can be considered non-contributing. The fact that the original use is no longer present in a space does not change the reason that the functional space was built in the first place. The MND improperly states that the POS for the building is 1945, when in fact it is 1945-1968. Being the building is potentially eligible under Cal Register Criterion 1 (events), the POS reflects a period of time when the cheese-making operations were ongoing.

Statements regarding the change of use of spaces in the building such as “additions are no longer used for cheese production” and conclusions drawn that they are therefore not character defining are not applicable. As long as the building elements retain their original configuration they are character defining. It would be comparable to say that “because a building is vacant, it can't be historic” - this isn't the case in historic building evaluations.

There is a lack of discussion regarding the cheese making process. Without this understanding, and without a discussion of the way the building was used in that process (nor an evaluation of the historical integrity of the spaces), one cannot conclude that additions are not part of the historic property. The utilitarian characteristic of the additions also has no bearing on the historic nature of portions of the structure. As they are part of a factory representing an industrial process, a utilitarian characteristic could easily be expected.

AESTHETICS

Regarding the Aesthetics section of the MND - the primary design concept that the project attempts to use for compliance with the Standards is the idea that a remnant portion of the eligible building is sufficient to communicate the history behind cheese making in Sonoma. Being 90% of the structure is being demolished, with only an appendage of the building's facade remaining, the new building can hardly be called an addition. The new building should reference the remnant appendage of the original building as such.

A 1 1/2 page peer review of the projects impact's analysis finds no problems with the proposed project “appendage” concept as being in keeping with NPS documents regarding the handling of historic structures. It oddly quotes one sentence out of the Standards regarding “economic and technical feasibility”. As with many complex issues, a sound-bite cannot substitute for a complete analysis nor a full understanding of the Standards. A full reading (and thorough understanding) of the Standards would show that retention of character defining features are, in fact, a very important aspect of building preservation and that the Standards are to be applied within the context of protecting that historic significance and fabric. The equation does not allow removal of historic fabric to be justified solely on grounds of economic or technical feasibility.

The materials used on the new building have little relationship to the materials of the factory, choosing a primary material (wood) assumed to be from the adjacent historic Servants Quarters horizontal siding. The wood screen is oriented in a vertical pattern with no relationship to its surroundings. The stone material used is referenced to blend with the planters of the same project's design - not necessarily from surrounding context.

The proposed new building looms over the historic Servant's Quarters, changing the setting of the Park's historic structures and views to the mountains beyond from various vantage points from the Southeast and East.

The effective height of the new building is significantly taller than the existing building in that the new parapet juts up at the exterior wall, while the existing building has a sloped gable roof sloping up from the east and west to a center ridge. Viewed from the Plaza, street, or from the State Park property, the existing building is visually lower than the proposed.

MITIGATIONS

Mitigations are used in a confusing fashion in the MND. Mitigations, in this case, should not be used as compensation for the loss of critical historic character defining features. The suggested primary, non-tangible, mitigations do not protect the existing historic fabric.

The use of an “affinage element” (cheese related use of space) as a substitute for protection of historic significance and character defining features is not comparable to the retention of actual historic fabric. It does not substitute for the removal of historic fabric, nor should it be considered as complying with the Secretary of the Interior’s Standards for Rehabilitation.

Additionally Interpretive displays and HABS documentation are not substitution for compliance with the Standards. These two tasks are to document and share what will be lost, so not a mitigation as such for the demolition of character defining features. These types of products are often used as adjunct activities after finding significant impacts- they do not reduce impacts to less than significant.

HABS documentation should also be performed on the Servants Quarters as the adjacent project’s construction activities have a potential for damage State Parks property. Additional specific construction related protections should be evaluated, approved, and put into place before construction commences. These protections should be lead by a qualified historical architect / engineer meeting NPS professional qualification standards. Currently the historic building protections are inadequate for the subject property or adjacent historic properties.

Impacts to the adjacent Servant’s Quarters- the walkway being proposed by the developer does not show any detail, nor do the conditions of approval fully acknowledge, the need for protection of the adobe material of the West wall of the historic Servants Quarters. Adobe is one of our most fragile archaic building materials - primarily damaged by moisture and physical contact. The burden of project review has been placed on State Parks as the arbiter of what is correct as opposed to the City having an expectation of the developer to present an appropriate design. The walkway is shown overlapping the property line and there is a good chance that moisture-trapping materials will be placed right up to the Servants Quarters building. In addition, landscaping materials may also be placed, along with inappropriate irrigation of that landscaping. Physical contact between passersby and any equipment moving along the walkway have the possibility of damaging the earthen wall and plaster finish. All of these items can be established as part of the project design in relation to sensitive adjacent historic materials.

STATEMENT OF FINDINGS OF FACTS AND THE CONDITIONS OF PROJECT APPROVAL

SOFF - Aesthetics- 2. Consistency with Design Guidelines. As stated in the Project documents the guidelines are explicitly based on the SISR, and are to be applied MORE STRICTLY to project review in Sub-area 1. Quoting the SOFF: “Specifically, the project is evaluated in terms of Chapter 5: “Guidelines for Additions to Existing Buildings.” Because the project site is located within Sub-Area 1 of the Downtown District, which comprises the area of encompassed by the Sonoma Plaza National Historic Landmark and the Sonoma Plaza National Register Historic District, the guidelines are to be applied more strictly than would be the case otherwise.”

Great liberties have been taken with the Standards as they have been applied to this project. It is unclear how strict interpretation of the Standards have been established when the degree of character defining feature demolition has exceeded 90%, and such concepts as HABS documentation and interpretive panels mitigate the loss of historic fabric. This is not considered best practice in the management of historic resources.

COA - 11F. Resource Protection: Although vibration related to construction activities are to be monitored for the Servants Quarters, additional construction related monitoring should be undertaken with much more elaborate direction from the MND.

As the analysis of the historic resource is not complete and seemingly inappropriate, the resulting analysis and mitigations in the MND are misleading or incorrect. The project should receive the attention of a full Environmental Impact Report. Please uphold the appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Garavaglia". The signature is fluid and cursive, with the first letter "M" being particularly large and prominent.

Michael Garavaglia, A.I.A. LEED AP BD+C
President, Garavaglia Architecture, Inc.

EXHIBIT "A" TO ATTACHMENT 1



Ahead of the Curve
in creative parking solutions

DOWNTOWN NAPA PARKING IMPACT FEE NEXUS STUDY NAPA, CA

Prepared for:
CITY OF NAPA

APRIL 6, 2016



WALKER
PARKING CONSULTANTS



TABLE OF CONTENTS

PARKING IMPACT FEE BACKGROUND	1
STUDY AREA CURRENT CONDITIONS (PARKING SUPPLY)	6
EXISTING AND LONG-TERM DEMAND AND PARKING SHORTFALL	7
PARKING IMPACT FEE COMPONENTS	12
PROPOSED PARKING IMPACT FEE	14

LIST OF TABLES AND FIGURES

Table 1: Study Area – Public On-Street and Off-Street Parking Supply	7
Table 2: Study Area – Surplus Public Parking Spaces during Peak Period	9
Table 3: Existing Mixed Use, Office and Retail Space as of July 2014	9
Table 4: Additional Parking Demand in Study Area Based on Projected Downtown Specific Plan Build-Out	10
Table 5: Net New Public Parking Spaces Required at Downtown Specific Plan Build-Out	12
Table 6: City Parking Fund Balance for New Parking Supply (2016 Dollars)	13
Table 7: Parking Impact Fee Calculation in 2015-2030 Timeframe (2016 Dollars)	14
Figure 1: City of Napa Parking Exempt District Boundary	1
Figure 2: Study Area and Public Parking Supply	5
Figure 3: Occupancy by Time of Day on Thursday July 10, 2014	8
Figure 4: Net Estimated Parking Demand Change by Parcel (per Downtown Specific Plan through 2030)	11

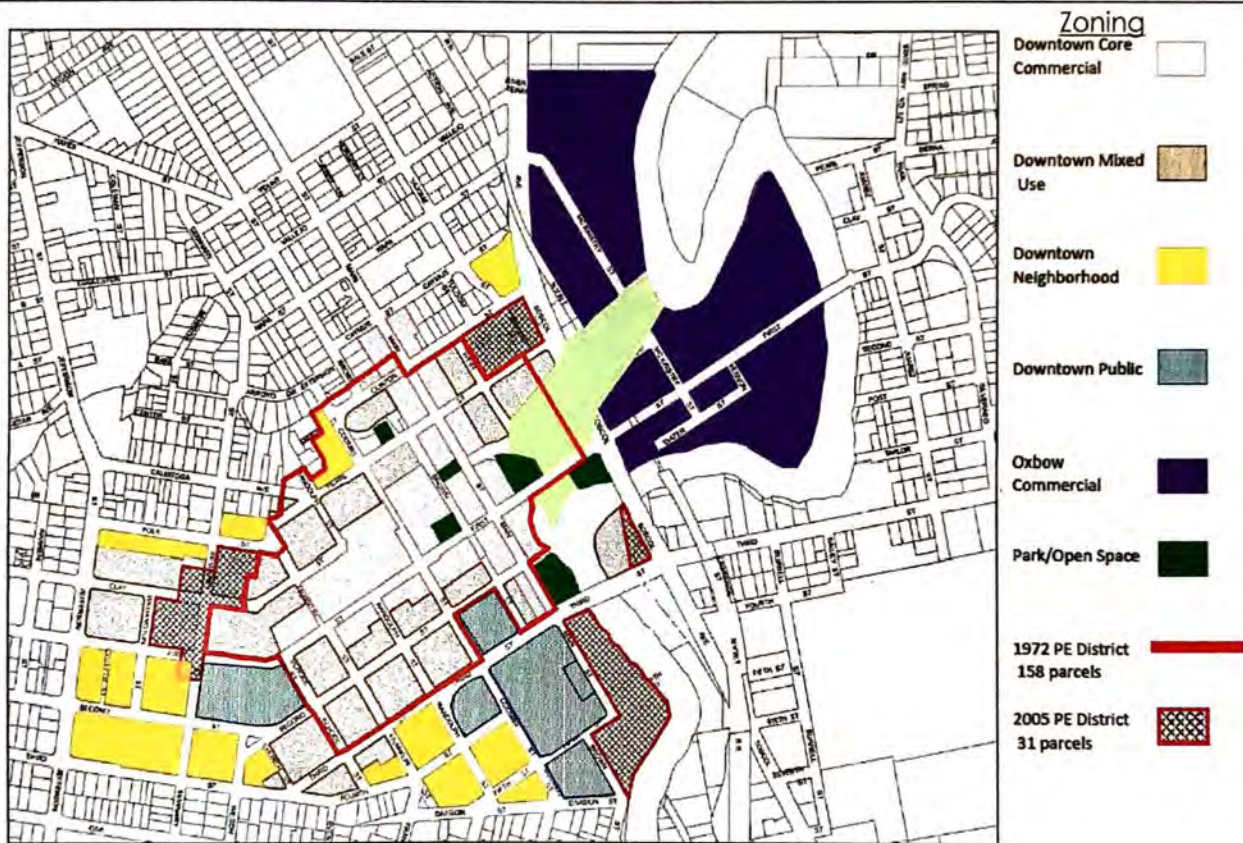
APRIL 6, 2016

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PARKING IMPACT FEE BACKGROUND

The City of Napa currently charges a parking impact fee on the parking demand generated by net new non-residential development located within the boundaries of the Parking Exempt District ("PE District"). The PE District's boundaries, which were modified in 2005 to include 31 additional parcels (depicted in hash-mark shading) for a total of 189 parcels, are shown on the map in Figure 1.

Figure 1: City of Napa Parking Exempt District Boundary



Source: City of Napa

The parking impact fee is codified in Napa Municipal Code chapter 15.104 and was adopted in 2005 in conjunction with the PE District boundary expansion. The fee originally was set at \$7,500 per required parking space (net new) to help mitigate the new development's impact on the public parking supply. The fee does not apply to residential properties because they are required by code to provide on-site parking. The net new parking impact is derived by subtracting the gross square footage of existing development on a site from the gross new square footage of the new development project, and applying the adopted parking standard(s) as defined in the zoning code to the net new square footage. The Parking Impact Fee is then charged on each net new parking space generated by the project. The development project receives "credit" for the parking demand generated by the existing non-residential square footage on the site. The parking impact is calculated based on land uses and the City's parking requirements (Municipal Code Chapter 17.54, see Section



APRIL 6, 2016

33-1804.00

17.54.040(D), and Downtown Specific Plan Chapter 6, see Table 6.2), generally as follows for non-residential uses:

- For commercial and office uses: 3.2 spaces per 1,000 square feet of ground floor space, and 2.4 spaces per 1,000 square feet of second floor or higher space.
- For hotels and motels, 1 space per sleeping room plus 1 space for manager plus 1 space for every 2 employees (full or part time) plus, if hotel has convention, banquet, restaurant or meeting facilities, parking shall be provided in addition to the hotel / motel requirement, as determined by the Planning Commission, based on a parking study.
- For bed and breakfast inns, 1 space shall be provided for the owner/manager's unit and each guest room. Credit may be given in limited instances for on-street parking fronting the structure where a survey documents such parking is available and does not affect adjacent residential uses.
- For public/quasi-public facilities, standards are typically established through parking studies of the specific use.
- For mixed use, which is defined by the Downtown Specific Plan ("DSP") as a mix of uses that are either office, commercial/retail, residential, lodging/hospitality, institutional, public and quasi-public, a blended factor of 3.2 spaces per 1,000 square feet is applied in the Nexus Study to the non-residential portion of future development since the precise mix of uses is unknown. Any residential component is required to incorporate parking on site.

NEXUS STUDY APPROACH

This Nexus Study serves as an update to the 2004 nexus study prepared by Economic & Planning Systems (EPS). In the EPS nexus study, the cost per space to construct structured parking was approximately \$21,500 excluding land, which equated to a cost to the developer of approximately \$44 per square foot of the private development. At the time, the total demand for parking in the PE District was not as high as today, nor as high as anticipated in the future. The City Council established a lower fee to encourage continued private investment in Downtown while still helping the City obtain funding to help with construction of new parking. At that time, the City's redevelopment agency was a funding source to supplement the Parking Impact Fee, and near-term development was anticipated to generate several million dollars in parking impact fees to apply to a new parking structure. Since the Parking Impact Fee's establishment in 2005, two large development projects constructed parking on site and the country experienced a recession which slowed the pace of development. As a result, the City has collected only \$1.1 million in parking impact fees to date.

As a first step of the Nexus Study, Walker Parking conducted field verifications of the City's parking inventory and surveyed parking utilization in the PE District on July 10, 2014, referred to as the "benchmark date" for this analysis. Some changes worth noting since the parking impact fee was established include:

APRIL 6, 2016

33-1804.00

- 1) The EPS study determined there was 835,000 square feet of retail and office space in the PE District in 2005, compared to approximately 1,164,000 square feet of retail, office and mixed use development in the PE District at the benchmark date, an increase of 329,000 square feet. This total is for all occupied and unoccupied buildings, but does not include public and quasi-public facilities, primarily because most if not all of the public facilities in the Study Area are served by on-site parking (e.g., City Hall and other City offices) and the assumption is that any future expansion of public facilities, whether in the Study Area or on the periphery, will require a physical parking solution rather than payment of the Parking Impact Fee. Note that some new development constructed since 2005 included on-site parking, specifically Napa Square provided 44 parking spaces for its office and retail tenants, and Riverfront Napa provided 229 parking spaces total (68 for residents, the remainder for customers and tenants in the property). The 141-room Andaz Napa hotel was completed in 2006, and now leases the top level of the Clay Street Garage (54 spaces), and through valet is permitted to park 75 cars by stacking. Rather than paying a parking impact fee up front, the hotel makes a monthly payment to the City based on an annual schedule over a 30-year term.
- 2) The County-owned Fifth Street parking garage was completed in 2009, adding 277 spaces to the public supply and 208 spaces that are restricted for County fleet or private use by occupants of the nearby Riverfront Napa and Napa Mill properties.
- 3) Parking occupancy peaks have shifted over time and parking demand has expanded into evenings and weekends.
- 4) The DSP, adopted in 2012, incorporated new parking standards and included updated long-term land use projections for the study area, which includes the PE District.
- 5) The Napa River Bypass, completed in 2015, resulted in removal of 122 surface and on-street public parking spaces at Lot X and West Street in the north end of the PE District.
- 6) In addition, there have been other minor changes in parking supply and the costs to build and operate parking have changed as well.

For these reasons, an updated nexus study is warranted.

The benchmark date total development figure includes the gross square footage for all existing buildings in the PE District, whether occupied or unoccupied. A "parking credit" was incorporated into the analysis by applying the appropriate parking standard to the gross square footage of the vacant portion of the buildings that were unoccupied as of the benchmark date. Approximately 154,000 square feet, or 13% of the 1,164,000 square feet, was vacant on the benchmark date. In all instances, the vacancies were retail and office space in commercial buildings. A significant portion of the vacancy was attributable to the Napa Center (aka "First Street Napa") renovation project, which accounts for slightly over 100,000 square feet of retail space.

Note that Walker's analysis assumes that the current PE District will be expanded to include the six parcels now zoned Downtown Core Commercial in the Downtown Specific Plan, located

APRIL 6, 2016

33-1804.00

on Main Street between Clinton and Caymus streets, as shown on Figure 2. The remainder of this report will refer to this expanded area as the "Study Area."

Per the State of California Mitigation Fee Act (Government Code section 66000 et seq.), in order to establish, increase or impose a fee as a condition of approval of a development project by a local agency, the local agency shall do all of the following¹:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

¹ <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=65001-66000&file=66000-66008>

Figure 2: Study Area and Public Parking Supply



Source: City of Napa; Walker Parking Consultants

The Nexus Study will:

- Assess existing parking supply and demand in the Study Area, and determine current parking surplus during peak parking demand conditions.
 - This assessment will include parking demand that would be generated by properties within the Study Area that were vacant on the benchmark date, which will be assigned a "parking credit" should those properties become occupied after the benchmark date. Upon occupancy these properties will create parking demand on the current parking system but will not be subject to a parking impact fee, unless they redevelop by adding net new (non-residential) square footage.
 - By considering parking occupancy during peak parking demand conditions, this assessment also will consider private properties with on-site parking that serves private development in the Study Area.



APRIL 6, 2016

33-1804.00

- Project future parking demand based on DSP development projections plus any known development since the 2012 DSP adoption that has not been included in the projections.
- Determine future parking shortfall based on the projections.
- Determine the costs to produce the parking required based on the projections, and subtract the funds the City has on hand to determine the funding need.
- Calculate parking impact fee per space required to provide required funding to fill the need.

STUDY AREA CURRENT CONDITIONS (PARKING SUPPLY)

This section outlines the current conditions of public parking starting with the supply in the Study Area, followed by the surplus of spaces during peak conditions.

PUBLIC PARKING SUPPLY

Public parking supply in the Study Area is depicted on Figure 2 and summarized on Table 1. It includes spaces that are owned and/or operated by the City of Napa and made available to the general public, including the portion of Parking Lot A on Second Street behind Goodman Library which is owned by the City of Napa Parking Authority. It also includes the 277 spaces in the County-owned Fifth Street Garage that are non-restricted and available for public use, as well as the County-owned Sullivan lot at Third and Coombs streets (block 28 on Figure 2. This garage and lot are located just outside the PE District boundary but serve development in the PE District.) It does not include spaces that are reserved for specific user groups such as private firms or public vehicles, rendering the spaces unavailable for general public use.

Through a parking license agreement with the City, the Archer Hotel will have exclusive use of 145 spaces in the Pearl Street Garage. Those spaces are included in the total parking supply counts, even though they will not be available for general public use on a self-park basis. They will, however, serve to park customers to the hotel and adjoining restaurants and retail spaces, and through valet parking and car stacking the hotel will be permitted to park an additional 45 cars, beyond the 145 striped spaces, on the top level of the garage. Upon completion of the hotel project, the hotel developer will pay \$3.15 million to the City's Parking Fund, which greatly exceeds the Parking Impact Fee requirement and will help accelerate the City's ability to build a new downtown parking structure. Through a similar parking license agreement with the City, the Andaz Hotel has exclusive rights to valet 74 cars in 54 striped spaces on the top level of the Clay Street garage, for which the hotel is making an annual payment of approximately \$50,000 per year, which escalates over a 30-year term for approximately \$2 million to the City's Parking Fund in exchange for those privileges. The 54 licensed spaces are included in the parking supply counts.

There are 1,984 spaces of total public parking supply in or serving the Study Area, of which 643 are on-street and 1,341 are off-street. Walker Parking has applied an effective supply factor of



APRIL 6, 2016

33-1804.00

85% for on-street and 90% for off-street parking spaces, which is industry standard². Effective supply reflects the fact that parking systems are "effectively" full at less than 100% occupancy. It accounts for the dynamics of vehicles moving in and out of spaces as well as lost spaces due to misparking, debris, construction, etc. The effective public supply for the Study Area is 1,754 spaces.

Note that the DSP parking demand factors incorporate an effective supply factor, which is described as "practical capacity" on page 182 of the DSP (Table 6.3, footnote 5).

Table 1: Study Area – Public On-Street and Off-Street Parking Supply

Type	Spaces	Effective Supply Factor	Effective Supply
On-Street	643	85%	548
Lots	460	90%	415
City Garages	881	90%	791
Total	1,984		1,754

Source: City of Napa; Walker Parking Consultants

EXISTING AND LONG-TERM DEMAND AND PARKING SHORTFALL

This section addresses the existing and projected long-term parking demand through the end of the Downtown Specific Plan projection period (year 2030).

EXISTING DEMAND

For the existing demand analysis, Walker Parking:

1. Verified the existing development in the Study Area as of the benchmark date, utilizing a City-provided parcel-by-parcel database of existing development by square footage. The database includes building square footages that were vacant. As previously noted, as of the benchmark date, there was approximately 1,164,000 square feet of floor area with approximately 1,010,000 occupied square feet and 154,000 vacant square feet.
2. Conducted a field observation of peak parking conditions generated by occupied buildings. Based on field data collection in July 2014, peak parking conditions were experienced on Thursday afternoon at 1:00 PM, which is typical in downtown areas.

² On-street effective supply of 85% is an industry standard that has been adopted and popularized by Professor Donald Shoup (an example is here: <http://shoup.bol.ucla.edu/CruisingForParkingAccess.pdf>). Off-street effective supply of 90% is cited in the book authored by Walker Parking Consultants staff titled *Parking Structures: Planning, Design, Construction, Maintenance and Repair*.

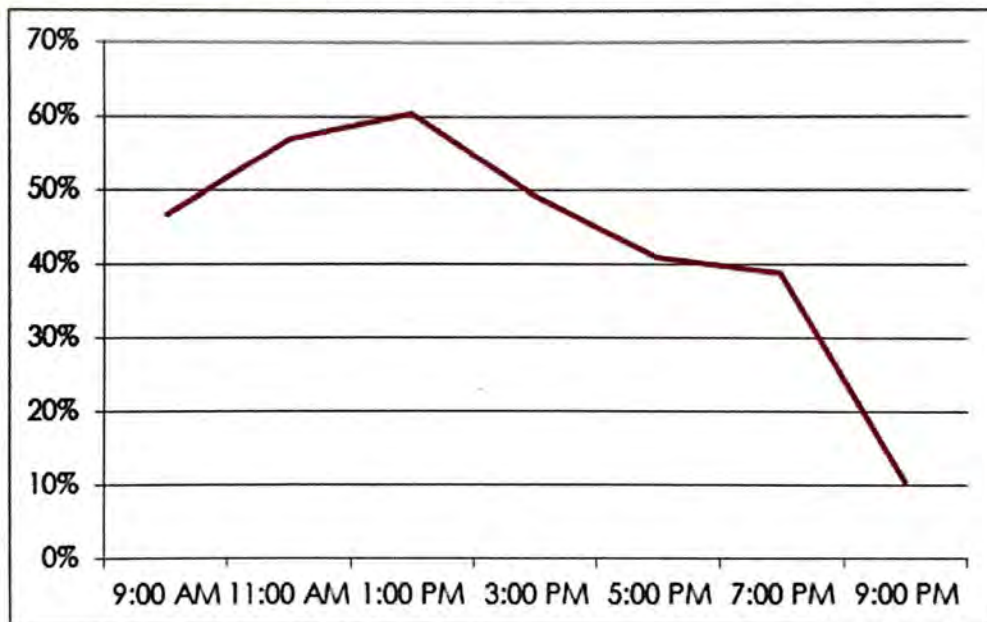
APRIL 6, 2016

33-1804.00

Figure 3 illustrates occupancy by time of day on Thursday July 10, 2014 in the Downtown Core, of which the Study Area is a part.

3. Estimated the parking demand that would be generated by vacant buildings if they were fully occupied, based on City parking requirements, since the parking demand generated by those unoccupied structures when occupied would use existing supply and would not be charged an impact fee.
4. Factored in existing demand for any property that has an approved entitlement that will generate additional parking demand on the public parking supply, but which has already mitigated that additional demand (namely the Archer Hotel. The Napa River Inn expansion also has approval and is not yet built, but it has mitigated its parking demand with private restricted parking supply in the Fifth Street Garage and is therefore not considered to create parking demand that will impact the public supply).

Figure 3: Occupancy by Time of Day on Thursday July 10, 2014



Source: Walker Parking Consultants

Of 1,754 spaces in the Study Area, there are 1,311 occupied at peak, leaving a surplus of 443 spaces, which is outlined on Table 2. The 1,311 occupied at peak is based on field observation on the benchmark date.



APRIL 6, 2016

33-1804.00

Table 2: Study Area – Surplus Public Parking Spaces during Peak Period

Type	Effective Supply	Occupied at Peak	Surplus	% of Total
On-Street	548	407	141	26%
Off-Street	1,206	904	302	25%
Total	1,754	1,311	443	25%

Source: City of Napa; Walker Parking Consultants

Table 3 summarizes occupied and vacant floor area and parking required for the vacant gross floor area (GFA), utilizing parking demand ratios specified. The analysis assumed second floor vacancies as office use with a parking demand of 3.2 spaces per 1,000 square feet; and vacant ground floor space as retail use with a parking demand of 2.4 spaces per 1,000 square feet in accordance with the DSP parking standards.

Table 3: Existing Mixed Use, Office and Retail Space as of July 2014

Use	Total GFA	Occupied GFA	Vacant GFA	Parking Required for Vacant GFA
Mixed Use	171,731	171,731	0	0
Office	344,632	333,855	10,777	34
Retail	647,869	504,826	143,043	343
Total	1,164,232	1,010,412	153,820	377
			(-) Surplus at Peak	443
			(=) Remaining Parking before Archer Demand	66
			(-) Archer Demand	145
			(=) Surplus/Shortfall	(79)

Source: City of Napa; Walker Parking Consultants

In summary, as of the benchmark date, effective public supply for the Study Area was 1,754 spaces; and existing development in the Study Area on the benchmark date required 1,311 parking spaces based on observation during peak parking demand period (Thursday at 1:00 PM). At the benchmark date, 153,820 square feet of commercial space was vacant that, when fully leased, will add demand for 377 parking spaces, based on current parking standards, which will not pay an impact fee. In addition, the Archer Hotel is already entitled and would add demand for 145 spaces. The current effective supply of 1,754 spaces does not meet the existing demand requirement as it is short by 79 spaces at parking peak.

PROJECTED DEMAND

To project demand for parking in the Study Area generated by future development that will be subject to the Parking Impact Fee, Walker Parking adjusted DSP-anticipated build-out by land use (2030) based on existing conditions data. The DSP projections included assumptions



APRIL 6, 2016

33-1804.00

regarding "opportunity sites" that would likely redevelop over time, and determined likely additional square footages for anticipated development by land use. The assumed land uses to generate future public parking demand include retail, office and lodging. Also, since the adoption of the DSP, two relatively small projects which paid a parking impact fee have been completed – The Thomas at Fagiani's, and Burger Fi – and are included in the benchmark date "existing development" calculation. Walker Parking compared the DSP development assumptions for these two sites to the actual impact and adjusted the long-term parking demand accordingly.

Table 4 illustrates the net parking required to support projected DSP build-out.

Table 4: Additional Parking Demand in Study Area Based on Projected Downtown Specific Plan Build-Out

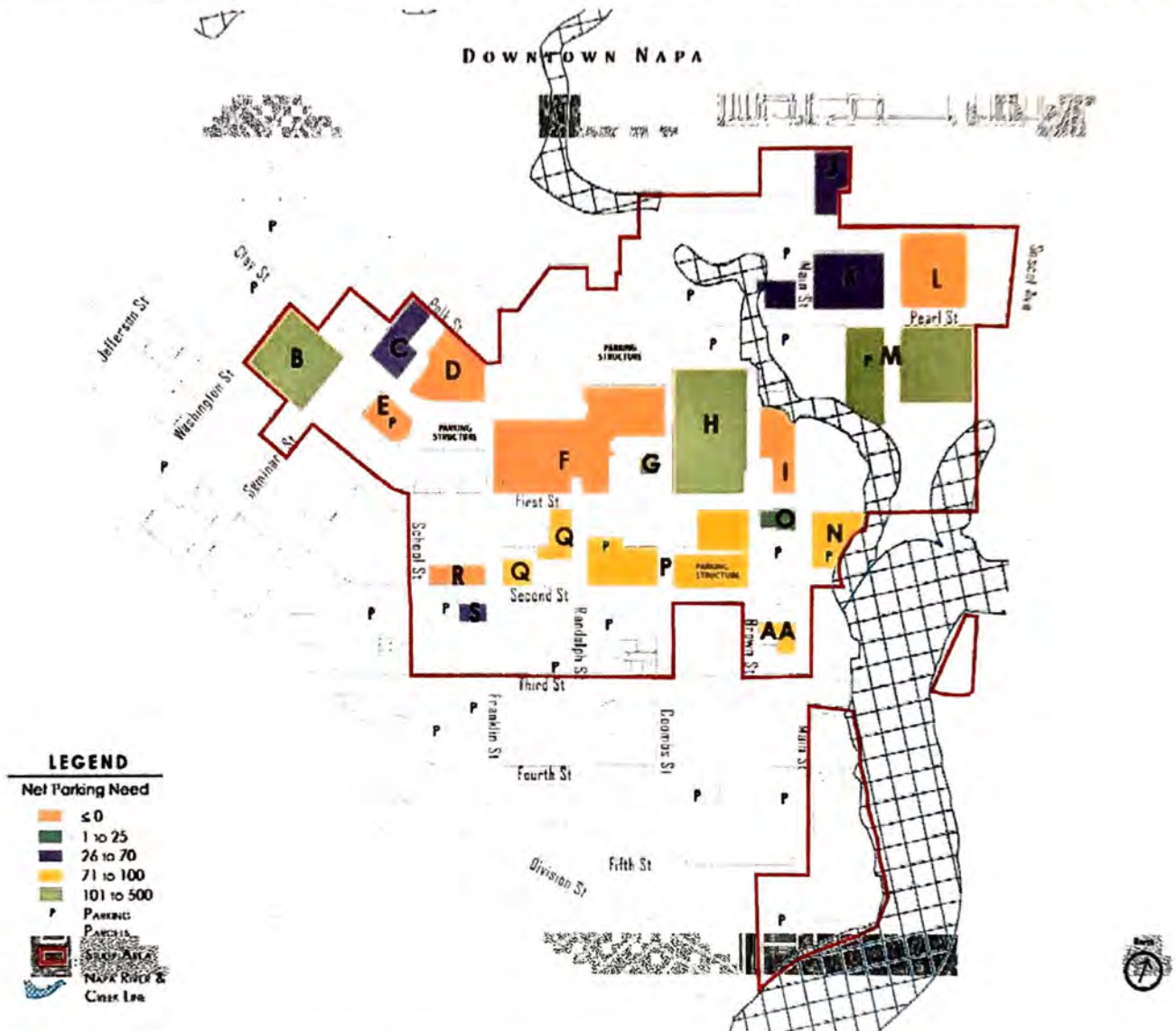
Net Change in SF - Ground Floor Uses	Net Change in SF - Second Floor+ Uses	Net Parking Change - Ground Floor Uses	Net Parking Change - Second Floor+ Uses	Total Net Parking for Projected Development
125,204	198,820	400	476	876

Source: City of Napa; Walker Parking Consultants

Figure 4 shows the anticipated future parking demand on a parcel basis.



Figure 4: Net Estimated Parking Demand Change by Parcel (per Downtown Specific Plan through 2030)



Source: City of Napa; Walker Parking Consultants

Anticipated residential development is not included in the analysis as it will be required to self-park in accordance with the Zoning Ordinance and DSP parking standards.

PARKING SHORTFALL

The parking shortfall is calculated by adding the parking required for vacant non-residential space as of the benchmark date (Table 3) with demand from the entitled Archer Hotel with the net parking required for projected development at DSP build-out (Table 4) then subtracting the surplus parking at peak on the benchmark date (Table 2).



Table 5: Net New Public Parking Spaces Required at Downtown Specific Plan Build-Out

Parking Required for Vacant Commercial Space	377
Parking Required for Entitled Archer Hotel	145
Net Parking Required for Projected Development	876
(-) Surplus Parking at Peak	443
Public Parking Required at DSP Build-Out	955

Source: City of Napa; Walker Parking Consultants

PARKING IMPACT FEE COMPONENTS

To determine the Parking Impact Fee, the Nexus Study estimates the current cost to build above-grade, structured parking, including the cost of land that a new parking facility would occupy. Walker Parking has assumed that future public garages would be built to a standard similar to the Fifth Street garage and would not have on-site staff or parking access and revenue control equipment. Structured, above-ground facilities represent the most reasonable option (as opposed to surface parking due to land scarcity) for the City to provide public parking in the future.

The Parking Impact Fee calculation also considers funds available to the City to provide required parking. Subtracting these funds from the total cost to provide all required parking, which is then divided by the total number of spaces to be provided, yields the total cost per space to provide required parking.

PARKING STRUCTURE COST

Walker estimates that the cost to build an above-grade parking garage in the San Francisco Bay Area is approximately \$27,000 per space, based on actual costs for above-grade parking garages of approximately 400 spaces for public agencies in the East Bay and San Francisco. This assumes per-space hard costs of \$22,500 and soft costs at 20% of hard costs. Hard costs relate to the costs associated with physical construction, such as labor and materials, while soft costs include items such as architecture, engineering and permit fees. It does not include the cost of land, extra amenities, upgraded construction materials, or subterranean parking.

For the purpose of the Nexus Study, Walker Parking assumed that by 2030, in order to provide the 955 spaces of public parking required at DSP build-out, the City would most likely have to build two new structures of approximately 480 spaces each (the equivalent of the Fifth Street garage). Like the Fifth Street garage, which has set a new standard and public expectation for parking structure design, the parking garages would each cost approximately \$13-\$15 million if constructed in 2016, or the equivalent of \$27-31 thousand per space. The higher per-space cost factors in costs for a possible level or half-level of subterranean parking which will likely be necessary to achieve the desired quantity of spaces; nice building materials equivalent to the Fifth Street garage; and amenities such as charging stations, solar panels,

APRIL 6, 2016

33-1804.00

and public art. Based on these assumptions, the total cost to the City in today's dollars would be \$26-\$30 million for two parking garages, excluding land.

At the benchmark date, the cost to acquire land in the PE District was approximately \$90 per square foot. Assuming each of the new garages would require a one-acre footprint, the estimated land cost for both garages in 2014-15 dollars would be \$7.84 million. Therefore, for the purpose of this analysis, the total estimated cost of 955 new parking spaces is \$33.8-\$37.8 million, or the equivalent of approximately \$35,400-\$39,600 per space. For the purpose of the Nexus Study, the cost of land is shown both as included and not included in the cost of future parking. Where the cost of land is not included, the City is contributing the land value (which was acquired using non-impact fee funding sources) to offset the cost of the parking impact fee imposed on new development.

EXISTING AND ANTICIPATED FUNDS FOR NEW PARKING FROM EXISTING SOURCES

In total, the City will have approximately \$8.0 million available at June 30, 2017, for the provision of new parking between its Parking Impact Fee, Parking Assessment, Parking License Agreement, and Flood Project parking mitigation funds. These funds are held in the City's Parking Fund for design and construction of future parking facilities. Maintenance funds are accounted for separately and are not included in the balance.

Of the existing funds, \$1.15 million is parking impact fee revenue, and the remaining \$7.50 million is non-parking impact fee revenue as illustrated in Table 6. The City has budgeted \$600,000 for interim surface parking from non-impact fee revenue sources, resulting in the remaining fund balance.

Table 6: City Parking Fund Balance for New Parking Supply (2016 Dollars)

Downtown Parking Assessment	\$233,092
Parking Impact Fee	\$1,155,000
Flood Project Mitigation	\$3,660,000
Parking License Agreement	\$3,602,500
Total Estimated Funds	\$8,650,592
(-) Approved Expenditures	\$600,000
(=) Remaining Fund Balance	\$8,050,592

Source: City of Napa

The City anticipates receiving an additional \$1.775 million from July 2017 through June 2039 from the Andaz parking license agreement. Payments are made on a monthly basis based on escalating annual installments. This revenue results in less than \$100,000 per year to the Parking Fund for most of the 30-year term and therefore can contribute to future parking incrementally.



PARKING IMPACT FEE CALCULATION

The parking impact fee calculation is based on the cost to provide above-grade structured parking for 955 required spaces in the 2015 to 2030 timeframe, minus funds that are expected to be on-hand. The total of hard and soft costs per space is assumed to be \$30,000 which would allow for upgraded materials, amenities, and some subterranean parking similar to the Fifth Street garage and as described under "Parking Structure Cost" above, and falls within the range specified previously. The cost to provide parking on City-owned land is approximately \$28.7 million. Under a scenario where land purchase is required, the cost of land is approximately \$7.8 million. Land costs are excluded in the City-owned land scenario since the land is assumed to be contributed by the City. Available funds of \$8.0 million are applied to both scenarios.

Table 7: Parking Impact Fee Calculation in 2015-2030 Timeframe (2016 Dollars)

Land Purchase Required

Net New Spaces Required	955
Hard and Soft Costs per Space	\$30,000

Total Cost of Parking	\$28,650,000
Land Value (2 acres at \$90 per SF)	\$7,840,800
(-) Available Funds	\$8,050,592

Net Funds Required \$28,440,208

Future Demand Subject to Parking Impact Fee	876
Total Cost/Space with Land Purchase	\$32,466

City-Owned Land

Net New Spaces Required	955
Hard and Soft Costs per Space	\$30,000

Total Cost of Parking	\$28,650,000
(-) Available Funds	\$8,050,592

Net Funds Required \$20,599,408

Future Demand Subject to Parking Impact Fee	876
Total Cost/Space on City-Owned Land	\$23,515

Source: Walker Parking Consultants

Where land purchase is required to provide the parking, the estimated fee to be charged to new development is approximately \$32,500 per space. Where new parking garages are provided on City-owned land, the fee is estimated at \$23,500 per space.

**APPEAL OF THE PLANNING COMMISSION APPROVAL OF THE
MITIGATED NEGATIVE DECLARATION AND CONDITIONAL USE PERMIT
FOR THE SONOMA CHEESE FACTORY REDEVELOPMENT & EXPANSION**

April 27, 2018

BASES OF THE APPEAL AND FACTS OF THE CASE

I. Under the provisions of the California Environmental Quality Act (CEQA), the environmental review is inadequate. The *Mitigated Negative Declaration* (MND) is flawed and is based on unverifiable assumptions, *including, but not limited to*:

a. *Aesthetics Impacts*

- i. The project is not compliant with Sonoma's Downtown Design Guidelines.
- ii. The project is not compliant with the Secretary of the Interior's Standards for Rehabilitation.
- iii. Inadequate analysis of the visual impacts of the proposed addition's scale, mass and height on the State Parks' historic structures in general and much smaller and subordinate Servant's Quarters in particular.
- iv. Inadequate analysis of the visual impacts of eliminating the alley and setback between the Marioni's Building (Mary's Pizza Shack) and Cheese Factory structure.
- v. The intensity and scale of the proposed project is incompatible with the existing commercial streetscape and historic structures.

b. *Cultural Resources Impacts*

- i. The project proposes to demolish major *character-defining features* of a historically significant structure.
 1. The shape and mass of the building, in the form of the 2-story element (retail with office above) and the 1-story factory element were built as one integral structure.
 2. This has particular importance because the historic significance of the building is the association with cheesemaking, not architecture.
 3. This represents an adverse impact under CEQA and proposed mitigation measures are insufficient.
- ii. Inadequate analysis of the impact on the historic cultural landscape of eliminating the alley and setback between the Marioni's Building (Mary's Pizza Shack) and Cheese Factory structure.
- iii. The peer review did not meet adequate standards for a properly conducted peer review.
- iv. Qualified historic evaluators have verified the above and a proper peer review will be submitted.

c. *Traffic & Transportation Impacts*

- i. The traffic study is flawed due to traffic counts obtained one month after Sonoma County's historic fires.
 1. November is generally a slower month on the Plaza and doesn't represent true peak-hour traffic and parking conditions; November

2017 was one of the slowest months on the Plaza in recent memory with business down 30-50% from typical Novembers, (a slow month) as a result of the wildfires.

- ii. Assumptions in traffic study model are without bases in fact.
- iii. Cumulative traffic impacts associated with other potential projects and public events such as the Tuesday Farmers' Market have not been adequately addressed.
- iv. Pedestrian impacts at the crosswalk in the middle of West Spain Street (in front of the Cheese Factory) and the First Street East and First Street West intersections have not been adequately addressed.
- v. Parking study performed in November 2017 underestimates impact of encroachment into residential areas.
- vi. Mitigation of deficiency in parking impact with parking in-lieu fee is inadequate as fee imposed as a mitigation measure was decided with no verifiable or quantifiable bases in fact per parking space and the number of parking spaces required is incorrectly calculated; a "*parking impact fee nexus study*" must be performed.

d. ***Land Use & Planning Impacts***

- i. Project does not comply with Sonoma's General Plan and the Development Code, including significant portions of the *Community Development, Local Economy* and *Circulation* elements.

e. ***Greenhouse Gas Emissions Impacts***

- i. Failure to analyze Vehicle Miles Traveled (VMT) and promote the State's (SB743) smart mobility goals, leading to the reduction of greenhouse gas emissions and traffic by aligning the City of Sonoma's long-range transportation plans and reduction of greenhouse gases (GHG) with the regional and State's long-range transportation plans to reduce VMT.
- ii. Inadequate analysis of GHG due to Plaza traffic congestion, including potential increase of tour buses to this new destination.

f. ***Utilities & Service Systems Impacts***

- i. The calculation for the net increase in Equivalent Single Family Dwellings (ESDs) used incorrect number of additional seats, resulting in low estimate of wastewater flow.
- ii. Inadequate analysis of the Broadway sewer main, which is nearly at capacity.

II. The Conditional Use Permit was approved based on inadequate environmental review under the provisions of CEQA and with inconsistencies and non-conformance with elements of Sonoma's General Plan and the Development Code, including, but not limited to:

a. **Parking Requirement Inconsistencies**

- i. Parking analysis is inadequate and has errors and omissions, including inadequate review of the Development Code parking provision requirements regarding *Demolition and Replacement*.

- ii. Inadequate analysis of proposed use of State-owned parking for a single property owner's required parking.
- iii. Use of expired use permits in the form of "grandfathered parking" for this proposal.

b. In-Lieu Fee

- i. No In-Lieu Fee policy, program or account has been created or authorized by the City Council, no land has been identified, and no funding has been approved.
- ii. A "*parking impact fee nexus study*" must be performed.

III. Both the Mitigated Negative Declaration and Conditional Use Permit were approved despite issues of due process.

- a. Ninety pages of detailed analysis and materials, both relevant to the *Cultural Resources and Transportation & Traffic* aspects of the environmental review, were delivered 48 hours before the hearing of April 12, 2018.
- b. When Planning Commissioners asked for additional information and studies, Planning Director David Goodison guided their decision by stating, "*we can continue to ask for more studies, but I think that we are as a practical matter at a decision point for this project,*" and said that further studies would, "*kill the project,*" thereby dissuading additional information and clarification.

Additional information, supporting documentation and analysis will be submitted in advance of the appeal hearing.

Therefore, we respectfully request that the City Council take the following actions:

Grant the appeal by:

- (1) Rejecting the Mitigated Negative Declaration of Environmental Impact, and;
- (2) Denying the Conditional Use Permit.

In addition, the Appellants request that you encourage without prejudice – without loss or waiver of rights, privileges, or entitlements – the applicants to submit a revised project to the Planning Commission reduced in scale and intensity that results in no increase in additional parking requirements than the historic use and retains all the character-defining features of the historically significant structure.

SONOMA CHEESE FACTORY REDEVELOPMENT

COMPROMISE PROPOSAL

OFFERED TO: SONOMA SQUARE MARKET, LLC
C/O STEVE CARLIN

OFFERED BY: TOM DUNLAP
INGRID DUNLAP
HANK MARIONI

DATE: JUNE 21, 2018

The following is the summary of our concerns and recommendations for a compromise project. Please review and we look forward to your reply.

CONCERNS

1. The current project as approved by the Planning Commission is too large in its scope, intensity (building size and scale) and its impact on both traffic and parking.
 - a. It would likely have a negative impact on the other businesses on the Plaza.
 - b. It would adversely affect the quality of life for Sonoma residents wishing to access downtown businesses and the park.
 - c. It has a negative impact on the historical appearance of the Cheese Factory and the North Plaza Historic District.
2. The studies on traffic and parking were improperly conducted.
3. We are in favor of redeveloping the Cheese Factory property and believe a scaled down version would be beneficial to the city.
4. The City of Sonoma needs to develop a comprehensive, innovative, long-term parking and traffic plan for the Plaza and surrounding residential and commercial streets.
 - a. The Cheese Factory is not responsible for developing this plan, but the redevelopment of the Cheese Factory should not exacerbate or

contribute cumulatively to the current parking and traffic impacts and problems.

5. Withdrawing the appeal leaves no definitive or legal decision, or an opportunity for the City Council to approve a reduced/modified project, other than what has already been approved by the Planning Commission.

Therefore, an acceptable project, outlined below and agreed to by the applicants, would allow both parties to seek approval from the City Council together:

COMPROMISE RECOMMENDATIONS

1. A smaller footprint, similar to the Michael Ross design, consisting of:
 - a. Approximately 11,400 square feet
 - b. 12 retail outlets (including one restaurant)
2. Retention of the separation between the Marioni Building (Mary's Pizza Shack) and the Cheese Factory – at a minimum of five (5) feet.
3. Restaurant seating shall be limited to no more than:
 - a. 110-indoor seats
 - b. 30-outdoor seats
4. The historically significant elements of the building shall be retained.
 - a. The massing and footprint of the original cheese factory, as it was originally constructed, which includes the front (south) two-story retail and office portion and the center one-story factory section.
5. The development of any parking plans, public walkways, and improvements of the State property / Casa Grande lot would require North Plaza business owners in all discussions and negotiations.
6. Written validation of communications and summary of understanding, with updated preliminary project plans, would be required to go forward to the City Council with an agreement.

TO: SONOMA CITY COUNCIL

FROM: PLAZA AREA BUSINESS & PROPERTY OWNERS

Signed Appellants

Tom & Ingrid Dunlap	Swiss Hotel
Hank Marioni & Jim Marioni	Marioni Building (Mary's Pizza Shack)

Friends of the Appeal

Vince Albano	Mary's Pizza Shack
Francoise Hodges	Place des Pyrenees
Martin Chavez	The Plaza Bistro
Norman Krug	Sonoma Valley Inn / Krug Development
Carlo Cavallo	B&V Whiskey Bar & Grille
Sam Morphy	The Red Grape
Pemba Sherpa	La Casa Restaurant
Erica Heald	Perle Fashion Boutique
Mary Ann Cuneo	Cuneo Properties
Robert Della Santina	Della Santina's
Pam Hellen	Millerick-Hellen Vineyards
Nima Sherpa	Sonoma Grille
Dan Gallison	The Candlestick
Kelly Magner	Lake Sonoma Winery
Frank J. Figone	Figone Olive Oil
Jessica Terwilliger	Large Leather
Paul Spadaro	Steiner's
Manuel Azevedo	La Salette Restaurant & Tasca Tasca
Michael Feola	Sonoma Silver Company
S. Burt	Global Heart
James Hahn	Sunflower Caffè
Cynthia Ruggles	445 1st. St. W.
Sebastian Juarez	Rancho Maria Wines
Laura and Stephen Havlek	Sign of the Bear
Vincent Cortese	Union Bank
Stuart Sager	Outdora
Dan Eraldi	Eraldi's Menswear & Shoes
Stephen Moore	The Town Square
Linda Corzine	Summervine



Sonoma’s Planning Commission’s approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet this project almost triples retail square footage and number of seats without adding one additional parking space:

	<u>Current</u>	<u>Proposed</u>	<u>% Change</u>
Retail Square Footage	6,000	14,935	249%
Seats	103	295	286%
Business Occupants	1	22	
Parking Spaces Granted (by code)*	38	38	
Seats Allowed (by code)	152	152	
Parking Differential - Seats (by code)	49	-143	392%
Additional Parking Spaces Required	NA	36	
Additional Parking Spaces Supplied	NA	0	

**Doesn't include employee parking; estimate 50+ spaces needed*

- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn’t even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 “employee parking spaces” at the rear of the facility.
- The traffic study that led to this project’s approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project’s approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court* with 20 vendors and 2 restaurants.

We do support improving and renovating the Cheese Factory, but believe the project must adhere to the City’s General Plan and Development Code, be compatible in scale and size with the surrounding businesses, streetscape and historic resources, and not intensify (or impact further) the current traffic, circulation and parking conditions.

We ask that the City Council uphold the appeal and require a smaller-scaled project.

Vince Albano
Name

7/24/18
Date


Signature

Yes, okay to disclose

19327 SONOMA HWY SONOMA CA 95476
Address

VINCE @ MARYSPIZZASHACK.COM
E-Mail

MARY'S PIZZA SHACK
Business Name



Rendering of the approved plan. Top rendering shows project towering over Servant's Quarters.

Francoise Hodges
Name

7-20-18
Date

Francoise Hodges
Signature

Yes, okay to disclose

464 1st St. E. (P.O. Box 1308); Sonoma
Address

hodgesfrancoise@gmail.com
E-Mail

Place des Pyrenées
Business Name

Martin Chavez

Name

7-20-18

Date

M. Chavez

Signature

Yes, okay to disclose

420 First Street East, Sonoma, CA 95476

Address

martin@theplazabistro.com

E-Mail

The Plaza Bistro


Business Name

NORMAN KRUG

7-19-18.

Name

Date


Signature

Yes, okay to disclose

550 SECOND ST. WEST SOMONA, CA 95716

Address

KRUGPLACE @ AOL.COM

E-Mail

KRUG DEVELOPMENT CORPORATION.

Business Name

CARLO CAVALLO

Name

7/18/18

Date



Signature

Yes, okay to disclose

400 1st EAST SONOMA, CA 95476

Address

Carlo@chefcarloCavallo.com

E-Mail

BV Whiskey Bar + Grille

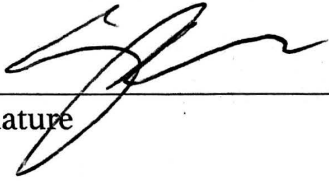
Business Name

SAM MOKSITY

Name

07/20/2018

Date



Signature

Yes, okay to disclose

529 FIRST ST. W. SONOMA, CA 95476

Address

theredgrape@com.com

E-Mail

THE RED GRAPE

Business Name

To

Danika

Name

07/15/18

Date

Steph

Signature

Yes, okay to disclose

121 E Spain Street

Address

Lacrusadesonoma@gmail.com

E-Mail

Lacrus Restaurant

Business Name

Erica Heald
Name

7/19/18
Date

Erica Heald
Signature

Yes, okay to disclose

124 West Napa St Sonoma, CA
Address

perlefashionboutique@gmail.com
E-Mail

Perle
Business Name

Mary Ann Cuneo
Name

July 19, 2018
Date

Mary Ann Cuneo
Signature

No
 Yes, okay to disclose

708 Broadway
Address

macuneo@cuneoproperties.com
E-Mail

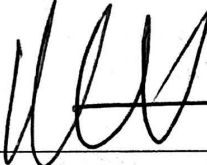
Cuneoproperties
Business Name

Robert Della Santino

Name

7/19/18

Date



Signature

Yes, okay to disclose

133 E Napa St.

Address

rob@dellasantinos.com

E-Mail

Della Santino's TRP, Inc.

Business Name

PAMELA M. HELLEN

Name

July 19th, 2018

Date

Pam Hellen

Signature

Yes, okay to disclose

22755 BROADWAY

Address

Schellmap@aol.com

E-Mail

Milkerick-Hellen Vineyards

Business Name

JAMES G. HELLEN

James Hellen

Name Nina Sharpe

Date 7/20/18

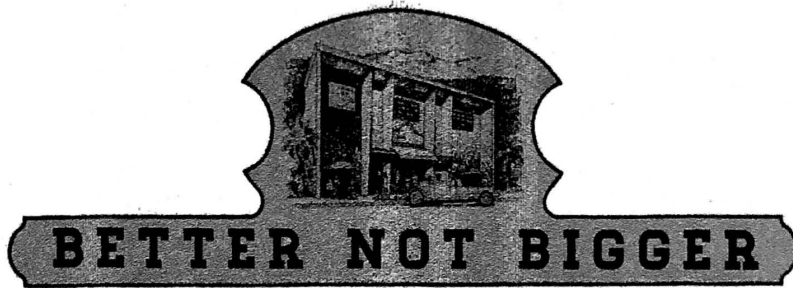
Signature 

Is check to deposit

Address 165 west napa st, Sonoma

E-Mail Nksharpe@wdfmail.com

Business Name Sonoma Grille



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Dan W. Galhison
Name

7-12-18
Date

Dan W. Galhison
Signature

Yes, okay to disclose

38 West Spain St
Address

candlestick98@hotmail.com
E-mail

The Candlestick - Sonoma Plaza
Business Name



PROTECT OUR PLAZA
LET'S MAKE THE CHEESE FACTORY BETTER NOT BIGGER!

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We ask our City Council to uphold the appeal and deny this project as previously submitted.

Kelly Wagner
 Name

7/17/18
 Date

K Wagner
 Signature

Yes, okay to disclose

134 Church St.
 Address

kmagner@lakesonomawinery.com
 E-mail

Lake Sonoma Winery
 Business Name



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FRANK J. FIGONE
Name

7/24/18
Date

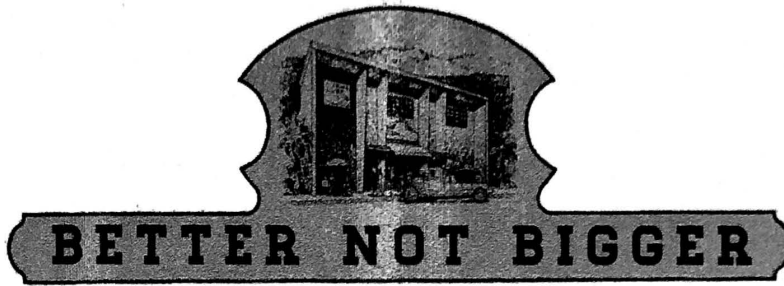
[Signature]
Signature

Yes, okay to disclose

483 FIRST ST WEST
Address

info@figoliveoil.com
E-mail

FIGONE OLIVE OIL
Business Name



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- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.*

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

JESSICA TERWILLIGER
Name

7-13-2018
Date

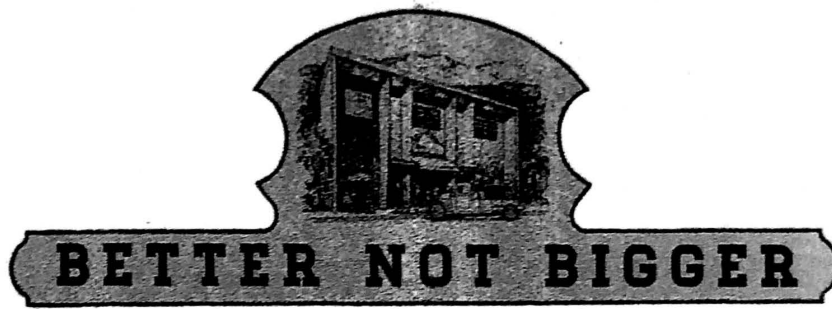
Signature

Yes, okay to disclose

401 A FIRST STREET WEST
Address

szout@vcom.com
E-mail

LARGE LEATHER
Business Name



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

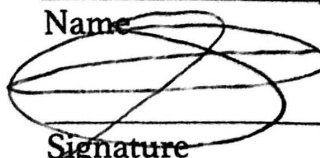
The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.*

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

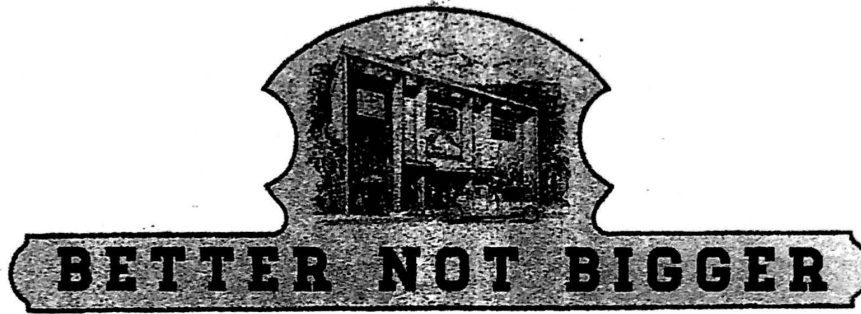
We ask our City Council to uphold the appeal and deny this project as previously submitted.

Name Paul Spadaro Date 7.14.2018

Signature  Yes, okay to disclose

Address 465 First Street West E-mail p.spada@yahoo.com

Business Name Steiners Tavern



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Manuel Arvedo
Name

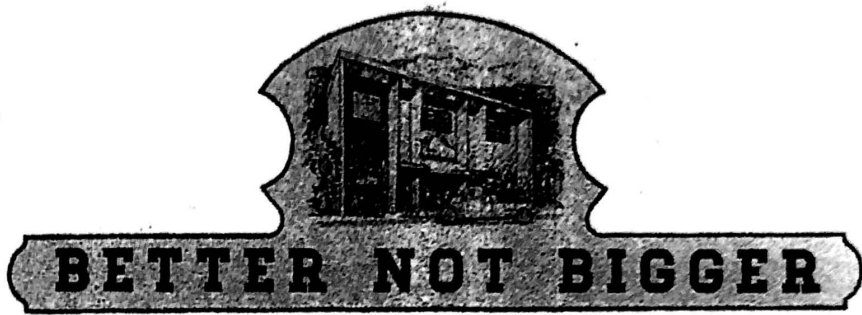
7/17/18
Date

[Signature]
Signature

Yes, okay to disclose

452 First Street East
Address

manuel@laseletterestaurant.com
E-mail



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Maguel Arevalo
Name

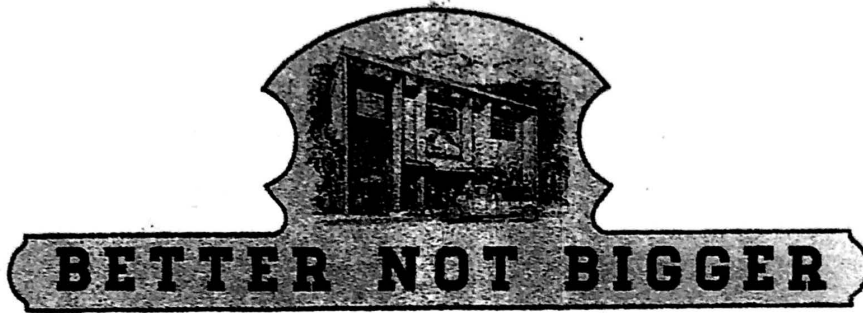
7/17/18
Date

[Signature]
Signature

Yes, okay to disclose

122 West Napa Street
Address

maguel@tascc.tascc.com
E-mail



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

MICHAEL FEOLA
Name

7/17/18
Date

Michael Feola
Signature

Yes, okay to disclose

18851 ROBINSON
SONOMA, CA 95476
Address

feola@comcast.net
E-mail

SONOMA SILVER COMPANY



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court* with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

S BURT
Name

7/17/18
Date


[Signature]
Signature

Yes, okay to disclose **NO**

423 FIRST ST W
Address

E-mail

GLOBAL HEART
Business Name



PROTECT OUR PLAZA

LET'S MAKE THE CHEESE FACTORY BETTER NOT BIGGER!

Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
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- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

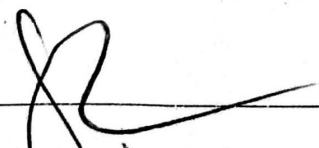
This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Name James Hahn

Date 7/17/18

Signature 

Yes, okay to disclose

Address 421 First St West

E-mail jamesmhahn@gmail.com

Business Name Sunflower Caffe



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.*

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Name Cynthia A. Ruggles

Date July 17, 2018

Signature Cynthia A. Ruggles

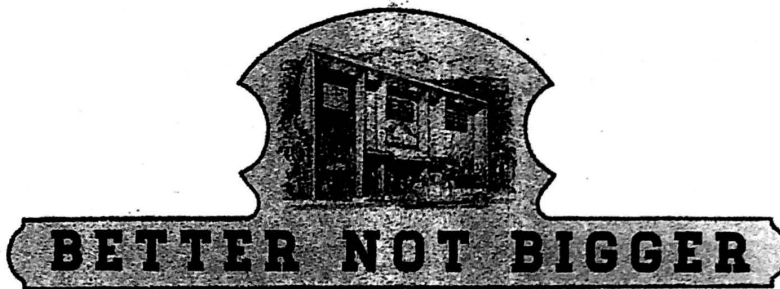
Yes, okay to disclose

Address 445 1st St. West

E-mail cynthiaruggles@sonic.net

Business Name _____

Rancho Maria



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Sebastian Juarez
Name

7-17-18
Date


Signature

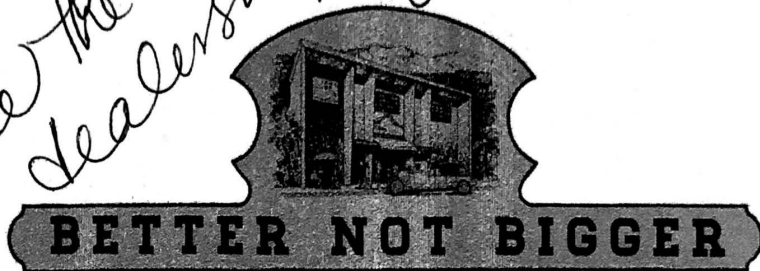
Yes, okay to disclose

481 First St. West
Address

Sebastian@rancho maria.com
E-mail

RANCHO MARIA WINE

Swiss Hotel where this should go
where the car dealership was on Broadway



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; ***this is the wrong location for a mall/food court*** with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

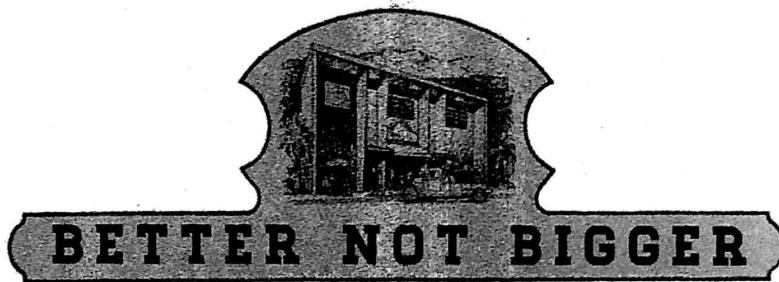
We ask our City Council to uphold the appeal and deny this project as previously submitted.

Laura & Stephen Hawlek 10 July 18
Name Date

[Signature] Yes, okay to disclose
Signature

435 First St W LauraHawlek@gmail.com
Address E-mail

Sign of the Bear
Business Name



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.*

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

Vincent Cortese
Name

7/13/18
Date

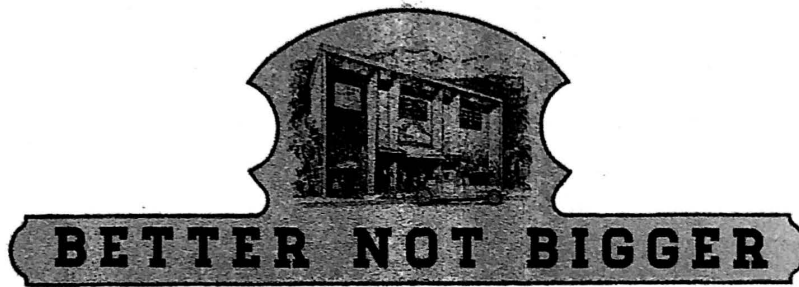
Signature

Yes, okay to disclose

461 Montini Way
Address

Vincent.cortese@unionbank.com
E-mail

Business Name



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; *this is the wrong location for a mall/food court* with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

STUART PAGER 7/13/18
Name Date

[Signature] Yes, okay to disclose
Signature

128 W. WAPA ST. STUART @ OUTDOOR.COM
Address E-mail

OUTDOOR
Business Name

According to parking regulators on the plaza when you tear down a building you have to meet new parking requirements. They are allowed a certain number of spots based on the existing sq. footage of these building. Once torn down



PROTECT OUR PLAZA

LET'S MAKE THE CHEESE FACTORY BETTER NOT BIGGER!

they have to meet new parking requirements. If approved as is you are doing a disservice to existing plaza merchants.

Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper and I/We support the appeal of that decision.

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; this is the wrong location for a mall/food court with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

DANIEL J. ERALOI
Name

7-18-18
Date

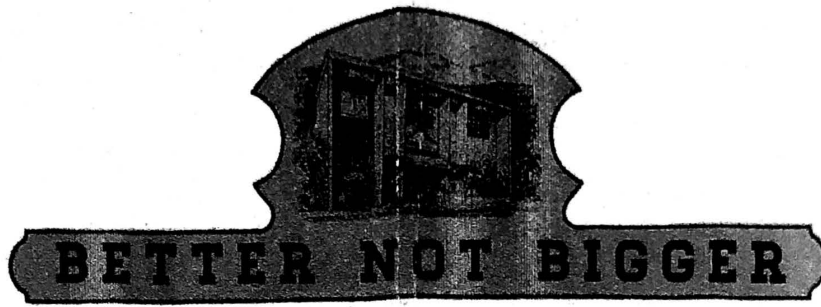
Daniel Eraloi
Signature

Yes, okay to disclose

475 First St West
Address

E-mail

ERAWAIS MENS WEAR & SHOES
Business Name



I support the appeal of our Planning Commission's approval of a large Oxbow Market-style redevelopment at the Sonoma Cheese Factory.

Parking and traffic is a serious issue on the Plaza.

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, this project eliminates 5-7 "employee parking spaces" in the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The "destination" nature of this type of project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate, not just when it comes to parking and traffic, but also aesthetics and cultural resources.

We also believe this oversized project is out of scale with our Plaza; this is the wrong location for a mini-mall/food court with 20 vendors and 2 restaurants.

We do support improving the Cheese Factory, but believe the project must follow our local municipal code and mitigate all parking and traffic impacts.

We strongly encourage our City Council to uphold the appeal and deny this current project.

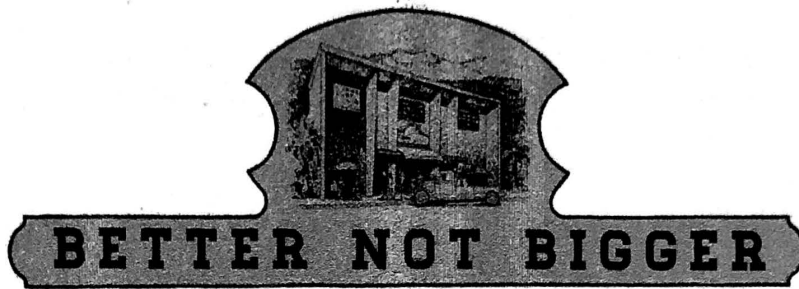
STEPHEN A. MOORE
Name

7-15-18
Date

Stephen A. Moore
Signature

THE TOWN SQUARE
Business Name

482-1ST EAST
Address



Sonoma's Planning Commission's approval of the conversion of the Cheese Factory into a large Oxbow Market-style development was improper *and I/We support the appeal of that decision.*

Parking and traffic is a serious issue on the Plaza, yet

- This project almost triples the amount of occupied square footage and triples the number of seats without adding one additional parking space.
- This project is significantly under-parked per the City of Sonoma Municipal Code; this parking shortfall doesn't even take into account the additional 50-60 employees due to the intensity and nature of the proposed use.
- In addition, the project eliminates 7-9 "employee parking spaces" at the rear of the facility.
- The traffic study that led to this project's approval was flawed; conducted in November 2017, less than a month after the fires on a particularly slow week, the study dramatically undercounted real world traffic and parking conditions.
- The size of this proposed project, in an area with limited and insufficient parking, will make the situation much worse.

The CEQA Environmental Review that led to this project's approval was inadequate; aesthetics and cultural resource evaluation was insufficient.

This oversized project is out of scale with our Plaza; ***this is the wrong location for a mall/food court*** with 20 vendors and 2 restaurants.

We support improving and renovating the Cheese Factory, but the project must adhere to our General Plan and Development Code and mitigate all parking and traffic impacts.

We ask our City Council to uphold the appeal and deny this project as previously submitted.

LINDA COZZINE - SUMMER VINE

7/13/18

Name

Date

[Handwritten Signature]

Yes, okay to disclose

Signature

100 WEST SPAIN ST.

INFO@SUMMERVINESONOMA.COM

Address

E-mail

SUMMER VINE

Business Name

Major Error in Traffic Study

TABLE 6: SONOMA CHEESE FACTORY EXISTING PEAK HOUR TRIP GENERATION

Data Counted	Size ¹	Weekday PM Peak Hour of Generator				Weekend Midday Peak Hour of Generator			
		In	Out	Total	Rate ²	In	Out	Total	Rate ²
Number of Persons	11.4 ksf	16	18	34	3.0	275	295	570	50.0
Number of Groups	11.4 ksf	11	12	23	2.0	145	166	311	27.3
Standalone Trip Generation Rate³		--	--	--	0.50	--	--	--	6.82
Inbound/Outbound Percentage		48%	52%	--	--	47%	53%	--	--

Notes:

- 1 ksf = 1,000 square feet
 - Total trip generate rate expressed in total trips per 1,000 square feet
 - Standalone trip generation rate calculated by dividing group trip generation rate by a factor of 4.0 to reflect that a visitor of the Sonoma Cheese Factory will visit three other establishments in the Sonoma Plaza area.
- Source: Fehr & Peers, February 2018.

Corrected Number: 100% higher than submitted

TABLE 6: SONOMA CHEESE FACTORY EXISTING PEAK HOUR TRIP GENERATION

Data Counted	Size ¹	Weekday PM Peak Hour of Generator				Weekend Midday Peak Hour of Generator			
		In	Out	Total	Rate ²	In	Out	Total	Rate ²
Number of Persons	5.7 ksf	16	18	34	6.0	275	295	570	100.0
Number of Groups	5.7 ksf	11	12	23	4.0	145	166	311	54.6
Standalone Trip Generation Rate³		--	--	--	1.0	--	--	--	13.6
Inbound/Outbound Percentage		48%	52%	--	--	47%	53%	--	--

Notes:

- 1 ksf = 1,000 square feet
- Total trip generate rate expressed in total trips per 1,000 square feet
- Standalone trip generation rate calculated by dividing group trip generation rate by a factor of 4.0 to reflect that a visitor of the Sonoma Cheese Factory will visit three other establishments in the Sonoma Plaza area.

The method Fehr & Peers used to calculate demand for the new project is described on p. X of the traffic study (Fehr & Peers, 2/18). The consultants stood outside the Cheese Factory at peak hour to count number of persons/groups going in and out. They used the “group” number to represent a car. They then determined the “trip generation rate” which equals the amount of car trips generated by the Cheese Factory divided by the **SQUARE FOOTAGE** of the retail building. They then divided by this rate by 4 to calculate the “Standalone Trip Generation Rate” - based on the unsupported assumption that a visitor to the Cheese Factory will visit 3 other businesses on the Plaza.

This is a complicated way of saying Fehr & Peers calculated a trip demand rate based on the square footage of the current use. The **MAJOR ERROR** is that the denominator they used – **11,400 square feet** – is the size of all the existing structures on the building. But the current retail operation is only **roughly 5,700 square feet** of the building. The remainder of the building (roughly another 5,700 square feet) is used for storage and/or is vacant, and does not currently “generate” trips. (The justification for this is attached).

The top chart comes straight from the traffic study. The bottom chart is a corrected version of the chart, and shows the Standalone Trip Generation Rate is 100% higher than was submitted.

Major Error in Traffic Study

TABLE A2: PROJECT TRIP GENERATION

Land Use Scenario	Quantity	Weekday PM Peak Hour of Generator			Weekend Midday Peak Hour of Generator		
		In	Out	Total	In	Out	Total
Existing Uses	11.4 ksf ¹	3	3	6	37	42	79
Alternative Project	14.935 ksf ¹	4	4	8	49	55	104
Net New Project Trips Under Alternative Project Description		1	1	2	12	13	25

Corrected Number: 412% higher than submitted

TABLE A2: PROJECT TRIP GENERATION

Land Use Scenario	Quantity	Weekday PM Peak Hour of Generator			Weekend Midday Peak Hour of Generator		
		In	Out	Total	In	Out	Total
Existing Uses	5.7 ksf	3	3	6	37	42	79
Alternative Project	14.935 ksf ¹	7.9	7.9	15.7	96.9	110.0	206.9
Net New Project Trips Under Alternative Project Description		4.9	4.9	9.7	59.9	68.0	127.9

The numbers from Table 6 on the previous page flow into Table A2: Project Trip Generation, on page X of the Fehr & Peers Addendum (March 2018). This is the most important chart in the traffic study. This estimates how many “new project trips” will be generated by the new project. Remember, number of groups represent trips. The number is calculated by multiplying the “trip generation rate” calculated in Table 6 by the **SQUARE FOOTAGE** of the new project.

Once the **CORRECT** “trip generation rate” is applied to the size of the new project (14,935 sf) – the **CORRECT** “new project trips” are calculated. The “Existing Project Trips” are then subtracted from the “New Project Trips” and you are left with “Net New Project Trips” – or in other words – how many additional car trips will this project produce?

Using all the same assumptions in the Fehr & Peers report, but fixing the retail square footage error, generates **412% more trips**. You did not read that wrong. **The number of trips was undercounted by 412%.**

Major Error in Traffic Study – MORE REASONABLE SCENARIO

TABLE A2: PROJECT TRIP GENERATION

Land Use Scenario	Quantity	Weekday PM Peak Hour of Generator			Weekend Midday Peak Hour of Generator		
		In	Out	Total	In	Out	Total
Existing Uses	11.4 ksf ¹	3	3	6	37	42	79
Alternative Project	14.935 ksf ¹	4	4	8	49	55	104
Net New Project Trips Under Alternative Project Description		1	1	2	12	13	25

Corrected Number: 1,161% higher than submitted

TABLE A2: PROJECT TRIP GENERATION

Land Use Scenario	Quantity	Weekday PM Peak Hour of Generator			Weekend Midday Peak Hour of Generator		
		In	Out	Total	In	Out	Total
Existing Uses	5.7 ksf	6.9	7.5	14.4	90.6	103.8	194.1
Alternative Project	14.935 ksf ¹	18.1	19.7	37.8	237.4	272.0	509.4
Net New Project Trips Under Alternative Project Description		11.8	12.9	23.4	155.4	178.1	315.3

There are many unsupported assumptions in the traffic study and issues that are not addressed. For example, trip generation was based on demand for the current Cheese Factory usage during the week – which is primarily tourist driven and avoided by locals. Presumably the new “Oxbow-style” use will be a larger demand driver for locals during the week; thus these numbers are probably undercounted. Additional employees (50+ on the site) – and their car trips were also not accounted for. But let’s forget all that. **Let’s just modify two of their assumptions to more reasonable numbers:**

- Increase the number of groups by 25% - because November 2017 was a low baseline – presumably 25% more groups will be visiting during peak hour during tourist season
- Standalone Trip Generation Rate – instead of dividing by four, diving by two, based on the more reasonable assumption that a visitor to this project will visit just one other business on the Plaza. (Most will only be going there).

Fixing the square footage error, and then using these two reasonable assumptions, the bottom chart show more reasonable “net new project trips” to the site. **On Weekend Midday, this project has the potential to add 333.8 new trips. That is 1,161% higher than was submitted. 1,161%.**

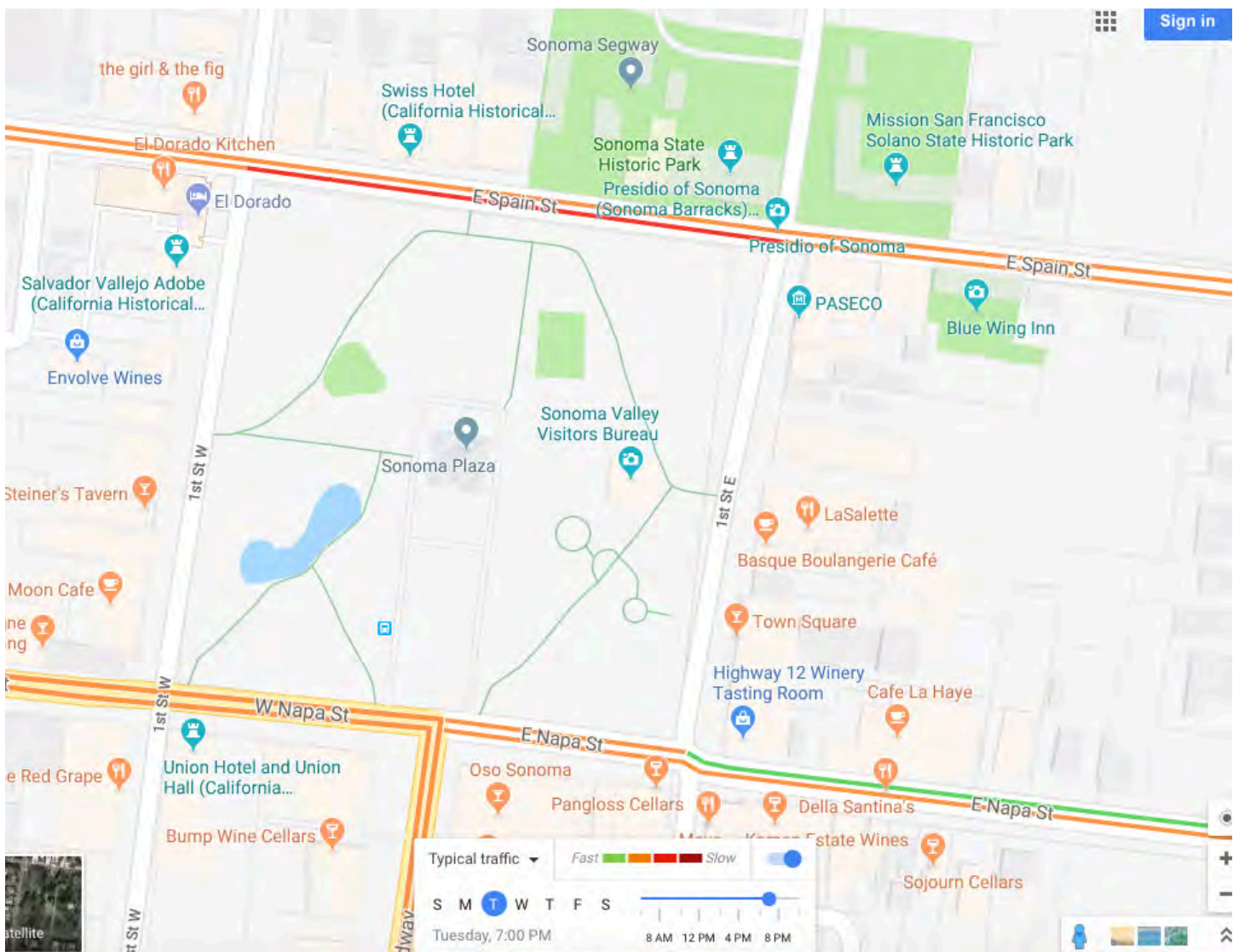
Presumably a similar situation has occurred in Napa. The 2016-2017 final report of the Napa County Grand Jury says, “Impact of Oxbow Development – Oxbow Market popularity was already creating a parking problem in the Oxbow District... **Oxbow’s growing popularity has made it a pressure point for Downtown Napa.**”

Google Maps “Typical Traffic”

See below the “typical traffic” – as determined/tracked by Google Maps:

TUESDAY AT 7PM (Farmer’s Market)

- Notice the “Red/Slow” on Spain Street in front of Cheese Factory
- Rest of Plaza is in Orange; 1st St. W. and E. aren’t tracked per Google
- *This represents “fair argument” and contributes to substantial evidence that the new project will have adverse traffic and transportation impacts that have not been properly disclosed, analyzed and mitigated.*

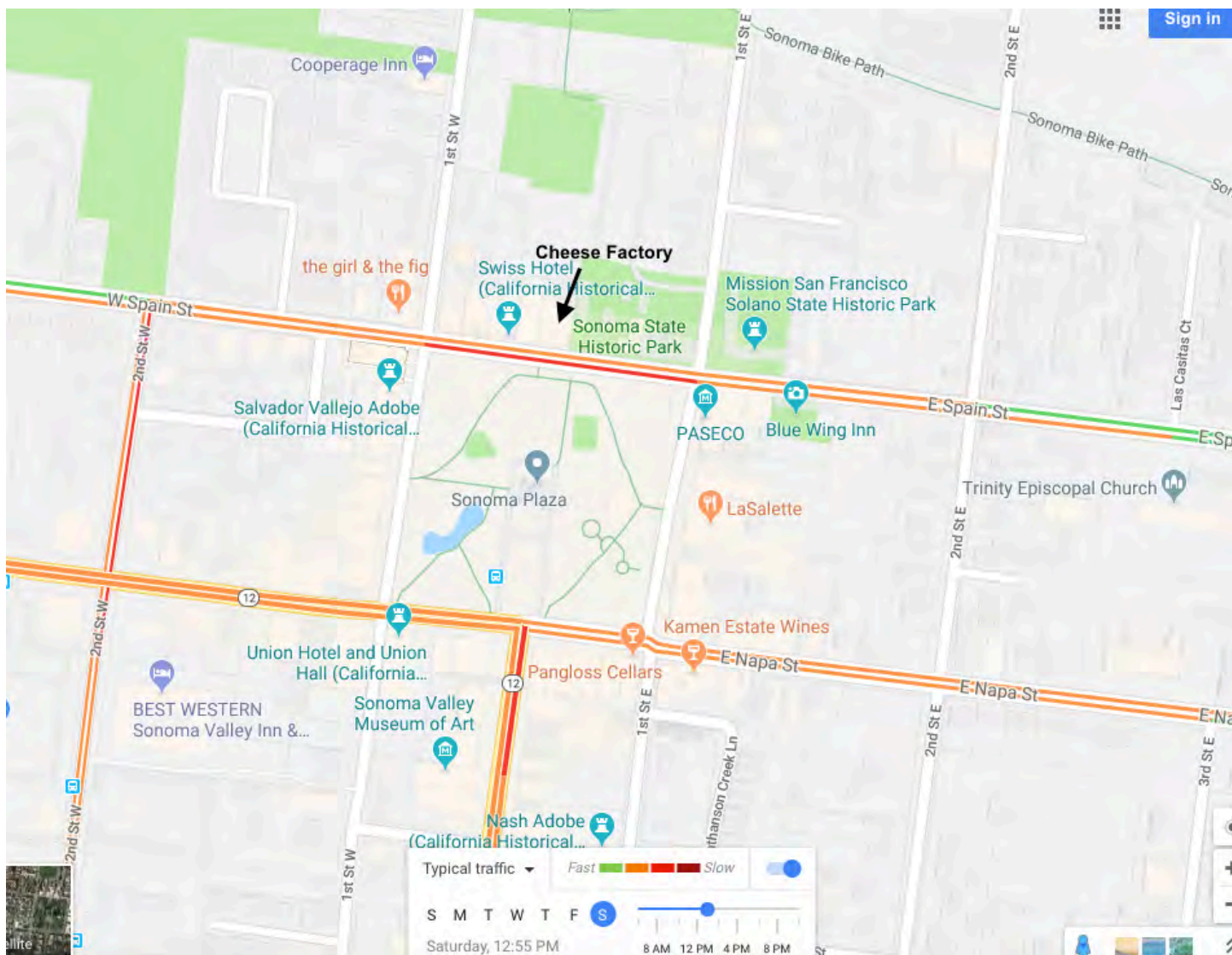


Google Maps “Typical Traffic”

See below the “typical traffic” – as determined/tracked by Google Maps:

SATURDAY AT 12:55PM

- Notice the “Red/Slow” on Spain Street in front of Cheese Factory
- Notice the “Red/Slow” on Broadway at the Plaza approach
- Rest of Plaza is in Orange; 1st St. W. and E. aren’t tracked per Google
- *This represents “fair argument” and contributes to substantial evidence that the new project will have adverse traffic and transportation impacts that have not been properly disclosed, analyzed and mitigated.*



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BUSINESS
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SHOWS
After Fires, California Wine Country Wants Tourists Back

LISTEN · 3:55

QUEUE

Download

Transcript

This article was published on 11/11/17- the same day traffic counts/raw data was collected for the traffic study.

November 11, 2017 · 5:42 PM ET
Heard on All Things Considered



This represents “fair argument” that the traffic study has an unreasonably low baseline.

FARIDA JHABVALA ROMERO

FROM **KQED**



Charred hills are visible behind field workers as they pick Syrah grapes during a harvest operation on October 25, 2017 in Kenwood, California.

Justin Sullivan/Getty Images

Buena Vista winery in Sonoma Valley, founded in 1857, is considered the birthplace of California wine. The cavernous cellar, carved into a hill by Chinese laborers, has survived earthquakes, several owners and last month's fires in Northern California.

Now, the black tree stumps and scorched hills right next to the winery's buildings show just how close the flames came — less than 30 feet, says Tom Blackwood, general manager at Buena Vista.

"The fire could not have come any closer without hitting the buildings. Buena Vista was surrounded by flames," says Blackwood, who credited firefighters with saving the winery, which withstood untouched. "We are so lucky."



Tom Blackwood, general manager for Buena Vista, stands in front of the winery's cellar in Sonoma, Calif. on Nov. 7, 2017. Since the winery reopened two weeks ago, the number of visitors has dropped significantly, he said.

Farida Jhabvala Romero/KQED

But since Buena Vista reopened a couple of weeks ago, Blackwood is facing another problem: a big drop in visitors. During the month before the fires began, Buena Vista saw 6,000 visitors, says Blackwood. But since the winery reopened about two weeks ago, only 500 visitors have shown up.

"If the fires hadn't happened we would probably see about 50 or more people here at the bar," says Blackwood, gazing at the winery's relatively quiet tasting room. "What do we have here, like six people now at the bar?"

Last month's fires in Northern California hit wine country during peak tourist season. While some businesses burned, many others were forced to close temporarily because

of lack of road access or bad air quality when the fires raged. Now that the danger has passed, wineries and restaurants across the region are open and want visitors to return.

Most of the cancellations came from tourists who are not local, according to small businesses in Sonoma Valley — a region where burned hills, homes and cars can be seen.

Article continues after sponsorship

"Once the fires were under control, we found that very few people had decided to return. There was initially a fear of the entire valley being burned," says Hunt Bailie, who owns a small segway and bicycle tour company with his wife in the town of Sonoma. He said about 90 percent of his tours were cancelled.

"We found that most folks are interested in returning, but they think it might be too soon," says Bailie. "Typically October is the time when we can save all the pennies until spring, but that month dried up for us."

While the affected areas were "very limited," news coverage all over the world mostly

showed destruction from the fires, says Caroline Beteta, who heads Visit California, the organization tasked with attracting tourists to the state.



Charred hills are near vineyards in Sonoma Valley, Calif. on Nov. 7, 2017. Local wineries such as Buena Vista were close to the flames.

Farida Jhabvala Romero/KQED

"Just the imagery alone I would argue did more damage than the actual damage to the tourism infrastructure," Beteta told a conference of wine marketers in Santa Rosa, the biggest city in Sonoma county. News images of charred houses and red glowing skies flashed behind her.

Tim Zahner, chief operations officer for Sonoma County Tourism, says most hotels and wineries in the county are fine, and are pouring in their tasting rooms today.

"The weather is mild. You know if you're in Chicago and it's November and it's snowing, out here it is not snowing. It's gorgeous," says Zahner, who was also attending the wine marketing conference. "It's a good time to come visit."

His group and Beteta's are trying to convince visitors to return to the region. Visit California launched a \$2 million dollar advertising campaign to bring back images of sunny vineyards and happy couples enjoying a glass of cabernet sauvignon — wine country images.

Economist Robert Eyles says it's too early to tell the economic impact of the fires on tourism. But he expects the county to overcome any downturn in visitors.



Bill and Debbie Hart (front) from Springfield MO visit Buena Vista in Sonoma, Calif. on Nov. 7, 2017. "There's been some devastation but so many of the wineries are still open for business and we wanted to do our part to help support them," said Debbie Hart.

Farida Jhabvala Romero/KQED

"The brand of Sonoma and wine country is going to survive because the brand is very very established," says Eyler, a professor at Sonoma State University. "This is something that is a brand challenge in the short term. I would be flabbergasted if it was in the long."

That brand is something local small business owners are counting on. People like Mingma Sherpa, who co-owns a Mexican restaurant about two miles from the fire line.

The immigrant from Nepal estimates half of his customers are gone. Before the fires, at least one tour bus would stop here daily, he said.

"Since that happened, most of them have cancelled," says Sherpa, adding that the sudden loss in revenue forced him to cut shifts for servers and other employees.

"It's definitely tough. But this town is very special. So hopefully they'll come back," he says.

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More Stories From NPR

From: Gary Saperstein gary@sonomavalley.com
Subject: RE: Effects of Fire on Tourism
Date: March 29, 2018 at 5:35 PM
To: David Eichar eichar@sbcglobal.net



We were still reeling from the effects of the fires in November, no doubt about that! I am looking forward to finding out where the sales tax came in for the last quarter.

Gary Saperstein/Interim Executive Director
Sonoma Valley Visitors Bureau
453 First Street East Sonoma CA 95476
gary@sonomavalley.com
www.sonomavalley.com

“Fair argument” that November traffic counts/raw data are an unreasonably low baseline - from Executive Director of the Visitor’s Bureau.



From: David Eichar <eichar@sbcglobal.net>
Sent: Thursday, March 29, 2018 5:33 PM
To: Gary Saperstein <gary@sonomavalley.com>
Subject: Re: Effects of Fire on Tourism

Gary,
Thanks for the response. I have a friend with a retail shop on the plaza who told me sales were down 20% in November 2017 vs November 2016, but rebounded in December. Though December was down slightly from 2016.

Dave

On 3/29/2018 5:25 PM, Gary Saperstein wrote:

Hi David,
I

We don't have that information here at the bureau. I know that the city is still awaiting sales tax revenue numbers for the last quarter of 2017 so that they can see how the fires effected the city. Even those numbers will reflect October through December. Via conversations I have had I know that business was down for many through November but that things really picked up around December. One plaza business told me they had the best December holiday season in all their years being open. Shop locally I believe was in full swing for the holiday season. Even wineries were getting orders for holiday shipping from all around the country with people wanting to support Sonoma!!

I

Cheers,

I

Gary Saperstein/Interim Executive Director
Sonoma Valley Visitors Bureau
453 First Street East Sonoma CA 95476
gary@sonomavalley.com
www.sonomavalley.com

1672

EXPERIENCE
Sonoma Valley
CALIFORNIA

1672

From the 2018-19 City of Sonoma Budget / Cathy Capriola: “Fair Argument” that tourism was DOWN in November 2017 - and that the traffic counts are an unreasonably LOW baseline.

will reduce the subsidy currently being provided by the General Fund. Based on outside analysis, City staff estimates an additional \$340,000 in revenue which allows funding of \$100,000 to bring additional planning staff time to assist with reviewing applications.

- Revamp of services provided by City Prosecutor and development of an administrative citation process to allow immediate enforcement for some Municipal Code violations after a lack of voluntary compliance.
- Analysis and options for managing pension costs with consultant assistance including exploring a pension rate stabilization fund design to prefund rising pension costs and address pension liabilities.
- Review and analysis of the City’s three cemeteries from an operational, financial and strategic perspective. This has been a desire of the City Council for some time. With some one-time funding, we can bring in some outside expertise and move this project forward.

General Fund Revenues

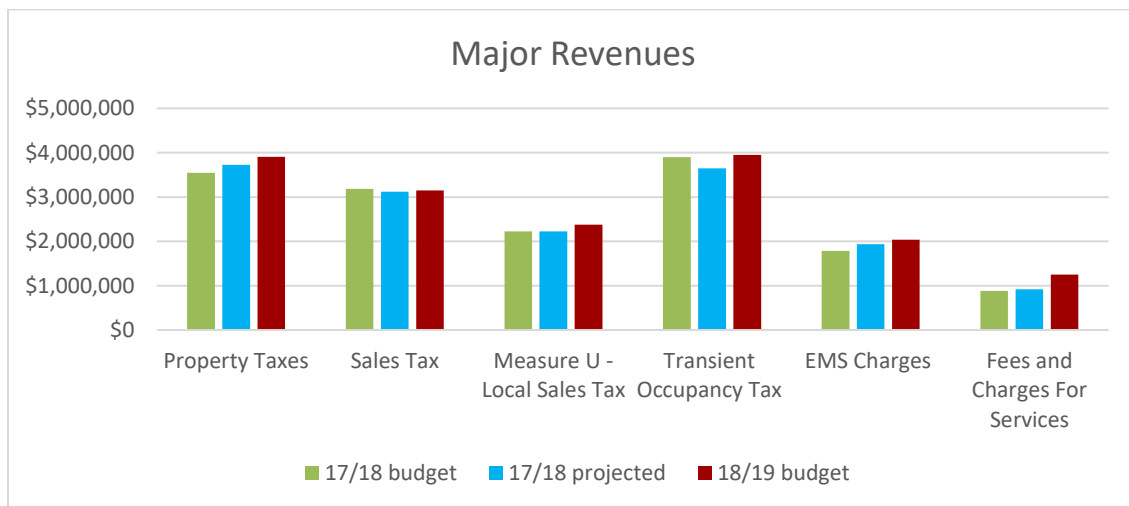
Sonoma is experiencing a healthy economy, mainly due to a continued general economic expansion and a strong local tourism and real estate market. The October 2017 Fires were a major disruptive force within Sonoma County, and in the City of Sonoma we were very fortunate to have no loss of life or structures.

While the Fires negatively impacted tourism-related revenues for FY 17/18, the rebound has been relatively quick for the City of Sonoma and positive trends are expected to resume in the coming year.

Our other major General Fund revenues (Property Taxes, Measure U Sales Tax, and EMS revenues) are all showing solid growth.

It is important to note that our current financial status would not be possible without the voters’ continued support for our local half cent sales tax (first approved as Measure J in 2012 and continued for five years as Measure U in 2016). The City’s core sales tax at 1 cent is projected to be \$3.15 million this next year, and interestingly, Measure U has grown to \$2.37 million. This local community approved funding source is critical to our ability to maintain our current levels of service to the community.

FY 18/19 General Fund revenues are projected to increase by more than \$1.3 million over FY 17/18 estimates. About half of this increase comes from growth in the major revenue sources outlined above. The other half comes from increases in Fees & Charges for Services (primarily development related) and transfers into the General Fund through implementation of a Cost Allocation Plan. Additional detail is provided in the Revenue Summary.



REVENUES - FINANCIAL SUMMARY

GENERAL FUND REVENUE

The General Fund supports most City services such as Administration, Community Development, Public Safety including Fire and Police, Public Works, and Community Activities. For the City of Sonoma, the primary General Fund revenue sources are Transient Occupancy Tax (TOT), Property Tax, and Sales Tax (General and Measure U). Together, these sources comprise 71% of total General Fund revenue. Other major General Fund revenue sources include Emergency Medical Service (EMS) revenue, Fees & Charges for Services, Franchise Tax, and Business License Tax.

Total General Fund revenues are projected to end FY 17/18 at \$17,418,969. This total is slightly below FY 16/17, due primarily to impacts of the October 2017 Fires. For FY 18/19, revenues are projected to total \$18,789,694, an increase of about \$1.37 million or almost 8% over projected actual revenue for FY 17/18. About half of the revenue growth comes from increases in Fees & Charges for Service and increased Transfers from the implementation of a Cost Allocation Plan. An additional funding source (not shown below) is use of the Special Projects Reserve in the amount of \$731,920 for FY 18/19.

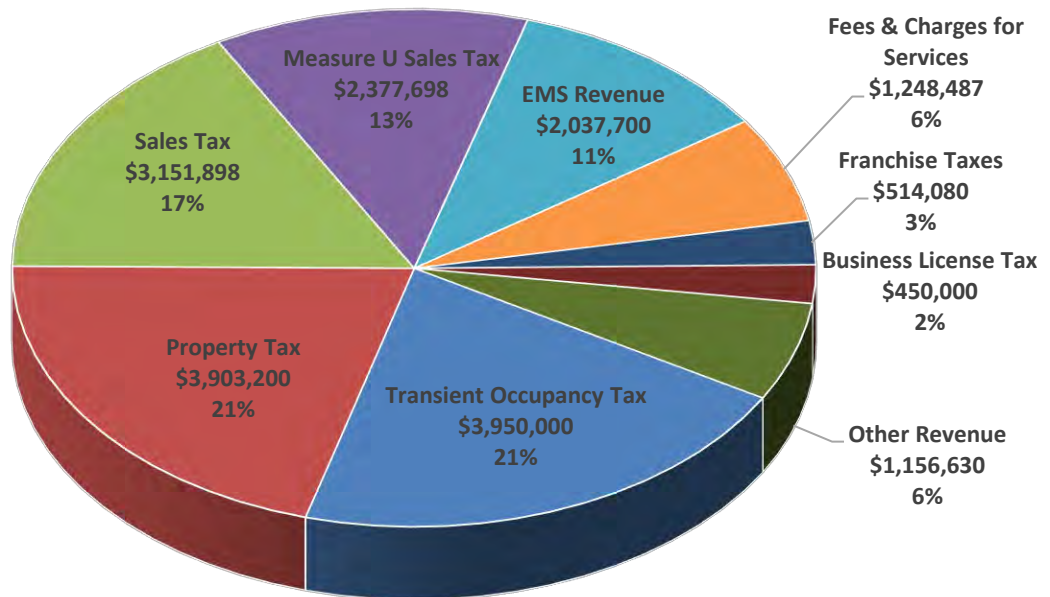
	FY 2015/16 Actual	FY 2016/17 Actual (Projected)	FY 2017/18 Actual (Projected)	FY 2018/19 Proposed Budget
General Fund Revenues				
Property Taxes	\$ 3,318,086	\$ 3,533,711	\$ 3,726,886	\$ 3,903,200
Sales Tax	\$ 3,239,370	\$ 3,122,892	\$ 3,117,710	\$ 3,151,898
Measure U -Local Sales Tax	\$ 2,075,392	\$ 2,248,496	\$ 2,227,156	\$ 2,377,698
Transient Occupancy Tax	\$ 3,751,167	\$ 3,726,130	\$ 3,648,709	\$ 3,950,000
EMS Charges	\$ 1,709,865	\$ 1,729,749	\$ 1,937,700	\$ 2,037,700
Fees and Charges For Services	\$ 919,804	\$ 631,074	\$ 919,229	\$ 1,248,487
Franchise Taxes	\$ 487,517	\$ 494,353	\$ 504,000	\$ 514,080
Business License Taxes	\$ 433,469	\$ 434,762	\$ 451,825	\$ 450,000
Other Revenues	\$ 933,966	\$ 667,504	\$ 536,974	\$ 479,567
Transfers	\$ 598,250	\$ 986,889	\$ 348,780	\$ 677,063
TOTAL:	\$ 17,466,887	\$ 17,575,559	\$ 17,418,969	\$ 18,789,694

As the regional economy recovered from the recession, the City benefitted from significant growth in its major revenue sources. Steady growth has continued in Property Taxes, as well as in EMS revenue. In the past two years, however, both general Sales Tax and TOT revenues have been flat or slightly down.

Sonoma's largest industry is tourism, and the City budget is reliant on tourism-related revenues. Tourism-related revenue is not limited to the TOT generated by overnight visitors (i.e. "heads in beds"). Tourists are also supporting our local dining establishments, with restaurants and food products comprising the largest segment of Sales Tax revenue. Sonoma is fortunate to have these sources to sustain the public services for residents, but it is important to recognize that these revenue sources are very sensitive to economic fluctuations, weather patterns, and major disruptions such as the 2017 fires.

REVENUES - FINANCIAL SUMMARY

FY 18/19 Budget General Fund Revenue Sources



Transient Occupancy Tax (TOT)

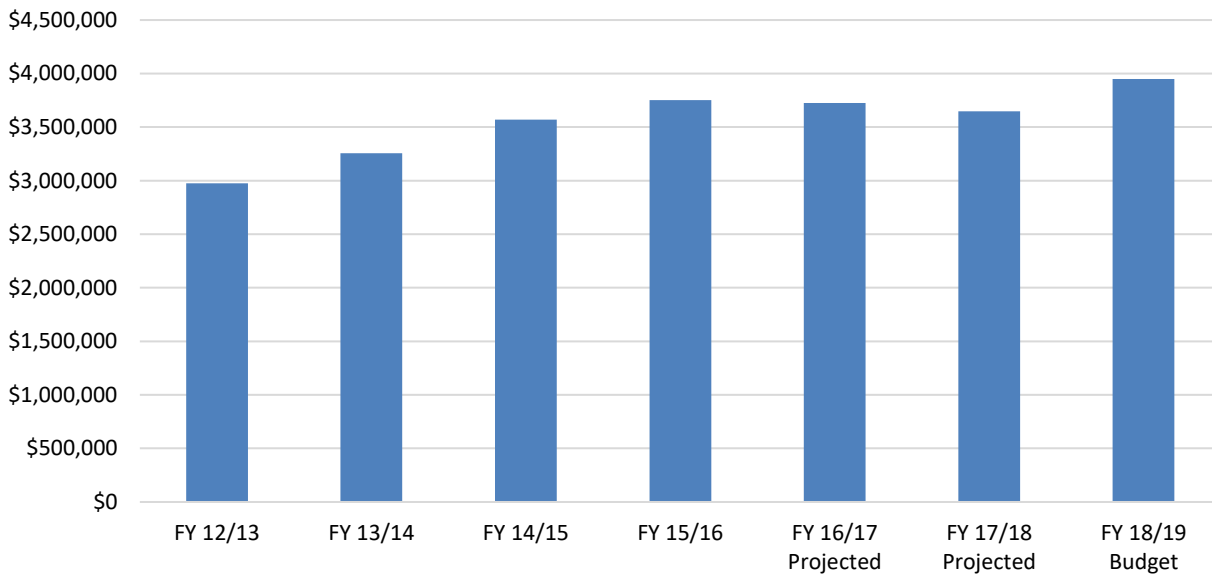
The Transient Occupancy Tax, often called a hotel tax, is imposed on occupants of hotels, inns, motels and other lodging facilities for occupancy of 30 days or less. The tax is applied to a customer's lodging bill. Taxes are remitted for all approved lodging operators in the City of Sonoma, but a small number of hotel properties contain the majority of rooms and thus generate the majority of TOT revenue.

For FY 17/18, the City budgeted \$3.9 million however with the October Fires, there was a loss of TOT revenue in October and November that is estimated at approximately \$250,000. The City of Sonoma's TOT rate is currently 10%, which is retained and used as a General Fund revenue. TOT represents over 21% of the City's General Fund revenue. An additional 2% is collected and remitted to the Sonoma Tourism Improvement District (STID). The STID was formed to provide a stable source of funding for a sustained marketing program with the goal of increasing occupancy and room revenues at lodging properties in the City of Sonoma. The 2% assessment was initially approved for three years beginning July 2012, and was extended by approval of the Sonoma City Council in June 2015 for ten years.

REVENUES - FINANCIAL SUMMARY

After growing steadily for some time, TOT revenue has flattened in recent years, reflecting its sensitivity (at least in the short-run) to disruptive events. In FY 16/17, a wet winter and major renovation work at the Lodge at Sonoma resulted in TOT revenues that were down very slightly from the previous year. For FY 17/18, projected TOT revenue is \$3,648,709, about 6% below the original budget projection and about 2% below FY 16/17, as a result of booking losses from the 2017 fires for October (typically a peak tourism month) and several months thereafter. This year and FY 18/19, we find MacArthur Place also embarking on a major renovation off all rooms, restaurant and spa which will affect TOT at this hotel. Overall, as visitors return, however, staff is projecting that the earlier trend will resume and is estimating TOT at \$3,950,000 for FY 18/19, an increase of 8.2%.

Transient Occupancy Tax Revenue



Although not reflected in the revenue projection for FY 18/19, City staff is recommending an increase in the Transient Occupancy Tax (TOT) from 10% to 12%. This increase will require Council legislative actions and placement of a revenue measure on the ballot for public vote. During a strong economy this increase could potentially bring the City over \$790,000 in revenue annually for City services and community investments. This will bring the combined TOT/STID rate to 14%, but as the combined rate (TOT plus assessments) in most other public agencies in Sonoma and Napa counties already sits at 14%, this increase would put Sonoma in line with the lodging establishments in our region.

Sales Tax and Measure U

Consumers are familiar with the experience of purchasing items at a store and having a percentage amount added for sales tax. The State Board of Equalization (BOE) collects local sales and use tax revenues from the retailer and sends revenue from local rates and allocations back to cities and counties. Sales and use tax revenue is general purpose revenue and is deposited into the City’s General Fund.

CHARACTER-DEFINING FEATURES SLATED FOR DEMOLITION

From 2014 Page & Turnbull Report:

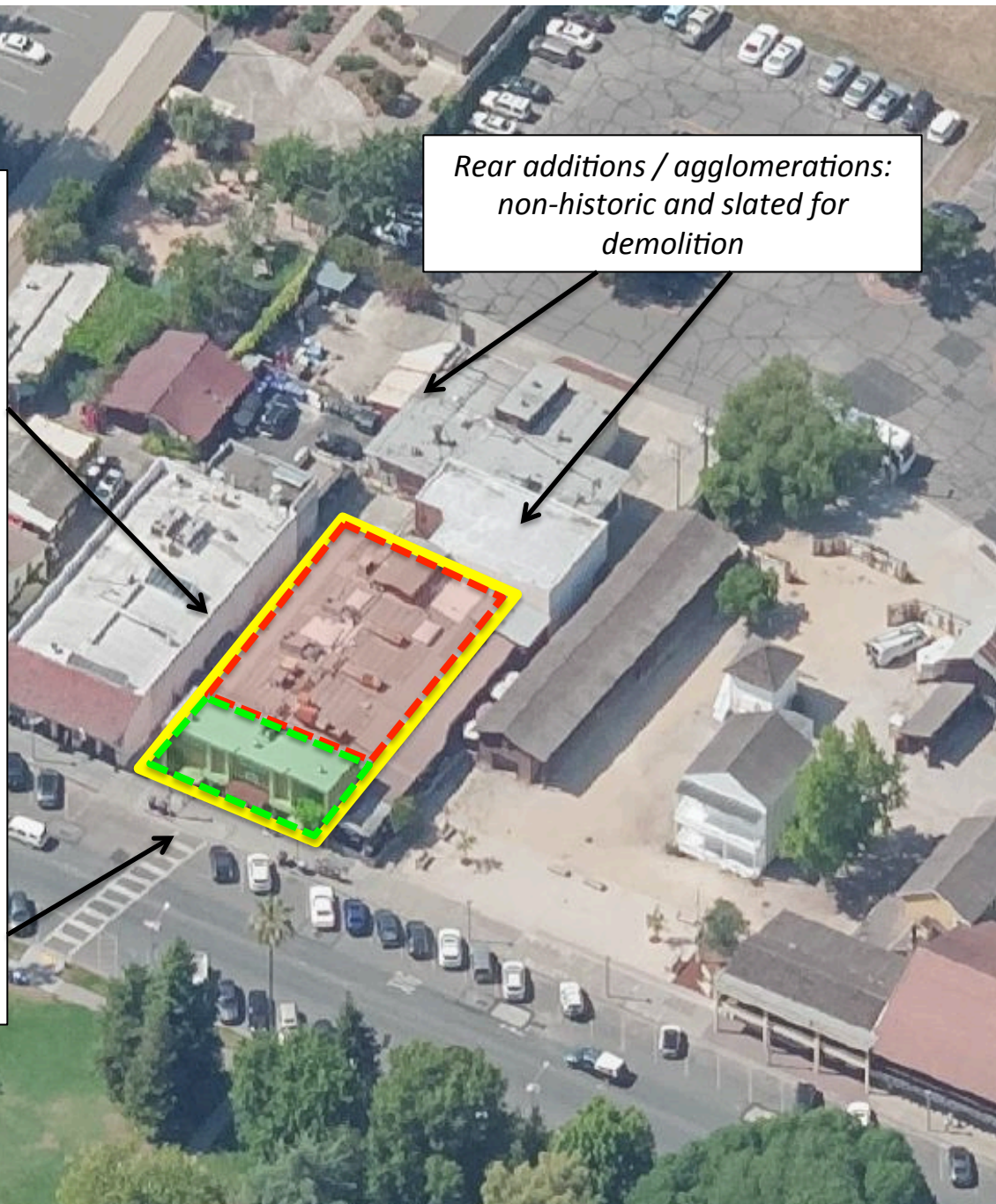
- *Character defining features of the building that enable it to convey its historic appearance and significance include... “and the massing and footprint of the building as it was originally constructed, which includes... The center one-story factory section.”*
- *“The front and center portions represent the original historic massing of the building.”*

YELLOW BORDER: HISTORIC MASSING & FOOTPRINT

RED: SLATED FOR DEMOLITION

GREEN: PRESERVED

*Rear additions / agglomerations:
non-historic and slated for
demolition*





How Can Substantial Adverse Change be Avoided or Mitigated?

A project that has been determined to conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties can generally be considered to be a project that will not cause a significant impact (14 CCR Section 15126.4(b)(1)). In fact, in most cases if a project meets the Secretary of Interior's Standards for the Treatment of Historic Properties it can be considered categorically exempt from CEQA (14 CCR Section 15331).

Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the historical resource. This is often accomplished through redesign of a project to eliminate objectionable or damaging aspects of the project (e.g., retaining rather than removing a character-defining feature, reducing the size or massing of a proposed addition, or relocating a structure outside the boundaries of an archeological site).

Relocation of an historical resource may constitute an adverse impact to the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR Section 4852(d)(1)).

In most cases the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of an historical resource (14 CCR Section 15126.4(b)). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as a mitigation should be proportionate with the level of significance of the resource.

Avoidance and preservation in place are the preferable forms of mitigation for archeological sites. When avoidance is infeasible, a data recovery plan should be prepared which adequately provides for recovering scientifically consequential information from the site. Studies and reports resulting from excavations must be deposited with the California Historical Resources Regional Information Center. Merely recovering artifacts and storing them does not mitigate impacts below a level of significance.

Photographs and displays DO NOT MITIGATE the physical impact on the environment caused by demolition or destruction of an historical resource.

Fair Argument - EIR must be prepared.

RELATED PAGES

[Are Archeological Sites Part of the California Register? \(14 CCR Section 4852\(d\)\(1\)\)](#) (/?page_id=21725)

[How Should a Citizen Approach Advocating for Historical Resources Under CEQA? \(14 CCR Section 15331\)](#) (/?page_id=21731)

[What are Exemptions Under CEQA and How Are They Used? \(14 CCR Section 15331\)](#) (/?page_id=21728)

[What are Local CEQA Guidelines? \(14 CCR Section 15331\)](#) (/?page_id=21729)

[What Information Is Useful to Have When Contacting OHP About a CEQA Project? \(14 CCR Section 15331\)](#) (/?page_id=21732)

[What is Substantial Adverse Change to a Historical Resource? \(14 CCR Section 15126.4\(b\)\)](#) (/?page_id=21726)

[What is the California Register and What Does It Have to Do With CEQA? \(14 CCR Section 4852\(d\)\(1\)\)](#) (/?page_id=21724)

[When Does CEQA Apply? \(14 CCR Section 15331\)](#) (/?page_id=21723)

[Who Ensures CEQA is Being Followed Properly? \(14 CCR Section 15331\)](#) (/?page_id=21730)

[Secretary of the Interior's Standards for the Treatment of Historic Properties \(https://www.nps.gov/tps/standards.htm\)](https://www.nps.gov/tps/standards.htm)

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Planning Zone 5: Field A



Image 51: Undeveloped lot known as Field A.

Field A is an undeveloped area to the north of the Barracks parking lot. The 1986 General Plan made proposals and recommendations that included the potential development of Field A. The Operations Element from GP describes the condition of the artifact storage issues at the park, *"Sonoma SHP displays and stores great number of historic artifacts. The District currently does not have adequate staff or storage space for these items. A small security room at the Barracks is full, and the remaining artifacts are kept in one of the unused display rooms. Additional storage facilities are proposed and the GP identifies that these could be "acquired, either by lease or construction to properly store and maintain non-display and rotationally displayed artifacts. The location for such facilities would ideally be at the relocated corporation yard and/or the district office" (1986 GP: 33)*

These directives, along with needs expressed since the 1986 GP to obtain a new sector office and curation facility (PID # 101200) have been articulated in this FMP to provide for the development of a new artifact/archival storage and administrative facility construction in Field A. A new administration office combined with an artifact/archival storage facility will provide an efficient ADA accessible facility for operations and artifact curation. Currently artifacts needed in the District are housed and cared for on 2nd floor of historic adobe building which makes transport of collections, supplies and equipment difficult and in some cases impossible to manage.



Image 52: Field A, adjacent to Parking Lot.

Facility Goal

- Develop a new archival, artifact collection and administration facility in Field A.
- Preserve all archaeological features and deposits.

Current Use

- Open space with no current visitor use.

Concession/Revenue Potential

- Potentially, if private collections are curated at location.

Partnership potential

- Blue Wing Adobe Trust, Inc.
- Sonoma Petaluma Parks, Inc.
- Sonoma League for Historic Preservation.
- City of Sonoma
- Unknown



Image 53: Undeveloped Field A, potential future site of the SAACA Facility.

Sonoma Artifact Archival Collection and Administration (SAACA) Facility

Artifact and archival collections facilities are a critical element in preserving and making accessible our collective cultural heritage. Artifact and archival collections should be maintained, managed, and accessible for educational, scientific, and religious purposes. SSHP possesses numerous collections of archaeological and historic artifacts, as well as historic archival materials, artwork, furniture, and other objects. Most of these collections are related to the history of the county and city of Sonoma and/or associated with the other parks in the Bay Area District, such as Petaluma Adobe SHP and Jack London SHP. Many of these items are routinely used in interpretive displays at the park. Many others however, are not but are still require proper storage and management.

Current facilities for the curation of artifacts, museum collections, and archival records at SSHP are limited and do not employ the latest recommended Secretary of Interior Standards for collections storage. They also are not totally secure or have adequate climate control available. A designated repository for the artifact and archival collections, which can provide accountable, professional curation of collections in a secure, climate-controlled environment on long-term basis, is needed.

A newly developed ADA accessible facility with a combined artifact/archival curation facility will provide proper storage, security, and workspace for the care of museum collections relevant to SSHP. The SAACA can also serve as a central location to work together with local museum and historic organizations to better serve historic preservation in the area.

SAACA Site Plan



Image 54: SAACA Site plan.

Facility Program

Programming of the SAACA Facility has been conceptually explored by CSP architects. It is broken down into four aspects; building envelope, interior space planning, mechanical, electrical/plumbing, and specialized equipment/furnishings that will need to be accommodated by the facility design.

Interior Space Planning

Interior space with proper lighting and equipment will allow for artifact treatment and processing areas to be established. The SAACA administrative spaces can serve as an incident command center in

event of local disasters. The new facility can also provide a gateway orientation for park visitors to SSHP, as well as, a training location and a public meeting area. It can also provide a central location to work with partners and other historic and cultural organizations in the surrounding community. In addition to offices for a Curator and a Museum technician, there is a need for additional District staff support and office space for local organizations similarly involved in artifact curation and preservation. The artifact and curation operations will need to be accommodated with processing areas, artifact storage areas, reference library, and archives. Finally, space for a lobby, meeting or conference rooms, restrooms, janitor's closets and mechanical rooms will be required. An area for loading / unloading should be provided. Interior space planning and specialized equipment requirements should be informed by survey/assessment and quantification of the collection storage requirements. Mixed use and shared space goals can be facilitated by optimal design.

Mechanical, Electrical, Plumbing requirements

The climate control equipment for an artifact storage facility will be critical to the success of the building and will include sophisticated controls. The systems, especially for temperature and humidity, will need to be developed by design professionals that have expertise in similar facilities. It is not expected that the space needs for such equipment will be much greater than for an office building of similar size. It is currently undetermined if any need beyond desktop computers will be required, but provision for additional data cabling should be considered to accommodate future increased use of electronic media storage and research.

Equipment and Furnishings

This is a specialized facility and needs to accommodate function-specific equipment and furnishings. In the artifact storage areas, shelving will dominate, but areas for processing of artifacts will require large work tables, task lighting and access to a wash sink. Shelving will need to be flexible to accommodate a range of artifacts. Also specialized storage for textiles and flat files for maps will be needed. Shelving for archival media, similar to library shelving, could be high-density storage.

Facility Goal

- Create a new two-story curation facility with artifact/archival storage capability and also administrative/ park staff offices. Incorporate meeting rooms and open the lobby to the public with accessible restrooms.
- Develop a covered group staging area, protected from the elements, with seating and bus drop off.
- Provide shade trees, seat walls, benches, picnic areas, gathering spaces and community gardens.

Circulation/Access

- Add designated staff parking for the curation facility/park offices.
- Creating a designated bus drop off and staging area.

Landscape Planting/Irrigation

- Plant primarily drought tolerant, regionally appropriate species to minimize water use, to add habitat, aesthetic and educational value.
- Utilize historic plant material, if adequate resources are available, to identify appropriate plants.
- Add shade for gathering areas, reduced energy costs, habitat and aesthetic value. Interpret the landscaping methods and plants.
- Develop community garden beds for local restaurant/community rental for *Farm to Fork* concept and to tie in with historic orchard use.
- Incorporate sustainable irrigation for efficiency and long-term function.

Partnership potential

- Blue Wing Adobe Trust
- Sonoma Petaluma Parks, Inc.
- Sonoma League for Historic Preservation.
- County or City of Sonoma
- Unknown

From the same State Historic Park Facilities Management Plan Planning Zone 6: Parking Lot

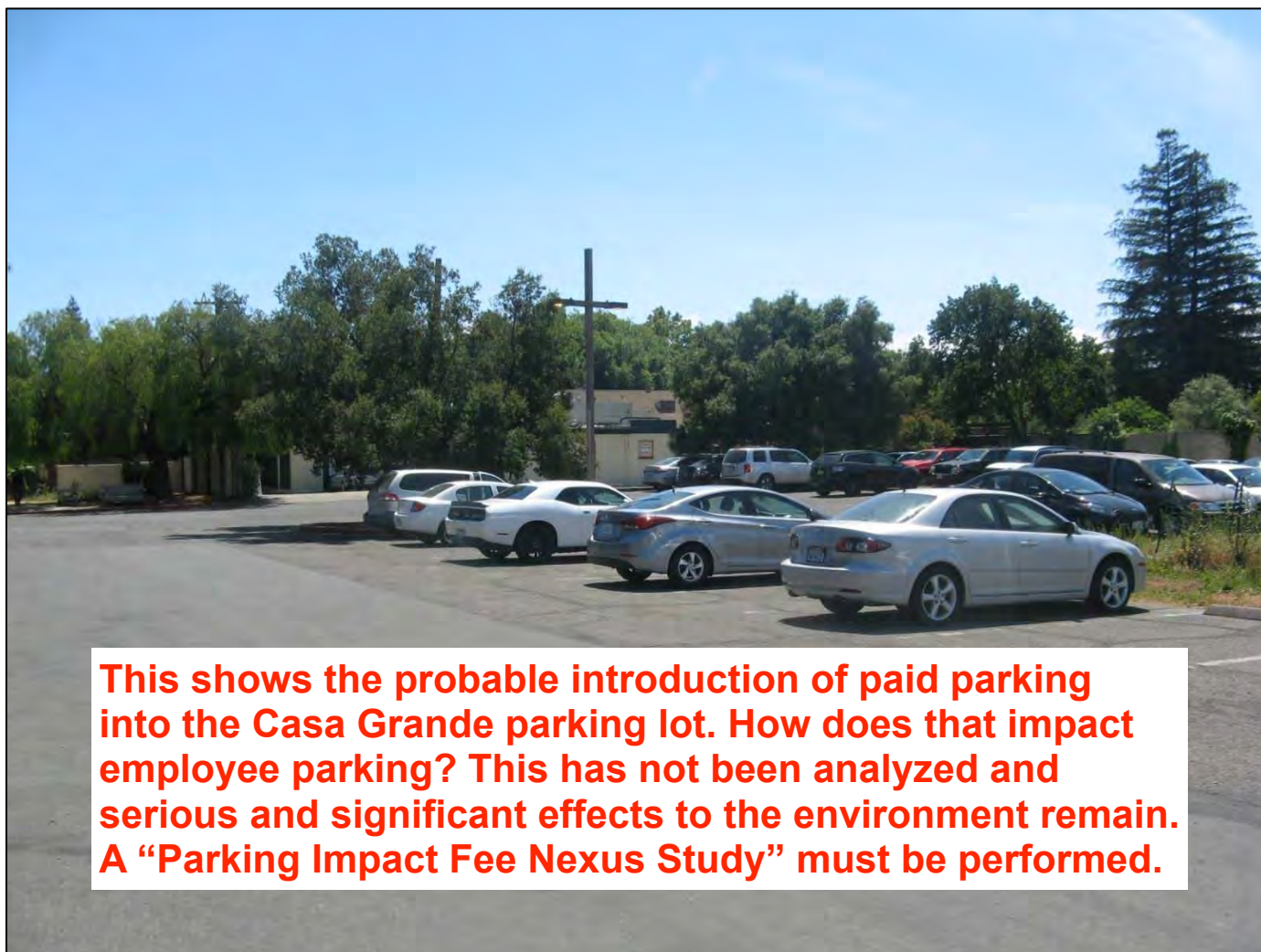


Image 55: Parking lot.

Excerpt from 1986 GP:

“The 90 space parking lot is located at the rear of the Toscano Hotel complex, with access off East First Street. Both the entrance road and parking area are paved, curbed, and landscaped. A couple of tables are scattered about for picnics. Historically, Vallejo probably had vineyards, house gardens, and bathrooms located here and on the open field west of the parking lot. This field is now used for overflow parking on festival occasions. Parking is generally adequate for visitor demands most of the year. However, parking in the City of Sonoma is insufficient for weekend use during most of the year.

The City of Sonoma has recommended modifications for the vehicular circulation pattern of the entrance so to gain delivery truck access to the rear of several commercial businesses that front Spain Street This is designed to help relieve the increasing congestion between residents, tourists, and delivery vehicles.”

The Parking Lot facility, situated north of the Toscano Hotel Complex, is owned and maintained by California State Parks. It is accessible on the east through a vehicle entrance drive way located along

1st Street East. The Parking Lot is currently managed as a non-fee parking area. It provides approximately 90 spots of free parking for Sonoma SHP visitors, including tourist busses, and also serves visitors to other areas nearby including the Depot Park and the City of Sonoma Plaza’s business district. SSHP staff also utilizes the parking lot for staff parking and staging State Park vehicles.



Image 56: Tourist bus staged in parking lot.

The Parking Lot provides off street parking which minimizes congestion on the City of Sonoma streets (City of Sonoma GP Update page 19). Improving the parking facility will have benefits to SSHP. Installation of a gate or a parking kiosk would allow for better management of the lot. Automated payment machines or “Pay By Phone” meters, if added to the parking area, could facilitate revenue generation and manage vehicle access during open use hours. Partnerships on operating of the parking area with the City of Sonoma and/or nearby merchants could offer a cooperative and sustainable management opportunity. Vendor rental opportunities for bicycles, scooters, and Segway’s could provide increased visitor access and interpretation without increasing CSP costs.

Facility Goal

- Continue off-street day-use only parking at the SSHP parking lot
- Implement paid parking at the Sonoma SHP parking lot.
- Create day-use picnic areas for visitors.
- Maintain connection with Depot Park
- Pursue concession opportunities in the parking lot area.
- Maintain annual improvements to the parking lot.

Site Use Recommendations

- Add automated payment machines (APMs) in the parking median strip to collect fees for parking lot use. Pay areas will include APM kiosk, with options for credit cards and wireless payment, additional signage, benches and trash/recycle containers.
- Establish new day use areas and park furniture within the median of the parking lot.
- Identify designated carpool and electric vehicle parking (Per CA Green Building Code).

Circulation/Access

- Provide signage informing visitors of new paid parking and vehicle use hours.
- Provide accessible “queuing” or staging space for arriving vehicles and busses.

Landscape Planting/Irrigation

- Incorporate shade trees and native/drought tolerant, regionally appropriate species in the median and along edges to minimize water use, add habitat for aesthetic and educational value.
- Interpret landscaping methods and plants.
- Incorporate sustainability irrigation for efficiency and long-term function.

Concession/Revenue Potential

- Yes, paid parking and concession rentals.

Partnership potential

- City of Sonoma.
- Unknown.

Paid Parking Options

Pay by Phone

In 2013, State Parks partnered with Passport Parking to utilize mobile pay program options allowing the visitor to park, use their mobile device to pay the necessary use fees, and enjoy their recreational activities without the inconvenience of stopping at a kiosk or standing in line to use a machine. The Passport Parking app allows visitors to receive text message alerts and reminders before their parking expires, and pay to extend their time. Those who use the app can log in using social media accounts to find nearby businesses and upcoming events.

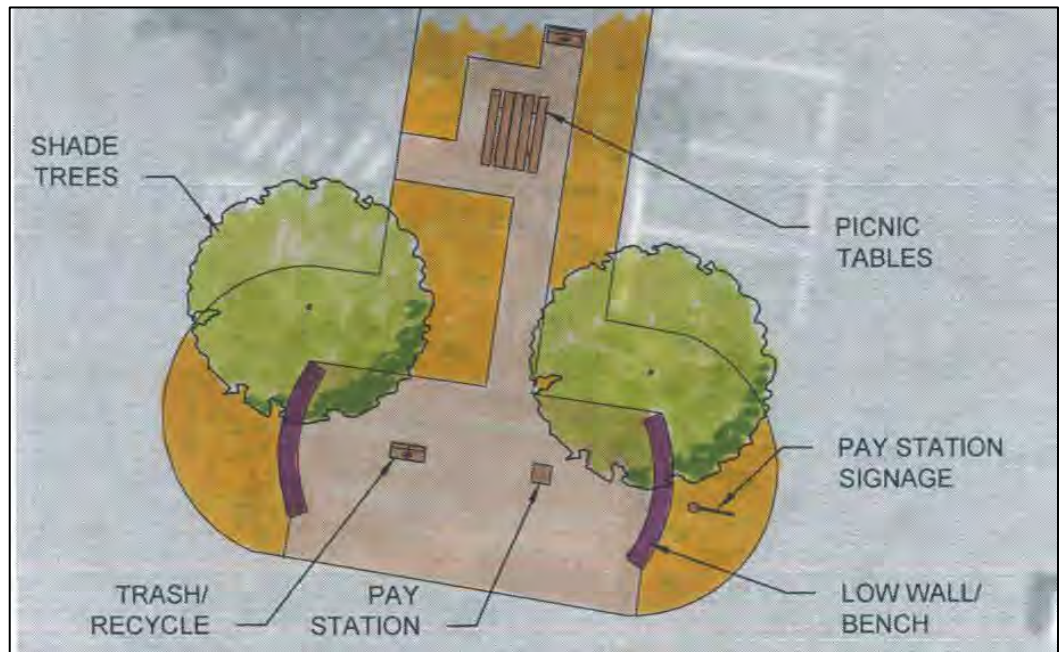


Image 57: Close up of new parking lot pay station conception.

To use the mobile pay system, customers register through the free Passport Parking Mobile Pay app or voice system, found on both iPhone and Android platforms. Registration instructions are also located at all parking lots where Passport Parking is offered. Utilize Passport Parking to provide the “Pay By Phone” option for visitors. Rather than utilizing the walk-up Automated Pay Machine (APM), the visitor is able to pay utilizing a cellular device. You can set the parking lot up to either Pay-by-License or Pay-by-Stall. The service is free to operate, but the user would pay a service fee for the option.

Hourly

Provide Automated Payment Machines (APM) to offer pay-by-hour or timed payment methods.

Coupon Codes

With an APM coupon codes can be offered for parking. This allows for providing reduced rate parking for Special Event programming or for local businesses which are utilizing the lot for employee parking and negotiate a monthly parking fee, assign an individual coupon code per user and collect that new revenue. Utilize coupon codes specifically for reduced parking during special events. Coupon codes provide VIP parking and can limit the number of discounted parking stalls per event. This option typically is free of charge to your operation or some APM vendors charge a fee of \$2 per month to have the option “open” on the machine.

Gift or Reward Card Debit/Re-charge

With the roll-out of the credit card readers there is an opportunity to offer gift cards to users. This would need to be a District-wide effort to deploy. Good marketing strategies exist which would allow SSHP to work with our current Coops and local businesses. To have this option “Open” on an APM there is a monthly fee.

Validation

There are limited APM vendors who offer a validation option. A validation option could be developed, whereby a validation machine is rented to the local businesses, in return a negotiation is made for a minimum purchase at that store which they are able to provide validations to their customers.

Electric Vehicle Charging Stations

State agencies shall identify and pursue opportunities to provide electric vehicle charging stations, and accommodate future charging infrastructure demand, at employee parking facilities in new and existing buildings;

The Department of General Services, in conjunction with other appropriate State agencies and outside entities, shall develop an electric vehicle charging station infrastructure plan including the following: Evaluate existing state-owned parking structures and parking lots and install plug-in electric vehicle charging infrastructure where most cost-effective and appropriate;

Plan for and install appropriate, cost-effective levels of plug-in electric vehicle charging infrastructure in the new construction of state-owned parking structures and parking lots.



Image 58: New parking median concept.

**OXBOW PUBLIC MARKET
CURRENT RETAILERS: ANALYSIS**

No.	Name	# of Outlets	Additional Info
1	Anette's Chocolates		
2	C Casa	2	Napa & Emeryville
3	Cru @ The Annex		
4	Eiko's At Oxbow		(Another location in Napa; not counting)
5	Fieldwork Brewing Company	5	Locations from Sacramento to San Mateo
6	Five Dot Ranch		
7	Gott's Roadside	7	Bay Area hamburger chain.
8	Hog Island Oyster Bar	2	Ferry Building & Napa
9	Hudson Greens & Goods		Juice Bar / Tasting Room. Offers Produce.
10	Kara's Cupcakes	10	Started in SF. 10 Bay Area Locations.
11	Kitchen Door		
12	Live Fire Pizza	2	Started at SFO, new location in Napa.
13	Napa Bookmine		
14	Napa Valley Distillery		(Another location in Napa; not counting)
15	Napastak Napa Valley		
16	Oxbow Cheese & Wine Merchant		
17	Ritual Coffee Roasters	6	Started in SF, 5 SF locations + Napa
18	The Fatted Calf	2	San Francisco & Napa
19	The Model Bakery	3	All locations in NV (St. Helena, Napa, Yountville)
20	The Olive Press	2	Cornerstone & Oxbow
21	Whole Spice		
22	Three Twins Ice Cream	7	Including shops at SFO, Korea & Japan
	Total	11	
	% of Total	50%	

***"Formula Retail Ordinance" must be dramatically strengthened
This will not a "unique" retail experience***

From the Sonoma General Plan

CD 5.1: "Preserve and enhance the scale and heritage of the community without imposing rigid stylistic restrictions"

A large food court / mini-mall on the Plaza does not reflect the scale of the Plaza or heritage of the community.

LE 1.1: "Focus on the retention and attraction of businesses that reinforce Sonoma's distinctive qualities..."

LE 1.8: "Preserve and enhance the historic Plaza area as a unique, retail-oriented commercial and cultural center that attracts both residents and visitors."

We have no idea whether the businesses will reinforce Sonoma's distinctive qualities. Using Oxbow as an example, many of the outlets will be "regional chains" - sure, they aren't McDonalds, but they're not distinctive. See above - 50% of the Oxbow have outlets with more than one location.

A large MINI MALL / FOOD COURT - that similar renditions of already exist at various places in the Bay Area (San Francisco, Napa, SFO Airport) is anything but unique.

THIS PROJECT CONFLICTS WITH THE GENERAL PLAN - THE APPEAL MUST BE UPHELD.

Agenda Item Title: Application for a Use Permit to allow the remodel of the Sonoma Cheese Factory in conjunction with the provision of additional retail space.

Applicant/Owner: William Dimick, Architect

Site Address/Location: 2 West Spain Street

Staff Contact: David Goodison, City Planner
Staff Report Prepared: 5/7/04

PROJECT SUMMARY

Description: Application of William Dimick, Architect, for a Use Permit to allow the remodel of the Sonoma Cheese Factory in conjunction with the provision of additional retail space at 2 West Spain Street

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic

Site Characteristics: The property is currently developed with a number of buildings dating from 1940 to the present accommodating cheese production and a retail/deli and outdoor eating area.

Surrounding Land Use/Zoning:
North: Casa Grande parking lot/Park
South: The Plaza (opposite West Spain Street)/Park
East: Barracks State Park/Park
West: Restaurant/Commercial

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve the conversion of the existing building into a retail center.
Deny application for new building construction.

The Staff Report for a 2004 use permit - prepared by David Goodison 5/7/04

Nothing has changed since 2004 except for the fact parking and traffic conditions on the Plaza have become much worse and more intense. The only change code wise has been the addition of an "in-lieu fee" option; but same issues remain and a parking impact nexus fee study must be prepared.

We find the conclusions and recommendations in the 2018 staff report, and the 2014-15 use permit process (NOW EXPIRED) unreasonable and IMPOSSIBLE to justify considering this staff report and the intensified conditions since then. This involved a 9k expansion (from 11sf) - but remember - the staff report and recommendations were originally made for a 13+k expansion with the basement use. This project was originally much bigger than the 2004 project.

Same site. Same building. Same code.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The Sonoma Cheese Factory, located on West Spain Street, is currently relocating its cheese production operation to a new facility on Eight Street East. The opportunity to convert existing production areas into other uses has led the property owner to propose a reconfiguration of the building that involves both the conversion of exist building areas to retail use and the construction of new building area, also proposed for retail use.

- *Re-use of Existing Space.* The Cheese Factor is a relatively large building, with a total area of 11,420 square feet. At this time, however, only 2,860 square feet is devoted to retail use. The remainder has been used for the cheese production and storage, as well as administrative offices. The property owner is proposing to devote the entire building to retail use, subdivided into as many as nine tenant spaces accessed via a central corridor. A retail outlet/deli for the Cheese Factory would serve as the anchor tenant. (Note: it appears that the existing second-floor office area would continue to be associated with the Cheese Factory retail outlet.) Other prospective tenants have not yet been identified. The subdivision of a commercial building into three or more tenant spaces is defined in the Development Code as a “shopping center” and is subject to use permit review.

- *New Construction.* The master plan submitted by the applicant also includes several building additions, totaling 8,480 square feet. These additions would occur along the west side of the building, at the northeast corner, and in a paved area at the northwest portion of the site. As stated in the project narrative, these additions would be constructed based on specific tenant proposals, rather than on spec. These additions would be considered an expansion of the “shopping center” use resulting from the conversion of the existing building and are therefore subject to use permit review.

If the proposed master plan were to be fully implemented, the building would have an area of 19,900 square feet. No off-street parking is proposed.

GENERAL PLAN CONSISTENCY (Not Applicable to this Project)

The property has a General Plan land use designation of Commercial. This designation is intended to provide areas for retail, service, medical, and office development, in association with apartments and mixed-use developments and necessary public improvements. The proposed retail uses are consistent with the purpose of the Commercial land use designation. The following goals and policies of the General Plan are applicable to the project:

- *Local Economy Element, Policy 12:* Promote ground-floor retail uses in commercial areas as a means of generating pedestrian activity.

In general, the project is consistent with the goals and policies of the 1995-2005 General Plan, however staff is concerned about parking impacts (refer to “Discussion of Project Issues”).

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: The property is zoned Commercial (C). The retail uses proposed under the application are permitted in the Commercial zoning district.

Infill within the Historic Overlay Zone: Guidelines presented in the Development Code encourage new infill development in the Historic Overlay District to be compatible in scale and treatment with existing, older development and to maintain the overall historic character and integrity of the community (§19.42.040). To a large degree the guidelines relate to architectural considerations. Since the proposal, at this time, is limited to a site plan, the application cannot be evaluated against these criteria. Given the property's prominent location within the Sonoma Plaza National Landmark District, and the proximity of various historically significant buildings, no final action the additions should be taken until elevations are made available to the Planning Commission for review. Pursuant to the Development Code, the Planning Commission is responsible for reviewing and acting upon the project site plan, building massing and elevation concepts. Subsequent review by the Design Review Commission is also required, encompassing elevation details, colors and materials, landscaping (including fences and walls), lighting, and any other issues specifically referred to the DRC by the Planning Commission (§19.54.080E).

Parking: As with all structures that front the Plaza, the building receives a parking credit of one space per 300 square feet of floor area. Based on the total existing floor area of the facility (11,420 square feet), the Sonoma Cheese Factory has a credit of 38 parking spaces. In comparison, the retail and production facility uses that have historically operated on the property require 27 parking spaces under current standards. In conjunction with the 20 additional spaces required for the outdoor dining areas (approximately 80 seats), the business at it has historically been operated requires a total of 47 parking spaces. Based on these calculations, operations on the property currently exceed the allotted parking credit, with a deficit of 9 parking spaces.

Considering that the business already operates with a parking deficit, it is difficult to support the additional 8,480 square feet of retail floor area proposed for the site. By itself, the additional retail floor area proposed under the application would generate a requirement for an additional 28 parking spaces, resulting in a total deficit of 48 spaces (this figure takes into consideration the conversion of the production facility areas to retail use). According to the project narrative, the operation of the Cheese Factory involved as many as 50 employees per day, as well as various delivery vehicles, including milk tanker trucks. The narrative suggests that that the conversion of the building to purely retail use will result in a reduction in the number of employees. However, it is by no means clear to staff that this would indeed be the case. The number of employees on shift at any one time is not provided. The employee demand associated with the proposed tenant spaces is unknown and there is no way to define what the tenants will be beforehand.

Applying the parking credit to the existing structure in order to allow its conversion to retail use is consistent with the Development Code and long-standing practice. However, even if it could be documented that this conversion would result in a reduction in the number of employees associated with the building, this does not provide a basis for approving the 28-space parking exception needed to allow the proposed building additions. As noted in the project narrative, when the Casa Grande parking lot was improved (about 20 years ago), the Cheese Factory contributed \$50,000 to the project in order to pay for design upgrades needed to allow milk trucks access to the rear of the Cheese Factory property. This payment, however, did not result in any dedicated parking benefiting the Cheese Factory.

CONSISTENCY WITH OTHER

CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section 15303 of the State CEQA Guidelines, construction of up to 10,000 square feet of commercial space on a parcel within an urbanized area is Categorically Exempt from the provisions of CEQA (Class 3 – New Construction or Conversion of Small Structures).

DISCUSSION OF PROJECT ISSUES

Parking Exception for New Construction: Pursuant to Development Code Section 19.48.050.A.1, The Planning Commission may modify off-street parking requirements in compliance with Code requirements for the granting of an Exception. The review of a parking exception includes consideration of potential impacts on neighboring properties or uses. In order to approve an exception application, the Planning Commission must make the following findings:

1. *That the adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan and the overall objectives of this Development Code;*

The retail uses food involved in the application are consistent with the property's Commercial zoning land use and designation. However, it is clearly an objective of the Development Code that new development should include provision for adequate off-street parking.

2. *That the Exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;*

It is true that, historically, many commercial buildings in the vicinity of the Plaza do comply with normal off-street parking requirements due to the circumstances of their development. This circumstance is recognized in the Development Code by the parking credit that is granted to existing buildings. The proposed parking exception, however, is associated with new construction. Typically, even in the Plaza area, off-street parking requirements have been applied to additions and new construction. The subject property could actually accommodate off-street parking, for example, where addition #2 is proposed.

3. *That the granting of the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.*

The off-street parking available in the vicinity of the project may or not be sufficient to absorb the parking demand generated by the proposed addition without affecting other uses in the area. The availability of the on-street parking around the Plaza has been used as a basis for granting parking exceptions on previous occasions, but it seems difficult to support an exception that amounts to 28 spaces.

In consideration of these factors, staff feels that the findings needed to support an exception to the parking requirements cannot be made.

Number of Tenant Spaces. It can be argued that, in general, the greater the number of tenants spaces within a given building area, the greater the demand for employee parking. As discussed above, the existing Cheese Factory building has a parking credit that supports its conversion to retail use. However, the Planning Commission may legitimately limit the number of tenant spaces associated with this conversion. Based on the proposed site plan, it appears that nine tenant spaces are proposed (excluding the second-floor office space. The Planning Commission could choose to limit the conversion to a lower number.

David Goodison 2004: "the greater number of tenants spaces within a given building area, the greater the demand for employee parking." WE AGREE! Remember, the new project proposes 20 tenants and 2 restaurants! They discussed the possibility of lowering # from 9 here!!

Relation to State Parks Property. A representative of State Parks, which owns the Barracks State Park adjacent to the subject property on the north and east, has raised questions about the location of the eastern property line. The location of this property line will therefore need to be verified in order to ensure that the proposed walkway and landscaping improvements along the east side of the building do not encroach upon the State property.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Approve the use permit allowing the conversion of the existing building into a multi-tenant retail center, based upon the attached findings and conditions of approval.
2. Deny the application for a use permit and exception allowing the construction of new building area.

The property owners may wish to consider a revised proposal that provides some off-street parking to support additional building area. As an alternative, the property owners may choose to monitor the City Council's pending review of Plaza parking requirements as this discussion may lead to changes in the current requirements for off-street parking.

Attachments

1. Findings (to be delivered Monday)
2. Draft conditions of approval (to be delivered Monday)
3. Location map
4. Project Narrative
5. Site Plan/Floor plans

cc: William Dimick
292 France Street
Sonoma, CA 95476

Sonoma Cheese Factory LLC
2 West Spain Street
Sonoma, CA 95476

- The Mayor of the City of Napa to get a perspective on development and its impact on parking in Downtown Napa
- Other senior city officials who provided:
 - a history of downtown development
 - an in-depth discussion of parking needs
 - an updated Implementation Schedule detailing completed and in-process measures
 - an explanation of the need for paid parking
 - parking management responsibilities
 - parking enforcement details

DISCUSSION

Parking Areas

The greater downtown has two distinct parking areas, the Downtown District shown in Appendix 2 and the Oxbow District shown in Appendix 3. The former offers surface parking, which includes on-street parking, parking lots, and garage parking. In the Oxbow District, the City manages just the surface street parking since most of the parking areas are privately owned. The Parking Plan focused primarily on the Downtown District, and acknowledged parking needs in the Oxbow District.

Parking Supply

The Parking Plan inventoried all public on-street and off-street parking, as well as most private parking facilities (see Appendix 4 for details). Off-street parking (surface lots and parking garages) accounts for the bulk of the supply. There is also a distinction between off-street public and off-street publicly owned. There are 1,747 “off-street public” spaces which are unrestricted and available to the general public, while 493 spaces are in publicly-owned lots but are only for specific user groups. For example, during business hours the City Hall parking lot is reserved for employees and Council members. This lot may be used by the public only when conducting business at City Hall. These spaces are open to the public during evenings and on the weekend.

Impact of Oxbow Development

Oxbow Market popularity was already creating a parking problem in the Oxbow District when the new South Campus of the Culinary Institute of America (CIA) formally opened at Copia in 2017, sharing the available parking lot.

Oxbow’s growing popularity has made it a pressure point for Downtown Napa. Currently, the Napa Police Department has not been consistently enforcing two-hour limits for on-street parking in the Oxbow district.

Subject: Cheese Factory Parking and Traffic Issues

Date: Thursday, March 22, 2018 at 11:41:21 AM Pacific Daylight Time

From: Victor Conforti

To: David Goodison

CC: Victor Conforti - Architect, Johanna Patri, David Eicher, Fred Allebach

David,

Please include this in the public comments:

Dear Planning Commissioners,

The Dev. Code parking standards require that any increase in SF requires on-site parking for the increased SF, plus any change of USE in an existing building that has a parking requirement exceeding 1 space/300 SF, requires additional on-site parking to accommodate the additional parking load. This includes restaurants and food service businesses. Therefore the 3,538 SF of additional floor area requires additional parking for added retail SF, plus the food service seating at one space per 4 seats or stools. I understand that the previous Use Permit approvals have expired. If this is so the parking credits that were based on a Use Permit that no longer exist, are no longer valid. The project should meet the same requirements that any other Plaza business has to comply with.

The parking spaces in the Casa Grande parking lot, which currently is a general use public parking lot, should not be used to meet the parking requirement increases for any property with parcel frontage on the Plaza. The Casa Grande lot is owned by the State and currently jointly used by the City and State. But this arrangement is only for a specific period of time. The "Tragedy of the Commons" is upon us now. The Plaza, neighboring public street parking, and the Casa Grande lot represent a "common" resource supply, which is currently at capacity demand during peak periods. Any further parking demand (or traffic demands on the existing public streets) on these public parking supplies, simply diminish the supply for all the other users of these limited resources. These are some of those other users:

State Park historic sites: The Mission and courtyard, the Barracks and courtyard, the Toscano Hotel / Kitchen / rear Dining Room, plus State Park staff parking.

Visitor and local customers going to Plaza merchants, offices and tasting rooms

Plaza Farmer Markets attendees

Owners and employees of all of the above

Plaza and Depot Park picnickers and family & children visitors to the playgrounds

Regular Depot Park bocce ball and petanque clubs users

Locals and visitor users attending festivals and Plaza events

Given these facts, no parking credits should be given.

Also, there is no guarantee that the State will renew the shared use agreement. Once they they realize the parking demand has exceeded supply, they may rethink their options. It's not a case of "If there is a problem", but "when they become concerned about the problem". Because the parking lot is already at capacity during peak periods, it won't be long before they realize that the "Tragedy of the Commons" (TOC) has caught up with them, and they are experiencing seriously diminished use of their own parking lot. They could easily use smart phone parking control methods to limit access to their visitors.

Also, if the federal government continues to punish California through reduced funding, requiring more and more cuts to services, the State could be forced to cut back small local district State Parks, just as was done during the last fiscal crisis. This could ultimately lead to disposal of the properties, just as it is now being done to the State's Development Center in Glen Ellen. These are all possibilities under the "new normal" economic and political conditions we now have to prepare for.

Also, even if a parking credit were given, this would require a Variance under State law. This is because an increase parking demand of even a modest number of parking spaces, based on the additional floor area, and the new high parking demand food and restaurant use, would be more than the 30% maximum deviation, under an Exception. The applicant could not likely provide even a few parking space on-site., unless they removed a

significant area of the existing buildings. The findings required for a Variance are very difficult to make, and I believe that they could not be made in this situation.

These same TOC arguments apply to the vehicular traffic issues in relation to the public streets (an existing supply), that has been exceeded by the traffic (demand). As you know, the parking a traffic studies that were performed during a severely depressed demand period after the wild fire disasters. We all know that, regarding parking a traffic, demand has overtaken supply during peak periods. The "Tragedy of the Commons" is upon us.

Thank You,

Victor Conforti - Architect

Subject: Re: Sonoma Cheese Factory traffic memo

Date: Wednesday, March 21, 2018 at 12:29:34 PM Pacific Daylight Time

From: David Eichar

To: David Eichar, Cristina Morris

CC: David Goodison

Christina,

Please forward to the Planning Commissioners:

Planning Commissioners, I have received updated lodging occupancy (TOT) numbers from the city. Cumulatively, hotel occupancy (room nights rented) is 22% higher in the peak month from 2015 through 2017 than in November of the 2015 through 2017.

	room nights rented		room nights rented
Peak Month 2015	14,448	Nov 2015	11,200
Peak Month 2016	13,944	Nov 2016	11,599
Peak Month 2017	13,639	Nov 2017	11,647
total	42,031		34,446

Regards,

Dave

On 3/20/2018 7:36 PM, David Eichar wrote:

Cristina, please forward to the Planning Commission.

Planning Commissioners;

I have just read the memo by Fehr and Peers dated March 20, 2018 in regards to the traffic study for the Sonoma Cheese Factory project. I absolutely cannot believe that Fehr and Peers can defend the November traffic studies reasonableness. This has got to be a joke!

For traffic volume, they compare the November dates to the Hotel Project Sonoma spring 2015 date. The Hotel Napa project traffic study was also flawed. Here is my comment on the Hotel Project Sonoma a year ago:

"According to the DEIR the base traffic measurements were taking during spring 2015. Not only are the measurements 2 years old (now 3 years old), autumn, not spring is the peak tourist season. Hotel room occupancy (room nights rented) was 15% higher in October 2015 versus May 2015 and 23% higher in October 2015 versus June 2015 according to TOT statistics received from the City of Sonoma Finance Department."

Hotel occupancy was 22.5% higher in October 2015 than November 2015. (I am awaiting for TOT statistics from they city for 2017.)

This flaw of using off peak dates for traffic studies carries over to the study of available parking spaces around the Plaza. As you all should know, parking around the Plaza on the streets and in the parking lots fills up on weekend, way beyond the 85% calculated in the study.

The second flaw in both traffic studies in regards to future impact, is the absence of analysis of increased pedestrian traffic on vehicle traffic. As you know, much of the vehicle traffic delay is caused

by vehicles waiting for pedestrians to cross the street.

Another additional flaw comparing the Sonoma Cheese Factory traffic study with the Hotel Project Sonoma study is that pedestrian traffic is greater at the north end of the Plaza than the south end; so equating traffic counts with traffic delays, again ignores the pedestrian impact on vehicular traffic.

We must have a traffic study performed in September or October in order to be accurate.

Regards,
David Eichar

Subject: Sonoma Cheese Factory traffic memo

Date: Tuesday, March 20, 2018 at 7:36:48 PM Pacific Daylight Time

From: David Eichar

To: Cristina Morris

CC: David Goodison

Cristina, please forward to the Planning Commission.

Planning Commissioners;

I have just read the memo by Fehr and Peers dated March 20, 2018 in regards to the traffic study for the Sonoma Cheese Factory project. I absolutely cannot believe that Fehr and Peers can defend the November traffic studies reasonableness. This has got to be a joke!

For traffic volume, they compare the November dates to the Hotel Project Sonoma spring 2015 date. The Hotel Napa project traffic study was also flawed. Here is my comment on the Hotel Project Sonoma a year ago:

"According to the DEIR the base traffic measurements were taking during spring 2015. Not only are the measurements 2 years old (now 3 years old), autumn, not spring is the peak tourist season. Hotel room occupancy (room nights rented) was 15% higher in October 2015 versus May 2015 and 23% higher in October 2015 versus June 2015 according to TOT statistics received from the City of Sonoma Finance Department."

Hotel occupancy was 22.5% higher in October 2015 than November 2015. (I am awaiting for TOT statistics from they city for 2017.)

This flaw of using off peak dates for traffic studies carries over to the study of available parking spaces around the Plaza. As you all should know, parking around the Plaza on the streets and in the parking lots fills up on weekend, way beyond the 85% calculated in the study.

The second flaw in both traffic studies in regards to future impact, is the absence of analysis of increased pedestrian traffic on vehicle traffic. As you know, much of the vehicle traffic delay is caused by vehicles waiting for pedestrians to cross the street.

Another additional flaw comparing the Sonoma Cheese Factory traffic study with the Hotel Project Sonoma study is that pedestrian traffic is greater at the north end of the Plaza than the south end; so equating traffic counts with traffic delays, again ignores the pedestrian impact on vehicular traffic.

We must have a traffic study performed in September or October in order to be accurate.

Regards,
David Eichar

From David Eichar, March 19, 2018

Planning Commission:

Please accept my comments below on the Sonoma Cheese Factory project.

A Mitigated Negative Declaration (MND) is insufficient. An Environmental Impact Report (EIR) is required. A full EIR must be prepared when there is substantial evidence in the record that supports a fair argument that significant effects may occur.

In the case of *Keep Our Mountains Quiet v. County of Santa Clara*, the Sixth District Court of Appeal found “

“...factual testimony about existing environmental conditions can *form the basis for* substantial evidence supporting a *fair argument* that significant impacts or effects *may* occur.”

“In reviewing the adoption of an MND, our task is to determine whether there is substantial evidence in the record supporting a fair argument that the Project will significantly impact the environment; if there is, it was an abuse of discretion not to require an EIR.”

<http://www.courts.ca.gov/opinions/archive/H039707.PDF>

Note that the court ordered the County of Santa Clara to pay the plaintiff’s legal fees in the above cited case.

As 15 year resident of Sonoma Valley, please consider my fact-based testimony and observations below as a “fair argument” that compels the preparation of an EIR.

The following may have potentially significant impacts that have not been adequately mitigated in the MND; thus requiring a full, independent review in an EIR:

- Aesthetics
- Cultural Resources
- Land Use / Planning
- Transportation & Traffic

AESTHETICS

CEQA Aesthetic Issue “C” – “substantially degrade the existing visual character or quality of the site and its surroundings” may have significant impact:

- A large building adjacent to the Historic Servant’s Quarters in the State Park requires compatibility with the Secretary of Interior’s Standards. Please read Alice Duffee’s comments concerning this.
- All the elements of the authentic Cheese Factory, other than the façade, are being demolished and replaced with a different building design. This effects authentic aesthetics.
- A reasonable case can be made that the design and materials of the new building will take away from the authenticity of the site.

The project is NOT in compliance with the Design Guidelines, including:

- 5.1.1. “Additions should be subordinate to the main building”. Subordinate includes both height and mass. The Secretary of Interior’s Standards state, “The new addition should be smaller than the historic building—it should be subordinate in both size and design to the historic building.” The new building is not smaller than the historic building; thus it is most definitely not subordinate to the historic building.
- The Downtown Design Guidelines state: “compatible additions, and sensitive new construction that is subservient to the adjacent historic buildings.” The new building is neither compatible, nor subservient to the Historic Servant’s Quarters.
- 5.1.2. “Locate additions where they will be least visible from the public right of way and do not distract from the main building” – the addition is very visible from the public right of way, both Spain Street and the Casa Grande parking lot, and the design, distracts from the main building.
- The issue is with demolishing everything on the site, except the historic element on Spain Street, and building anew. This means the project must be deemed an addition to a historic building, and as such, they are violating the Secretary of Interior’s Standards.
- An architectural peer review is required of the analysis of compliance with the Downtown Sonoma Historic Preservation Design Guidelines, but was not done.

This above “fair argument” requires Aesthetic Analysis in a full EIR.

CULTURAL RESOURCES

The question of impact of this project on cultural resources is too important to get it wrong. Peer review and further study is required:

- Historians often disagree. Initially, the Maysonnave Cottage was once slated for demolition because a historic report stated it was insignificant, was saved because another report deemed it historically significant.
- The Historic Resource Evaluation does say the Spain St. element of the Cheese Factory is historically significant, but also says that because it was constructed outside the period of significance that the project does not contribute to the National Landmark and Register District, which is debatable:
 - The existing building is said to have been built in 1945. The period of significance ends in 1944. But was construction started in 1944, designed in 1944? Because the dates are so close, further investigation and analysis is required to know for sure.
 - Even if the building is not contributing to the district, there may still be potentially negative impact to the district from redevelopment.
- An independent, peer review of the engineering/soils report must also be conducted. The Engineering Report was commissioned by the developer and submitted to the city; as with other reports, this must be independent and peer reviewed and included in a full EIR. With the Servant’s Quarters at stake, we must make sure this is done right.

LAND USE/PLANNING

This project has a potentially significant impact with regard to CEQA Issue (B): “Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, etc.) adopted for the purpose of avoiding or mitigating an environmental impact.”

This project does not comply with the following elements of our General Plan:

- CD-5.1: “Preserve and enhance the scale and heritage of the community without imposing rigid stylistic restrictions.” A large food-court/mini-mall on the Plaza does not reflect the scale of the Plaza or the heritage of the community. There is no guarantee in conditions of approval that the retail portion of the building will continue to be operated “featuring locally-sourced artisan foods, cheeses, baked goods, wine, coffee, and other related food and non-food product.” Any form of retail, from tourist tchotchkes to GMO packages food products could be sold.”
- CD-5.8 “Encourage the designation and preservation of local historic structures and landmarks, and protect cultural resources.” As discussed above, further evaluation is necessary to make sure cultural resources are protected.
- LE-1.1 “Focus on the retention and attraction of businesses that reinforce Sonoma’s distinctive qualities – such as agriculture, food and wine, history and art, and that offer high paying jobs.” I strongly disagree with the MND’s conclusion on this element.
 - We have no idea whether the businesses will reinforce Sonoma’s distinctive qualities. In fact, using Oxbow as an example, many of the places will be “small chains” – Fieldwork Brewery, Hog Oyster Island, Gott’s Roadside. These are regional chains are anything but distinctive.
 - A “Formula Retail” analysis of the Oxbow Public Market is included below; we can assume the make-up of the tenants of the Sonoma Cheese Factory will be similar; 50% of the Oxbow Market have outlets with more than one location.
 - Some of these local chains work in Sonoma at different locations, but these types of places are anything but unique or distinctive and would threaten the authentic charm of the Plaza.

We must have a comprehensive economic analysis on what a large project like this on the Plaza could do to existing businesses.

- LE-1.4 “Encourage the continued production of agricultural commodities within the city and local-serving agricultural marketing opportunities.”
 - The Cheese Factory is a grandfathered food production building on the Plaza and it would be foolish to change that use; not only does that help support the General Plan, but would preserve our Plaza’s authenticity.
 - There’s no reason why some other sort of “agricultural production” that showcases our diversity and authenticity (cheese, baked goods, etc.)
- LE 1.8 “Preserve and enhance the historic Plaza area as a unique, retail-oriented commercial and cultural center that attracts both residents and visitors.”
 - Again, a large “mini-mall / food court” that already exists at various places throughout the Bay Area (San Francisco, Napa, SFO Airport, etc.) is not unique.

- Sonoma's Plaza is one of California's most unique and authentic places, developing this project on it would degrade this and is in direct conflict with the General Plan.
- CE 3.7 "Ensure that new development mitigates its traffic impacts"
Please see my comments below under the Transportation and Traffic heading concerning the flawed traffic study which must be redone during peak season to understand proper traffic mitigation.

As identified above, this project conflicts with our General Plan policies and therefore compels the preparation of an EIR.

TRANSPORTATION & TRAFFIC

I personally have waited in traffic on Spain St. heading both east and west, with traffic delays of more than 5 minutes. This alone is factual testimony about existing environmental conditions which form the basis for substantial evidence supporting a fair argument that significant impacts or effects may occur

The staff report and CEQA Initial Study are also missing very important information about the traffic and parking study. This missing information is vital to the public being able to accurately analyze the project.

There are 2 major problems with the traffic study:

1. The traffic study also fails to take into account the increase in pedestrian traffic and its impact on vehicle traffic from the project.
2. Traffic and parking studies performed during off season right after the devastating wildfires, on November 11 and 14, 2017. The Nuns fire was fully contained on October 30th and the Tubbs fire fully contained October 31st.

The significance of the November dates should have been mentioned in the staff report and the CEQA Initial Study in the discussion on traffic and parking, but they are not. The dates are only mentioned in the traffic study document itself. Traffic and parking around the Plaza is much worse May through October than in November. This November had even lighter traffic than usual because of the October fires. The traffic and parking study were performed within two weeks after the fires were fully contained.

The entire traffic and parking study is thus legitimately able to be called into question on the basis of substantially unrepresented dates. The conclusions of Section 16 of the CEQA Initial Study are thus invalid. Because of this, the Planning Commission **cannot** adopt the Resolution making findings for a Mitigated Negative Declaration. The flawed study results in a much lower calculation of fees than they should have been for mitigation Measure 16.a.1, for traffic impact mitigation, and Measure 16.a.2, for parking impact mitigation.

The traffic study did not include W Napa St./1st St. W and Napa St./Broadway. It should have. The city council directed that the EIR for the new Napa St. Hotel by Kenwood

Investments include all of the intersections on the Plaza. The traffic study for the Cheese Factory project should also. Why? The volume of concomitant Plaza use is at least if not higher for the Cheese Factory project. At a minimum the increase in traffic would probably also require curb extensions for 1st St. W and W Spain St. as well as E. Napa St. and 1st St. E.

Traffic and parking analysis of the Oxbow Market should be done in order to get a better sense of the range of impacts with of this style of retail.

Section 10 of the CEQA Initial Study: Since the traffic study is flawed, the true impacts to traffic cannot be known; thus it cannot be known if the traffic impacts have been mitigated, as required by Circulation Element of the General Plan.

This Saturday, March 17th at 4:20 PM, I drove around the Plaza after stopping at the BofA ATM. There was some, but not many pedestrians out. It had been raining on and off this day, but not at the time of my trip. Here were my timed observations:

- East bound on W Napa St/Broadway – delay 36 seconds
- East bound on E Napa St/1st St W – delay 30 seconds
- West bound on W Spain St/1st St W – delay 51 seconds.

Of course the above is just one trip around the Plaza, but I have experienced much worse delays during the busy season, from May through October. One Saturday during the summer last year, around 11am, I experienced a delay of over 10 minutes, east bound on W Spain St and 1st St W.

The following picture was taken two years ago, on Saturday March 19th, 2016 at 1:49 PM. There were no events on the Plaza on this day. This shows traffic backed up on East Napa Street from 1st St East all of the way across Broadway onto West Napa Street. The traffic back up was worse than this past Saturday, March 17th, 2018. The backup at these intersections is a regular occurrence.



CONCLUSION: AN EIR IS REQUIRED

In my analysis above, there is more than enough “substantial evidence” to require an EIR based on the “fair argument” standard in relation to:

- Aesthetics
- Cultural Resources
- Land Use/Planning
- Transportation & Traffic

The benefits of an EIR are obvious:

- Independent Analysis
- Alternatives Analysis
 - This is crucial information as the Use Permit recommendation is based on a flawed reading of the situation; that this is the only use that will work as a result of a decade or more of neglect.
 - A properly conducted “alternatives analysis” will allow meaningful evaluation, analysis, and comparison with the proposed project.



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17 March 2018

David Goodison
Planning Director, City of Sonoma
1 The Plaza
Sonoma, CA 95476
davidg@sonomacity.org
707-938-3681

Subject: Proposed Cheese Factory Renovation

Dear Mr. Goodison:

Directed by my personal interest in this project as a resident of Sonoma Valley, I have independently reviewed the proposed renovation of the Cheese Factory at 2 West Spain Street on the north side of the Plaza. In brief, the proposed project retains about 15 feet of front of the building (the two-story block facing West Spain Street) and replaces the rear sections with a two-story block extending to the parking lot behind the Plaza.

My comments are based on my review of documents included in the March 2018 Planning Commission package, including: "Historic Resource Evaluation (HRE)" (Page & Turnbull, 11/6/14), "Proposed Project Review Memorandum" (Page & Turnbull, 6/19/17), "Conditions of Project Approval and Mitigation Monitoring Program" (City of Sonoma, 3/8/18), "Project Narrative" (SMS Architects, ND), Proposed Plans (SMS Architects, 6/14/17), and "Staff Report" (David Goodison, 3/8/18).

By my assessment, the proposed project **is not consistent with the "Secretary of the Interior's Standards and Guidelines for Rehabilitation"** and, therefore, would have **significant impacts** on an historic resource (the Cheese Factory). At the same time, the increased size of the rear mass overwhelms the historic "Servants Quarter's" immediately adjacent to the project area.

The proposed mitigations to reduce potential impacts to unidentified, potentially historic archeological resources are inadequate and fail to reduce the potential impacts to below the threshold of significant.

Historic Resource, as defined by the California Environmental Quality Act (CEQA)

According to Page & Turnbull's 2014 HRE, the Cheese Factory at 2 West Spain Street is 74 years old (built 1945) and is eligible for listing in the California Register because of its association with the development of the cheese industry in Sonoma (criterion 1 – events). Its period of significance is 1925-1968. The building, therefore, qualifies as an historic resource as defined by CEQA (14 CA ADC § 15064.5 (a)(3)(A)).

Secretary's Standards

According to CEQA, a project that follows the "Secretary's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" "(generally) shall be considered as mitigated to a level of less than a significant impact on the historical resource" (14 CA ADC § 15064.5 (b)(3)).

To assess consistency, one must first identify the resource's "character defining features," which are defined as those "**visual and physical**" features that "are the means through which historic character is expressed."¹²

¹ Heidi Hohmann and Katarzyna Grała, "Cultural Landscape Report: Platt Historic District, Chickasaw National Recreation Area, Oklahoma," Iowa State University, 2004 (https://www.nps.gov/parkhistory/online_books/chickasaw/pdf/Chapter%207.pdf)

² Lee H. Nelson, FAIA, Preservation Brief 17: Architectural Character (Washington, D.C. National Park Service, 1988), p. 1.



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• **Character Defining Features**

According to the 2014 HRE (pages 2 and 34), the building’s character defining features pertain to the primary façade and the massing and footprint of the building. Specifically:

- Primary façade:
 - Orange tile
 - Windows and doors
 - Awnings
 - Stucco-clad metal ribs
 - Projecting vertical perimeters
 - White stucco overhang and up-pitched roof
- Massing and footprint:
 - “...massing and footprint of the building, as it was originally constructed, which includes the front (south) two-story retail and office portion and the center one-story factory section” (HRE, page 2)
 - “...generally rectangular footprint and massing, including two story portion at the south (front) and one high bay story at the center portion. These portions convey the building’s historic factory, retail, and office use.” (HRE, page 34)
 - “The building’s generally rectangular footprint and massing, which reflect the building’s massing when it was originally constructed and convey the building’s historic factory, retail and office use.” (Project Review Memo, page 2) (see figures at end of letter for proposed and existing plans).

• **Secretary’s Standards Analysis for Cheese Factory**

“The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings” are intended to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers prior to treatment. (National Park Service)³

The table below compares the proposed project with each of the ten standards to establish consistency.

Standard	Cheese Factory
1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.	Consistent – The commercial use continues.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.	INCONSISTENT: The proposed project demolishes character defining features, namely the massing and footprint of the building that “convey the building’s historic factory, retail and office use” (Project Review Memo, p. 2)
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.	Consistent – The proposed project makes no attempt at false historicism in its new addition.

³ <http://www.nps.gov/tps/standards.html>



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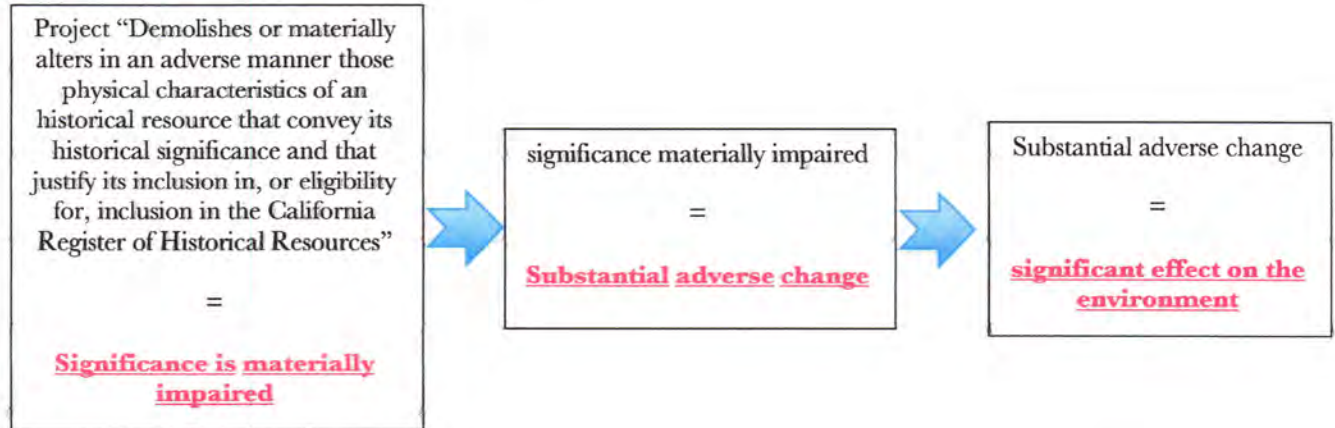
<p>4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.</p>	<p>N/A</p>
<p>5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.</p>	<p>Consistent – The only distinctive craftsmanship found on this building is concentrated on the primary façade, which is retained under the current proposal.</p>
<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.</p>	<p>UNK (Will the primary façade be restored?)</p>
<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>	<p>N/A</p>
<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>	<p>INADEQUATE MITIGATION: None of the reports contain information about previously identified historic or pre-historic deposits, or the project area’s potential to contain such sites. Regardless, the “Conditions of Approval,” Measure 5.B stipulates that, “Construction personnel involved with earthmoving shall be alerted to the potential for discovery...if...encountered, all construction activities within 50 feet shall halt.” A qualified archaeologist should be present during all ground-disturbing activities to make such a determination and assess the potential historic character of any findings.</p>
<p>9. <u>New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property.</u> [emphasis added] The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p>	<p>INCONSISTENT: The “Project Review Memo” concedes that demolishing the one-story section destroys the massing that characterizes the property (page 4). The Memo then asserts that relocating the historic use (in this case, cheese storage) to the new basement maintains the building’s association with the event for which it is historic, and thus retains the historic character of the building.</p> <p>However, according to the National Park Service, character defining features are “visual and physical” elements that convey the historic character of the resource (see above). The proposed basement, by its subterranean nature, will not be a visual means by which the historic character and association of the building are conveyed.</p> <p>I will grant that the proposed new addition is clearly distinguishable from the historic, two-story block of the building through its materials and massing and its use of a “hyphen” to transition the design from “old” to “new.”</p>
<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p>	<p>INCONSISTENT: The proposed demolition of the historic, character defining, one-story block of the building constitutes an irreversible change that could not be undone in the future.</p>



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Based on this analysis, the proposed project is not consistent with the “Secretary of the Interior’s Standards,” and, therefore, would have a significant negative effect on historic resources as defined in the CEQA Statute (CPRC 21084.1) and CEQA Guidelines (15064.5 (a)(2) and (b)).

CEQA 15064.5



The proposed project demolishes a “physical [characteristic] that conveys [the] historical significance and that [justifies] [the resource’s] ...eligibility for...inclusion in the California Register.” By definition, therefore, the proposed action materially impairs the significance of the Cheese Factory (which is significant for its association with the cheese industry in Sonoma). Causing the “material impairment,” therefore constitutes a “substantial adverse change,” which CEQA qualifies as a “significant effect.”

Because the project does not follow the Secretary’s Standards, per the previous table, the project cannot be considered to be “mitigated to a level of less than significant.”

VISUAL IMPACTS TO SERVANT’S QUARTERS

The two-tory, adobe “Servant’s Quarters” directly east of the Cheese Factory is a contributing resource to both the Sonoma Plaza National Historic Landmark (NHL) and the Sonoma Plaza National Register Historic (NRHP) District. As such, it constitutes a historic resource as defined by CEQA.

The proposed project has the potential to impact visually the Quarters because of the greatly increased size of the rear massing of the Cheese Factory. As proposed, the rear section of the Cheese Factory overwhelms its historic neighbor.

I will grant that removing the outdoor dining area and increasing the width of the path between the Cheese Factory and the Quarters do open up the space around the Quarters, improving its setting.

ARCHAEOLOGY

The Planning package contains no information about the site’s potential to “yield information important in prehistory or history,” meaning its potential to contain previously unidentified archeological resources. The City’s proposed “Conditions of Approval,” however, does acknowledge and address the potential presence of archeological and cultural/tribal resources. Specifically, the “Conditions of Approval” requires the developer to adopt the following mitigation measure:

“Construction personnel involved with earthmoving shall be alerted to the potential for the discovery of prehistoric materials and tribal resources. ... If prehistoric or historic-period archaeological resources are encountered, all construction activities within 50 feet shall halt and the



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Planning Director shall be notified.” (“Conditions of Project Approval and Mitigation Monitoring Program,” Mitigation Measure 5.b (page 9), March 8, 2018).

As the site of Vallejo’s 1835 “Casa Grande” and as part of the original 1835 Pueblo of Sonoma, the project area is rich in history and has a high potential to contain significant prehistoric and historic archeological and tribal/cultural deposits.

At the very least, the project needs to be researched in the records of the Northwest Information Center in Rohnert Park to determine if prior studies have identified archeologically sensitive sites in the vicinity. Preferably, a qualified archeologist would conduct a study of the area to assess the likelihood of the presence of resources and to pinpoint particularly sensitive areas prior to any ground-disturbing activities.

I anticipate that the study would recommend that all ground disturbing activities be monitored by a qualified archeologist, trained in identifying the archeological materials noted in the current mitigation measure (obsidian and chert flaked-stone tools, toolmaking debris, culturally darkened soil, heat affected rocks, shellfish remains, stone milling equipment, wells, privies, building footings, and deposits of metal/glass/and or ceramic refuse).

Proposing that the construction worker operating the heavy machinery, who in all likelihood has no archeological training, would be able to identify any such resources from his/her vantage high atop a large piece of machinery seems unrealistic to say the least.

CONCLUSION

Demolishing the one-story, central block of the Cheese Factory negatively and irreversibly impacts the ability of the building to convey visually those reasons for which the building is eligible for listing in the California Register. Relocating the cheese storage function into the new basement is not a comparable replacement for the lost character defining feature (the one-story block) because it does not constitute a “visual and physical” feature that tells the history of the building.

The increased size of the rear mass overwhelms the historic “Servants Quarter’s,” thereby causing an adverse indirect impact on an historic resource.

Similarly, the proposed project fails to address the possible presence of previously identified archeological and/or tribal/cultural resources in the vicinity and provides woefully insufficient mitigation measures to limit impacts to prehistoric and/or historic archeological resources that could be discovered during construction.

Per CEQA, the proposed action constitutes at least two substantial adverse environmental impacts that have not been mitigated to below the level of significant. It is my opinion, therefore, that the “Mitigated Negative Declaration” is inappropriate and that the project requires an Environmental Impact Report (EIR) to thoroughly address these impacts to cultural resources.

Please feel free to call me at 415-806-4549 if you have any questions or comments.

Sincerely,

Alice P. Duffee
APD Preservation LLC



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Figure 1: East Facade, one-story character defining block (massing)



Figure 2: South facade (West Spain Street), covered dining and path





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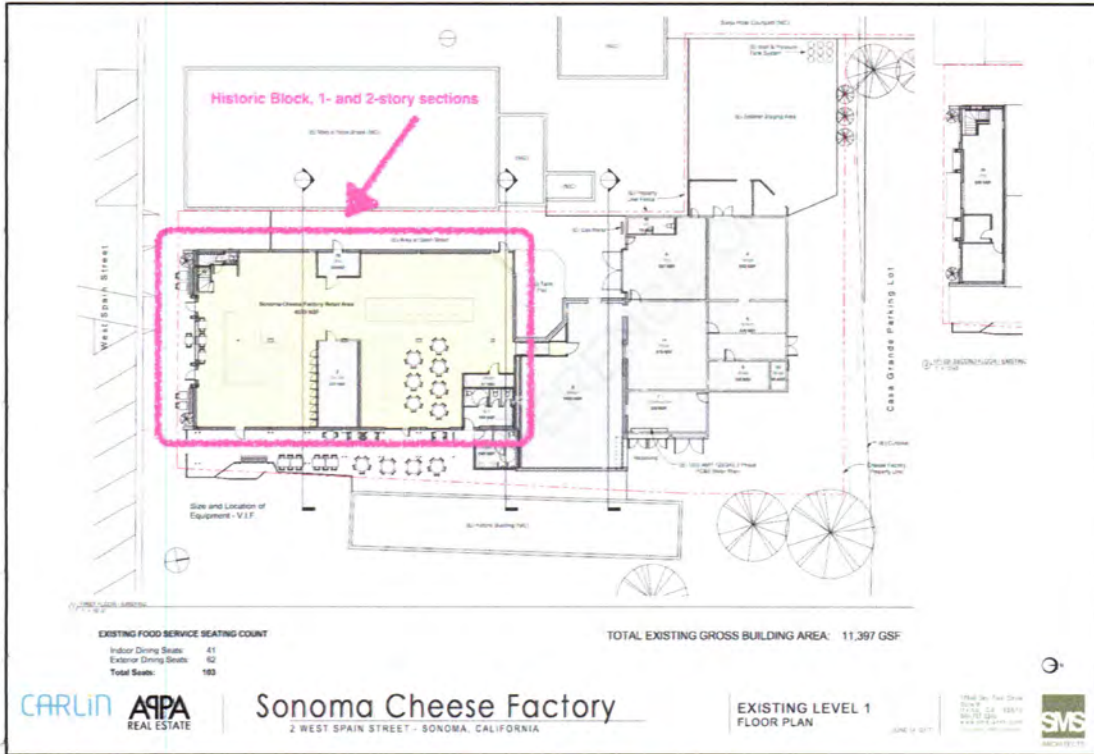
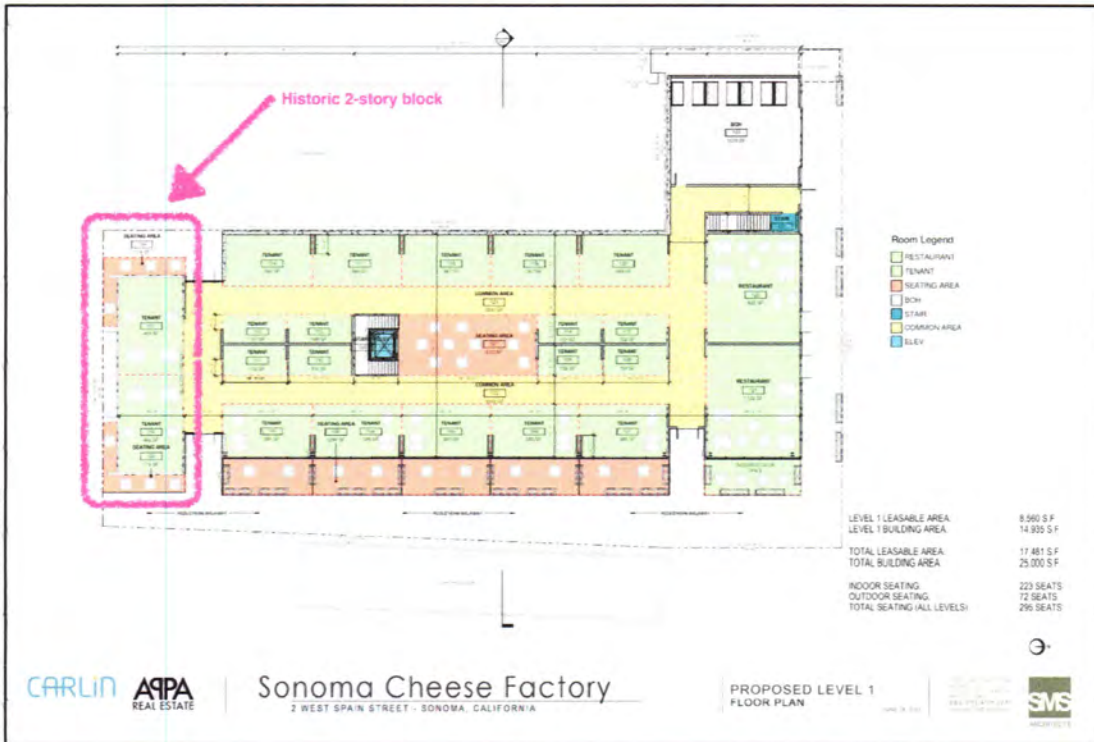
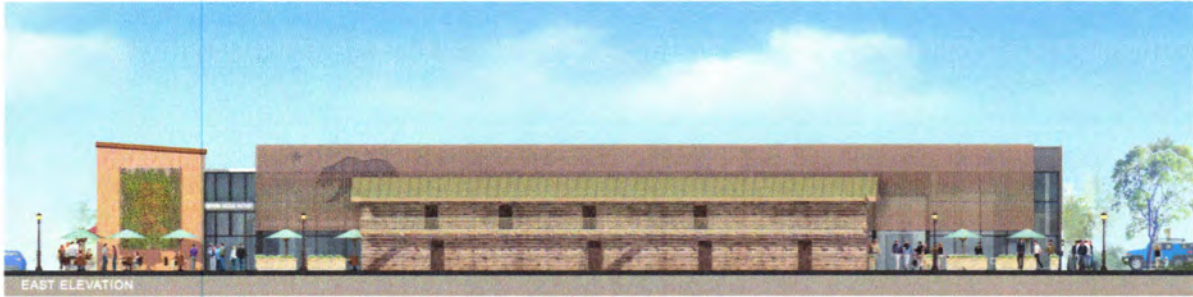


Figure 3: Existing and proposed plans, indicating historic block





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EAST ELEVATION



EAST ELEVATION (PROMENADE)

(E) TILE FINISH

SONAGE

CA BEAR AND STAR

ANODIZED ALUMINUM STOREFRONT

VERTICAL WOOD ELEMENT

STONE VENEER ON PLANTER WALL

METAL PANEL

CARLIN ACPA REAL ESTATE

Sonoma Cheese Factory
2 WEST SPAIN STREET - SONOMA, CALIFORNIA

ELEVATION EAST

June 14, 2017
SMS ARCHITECTS

Subject: Cheese Factory Parking

Date: Thursday, March 8, 2018 at 4:48:04 PM Pacific Standard Time

From: Victor Conforti

To: David Goodison

CC: Victor Conforti - Architect

Dave,

Please distribute this to the Planning Commissioners.

SONOMA CHEESE FACTORY... DEMAND OVERWHELMS SUPPLY OF PARKING AND STREET CAPACITY

The Cheese Factory Expansion is proposing more than **doubling the existing floor area**, adding two new restaurants, plus very large increases in food service with accompanying **seating totaling 245 seats**. This is an over-reach, and is clearly not conforming with the Development Code (DC). It's just another example of projects that are non-compliance with the DC. These kind of applications set dangerous precedents, and are undermining the DC. This application would further impact the Plaza's existing already inadequate parking and traffic capacities.

This is a "tragedy of the commons" problem... **"in which every individual tries to reap the greatest benefit from a given resource. As the demand for the resource overwhelms the supply, every individual who consumes an additional unit directly harms others who can no longer enjoy the benefits"**. In this case the "commons" is the streets and parking lots around the Plaza. It is apparent to all of us that live near the Plaza, that the demand for the resource has already overwhelmed the supply. During peak periods all of the Plaza parking and adjoining private and public parking lots are at capacity, street parking extends out into the surrounding residential neighborhoods, and traffic congestion at Plaza's intersections are below Level of Service D.

The existing Cheese Factory parking demand is a small percentage of the total commercial parking demand around the entire Plaza. Suggesting that a financial contribution of \$50,000 to help create additional parking at the Casa Grande parking lot, would give a parking credit to one individual property owner of 20 to 40 spaces is unfair. It **directly harms all the other Plaza merchants who will have their current parking and traffic capacity benefits reduced**. Any individual financial contribution should be credited in proportion to their percentage of parking demand versus that of the parking demand for all of the Plaza property owners. A single parking space in San Francisco costs approximately \$25,000 to build, including land. At the Cheese Factory's current size, it may have a parking demand share of approximately 5% of the total Plaza demand. A 5% share of 40 spaces would equal two spaces, which would be consistent with a contribution of \$50,000 for the cost of two \$25,000 spaces.

Expanding the Casa Grande parking lot, would be funded mostly by the City, and possibly with help from the County, as it will be a "common" benefit all the Plaza property owners. The opportunity to expand public parking should be pursued, but any parking credits given should be based on the individual property owner's demand percentage of the overall demand.

The Development Code has a clear method of preventing any one property owner from abusing the “commons” (see below). It **limits businesses expansion** by requiring additional on-site parking **for increased structure square footage**, and **change of use that requires with more than one parking space per 300 sf**. This provision is very clear, and is why existing retail uses cannot be converted to restaurants or bars, or other high parking demand uses. It is clear, that given the fact that the applicant has asked that the project be evaluated for parking as if it were a restaurant, and not a retail use, and it is a more than doubling of the existing building size, that this is clearly going to be a “commons” problem.

19.48.040 Number of parking spaces required

F. Existing Unreinforced Masonry Structures and **Structures Adjoining the Plaza**. For unreinforced masonry structures designated by the city in compliance with Government Code [8875](#) et seq. and existing structures that face the plaza, **additional parking shall not be required for a new use unless the new use results in one of the following:**

1. **An increase in the square footage of the structure;** or
2. **An off-street parking requirement that exceeds one parking space for each 300 square feet of floor area.**

Additional off-street parking shall only be **required for the expansion in building area or as associated with the increased parking ratio**, as applicable.

Thank You,

Victor Conforti - Architect

Johanna M. Patri, AICP
P. O. Box 604
Sonoma, CA, 95476
707 996-6412
jmpatri@aol.com

Item # 4
LATE MAIL

March 7, 2018

Delivered by e-mail

Please distribute to Planning Commissioners

City of Sonoma Planning Commission
Chair Person and Commissioners
Sonoma City Council
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

**RE: Redevelopment and Expansion of the Sonoma Cheese Factory
Staff Report and Mitigated Negative Declaration**

Dear Chair Person and Commissioners:

Please consider the following concerns and issues regarding the redevelopment and expansion of the Sonoma Cheese Factory:

1. Inadequate Transportation, Vehicle Miles Traveled (VMT), Air Quality and Greenhouse Gas (GHG) Emissions Analysis of this Large-Scale Project

The proposed mitigated negative declaration fails to analyze Vehicle Miles Traveled (VMT) and promote the State's smart mobility goals, leading to the reduction of traffic and greenhouse gas (GHG) emissions, thereby aligning the City of Sonoma's long-range transportation plans and reduction of GHG emissions with the regional and State's long-range transportation plans.

Passed in 2013 by the State's Office of Planning and Research (OPR), SB743 replaces measuring "Level of Service" (LOS), a measure based on how many vehicles pass through an intersection within a given time, to assessing overall VMT, which reflects State Legislative policy to more appropriately address the bigger picture of traffic congestion management related to infill development and reduction of GHG emissions.

Many agencies (Pasadena and San Francisco for example) have adopted the VMT methodology in place of LOS for all CEQA determinations and are using VMT models most notably for local climate action plans and to quantify and verify a project's impact on GHG emissions more definitively and accurately. The City of Sonoma has the authority to require use of VMT metrics. The goal here is to reduce GHG emissions not only by tourists, visitors, and local residents, but by the local and regional work force that this large-scale and intense use project will require. Analyzing VMT, better addresses greenhouse gas emissions and climate change than LOS.

2. Questionable Parking Analysis and Requirements:

The Cheese Factory Expansion more than doubles the existing floor area, and adds new uses including two new restaurants, plus intense increases in food service and customer seating. The Development Code (Section 19.48.040 Number of Parking Spaces Required) states that existing structures that face the plaza require additional parking when the new use results in one of the following:

1. An increase in square footage of the structure; or
2. An off-street parking requirement that exceeds one parking space for each 300 square feet of floor area.

Using the history of various "grandfathered" parking "credits" over the history of this property as it relates to the proposed expansion is questionable as these factors occurred after the adoption of the parking allocation ordinance of 1 space per 300 sf given to existing structures that face the Plaza. They created a valid "credit" for existing buildings around the Plaza. The Development Code when it was adopted in 2003. It states:

Expansion of Structure or Change in Use. *When a structure is enlarged or increased in capacity, or when a change in use requires more parking than the previous use, additional parking spaces shall be provided in compliance with this chapter. The number of parking spaces required for an addition to a structure shall be based on the parking requirement associated with the entire structure.*

The original cheese making "manufacturing" space would have had a parking ratio of 1 space per 500 square foot. The storage areas and aging buildings behind the "manufacturing" space, were "warehouse" uses, with 1 space per 1,000 sf parking ratios. I doubt any analysis was done on the added parking that this 1985 "remodel" from "manufacturing & warehousing" to "retail" parking ratios.

In this newly proposed expansion of the Cheese Factory, new and intensified uses, where will the resultant increase in employees park – on surrounding residential streets?? What are the provisions for employee parking??

3. Nexus Requirement for In-Lieu Fees for the Increase in Parking Demand

There is no finding of a nexus between the proposed mitigation in the form of an in-lieu parking/traffic fee in the proposed meager amount of \$60,000 to \$75,000 to off-set the increase in parking demand and improve capacity in a public, State-owned parking lot that will benefit the proposed development or mitigate the short-fall in parking or reduce the burden and impact of the proposed development on the current parking environment on the Plaza.

Furthermore, the staff report states that "As a result of participating in the support of a public parking facility, an owner or developer may receive a reduction in the total number of parking spaces required based on the number of spaces purchased in the public parking facility and subject to approval by the commission". What does this mean? That these "improvements" or "additional" parking spaces will be dedicated solely to the use Cheese Factory??

There are no calculations or analysis. One is just expected to believe this in-lieu fee will take care of the burden of additional parking on an already impacted Plaza.

While CEQA Guidelines acknowledge, and the Courts have stated, that mitigation measures must have an “essential nexus” to a legitimate government interest, and must bear a “rough proportionality” to the project’s adverse impacts, the reverse is also true. Analysis and sufficient evidence must be presented that a mitigation measure (or condition of approval) is sufficient and proportionally reasonable to reduce an impact or burden of a proposed development.

The proposed development is a change and intensification of land uses. Are in-lieu fees adequate to solve the burden of parking on the plaza? Did the City use a proper baseline to calculate this fee? What is the baseline?

4. CEQA and Climate Change, Greenhouse Gas Emissions and Timing of Traffic Study

The accumulation of greenhouse gases in the atmosphere over time is already causing the climate to change with more significant changes to come. Since a key purpose of CEQA is to maintain the quality of California’s environment, both now and into the future, reducing the risk of climate change is an important objective under CEQA.

- Lead agencies must analyze the greenhouse gas emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines § 15064.4.)
- When a project’s greenhouse gas emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines § 15126.4(c).)
- Lead agencies may significantly streamline the analysis of greenhouse gases on a project level by using a programmatic greenhouse gas emissions reduction plan meeting certain criteria. (See CEQA Guidelines § 15183.5(b).)
- CEQA mandates analysis of a proposed project’s potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

The Initial Study addresses GHG emissions primarily through green energy building programs, but not through traffic. Furthermore, the timing of the traffic study is questionable. Traffic studies should be done during the peak season of traffic in order to know the true traffic and parking impacts.

5. Cumulative Impacts Must be Adequately and Fully Analyzed

CEQA requires that a Mitigated Negative Declarations (MND) must address and discuss cumulative impacts. CEQA provisions require that the MND must discuss cumulative impacts of a project when the incremental effect could be cumulatively considerable. A cumulative impact consists if an impact which is created as a result of the combination of the project evaluated together with other projects causing related impacts. An adequate discussion requires past, present, and probable future projects producing related impacts.

In Summary,

Analyzing VMT, better addresses greenhouse gas emissions and climate change than LOS.

How does the proposed in-lieu fee for the increase in parking demand provide adequate mitigation to presumptively justify an MND, when reviewed under CEQA?

What review has been done by the State of California to approve the intensity of this project and the construction mitigation measures in regards to the impact on the adjacent state park buildings?

What review has been done by the Department of the Interior for this project on the Plaza listed on the National Register of Historic Places?

I purport that almost doubling the size of the existing improvements and increasing the intensity of use of the retail space will have a great impact on the Plaza with negative consequences. In addition, no project should increase the demand for parking on the Plaza, which is already impacted.

I purpose that an independent reviews and analysis should be undertaken through an Environmental Impact Report, particularly to address:

Aesthetics

Cultural Resources

Land Use and Planning

Transportation and Traffic

Greenhouse Gas Emissions and Climate Change

Thank you for your consideration.

Respectfully submitted,

Johanna M. Patri

Johanna M. Patri, AICP
(American Institute of Certified Planners)

Cc. Cathy Capriola, City Manager
David Goodison, Planning Director

Cheese Factory Letter 3_8_2018 Sent to Planning Commission

Item # 4
LATE MAIL

Carol Marcus
873 First Street West
Sonoma, CA 95476
707-996-4926

March 8, 2018

Sonoma Planning Commission
1 The Plaza
Sonoma, CA 95476

Re: Thursday's Agenda Item 4: Sonoma Cheese Factory

Dear Chairman Felder and Members of the Planning Commission,

The Cheese Factory proposal before you tonight is an ambitious one. The applicant is proposing to more than double the building's existing floor area. The applicant was previously granted entitlements to renovate the building's first floor, working within the existing footprint of the main building. The current proposal adds more area to the first floor of the building by enclosing the space between the Cheese Factory and Mary's Pizza. Though the Development Code may allow the applicant to build to their western property line, I feel this is where the applicant is asking too much.

The spaces between the buildings on the Plaza help create the rhythm of the experience of walking around the Plaza. Contrary to what the Initial Study concludes in its aesthetic impact section, I feel that allowing the building to be built to its western property line significantly impacts the views between the buildings, especially in the case of these buildings on the north side of the Plaza, where the views are to the hills. This slice of light and view may not seem "significant" now, but it will certainly be noticeable when it's gone.

While I favor the applicant's decision to locate a pedestrian walkway on the eastern side of the building, enlivening the space between the State Park and the Cheese Factory, I am not in favor of this coming at the expense of the currently entitled pedestrian outdoor space on the western side. This outdoor space is an opportunity to further enliven the pedestrian experience around the building. Some of the more memorable spaces around our Plaza occur in pedestrian walkways between buildings, for example, the Place des Pyrenees or El Paseo. The outdoor space included in the entitled design has great potential to become one of these kinds of spaces.

This proposal already represents a significant departure from the massing and scale of other buildings around the Plaza. I do not feel that the applicant should be allowed to further impact the "in between spaces" of the Plaza. I feel that the boundaries of the originally entitled footprint should be maintained.

I appreciate your taking the time to consider my comments.

Sincerely,

Carol Marcus

Item #4
LATE MAIL

MAR 01 2018

Planning Commissioners:

Additional information on "Shopping Centers". The BAAQMD CEQA guidelines do not have "Shopping Center" land use, just "Regional Shopping Center". So, the use of the term "shopping center", instead of "regional shopping center" leads to erroneous conclusions on which development project may fit a land use designation of "regional shopping center" for CEQA purposes. I have found various definitions for regional shopping center and they are all pretty much the same:

"A short definition of Regional Shopping Center: The largest type of shopping center, having one or more major department stores, a variety of retail stores, usually a bank or savings and loan, and common parking and management."

<http://legaldictionary.lawin.org/regional-shopping-center/>

For example, the 364,000-square-foot East Washington Place regional shopping center in Petaluma. <http://www.northbaybusinessjournal.com/industrynews/4174516-181/group-sues-petaluma-over-approval>

All of the CEQA court cases and CEQA EIRs I have found for "regional shopping center" are for the type of development project identified above.

Examples of regional shopping centers:

- large regional shopping center: <https://www.ceqadevelopments.com/2015/10/13/fourth-district-addresses-ceqa-baseline-issues-in-partially-published-opinion-upholding-eir-for-carlsbad-shopping-mall-renovation/>
- 234-acre regional shopping center development: <https://www.ceqadevelopments.com/2014/04/14/some-ceqa-reminders-from-the-third-district-urban-decay-requires-actual-mitigation-when-identified-by-eir-as-a-significant-project-impact-and-be-careful-what-you-find/>
- 26-acre regional shopping center: http://resources.ca.gov/ceqa/cases/1977/raley_040777.html
- 61.3 acres <https://www.rmmenvirolaw.com/2014/08/california-clean-energy-committee-v-city-of-woodland/>
- 425,880 square feet: <https://planning.lacity.org/eir/CenturyPlan/Addendums/addendum2.pdf>
- approximately 55.1: http://www.rocklin.ca.us/sites/main/files/file-attachments/1_introduction.pdf
- approximately 63.5 acres/700,000-square feet: <http://www.ci.irwindale.ca.us/DocumentCenter/View/1207>

Being there is no land use of "shopping center", only "regional shopping center", and the Sonoma Cheese Factory is absolutely NOT a regional shopping center, the CEQA Initial Study used the wrong land use designation in regards to GHG emissions; thus, the Initial Study CANNOT be adopted.

Regards,
David Eichar

Other definitions of regional shopping center can be found here:
<https://www.realestateagent.com/real-estate-glossary/real-estate/regional-shopping-center.html>

http://jrdelisle.com/research/NewSCDef_V23_WP1.pdf

<http://chicagorealtor.com/wp-content/uploads/2014/10/Anatomy-of-a-Shopping-Center.pdf>

On 3/7/2018 4:48 PM, Cristina Morris wrote:

Planning Commissioners:

It has come to my attention that another problem with the Initial Study for the Cheese Factory expansion is in the area of the greenhouse gas emissions. CEQA Initial Study discussion on question 7a on greenhouse gas selected an incorrect land use of regional shopping center. This results in an inadequate CEQA Initial Study, which cannot not be adopted.

The Bay Area Air Quality Management District (BAAQMD) adopted CEQA guidelines. Chapter 3 of the guidelines contains screening criteria for various land uses. "If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions." It is important to select the correct land use from table 3-1.

The proposed project includes expansion for restaurant as well as specialty food retail market. The specialty food retail portion of the project is closer to a supermarket than shopping center in use. Shopping centers have tenants in separate physical store with walls, while a supermarket has various sections of food within one open building.

The screening criteria for a shopping center projects is less than 19,000 square feet; while for a Quality Restaurants is 9,000 square feet; High Turnover Restaurant is 7,000 square feet , and a Supermarket is 9,000 square feet. Since the project would increase building area on the site by 13,603 square feet, the project exceeds the screening criteria; thus, a detailed air quality assessment of their project's air pollutant emissions is required to be performed. The Planning Commission should therefore not adopt the Initial Study.

http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

Regards,
David Eichar

MAR 07 2018
LATE MAIL
#4

City of Sonoma

#1 The Plaza
Sonoma CA 95476

From: "Susan J. Dorey" <susan@susandoreydesigns.com>

Date: Wednesday, March 7, 2018 at 8:10 PM

To: David Goodison <davidg@sonomacity.org>

Subject: Cheese Factory project

I have seen the drawings to replace the Cheese Factory with a large Oxbow-style market. My comments:
It is too big for its location in downtown Sonoma. The Oxbow Market, in contrast, is on the east side of Napa, not downtown.

Size wise it will overwhelm our Sonoma Barracks and the Historic Park.

We are left to choose between our heritage, which is why people come here, or tourist food.

Parking may be inadequate.

I vote NO.

Susan J. Dorey

Sonoma, CA

707-343-7382

LATE MAIL

Item# 4

MAR 07 2018

Planning Commissioners:

The CEQA Initial Study for the replacement and expansion of the Sonoma Cheese Factory is flawed and must not be adopted by the Planning Commission. The staff report and CEQA Initial Study are also missing very important information about the traffic and parking study. This missing information is vital to the public being able to accurately analyze the project.

Traffic and parking studies performed in November 11 and 14, 2017 The Nuns fire was fully contained on October 30th and the Tubbs fire fully contained October 31st.

https://en.wikipedia.org/wiki/October_2017_Northern_California_wildfires

The significance of the November dates should have been mentioned in the staff report and the CEQA Initial Study in the discussion on traffic and parking, but they are not. The dates are only mentioned in the traffic study document itself. Traffic and parking around the Plaza is much worse May through October than in November. This November had even lighter traffic than usual because of the October fires. The traffic and parking study were performed within two weeks after the fires were fully contained.

The entire traffic and parking study is thus legitimately able to be called into question on the basis of substantially unrepresented dates. The conclusions of Section 16 of the CEQA Initial Study are thus invalid. Because of this, the Planning Commission **cannot** adopt the Resolution making findings for a Mitigated Negative Declaration. The flawed study likely results in a much lower calculation of fees than should have been for mitigation Measure 16.a.1, for traffic impact mitigation, and Measure 16.a.2, for parking impact mitigation.

The traffic study did not include W Napa St./1st St. W, E Napa St./1st St. E, Napa St./Broadway. It should have. The city council directed that the EIR for the new Napa St. Hotel by Kenwood Investments include all of the intersections on the Plaza. The traffic study for the Cheese Factory project should also. Why? The volume of concomitant Plaza use is at least if not higher for the Cheese Factory project. At a minimum the increase in traffic would probably also require curb extensions for 1st St. W and W Spain St. as well as E. Napa St. and 1st St. E.

A traffic and parking analysis of the Oxbow Market should be done in order to get a better sense of the range of impacts with of this style of retail.

The Oxbow Market is a 40,000 square foot market place:

<http://oxbowpublicmarket.com/oxbow-public-market-fact-sheet/about-oxbow-public-market/>

Section 5 of the CEQA Initial Study: It is imperative the California State Park Services has had a chance to review and approve the construction mitigation measures in regards to the impact on the adjacent state park buildings.

Section 10 of the CEQA Initial Study: Since the traffic study is flawed, the true impacts to traffic cannot be known; thus it cannot be known if the traffic impacts have been mitigated, as required by Circulation Element of the General Plan.

In addition to the above, almost doubling the size of the current retail space will have a substantial impact on the Plaza, an increase of 50%, with potential negative consequences beyond just to traffic and parking. Besides rejecting the CEQA Initial Study, the Planning Commission should also reject the expansion plans.

Regards,
David Eichar

PATRICIA CULLINAN
425 DENMARK ST
SONOMA CALIFORNIA 95476
707-938-5721

3.7.2017

RE: the Sonoma Cheese Factory proposed project

Dear Planning Commissioners,

First I believe that the project should have a complete EIR that would allow the community time and the details necessary to review a project that will make important changes to the Sonoma Plaza.

This letter addresses only some of the concerns I have about the proposed project.

The proposal plans to remove all but the façade of the Cheese Factory building and construct a new building behind the façade.

Under CEQA, the Project would be considered to have a significant impact if it were to cause a substantial adverse change in the significance of any of the historical resources identified.

I have the following comments related to that criteria

The Historic Evaluation prepared by Page and Turnbull states: 'The project, as proposed, retains the original portion of the existing building, thereby preserving the following character-defining features: the fenestration pattern, flat metal awnings at the entrances, glazed orange tile cladding, stucco-clad metal ribs, pitched roof, and the projecting vertical perimeters.

The above statement is misleading as the project is only going to retain the façade and not any of the rest of the building which reflects to purpose of the building- a cheese factory.

The proposed plan substitutes, the original building that was built in 1945 and modified overtime to reflect the needs of the cheese making business, with a monolithic structure of contemporary design that in no way honors the original building as a working agricultural-based structure.

Nor does it reflect either contemporary or historical Sonoma rural agricultural history instead opting for creating a building that is large and featureless.

The statement that the project is preserving character defining features ignores the consultants own statement that the Cheese Factory character defining features *‘includes the front (south) two-story retail and office portion and the center one-story factory section’*.

It is because of all the character defining features that the building is considered eligible for the California Register.

The report continues on stating:

‘Agglomerative additions at the rear of the building are not considered to be character defining features of the building, as they are utilitarian in design, were partially constructed outside of the identified period of significance, and are no longer used for cheese production’.

That statement ignores the utilitarian character of the building even if no longer used for cheese production it still reflective of important Sonoma history by its utilitarian character.

To counter the loss of the entire cheese making portion of the building the recommended solution by the city of Sonoma is:

“Mitigation Measure 5.a.1: The Project design shall be constructed and implemented substantial conformance with the “Sonoma Cheese Factory” site plans and elevations, prepared by SMS Architects and dated June 14, 2017, including the preservation of the historic Sonoma Cheese Factory building element and its associated character-defining features.”

Again ignoring the utilitarian character of the whole building and preserving just the façade that does not visually tell the story of a cheese making facility on Sonoma Plaza.

Also usually a design considerations for historic resources are incorporated into the project that is approved. It is not a mitigation.

The architect states on page 1 of the Project Narrative that ‘the Developer has made modest changes to the currently approved plans’. Replacing the existing building with a monolithic modern building almost 3 stories tall and of higher intensity of use makes that statement seem disingenuous at best.

In the Sonoma Plaza National Historic Landmark/Sonoma Plaza National Register Historic District section the consultant states:

The Project would not adversely affect the Sonoma Plaza National Historic Landmark or the Sonoma Plaza National Register Historic District for the following reasons:

‘The Sonoma Cheese Factory building was constructed outside of the period of significance of both the Landmark and the Register District. Therefore it does not contribute the significance of either district’

Just because the building is non-contributing to the district doesn’t mean that there is not an adverse effect to the district from redevelopment of the newer building.

The evaluator, Page and Turnbull, in the Historic Resource Report of did consider the buildings eligibility for the California Register and found it eligible.

Will the building, if built as per the proposed project, be eligible for the California Register after the changes?

Will the project affect the Landmark and National Register status of the Plaza and surrounding area?

An EIR will address these questions.

The proposed project includes the area that was once the site General Mariano Vallejo’s home and vineyard and is known for its rich archeology (archeologically sensitive).

I propose that the site be examined for potential archeological resources before any construction is undertaken. Not only, as suggested in the initial study, as planned guidelines to be used if archeological are features discovered during construction. The proposed project is in the heart of Sonoma and Mitigation Measure 5.b is insufficient.

The proposed project is asking not just for building footings but the removal of an entire basement area.

And asking construction personnel on earthmoving equipment to make decisions about archeological resources as in Mitigation Measure 5.b (pg. 66) may not be the best solution.

Other elements that need questioning:

The size and scale of the building.

The new building will dwarf the adjacent Sonoma State Historic Park lessening its ability to tell the story of Sonoma's history. The current building is partial hidden from the view of Sonoma's important historic resource-the Casa Grande Plaza.

The proposed building is almost 3 stories tall and in looking at the plans the first floor and the basement they are all designated as commercial areas with no storage.

Does that mean if the schematic plan currently proposed is approved the developer will come back to request another floor? There will certainly be room for another floor.

An architectural peer review of analysis of the project with the Downtown Sonoma Historic Preservation Design Guidelines is necessary to determine compliance.

I have not commented on the proposal as a food court/mall formula the proposed project but that is an issue that needs careful consideration. Sonoma needs to be protective of our small local business people that may have competition from larger stronger chains. Small business people support our local community.

Parking- needs to be clear and consistent.

Traffic- As anyone who lives here knows there is a traffic jam in the north Plaza area in the summer and weekends with nice weather. Especially in light of the traffic report that was done on November 11 and November 14, 2017 while the community was still reeling from the fires.

On a separate issue not concerned with the impact of the building I would like to question the developer's proposal for a 'Cheese Affinage' and also question the ability of the facility to comply with the Food Safety and Modernization Act. I suggest that having a 'Cheese Affinage' may be a reason for having a basement in

the proposal but the reality of compliance may make that a pipe dream. An EIR would hopefully take into consideration the realities of that part of the proposal.

CEQA ENVIRONMENTAL ISSUES

I request that independent reviews in an EIR is needed to address the following areas:

- Aesthetics
- Cultural Resources
- Land Use / Planning
- Transportation & Traffic

The proposed project on Sonoma Plaza is a major project and will affect all of the surrounding properties in various degrees.

An EIR will address any issues for the surrounding community. And analyze options and allow public input that is not crammed into a short review period by city residents that are interested in the project proposals that are brought forth in Sonoma.

In closing the proposed project will have long lasting effects on Sonoma and careful consideration of all the aspects of the proposal through an EIR is necessary.

Heritage Tourism is an important element of Sonoma's economic health. One in 5 visitors come to Sonoma specifically looking to experience Sonoma's history. I personally look at all proposals in the historic districts in the light of the preservation of the character of Sonoma that supports Heritage Tourism and find this project lacking in sensitivity to the authenticity of Sonoma's cultural heritage.

Thank you for your consideration,

Patricia

Subject: FW: bringing napa to sonoma?

Date: Monday, March 5, 2018 at 11:25:52 AM Pacific Standard Time

From: CityHall Mailbox

To: David Goodison

See below...

Rebekah Barr, MMC

Rebekah Barr
City Clerk/Exec Assistant
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

[707] 933-2216 Phone
rbarr@sonomacity.org
www.sonomacity.org

From: liz brand [mailto:lizbrand@yahoo.com]

Sent: Sunday, March 04, 2018 8:44 PM

To: CityHall Mailbox <CityHall@sonomacity.org>; Planning <planning@sonomacity.org>

Cc: Elizabeth Brand <lizbrand@yahoo.com>; Bill Brand <bbrand@earthlink.net>

Subject: bringing napa to sonoma?

Dear Sir or Madam,

As an anti-development, pro-rustic abhorrent-of-change kind of gal, I am against turning Sonoma into a Napa or an anywhere else for that matter. Why not do something creative and unique with the Cheese Factory? Why do the same development available in S.F., Napa, and elsewhere? Yaaaawwn.

As noted in the attached article, the developers of the Ferry Bldg, and Oxbow Market are planning the same thing for Sonoma Cheese Factory. For me, if I want a fancy food court like in the city, I take the ferry over to S.F. ferry building. It's fun. If the same style of development is created in Sonoma, once inside, how does a person know where he is until he steps outside?

Besides this news, I noticed that somebody posted fancy 'Entering Bennett Valley Viticulture Area' signs around here. Yuk. I don't want my area promoted to anyone. Bennett Valley speaks for itself and doesn't require a sign to attract visitors. Population and wealth growth alone in the Bay Area will provide the visitors and growth in income that local tourist-trade businesses require to thrive in this area.

I'm scared to death of changes that could lead to over-crowding, over-pricing and a hollowing-out of my beloved Sonoma area. What gives this area charm is the rustic, rural nature, the family atmosphere, and the quiet charm of the area. We are so much more than wine: apples, olives, beer, open space, fishing, artisan cheeses, cattle farmers, horses, artists, theater, spiritual centers, and a community of working people building a future for themselves and their families.

What ever development agreed upon, I pray that preserving the uniqueness that is Sonoma be on the minds and in the hearts of the decision makers.

Thanks For Reading,
Elizabeth Brand
Glen Ellen, CA

Subject: Cheese factory comment for PC

Date: Sunday, March 4, 2018 at 8:21:54 AM Pacific Standard Time

From: Fred Allebach

To: Cristina Morris, David Goodison

Hi, I'd love to come to the Cheese Factory planning session, but I have a conflict with a meeting to help with a Know Your Rights meeting for the immigrant community.

A few comments on the Cheese Factory project:

One, the linkage to Depot Park is a great idea, to expand the Sonoma central venue experience towards the Depot Park museum, and other historical resources (Marcy House, State Parks venues along the bike path), and to local experiences that are not contingent on spending money for entertainment, or that will spend only the best \$3.00 there is to spend in Sonoma, for the State Parks one day ticket to four different venues, and to a free hike through the cemetery or Overlook/ Montini Trails.

Two, please keep in mind the overall intensity of the proposed project, and how that will effect other hoped for expansions of tourism, and that business interests are not the only interests in town, and that residents would like to have a Plaza that is not entirely overrun by constant commercial activity and hype to draw ever more and more tourists.

I would suggest toning the scale of the project down, maybe by 35 to 40% to fit a preferred scale that favors the preservation of small town character, over a constant growth model. Sonoma can be "better, not bigger." Please see the following link to Eben Fodor's thesis about the myth of smart growth.

http://www.fodorandassociates.com/Reports/Myth_of_Smart_Growth.pdf

If the developer says they can't do the project without a certain amount of volume and returns, tell them to come back with a smaller project. Why? Because Sonoma has a municipal right to preserve its character, and not be beholden to, and roll over for every commercial interest that comes down the pike.

Three, keep in mind balancing the current glut of tasting rooms, alcohol venues, and restaurants, the proposed luxury hotel on Napa Street, and develop some sense of planning for balance, and an appropriate sustainable level of tourism. Which is to say, what is the *carrying capacity* of Sonoma, to keep its special character, before a rush to milk the goose that laid the golden egg actually ruins the authentic qualities that makes this place special.

That's my input for you.

best regards, Fred Allebach

Sonoma Cheese Factory Renovation and Parking April 11, 2018

I do support the renovation of the historic building and replacement of the dilapidated structures behind it, with new, well designed buildings.

However, the Development Code (DC) standards for parking regulate the expansion or change of Use of existing buildings. (see DC section below)

19.48.040 Number of parking spaces required.

D. Expansion of Structure or Change in Use. When a structure is enlarged or increased in capacity, or when a change in use requires more parking than the previous use, additional parking spaces shall be provided in compliance with this chapter. The number of parking spaces required for an addition to a structure shall be based on the parking requirement associated with the entire structure.

For example, expansion of a retail or office building would require additional parking at one space per 300/sf. Or a change from retail to a restaurant would require parking at one space per four seats, likely more parking required than previous retail or office Use.

In the early 2000's the middle section of the building **was converted from a Factory Use to Retail Use. Subsequent remodels of the interior increased the food service areas and associated seating.**

Unfortunately none of these changes of Use were required to provide additional parking in conformance with section 19.48.040. According to the Planning Director, no additional parking was required because the changed Uses were Permitted Uses under the DC. And because there was no Use Permit review of Permitted Uses, there was no requirement made for additional parking.

However, the DC does have a procedure for the issuance of a **Zoning Clearance when an application for a building permit is submitted.** For example when, plumbing, electrical, HVAC for a commercial kitchen or other building permits are required, **a Zoning Clearance is required.** This was not done. It would have required

review of the parking requirements under 19.48.040, D and 19.54.020 (see below), and required additional parking where appropriate in accordance with the DC:

19.54.020 Zoning clearance.



- A. *Purpose.* The issuance of a **zoning clearance** is the procedure used by the city to verify that a proposed structure or land use complies with the permitted list of activities allowed in the applicable zoning district, and the development standards applicable to the type of use. (both are required)

- B. *Applicability.* A **zoning clearance** shall be required at the time of planning division review of any building, grading or other construction permit, or other authorization required by this development code for the proposed use. Where no other authorization is required, a request for zoning clearance shall be filed with, and use the forms provided by the division.

- C. *Criteria for Clearance.* The city planner may issue the **zoning clearance** after determining that the request complies with all development code provisions applicable to the proposed use. (Ord. 2003-02 § 3, 2003).

Recent Use Permits, And Current Use Permit Application:

Use Permit approvals given to the Sonoma Cheese Factory in the past few years have expired. Therefore the parking credits that were given are no longer valid. But, by omitting the use of the Zoning Clearance procedure, permits issued without the parking required cannot be revoked retroactively.

However, going forward, an on-site inspection of existing uses at the Cheese Factory, such as food service seating and retail areas, should be done. The project should meet the same parking requirements per the DC that any other Plaza business would have to comply with, if they proposed an expansion or a change of Use.

The Cheese Factory proposal would require the following:

3,538 SF of additional retail space requires additional parking at one space per 300 SF = **12 parking spaces**

Proposed Restaurant and Wine Bar interior seating of 121 minus 34 existing interior seating = 87 additional seats. At one parking space per 4 seats = $87 / 4 =$ **22 additional parking** spaces required.

Total **existing exterior seating is 54**. Exterior seating does not require additional parking up to 25% of approved parking. But even 54 existing exterior seating is far over the proposed 121 indoor seats x 25% = 30 max exclusion for ext. seats. **Assuming the DC parking regulations are respected, the total required parking will be well over what can be provided.**

Casa Grande Parking Lot:

At the State owned Casa Grande the peak parking demand is already over the supply. As is, this existing parking lot should not be used to meet the additional parking requirements for any Plaza business.

The City's lease of the Casa Grande has expired. The State is currently considering leasing the parking lot to a private third party parking lot operator, who will charge for public parking. This will further reduce the parking supply to an already over capacity lot. Adding more demand will only diminish these limited and critical resources needed by all the other Uses around the Plaza.

A parking allocation, based on a monetary contribution to an expansion of the Casa Grande lot, should be allocated based on the percentage of the parking demand of the Cheese Factory in relation to the demand of **all user** around the plaza (estimated at approximately at 8 to 10%), because **all users** of this common resource share in its use, and depend on this critical resource. Assuming 45 spaces for a parking lot expansion, 10% = 5 spaces (max) allocated to the Cheese Factory. **Therefore they would need to reduce their proposal** closer to existing the retail area and food service seating.

We must conserve this critical resource, by following the existing DC procedures, standards and requirements now and in the future, for all who share in this valuable and critical resource.

Victor Conforti - Architect

Sonoma Cheese Factory Renovation - Addendum #1 - 4-12-18

Development Code Parking Requirements

19.48.040 Number of parking spaces required.

E. Structures Demolished and Replaced. *When a structure (or a portion of a structure) is intentionally demolished, any new use or structure shall provide the number of parking spaces required by this chapter, except that if a designated unreinforced masonry building is demolished, the new structure or use shall be required to provide only the number of parking spaces that existed prior to the demolition.*

F. Existing Unreinforced Masonry Structures (URM) and Structures Adjoining the Plaza. *For unreinforced masonry structures designated by the city in compliance with Government Code [8875](#) et seq. and existing structures that face the plaza, additional parking shall not be required for a new use unless the new use results in one of the following: 1. An increase in the square footage of the structure; or 2. An off-street parking requirement that exceeds one parking space for each 300 square feet of floor area. 3. Additional off-street parking shall only be required for the expansion in building area or as associated with the increased parking ratio, as applicable.*

Sub-section E: This requires that the portions of the structure that are demolished and replaced, could extinguish the “grandfathered” parking exception for existing structures, and require that they comply with the number of parking spaces required for a new structure. This is a commonly used method, where existing buildings are not demolished, but remodeled in order to preserve legal-nonconforming conditions, such as existing set-backs, area and parking.

Sub-section F. further regulates sub-section E. regarding **existing URM and Plaza structures**, stating that increased parking only be required where an increase of area or a change of use is proposed. Sub-section F. relates to URM structural upgrade requirements for existing structures on the Plaza, **not to replacement structures**. Therefore, demolition and replacement structures are regulated by sub-section E.

Therefore the project proposal would need to be modified to limit it to renovating the existing structures, to avoid the parking requirements of new structures.

Victor Conforti – Architect

Subject: Planning Commission Meeting April 12, 2018 Item 4

Date: Wednesday, April 11, 2018 at 10:19:18 PM Pacific Daylight Time

From: Patricia Cullinan

To: David Goodison, Robert Felder

David and Bob,

As an interested party in the Cheese Factory development I must ask you to postpone Agenda Item 4, on the agenda at tomorrow night's Planning Commission meeting.

Receiving the staff report so close to the meeting creates a hardship on me and I am sure others to read and digest the information during the work week.

I know it is cheeky for me to make a request like this but it is unfair to the public to not have sufficient time to review documents of the proposed project.

Please send my request to the other Planning Commissioners.

Thank you
Patricia Cullinan

Subject: Re: Peak season, off season and traffic
Date: Tuesday, April 10, 2018 at 5:03:57 PM Pacific Daylight Time
From: David Eichar
To: James Bohar, James Cribb, Kelso Barnett, Lynda Corrado, Robert Felder, Robert McDonald, Ron Wellander, Carol Jansen
CC: David Goodison, Cristina Morris
Attachments: Attached Message.eml, Attached Message.eml, Attached Message.eml

Planning Commissioners:

My comments are in regards to the traffic and parking study performed on November 11 and 14, 2017. One comment that has been made about the studies was that it was performed while Sonoma was still reeling from the aftermath of the fires. Planning Director Goodison defended the dates of the studies by referencing the hotel occupancy rates for November 2017 versus November 2016, which were about the same. However, what was not mentioned is that the hotels housed many FEMA workers, insurance adjusters and displaced locals. Please read Bill Blum's response below to my question to regarding MacArthur Place.

My wife and I own a vacation rental in Boyes Hot Springs. We had cancellations for dates during and after the fires. We also had inquires from insurance adjusters, looking to stay for "weeks". (See attached e-mails.) Of course, we only had one rental, so once we re-booked, we did not receive more inquiries.

I also have friends who own a retail shop on the Plaza. Their revenue for November 2016 was 25% greater than November 2017. My friends also told me that retails sales were down for other merchants around them. The SVVB was even putting full page ads in the SF Chronicle and other newspapers to bring tourists back to the valley. See attached e-mail from Gary Saperstein, Interim Executive Director of the Sonoma Valley Visitors Bureau in regards to a drop in tourism in November 2017. The San Francisco Chronicle reports that officials at Sonoma County Tourism say that occupancy at hotels included many "'second responders' related to the fire aftermath, including cleanup and construction workers, government officials and insurance adjusters." The Chronicle also reported, "A Sonoma State University survey said 71 percent of North Bay wineries (not just Sonoma Valley wineries) experienced an immediate drop in tasting room visits, and 62 percent reported lower tasting room sales compared with the same period in the previous year."

<https://www.sfchronicle.com/bayarea/article/Wine-Country-Fires-Where-things-stand-6-months-12803761.php>

As per my previous comments, hotel occupancy is also on average 22% higher during the summer and fall than in November.

So, if you combined the 22% normal increase of peak season versus November and an additional 25% higher sales in November 2016 versus November 2017 as a result of the aftermath of the wildfires, November 2017 was the 2nd worst month to perform traffic and parking studies. (The worst, of course would have been mid-October 2017, during the height of the fires.)

Because of the this, the traffic and parking studies are completely worthless. Adding an additional 20%, as has been done, is not only inadequate, but is not realistic, since this only applies to the number of vehicles per hours. There was no analysis of the impact of an additional delay to vehicle traffic due to pedestrian traffic. Traffic delays around the Plaza are not linear based on vehicles per hour, because a major reason for the delays are the pedestrians blocking the street while crossing. At some point, when you get enough pedestrians crossing the street, traffic will come to a standstill.

However, if you decide to just increase the numbers in the traffic study to achieve a somewhat more realistic count, you would need to increase the numbers by approximately 50%.

Calculations:

$1 - ((1 + 0.22) * (1 + 0.25)) = 52.5\%$

Regards,
David Eichar

On 3/26/2018 12:32 PM, Bill Blum wrote:

Hi David,

I did leave my position as General Manager at MacArthur Place in February, and also resigned my position on the boards of the SVVB and TID.

As such, I don't have access to occupancy figures but generally the busiest occupancy period is August through mid-November. This is considered the peak season. Spring and Summer are busy as well, but the fall months due to harvest tend to be the busiest.

This past November after the fires was a record occupancy at MacArthur Place, but as you said some of those rooms were FEMA workers and displaced residents and it was at a much lower rate.

I believe traffic from hotels is one of least intense uses. During Measure B, I stood outside of the Sonoma Valley Inn and counted cars coming in and out of there and the Whole Foods Marketplace shopping center and got more that 100 to 1 coming out of Whole Foods, and I did the same with us with the Subway and Quick Stop across the street and found similar results. People tend to check in and leave there cars in place until they depart particularly if they are staying somewhere close to the Plaza.

Restaurant traffic is more significant, but that occurs more in the evening hours and isn't really based as much on season.

I can't speak for the SVVB, but I don't know of any estimate of daytime visitors as there really isn't a good way to track them. For overnight visitors, I believe there are about 500 rooms in Sonoma and a total of 1000 in the Sonoma Valley (including Sonoma and vacation rentals) so you could use that to estimate the number based on the seasonal occupancy to get the number of overnight visitors. I don't believe the Visitors Bureau or TID tracks that number either.

Hope this helps.

Best,
Bill

On Mar 25, 2018, at 11:08 AM, David Eichar
deichar@sbcglobal.net wrote:

Bill,
Its good to see that you are still working at MacArthur Place.

I would like to get your input on tourism peak times in Sonoma. I am doing this because Planning Director David Goodison seems to think that Plaza traffic studies done at the end of March 2015 and mid-November 2017 are representative of peak season traffic. I have the TOT statistics from the city for the past 3 years, which shows that occupancy (room nights rented) is 22%

higher for the peak month of each year than in November. I am concerned that without a realistic traffic study, traffic and parking problems will not get addressed anytime soon. Two specific remedies being talked about are curb extensions which shorten the time pedestrians are blocking traffic and reconfiguration of the Casa Grande parking lot.

Another argument made against using November 2017 traffic numbers, is that the valley was still suffering the after effects of the fires. However, the occupancy in November 2017 is about the same as November 2016. As you may recall, Josette and I have a vacation rental in Boyes Hot Springs. Of course we had cancellations in October and early November 2017, but then we had an insurance adjuster for State Farm rent the house. In your experience with MacArthur Place, SVVB and the STID, did you find that a number of lodgers in November were not tourists, but people here to work on the recovery, such as insurance adjusters?

Also, do you know if the SVVB or STID has any estimate of overnight and daytime tourists by month?

Thanks,
Dave