



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of August 8, 2013 -- 6:30 PM
Community Meeting Room, 177 First Street West
Sonoma, CA 95476

Meeting Length: No new items will be heard by the Planning Commission after 10:30 PM, unless the Commission, by majority vote, specifically decides to continue reviewing items. If an item is not heard due to the length of the meeting, the Commission will attempt to schedule a special meeting for the following week. If a special meeting is necessary, potential dates will be established at the close of this meeting, and a date set as soon as possible thereafter.

CALL TO ORDER – Chair, Chip Roberson

Commissioners: Gary Edwards
Robert Felder
Mark Heneveld
Matt Howarth
Mathew Tippell
Bill Willers (Alternate)

Be Courteous - TURN OFF your cell phones and pagers while the meeting is in session.

PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: Presentations by audience members on items not appearing on the agenda.

MINUTES: Minutes from the meeting of July 11, 2013.

CORRESPONDENCE

ITEM #1 – CONSENT CALENDAR

Request:

RECOMMENDED ACTION:

These items will be acted upon in one motion unless removed from the Consent Calendar for discussion by Commissioners or any interested party.

Request for a one-year extension to an approved Planned Development Permit for a four-unit project (881-887 First Street West Applicant: Clyde Ikeda).

Grant one-year extension.

Staff: Wendy Atkins

ITEM #2 – PUBLIC HEARING

Project Location:

RECOMMENDED ACTION:

REQUEST:

Re-evaluation of a previously approved Music Venue License allowing live music to be performed in association with special events.

405 First Street West

Renew with conditions.

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Applicant/Property Owner:

Treg Finney/EDI Associates

Base: Commercial (C)

Overlay: Historic (/H)

Staff: Wendy Atkins

ITEM #3 – PUBLIC HEARING

Project Location:

RECOMMENDED ACTION:

REQUEST:

Re-evaluation of a previously approved Music License allowing regularly-scheduled live music to be performed at Hopmonk Tavern.

691 Broadway

Renew with conditions.

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Applicant/Property Owner:

Dean Biersch/Hopmonk Tavern

Base: Mixed Use (MX)

Overlay: Historic (/H)

Staff: Rob Gjestland

ITEM #4 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to convert a single-family residence into a two-bedroom vacation rental.

Applicant/Property Owner:

Donna Dambach and Christine Argenziano/Lisa Ellis

Staff: Rob Gjestland

Project Location:

780 Broadway

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

ITEM 5 – STUDY SESSION

REQUEST:

Study session on a proposal to construct 12 apartments on a 1-acre site.

Applicant/Property Owner:

Victor Conforti, Architect/ Michael Rabbitt

Staff: Wendy Atkins

Project Location:

840 West Napa Street

General Plan Designation:

Commercial (C)/
Medium Density Residential (MR)

Zoning:

Planning Area:

West Napa/Sonoma Corridor &
Northeast Area

Base: Commercial (C)/

Medium Density Residential (R-M)

Overlay: None

RECOMMENDED ACTION:

Provide direction to applicant.

ISSUES UPDATE

COMMENTS FROM THE COMMISSION

COMMENTS FROM THE AUDIENCE

ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on August 2, 2013.

CRISTINA MORRIS, ADMINISTRATIVE ASSISTANT

Rights of Appeal: Any decision of the Planning Commission may be appealed to the City Council. Appeals must be filed with the City Clerk within fifteen (15) calendar days following the Planning Commission's decision, unless the fifteenth day falls on a weekend or a holiday, in which case the appeal period ends at the close of the next working day at City Hall. Appeals must be made in writing and must clearly state the reason for the appeal. Appeals will be set for hearing before the City Council on the earliest available agenda. A fee is charged for appeals.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA, (707) 938-3681. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Planning Commission regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the Administrative Assistant office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the Administrative Assistant, at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

August 8, 2013
Agenda Item 1

MEMO

To: Planning Commission

From: Associate Planner Atkins

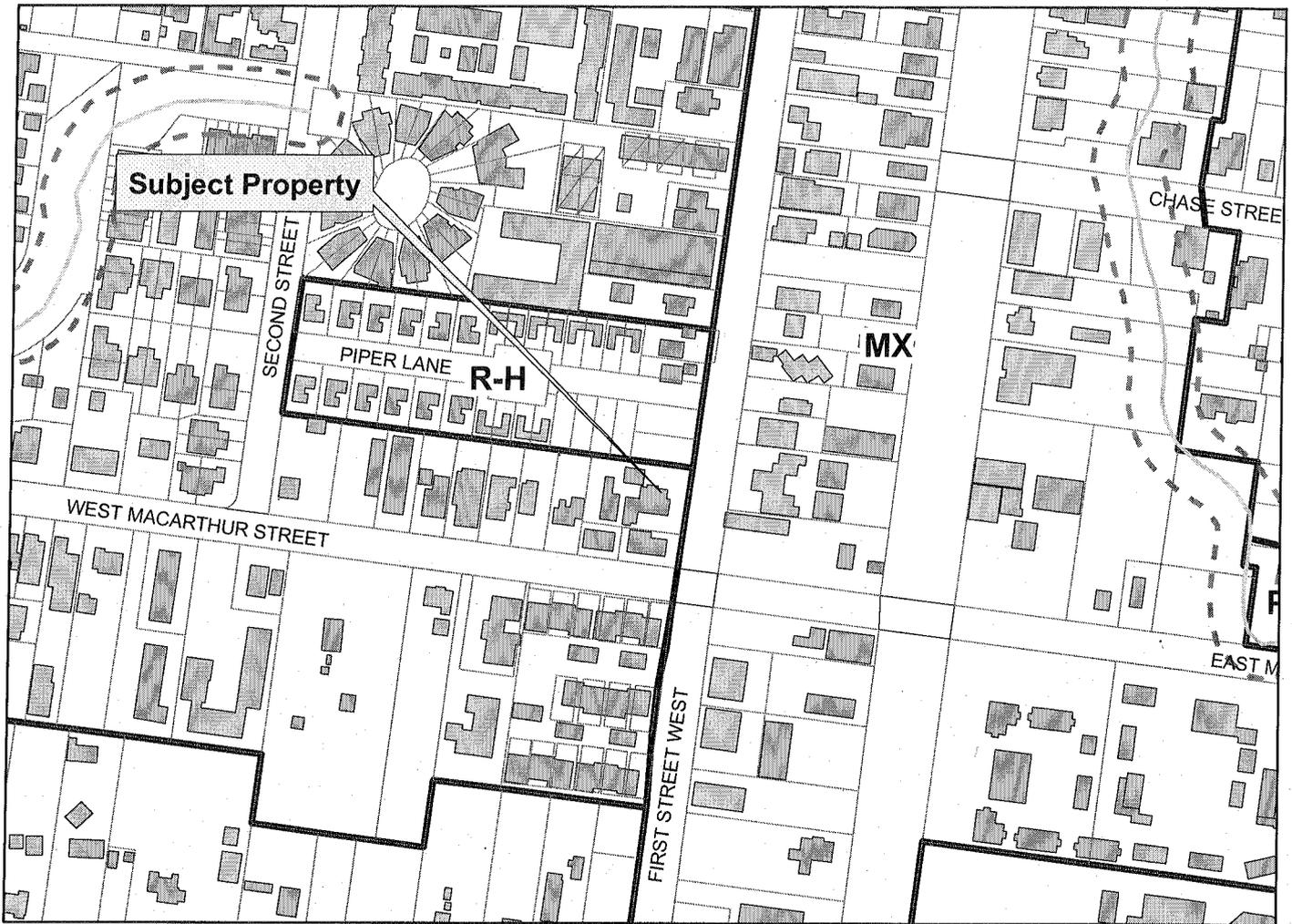
Subject: Request for a one-year extension to an approved Planned Development Permit for a four-unit project (881-887 First Street West Applicant: Clyde Ikeda).

Background

On November 9, 2006, the Planning Commission approved a Planned Development Permit to subdivide a 0.34-acre parcel into a four-unit residential development at 881-887 First Street West. Subsequently, on January 10, 2008, the Planning Commission approved a one-year extension. Meanwhile, the one-year automatic extension set forth in Government Code section 66451.21 applied extending the validity of the map to November 9, 2010. In addition, on February 12, 2009, the Planning Commission granted an additional one year discretionary extension. On July 13, 2011, Governor Brown signed Assembly Bill 208, granting an additional two-year extension. The new (and current) expiration of the project is November 9, 2013. Since the project was approved by the Planning Commission in 2006, the applicant has received Design Review Commission approval of the building elevations, landscaping, and exterior light, materials, and colors. Due to the slowly recovering housing market, the applicant is requesting an extension in order to keep the approval active (see attached letter). This would be the third of six one-year discretionary extensions that the Planning Commission could grant for the project.

cc: Clyde Ikeda
260 San Anselmo Avenue
San Francisco, CA 95476

Vicinity Map

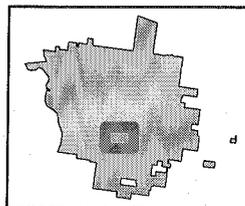


Project Summary

Project Name: Miller Tentative Map and Planned Development
Property Address: 881-887 First Street West
Applicant: Ronald Miller
Property Owner: Ronald Miller
General Plan Land Use: Medium Density Residential
Zoning - Base: Medium Density Residential
Zoning - Overlay: None
Summary:
 Request for a Tentative Map and Planned Development permit.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



0 150 300 600 Feet

1 inch equals 258 feet

July 18, 2013

Dear Ms. Wendy Adkins,

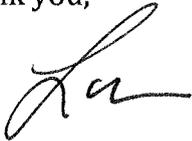
We are requesting an extension of our planning permit for a planned 4-unit development at 881/887 1st Street West, Sonoma California. As a result of the slowly recovering housing market, this project is appealing to us and we would like to pursue it.

Thank you for your help in this matter. If you have any questions please give me a call, Lisa Ikeda at 415-806-9544.

I appreciate you help in this matter.

Thank you,

Lisa

A handwritten signature in black ink, appearing to be 'Lisa', written in a cursive style.

Cc Bill Willers/Marcus Willers Architects

August 8, 2013
Agenda Item #2

MEMO

To: Planning Commission

From: Wendy Atkins, Associate Planner

Re: Re-evaluation of a previously approved Music License allowing regularly-scheduled live music to be performed and recorded music played at the El Dorado Hotel and Kitchen in association with special events (405 First Street West).

Property Description

The property is located on an 18,570 square-foot parcel located on the west side of First Street West on the corner of West Spain Street. The property has frontage on First Street West and West Spain Street and is currently developed with two buildings that accommodate a hotel and a restaurant. Directly adjoining land uses include:

North: The Girl and the Fig Restaurant and the Sonoma Hotel/Commercial.

South: One building that accommodates a restaurant, a retail store, and three residential apartments/Commercial; and a single-family residence/Commercial.

East: The Sonoma Plaza/Park.

West: Three Sticks Wines/Commercial.

Music is performed at the following locations (see project narrative for picture of locations):

- Outside: Patio dining and patio lounge.
- Inside: Fireplace lounge; dining room; private dining.

Background

On October 9, 2013, the Planning Commission approved a use permit to allow an expansion of a lounge area associated with the Eldorado Hotel. On July 3, 2006, the Planning Commission approved a use permit allowing the conversion of an existing retail space into a café associated with the El Dorado Kitchen. On June 14, 2007, the Planning Commission approved a use permit for a restaurant with live music in conjunction with the El Dorado Hotel and Restaurant. On August 10, 2012, the Planning Commission approved a Music Venue License allowing regularly-scheduled live music to be performed and recorded music played. The current use permit conditions of approval are as follows:

- Windows and doors shall remain closed (doors to the extent feasible) when music/entertainment is conducted within the building.
- The use shall operate in compliance with the noise limits and standards of the City's Noise Ordinance.
- Live music performances shall be allowed no more than two times per calendar month.
- Live music performances shall be allowed outside within the following timeframes and subject to the following limitations:

Fridays: 11:30 a.m. to 8 p.m.

Saturdays: 11:30 a.m. to 8 p.m.

Sundays through Thursdays: 11:30 a.m. to 8 p.m.

Acoustic music only no amplification and no use of microphones.

- Live music performances shall be allowed indoors within the following timeframes and subject to the following limitations:

Fridays: 11:30 a.m. to 10 p.m.

Saturdays: 11:30 a.m. to 10 p.m.

Sundays through Thursdays: 11:30 a.m. to 8 p.m.

Live (no restriction on instrument type), disk jockey and amplified music.

- Signs shall be posted at all exits and in the parking lot to remind patrons to keep noise levels down and respect the neighborhood.

Music Venue Licensing

Adoption of Music License Regulations: On February 22, 2012, the City Council adopted Ordinance 02-2012, which established regulations and a licensing process for live music venues. In part, the ordinance amended the Development Code to allow music venues in the Commercial, Gateway-Commercial, and Mixed-Use zones, subject to review and approval of a Music Venue License by the Planning Commission. The purpose of the licensing requirements is to ensure that live music performances are conducted in a manner compatible with adjacent land uses. In contrast to a Use Permit (the method by which live music was regulated prior to the adoption of Ordinance 02-2012), a Music Venue License:

- Is not an approval that runs with the land. (This proved to be a significant concern of community members and commissioners in review of Use Permits for live music and an impetus for drafting the music license regulations.)
- Is approved for a specific business/entity/site and must be reconsidered by the Planning Commission with any change of ownership.
- Is subject to reconsideration by the Planning Commission one-year after being exercised and must be renewed annually thereafter.

- May be terminated by the Planning Commission at any time subject to certain findings.

Purpose of Review (Initial Review): Under Section 5.34.110 of the Sonoma Municipal Code, the Planning Commission must hold a noticed public hearing to review a Music Venue License one year after it has been approved/exercised to consider compliance with the conditions of approval and re-evaluate its compatibility with adjoining uses. Through this review process, the Planning Commission ultimately has the discretion to extend the license, terminate the license (subject to specific findings), or amend the conditions of approval as deemed necessary.

Complaints: The Police Department has confirmed that there have been no calls for service to the El Dorado Hotel and Kitchen related to noise since the Music License was approved last year on August 10, 2012.

Findings for Approval: The Planning Commission may extend a Music Venue License only if the following three findings below can be made:

- A. The proposed Music Venue License is consistent with the General Plan and the Development Code (SMC Chapter 19);
- B. The nature, scale and operating characteristics of the proposed Music Venue are compatible with the existing and future land uses in the vicinity; and
- C. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, and all other conditions that may be attached to the License.

As discussed above, in extending a Music Venue License, the Planning Commission also has the discretion to amend the conditions of approval if deemed necessary.

Recommendation

Staff recommends that the Planning Commission extend the music license subject to the current conditions of approval (attached).

Attachments

- 1. Draft Findings
- 2. Draft Conditions of Approval
- 3. Vicinity Map
- 4. Project Narrative

cc: Police Chief Sackett

El Dorado Hotel and Kitchen
Attn: Treg Finney
405 First Street West
Sonoma, CA 95476

E D I Associates

P.O. Box 8000
Mill Valley, CA 94942-8000

Kaleoaloha and Kelly Brown
144 West Spain Street, Apt. 16
Sonoma, CA 95476

Robert Skelton
Cypress Gardens
144 West Spain Street
Sonoma, CA 95476

Jean Thompson
415 First Street West
Sonoma, CA 95476

Deana Castagnasso
124 Church Street
Sonoma, CA 95476

Kathleen Parks Perry
415 First Street West, Apartment # 1
Sonoma, CA 95476

Rory McCarthy Design
415 First Street West
Sonoma, CA 95476

Kathleen Pierce
144 West Spain Street, Apt. 3
Sonoma, CA 95476

Wyle House
132 West Spain Street
Sonoma, CA 95476

Orion Partners, LTD
Attn: Lori Greenstein Bremner
P.O. Box 1561
Sonoma, CA 95476

Louie Mangiantini
144 West Spain Street
Sonoma, CA 95476

M. Severson
433 West Spain Street, Apt. 5
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF LICENSE APPROVAL

El Dorado Hotel and Kitchen Re-evaluation of a Previously Approved Music Venue License –
405 First Street West

August 8, 2013

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Music Venue License Findings

- A. The proposed Music Venue License is consistent with the General Plan and the Development Code (SMC Chapter 19);
- B. The nature, scale and operating characteristics of the proposed Music Venue are compatible with the existing and future land uses in the vicinity; and
- C. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, and all other conditions that may be attached to the License.

City of Sonoma Planning Commission
CONDITIONS OF LICENSE APPROVAL

El Dorado Hotel and Kitchen Re-evaluation of a Previously Approved Music Venue License –
405 First Street West

August 8, 2013

1. Windows and doors shall remain closed (doors to the extent feasible) when music/entertainment is conducted within the building.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

2. The use shall operate in compliance with the noise limits and standards of the City’s Noise Ordinance.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

3. Live music performances shall be allowed no more than two times per calendar month.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

4. Live music performances shall be allowed outside within the following timeframes and subject to the following limitations:

Fridays: 11:30 a.m. to 8 p.m.
Saturdays: 11:30 a.m. to 8 p.m.
Sundays through Thursdays: 11:30 a.m. to 8 p.m.

Acoustic music only no amplification and no use of microphones.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

5. Live music performances shall be allowed indoors within the following timeframes and subject to the following limitations:

Fridays: 11:30 a.m. to 10 p.m.
Saturdays: 11:30 a.m. to 10 p.m.
Sundays through Thursdays: 11:30 a.m. to 8 p.m.

Live (no restriction on instrument type), disk jockey and amplified music.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

6. Signs shall be posted at all exits and in the parking lot to remind patrons to keep noise levels down and respect the neighborhood.

Enforcement Responsibility: *Planning Department; Police Department*
Timing: *Ongoing*

Vicinity Map



Project Summary

Project Name: El Dorado Hotel and Kitchen
Music Venue License Re-evaluation

Property Address: 450 First Street West

Applicant: Treg Finney

Property Owner: EDI Associates

General Plan Land Use: Commercial

Zoning - Base: Commercial

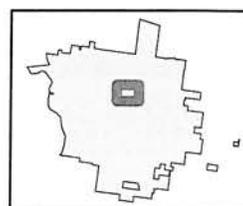
Zoning - Overlay: Historic

Summary:

Re-evaluation of a previously approved Music Venue License allowing live music to be performed in associate with special events.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
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- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



0 100 200 400 Feet

1 inch = 200 feet

July 03, 2013

El Dorado Hotel and Kitchen
405 First Street West
Sonoma, CA 95476

Subject: Requesting that no changes be made on our current music permit.

The El Dorado Hotel and Kitchen is requesting that no changes be made to our current music permit. We have been operating for a year now within the perimeters of our music permit issued August 2012. There have been no noise complaints filed against us with the police department this past year nor have any issues been brought to our attention from our neighbors. The hours set for live music in our permit have worked well for us as well.

We plan to continue to strictly adhere to the hours of our permit. We always have between two and ten managers on our property at all times. Our management team will continue to ensure that any music/noise on our property will only occur during the permitted hours. If the volume levels reach a point where it is disturbing our diners, hotel guests or neighbors we'll make sure that it gets reduced immediately (even if within our permitted hours of music). In most cases, this is not a problem because most of our events are wedding celebrations or corporate dinners. We have no intention of becoming a live music venue. All of our music requests are in conjunction with special events.

We've attached a copy of our initial proposal from 2012 should anyone have any questions. It shows in detail where any live music would be located on the property. Additionally it maps out the types of events we do and the type of music allowed indoor and outdoor.

If you have any other questions please do not hesitate to contact me.

Thank you,

Treg Finney
General Manager
707-996-3030
tfinney@eldoradosonoma.com

JUL 03 2013

July 13, 2012

El Dorado Hotel and Kitchen
405 First Street West
Sonoma, CA 95476

Subject: Requesting consideration to amend our current music permitting.

The El Dorado Hotel and Kitchen is requesting to amend our current music permit for the allowance of live music during special events. Our special event business generates over half a million dollars a year and the entire property (hotel, restaurant and café) generates over 4 million dollars annually.

We have been hosting private events since the restaurant opened in June of 2005. Special events include social and corporate gathering along with wedding celebrations. 6 months out of the year, we average about 2 special events per month requesting music and would appreciate the flexibility to accommodate these requests on various days and times of the week.

We host a variety of wedding related special events; including ceremonies, receptions rehearsal dinners and showers. One of the most common requests we have from our couples is live music. We are sensitive to our residential neighbors and guests of our 27 hotel rooms. Outdoor events have an end time of 10:30 and we self police the music and noise levels.

We would like to include the following music options as part of our wedding packages:

Outdoor Events

- For events on our private patio we would like to accommodate acoustic music.
- This would not include the use of horns, percussion, amplification or the use of microphones.
- Live acoustic music would only be *optional* during the hours of a contracted special event.
- Daytime events run from 8:00am-4pm.
- Evening events run from 5:00pm-10:30pm.

Indoor Events

- For events that are exclusively in-door we would like to accommodate acoustic, live and amplified music.
- Set up of instruments and disk jockey would be limited to inside our restaurant and lobby areas.
- Daytime events run from 11:30am-4pm.
- Evening events run from 5:00pm-10pm.

We are requesting the allowance of outdoor acoustic music during a contracted special event:

- Anytime between 11:30am-10:00 pm on Fridays and Saturdays.
- Anytime between 11:30am-8:00pm Sunday through Thursday.

We are requesting the use of acoustic, live music and disk jockey indoor during a contract special event:

- Anytime between 11:30am-10:00pm Fridays and Saturdays.
- Anytime between 11:30am-8:00pm Sunday through Thursday.



EL DORADO HOTEL / EL DORADO KITCHEN

P 707 996 3030 F 707 996 3148 405 FIRST STREET WEST SONOMA CA 95476
ELDORADOSONOMA.COM

We have included a map of our property and the locations marked in red of where we will set up music:

Patio Dining

- The Patio Dining is the largest of our outdoor special event locations. This venue is most often used for cocktail reception parties, plated as well as wedding ceremonies.
- We are requesting the allowance of acoustic music in this venue during special events.

Patio Lounge

- The Patio Lounge, located between our historic fig tree and fireplace lounge is a beloved local hangout & ideal location to have a pre-dinner reception before being seated in the fireplace lounge.
- The fig tree court yard is most often sold as special event space with anywhere from 1-5.5 hour access for special events.
- We are requesting the allowance of acoustic music in this venue.
- Absolutely no amplification, microphones, horns, ect.

Fireplace Lounge

- Our fireplace lounge is adjacent to the El Dorado Hotel lobby.
- This venue is a favorite for groups of 20-40 people for wedding rehearsal dinners, ceremonies or receptions.
- We are requesting the allowance of both amplified & acoustic music in this location.

Dining Room

- The Main Dining Room & Bar if this venue is reserved it is considered a full buyout of our facility.
- Guests that buyout the main dining room or even the entire facility are most often hosting both a wedding ceremony & reception.
- The most common request for wedding is music & dancing.
- We are requesting the allowance of both acoustic & amplified music in our main dining room during special events.

Private Dining

- The Private Dining room, located at the back of our main dining room is our most secluded option at the EDK.
- This room is perfect for groups of 20-30 people.
- We are requesting the allowance of both amplified & acoustic in this venue.

Thank you for your consideration.

Sincerely,



Treg Finney
General Manager



EL DORADO HOTEL / EL DORADO KITCHEN

P 707 996 3030 F 707 996 3148 405 FIRST STREET WEST SONOMA CA 95476
ELDORADOSONOMA.COM

August 2, 2012

El Dorado Hotel and Kitchen
405 First Street West
Sonoma, CA 95476

Subject: Additional information requested by the City of Sonoma for the El Dorado Hotel's music permit application.

The El Dorado Hotel and Kitchen is not only sensitive to our neighbors concerns about noise that would be generated by music on our property but we also have to consider concerns which our own hotel guests would have with noise. Twenty-three of our twenty-seven hotel rooms are directly over our restaurant and event spaces, and sixteen of them are exposed to our patio event space. When and if noise goes too late in the evening we get complaints which in turn can cost us a considerable amount of lost room revenue which we would have to refund to our hotel guests. At an average of \$195.00 a room night per room this can add up to a rather large sum. But more than the dollars, concerns us is failing to provide the level of service and guest comfort which we pride ourselves on.

Our plan is to strictly adhere to the hours we are proposing for our permit application. There is always between two and ten managers on our property at all times. Our management team will ensure that any music/noise on our property will only occur between our proposed hours. Additionally, the volume of any music/noise can directly affect our normal restaurant service as well. If the volume levels reach a point where it is disturbing our diners or neighbors we'll make sure that it gets reduced immediately (even if within our proposed hours of music). In most cases, this is not a problem because most of our events are weddings celebrations or corporate dinners (which almost never have any type of music). We have no intention becoming a live music venue. All of our music requests are in conjunction with special events.

In regards to security, all special events at the El Dorado are private events. Occasionally, we have social events in conjunction with organizations like the Boy's & Girl's Club. When we are hosting these types of events, they are invitation only and there is always a staff member checking people in at the door. We always have a manager on duty and enough staff to both provide excellent service and to make sure that the event runs seamlessly.

We feel that our special events bring a great deal to our City of Sonoma and the Plaza. Being one of the largest event spaces on the Plaza many of our event guests book lodgings in most of the hotels around us, dine in other restaurants and cafes, shop our retail outlets and galleries and our events themselves contribute local tax revenue from food & beverage sales taxes and hotel taxes. Being able to offer optional music for potential event clients helps us book more events. The El Dorado is very popular with local residents and tourists alike when looking for a space to host a special event. Our property generates over four million dollars annually in sales, over half a million of which comes from special events.

Thank you for your consideration.

Sincerely,



Treg Finney
General Manager
El Dorado Hotel, Kitchen & Corner Café
707-996-3030
tfinney@eldoradosonoma.com

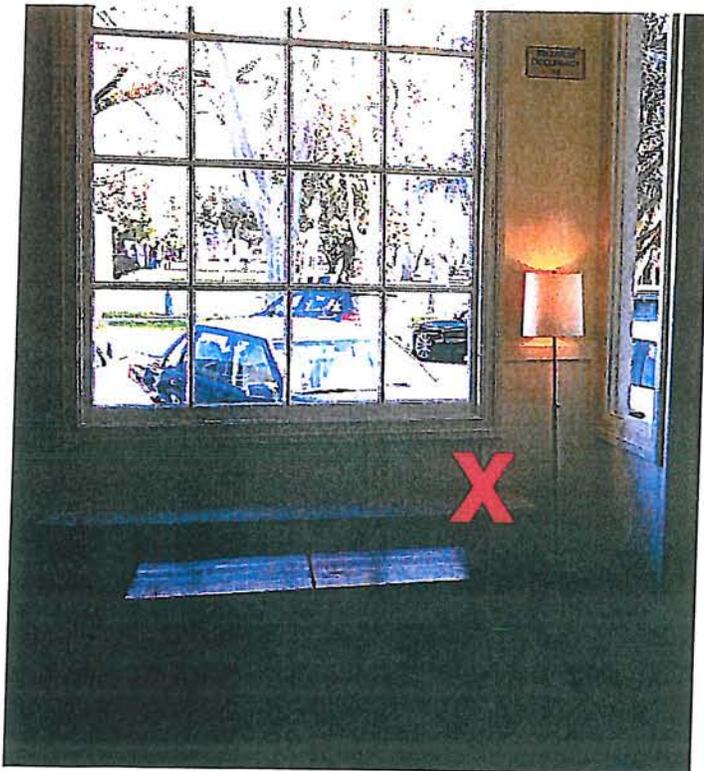


EL DORADO HOTEL / EL DORADO KITCHEN

P 707 996 3030 F 707 996 3148 405 FIRST STREET WEST SONOMA CA 95476
ELDORADOSONOMA.COM

El Dorado Hotel & Kitchen Music Proposal

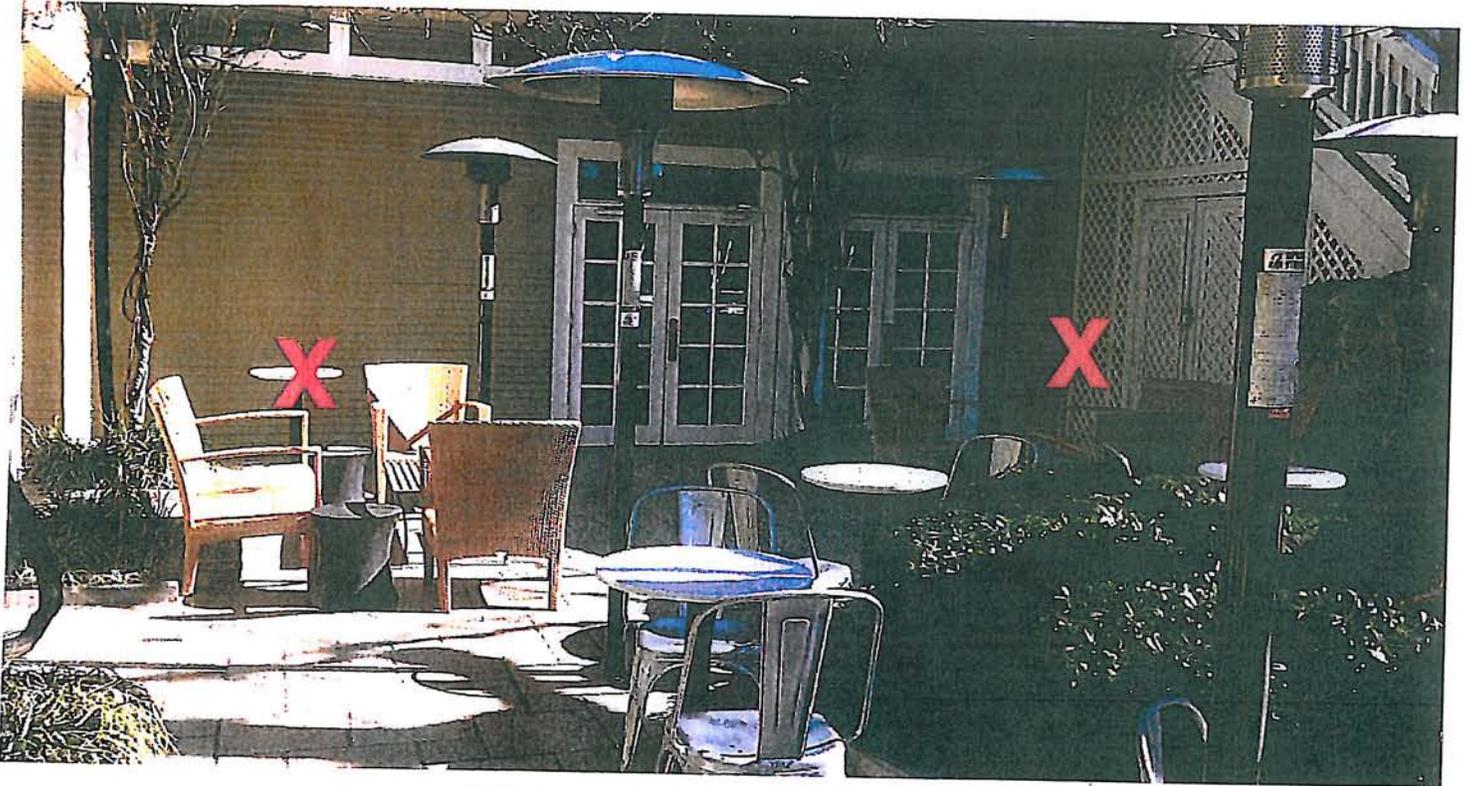
Fireplace Lounge



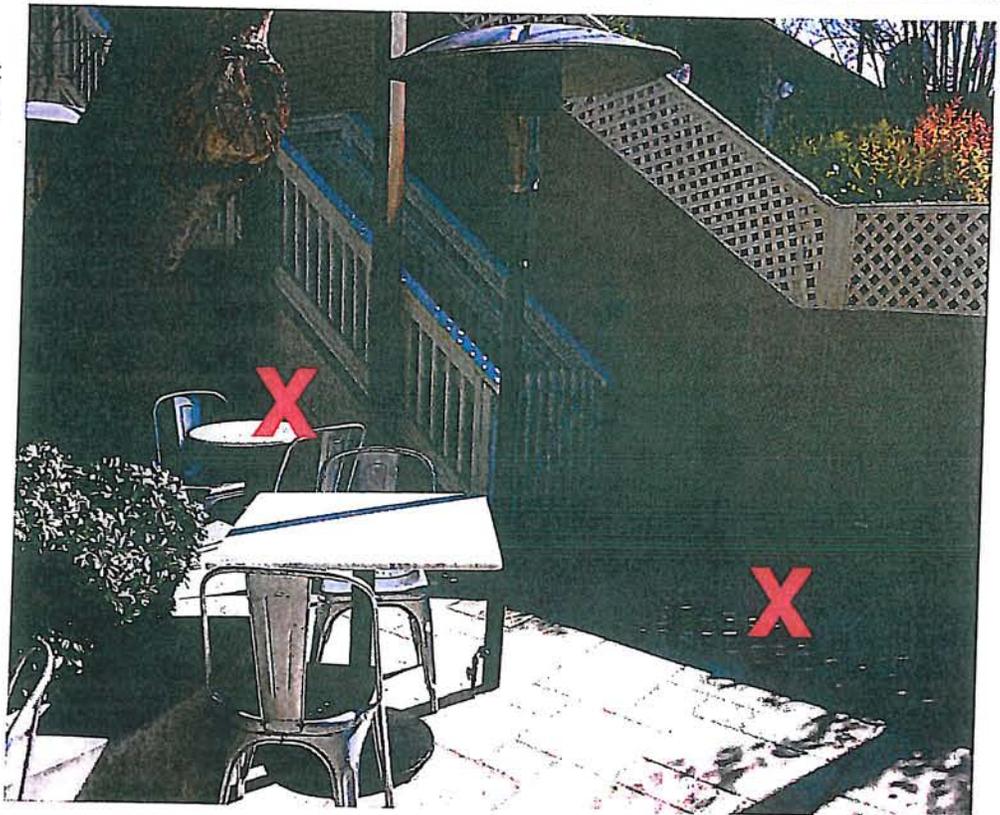
- Our fireplace lounge is adjacent to the El Dorado Hotel lobby.
- This venue is a favorite for groups 20-40 people for wedding rehearsal dinners, ceremonies and receptions and corporate gatherings.
- We are requesting the allowance of both amplified & acoustic music in this location.
- The red x's in the photos indicate where we would like to be able to accommodate either acoustic or amplified music.

El Dorado Hotel & Kitchen Music Proposal

Patio Lounge

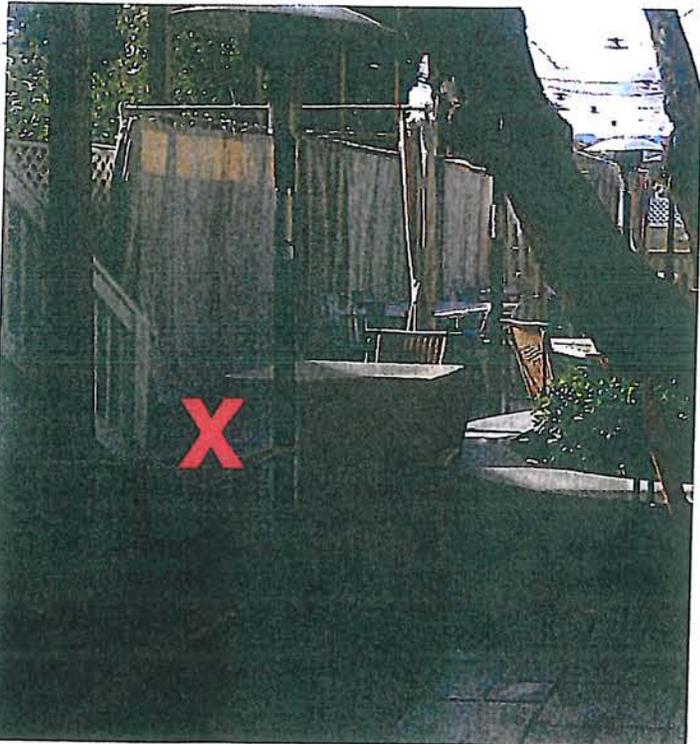


- The Patio Lounge,
- located between our historic fig tree is fireplace lounge is a beloved local hangout & ideal location to have a pre-dinner reception before being seated in the fireplace lounge.
- The patio lounge is most often sold as an event space with anywhere from 1-5.5 hour access for special events.
- We are requesting the allowance of acoustic music in this venue.
- Absolutely no amplification, microphones, horns, etc.



El Dorado Hotel & Kitchen Music Proposal

Patio Dining



- The Patio Dining section is the largest of our outdoor event locations.
- This venue is most often used for large cocktail parties, plated dinners as well as wedding ceremonies.
- We are requesting the allowance of acoustic music in this venue during special events.

El Dorado Hotel & Kitchen Music Proposal

Private Dining



- The Private Dining room,
- located at the back of our main dining room is our most secluded option at the EDK.
- This room is perfect for groups 20-30. Please note the red x's for our desired locations to set up music.
- We are requesting the allowance of both amplified & acoustic in this venue.

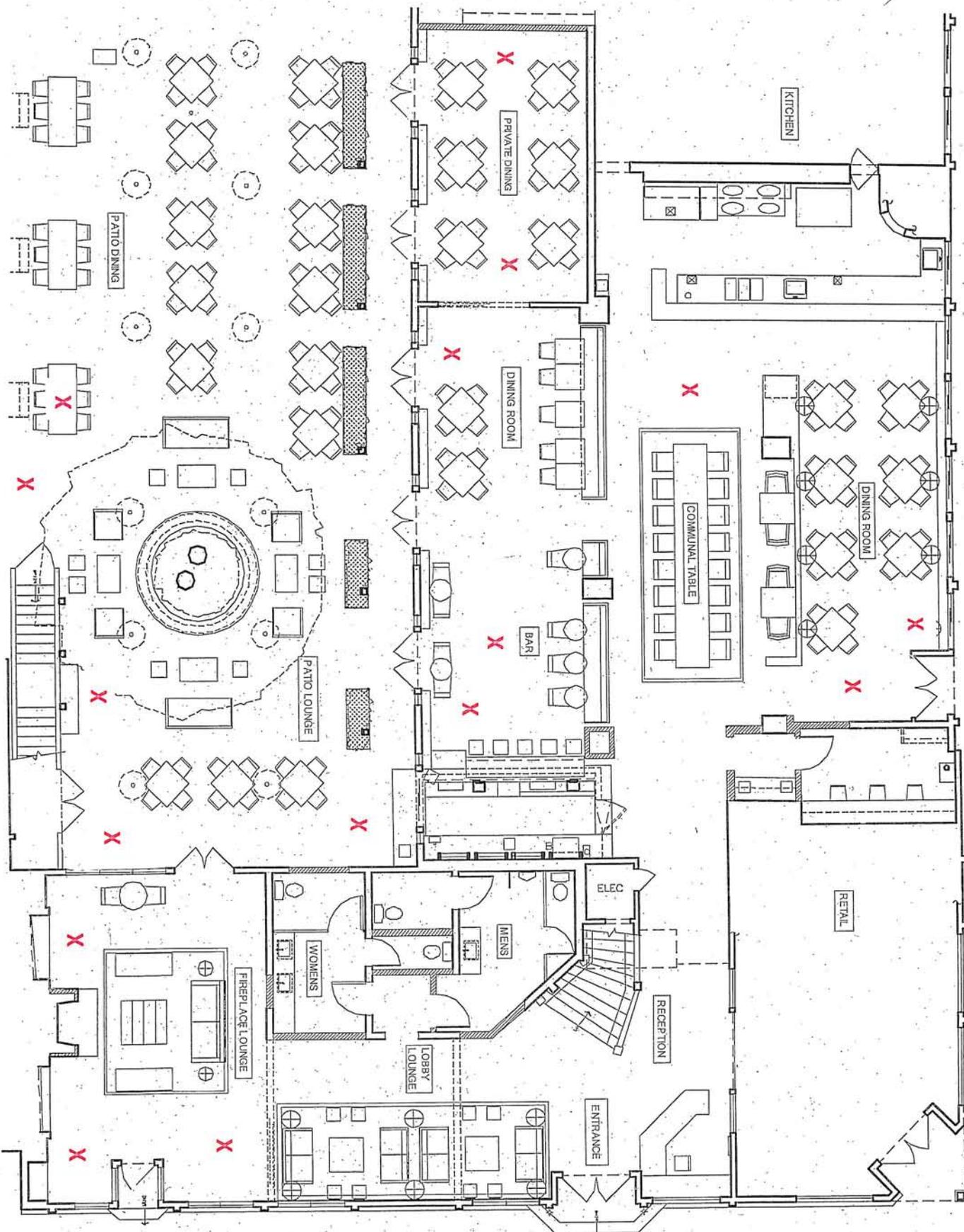


El Dorado Hotel & Kitchen Music Proposal

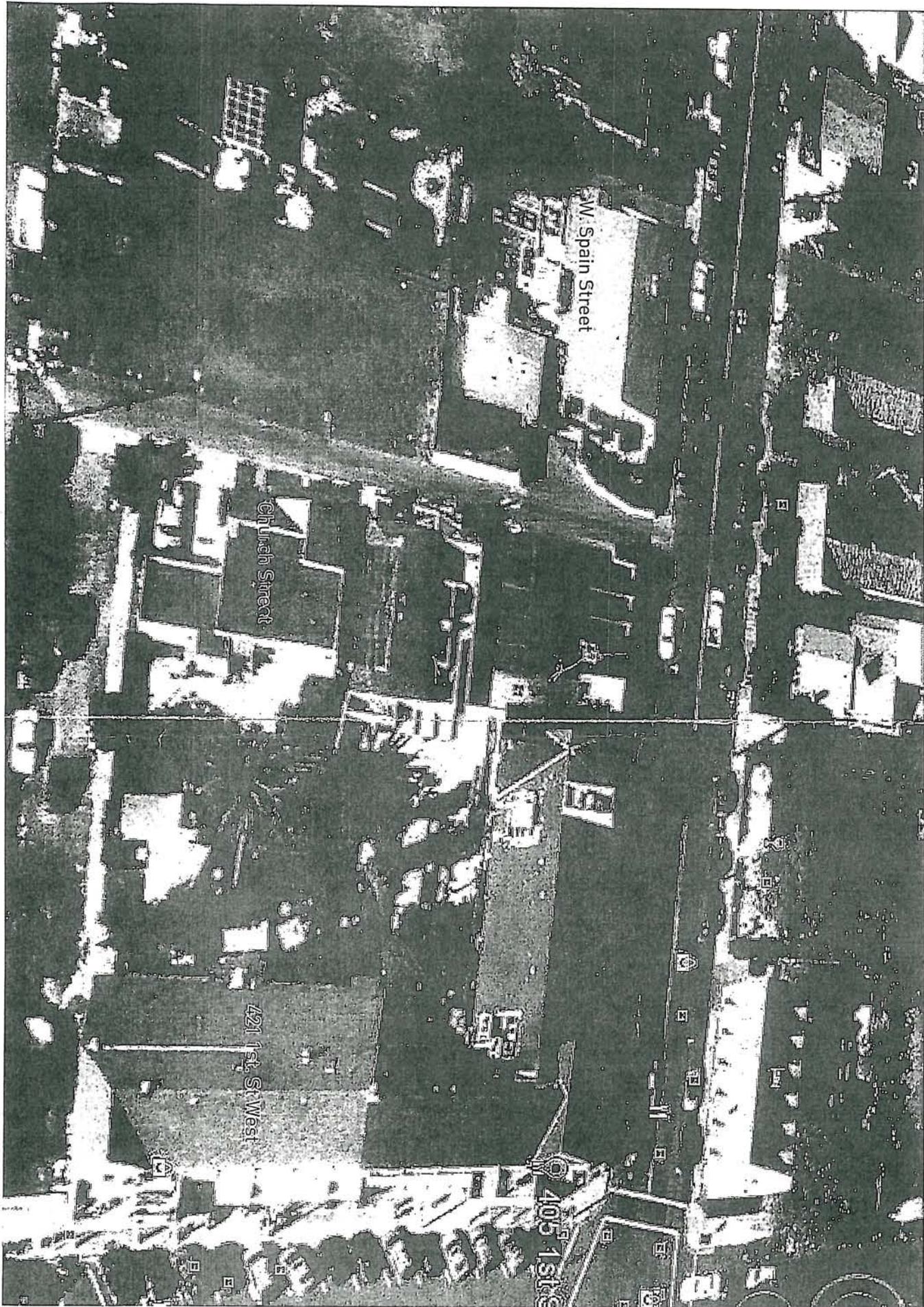
Main Dining Room



- The Main Dining Room & Bar if this venue is reserved it is considered a full buyout of our facility.
- Guests that buyout the main dining room or even the entire facility are most often hosting both a wedding ceremony & reception.
- The most common request for wedding is music & dancing.
- We are requesting the allowance of both acoustic & amplified music in our main dining room during special events.



X = POSSIBLE MUSIC LOCATIONS



9.5"

15.5"

MEMO

To: Planning Commission

From: Rob Gjestland, Senior Planner

Re: Re-evaluation of a Music Venue License allowing regularly-scheduled live music to be performed at Hopmonk Tavern (691 Broadway)

Property Description

The subject property is a corner lot fronting Broadway, Andrieux Street, and First Street West that is developed with a restaurant (formerly Deuce and Emmy's Spaghetti Shack) and associated patio and parking lot. The property is located in a Mixed Use zoning district that supports a variety of commercial and residential uses. Directly adjoining land uses include:

North: A bed and breakfast (Maglulio's Rose Garden Inn) and a commercial building with pet grooming business are located on the adjoining property to the north.

South: Bancroft's flower shop, a drive-through coffee establishment (Hotshots), and a mixed-use building with dental office and upstairs residential unit are located directly opposite Andrieux Street.

East: A single family home and properties with commercial and residential uses are located directly opposite Broadway.

West: A six-unit apartment building is located directly opposite First Street West.

The property features a large outdoor dining and patio area, referred to as the beer garden, on the south side of the site, adjoining the Broadway and Andrieux Street frontages. This area is screened from the streets and from the parking lot on the west by a seven-foot tall fence with trellis elements above.

Background

Adoption of Music License Regulations: On February 22, 2012, the City Council adopted Ordinance 02-2012, which established regulations and a licensing process for live music venues. In part, the ordinance amended the Development Code to allow music venues in the Commercial, Gateway-Commercial, and Mixed-Use zones, subject to review and approval of a Music Venue License by the Planning Commission. The purpose of the licensing requirements is to ensure that

live music performances are conducted in a manner compatible with adjacent land uses. In contrast to a Use Permit (the method by which live music was regulated prior adoption of Ordinance 02-2012), a Music Venue License:

- Is not an approval that runs with the land.
- Is approved for a specific business/entity/site and must be reconsidered by the Planning Commission with any change of ownership.
- Is subject to reconsideration by the Planning Commission one-year after being exercised and must be renewed annually thereafter.
- May be terminated by the Planning Commission at any time subject to certain findings.

Hopmonk Music License Approval: Following Council adoption of Ordinance 02-2012, the Planning Commission reviewed and approved a Music Venue License for Hopmonk Tavern on June 14, 2012. Prior to that, music performances were allowed at Hopmonk through a series of Temporary Use Permits approved by the Planning Commission that were, in part, trial periods intended to achieve compatibility with residential uses in vicinity. The current limitations of the Music Venue License are set forth in the attached conditions and summarized in the table below.

Music License Conditions (Approved 6/14/12)		
	Indoors	Outdoors
Live Music		
Hours/Occurrences	No more than three times per week and ending no later than 11 p.m.	<i>Fridays:</i> 5 p.m. to 7 p.m. <i>Saturdays:</i> two hours between 1 - 7 p.m. <i>Sundays:</i> two hours between 1 - 5 p.m.
Amplification	Limited amplification allowed, defined as a mixing board and up to two speakers, used for the purpose of providing a proper sound mix and vocal amplification.	Limited amplification allowed, defined as a mixing board and up to two speakers, used for the purpose of providing a proper sound mix and vocal amplification. Drums, brass instruments, electric guitars and electric bass not allowed. Limited to soloists, duos and trios.
Pre-Recorded		
Hours/Occurrences	No restriction.	11:30 a.m. to 10 p.m. (seven days a week).

Re-evaluation of Hopmonk Music License

Purpose of Review: Under Section 5.34.110 of the Sonoma Municipal Code, the Planning Commission must hold a noticed public hearing to review a Music Venue License one year after it has been approved/exercised to consider compliance with the conditions of approval and re-evaluate its compatibility with adjoining uses. Through this review process, the Planning Commission ultimately has the discretion to extend the license, terminate the license (subject to specific findings), or amend the conditions of approval as deemed necessary.

Complaints: The Police Department has confirmed that there have been no calls for service to Hopmonk Tavern since the Music License was approved last year on June 14, 2012. However, the Planning Department did receive one neighbor complaint recently about an outdoor performance on Friday, July 5th that violated the restrictions of the license. Planning staff subsequently contacted the business owner, Dean Biersch, who researched the matter and

determined that the evening performance had exceeded limitations on the number of musicians (four musicians performed versus the maximum of three) and types of instruments (an electric guitar and snare drum were used which are not allowed). The performance may also have been scheduled for 6pm-8pm, extending past the 7pm cut off applicable to outdoors Friday performances. The business owner apologized for the oversight and has reviewed the music license limitations with his management staff and booking agents to avoid violations in the future. The neighbor complaint and owner's response are attached for consideration.

Given that there has been only one issue/complaint reported to the Planning Department over the past year (with actions taken by the business owner to avoid similar oversights in the future) and no calls for service to the Police Department, staff believes that the current limitations represent a reasonable compromise for the mixed-use setting where Hopmonk Tavern is located. Staff would also note that the current limitations represent the culmination of four separate reviews by the Planning Commission involving public notification, hearings and comment to find a level of use that is generally compatible with land uses in the vicinity.

Recommendation

Staff recommends that the Planning Commission extend the music license subject to the current conditions of approval (attached).

Attachments

1. Findings of License Approval
2. Music License Conditions of Approval
3. Vicinity Map
4. Correspondence

cc: Dean Biersch (via email)
691 Broadway
Sonoma, CA 95476

Jim Mehew (via email)
720 Broadway
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF LICENSE APPROVAL
Hopmonk Tavern Music Venue License Re-evaluation– 691 Broadway

August 8, 2013

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Music Venue License Findings

- A. The proposed Music Venue License is consistent with the General Plan and the Development Code (SMC Chapter 19);
- B. The nature, scale and operating characteristics of the proposed Music Venue are compatible with the existing and future land uses in the vicinity; and
- C. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, and all other conditions that may be attached to the License.

City of Sonoma Planning Commission
CONDITIONS OF LICENSE APPROVAL
Hopmonk Tavern Music Venue License Re-Evaluation – 691 Broadway

August 8, 2013

1. Windows and doors shall remain closed (doors to the extent feasible) when music/entertainment is conducted within the building.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

2. The use shall operate in compliance with the noise limits and standards of the City's Noise Ordinance.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

3. Live music performances shall be allowed outdoors within the following timeframes and subject to the following limitations:

Fridays: 5 p.m. to 7 p.m.

Saturdays: Two consecutive hours between 1 p.m. and 7 p.m.

Sundays: Two consecutive hours between 1 p.m. and 5 p.m.

Monday through Thursday: not allowed.

Outdoor performances shall be limited to soloists, duos and trios. Limited amplification shall be allowed, defined as a mixing board and up to two speakers, used for the purpose of providing a proper sound mix and vocal amplification. Drums, brass instruments, electric guitars and electric bass shall not be allowed.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

4. Live music performances shall be allowed indoors no more than three times per week and ending no later than 11 p.m. Limited amplification shall be allowed, defined as a mixing board and up to two speakers, used for the purpose of providing a proper sound mix and vocal amplification.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

5. Pre-recorded ambient music (defined as using a device with volume control to play vinyl, CD's, or MP-3's) shall be allowed outdoors within the following timeframe: 11:30 a.m. to 10 p.m. (seven days a week).

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

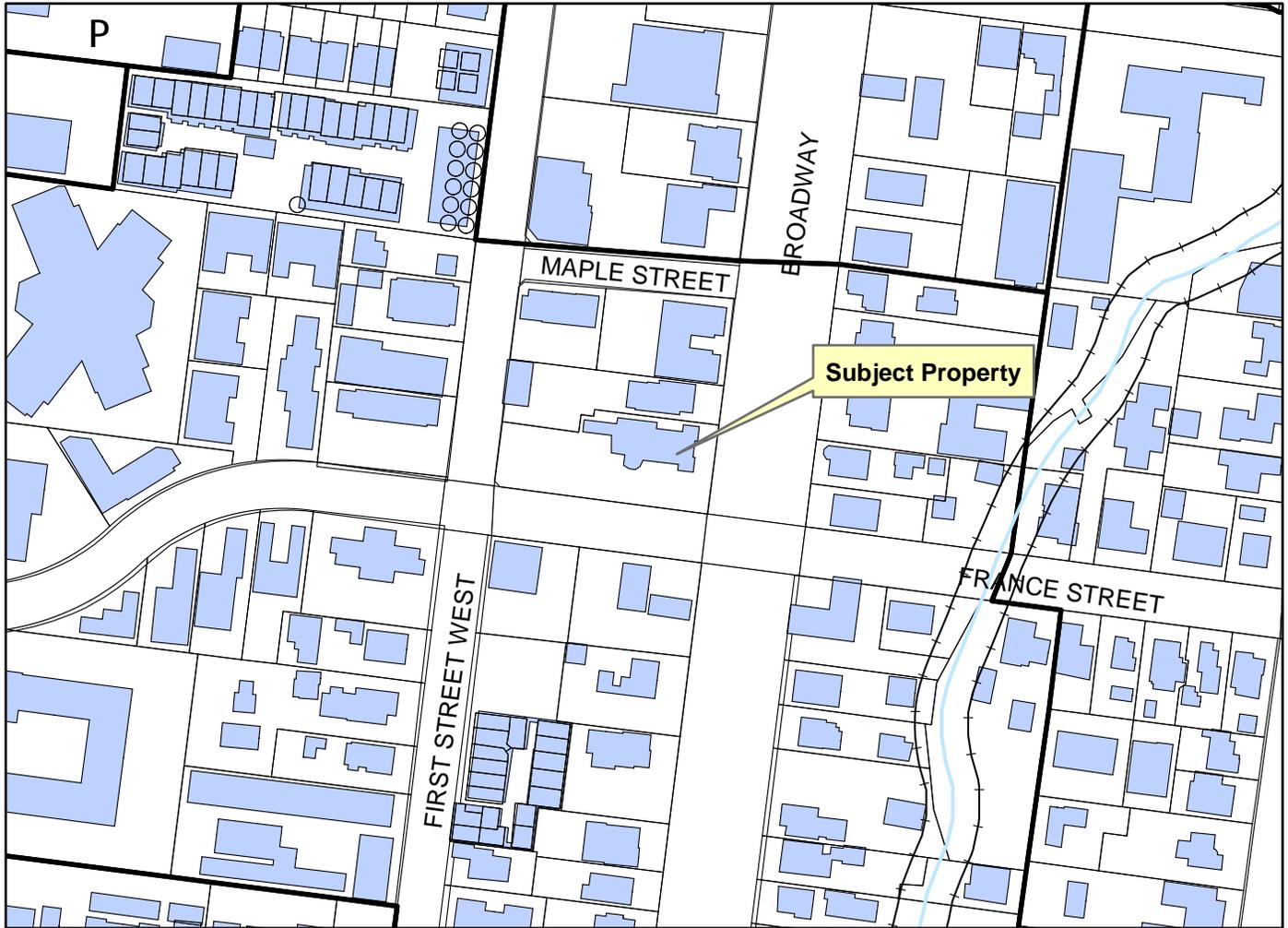
6. The beer patio/beer garden (including the deck) shall close no later than 10 p.m. Sunday through Thursday and no later than 11:00 p.m. on Fridays and Saturdays.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

7. Signs shall be posted at all exits and in the parking lot to remind patrons to keep noise levels down and respect the neighborhood.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

Vicinity Map

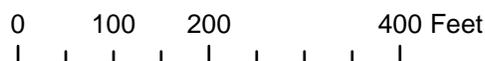


Project Summary

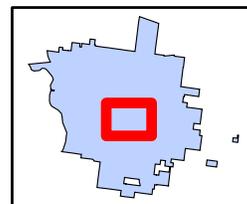
<i>Project Name:</i>	Hopmonk Music License
<i>Property Address:</i>	691 Broadway
<i>Applicant:</i>	Hopmonk Tavern/Dean Biersch
<i>Property Owner:</i>	Deuce LLC
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Re-evaluation of a Music Venue License allowing regularly-scheduled live music to be performed at Hopmonk Tavern.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



1 inch = 200 feet



July 8, 2013

The Planning Commission
1 The Plaza
Sonoma, Ca 95476

Dear Mr. Goodison,

Thank you for meeting with me Monday morning with such short notice. I regret that I didn't have more time to spend with you to air my frustrations but I was called out of town unexpectedly. As you know, I am not one to complain and prefer to compromise, but I am somewhat concerned about what Homonk Tavern refers to as their "music program". I have noticed that the music and patrons of Hopmonk Tavern seem to be getting louder. Although my employment requires me to be away from Sonoma much of the year, I have recently had to complain to Hopmonk's management twice about the excessive noise.

On Friday, July 5th I was enjoying the Broadway scene from my front deck overlooking Broadway when I heard loud music coming from Hopmonk Tavern. Hopmonk's marquee board advertised a group named Magic Frank and Muncie California were playing from 6:00-8:00 pm. The loud music sounded electric, so I decided to patronize Hopmonk Tavern to confirm my suspicions. I was somewhat appalled to find that the group's musical instruments consisted of:

TWO (2) ELECTRIC GUITARS (both non-acoustic)
ONE (1) ELECTRIC BASS
ONE (1) SET OF DRUMS

After observing the situation, I reviewed Dean Biersch's letter of May 24, 2012, in which he stated the following restrictions:

NO ELECTRIC GUITAR
NO ELECTRIC BASE
NO DRUMS OF ANY KIND
NO BRASS OF ANY KIND

Needless to say I am somewhat confused! Was a special permit issued to Hopmonk Tavern for this venue, or was this a violation of the restrictions placed upon their Music Venue License?

Although I did not complain to Hopmonk's management nor waste police resources, please consider this a formal complaint against Hopmonk's music venue.

Although Magic Frank and Muncie California's music was very enjoyable, it was too loud for the neighborhood.

A response concerning this issue would be greatly appreciated.

Best Regards,

James H. Mehew
720 Broadway
Sonoma, CA 95476

From: Dean Biersch [dean@hopmonk.com]
Sent: Monday, July 15, 2013 9:55 AM
To: David Goodison
Cc: PJ Clark; Matt Piazza; KC Turner
Subject: July 5th Music Complaint

David -

Thank you for forwarding the letter from Mr. Mehew.

I've spoken with both of my managers on duty Friday evening. Attached is our EVENT SUMMERY for 7/5 - we keep these for all performances.

Mr. Mehew has some legitimate complaints and I'm sorry he was so impacted by the performance.

1. There were four performers (we agreed to no more than 3).
2. An amplified electric guitar WAS used.
3. A snare drum WAS used.

Our performance contracts clearly state there are to be no more than 3 performers on our little stage. On rare occasions we've had groups bring along or ask a friend to sit in with them without our prior knowledge. I have revised our contract to state - THERE IS NEVER TO BE MORE THAN THREE ARTISTS PERFORMING AT ANY GIVEN TIME - NO EXCEPTIONS. We understand that this probably contributed to the overall sound being more significant, especially on this holiday weekend when the town and our dining spaces were full.

According to both my GM and AGM, the second guitar was an amplified acoustic. We should have enforced our policy of no electric guitars for this performance and failed to do so.

To clarify - a stand-up base was used for this performance, not an electric. And while a snare drum was used and we should not have allowed it - it was only used with brushes.

Clearly we were 'out-of-bounds' on several specific agreements as spelled out in our license. I have reviewed all the details with my my management and staff and I'm confident we will not have the issues going forward.

Sincerely,

Dean

HOPMONK SONOMA - LIVE PERFORMANCE SUMMARY

To be emailed to Dean, KC (kc@kcturnermusic.com), Bill, PJ & Matt after every performance

ARTIST: Muncie

DAY / DATE: Friday / 7.5.13

SHOWTIME: 6pm

SET(S): 2

ON TIME TO START? Yes

PLEASANT? Very

COMFORTABLE VOLUME LEVEL MAINTAINED: Yes, I was worried they had a little drum set, but she played with brushes, and it was very tasteful, and not loud at all.

ANY COMPLAINTS?! No

HAVE THEM AGAIN? Yes, very nice people and solid musicians

DID ARTIST DRAW AUDIENCE? Some family members, but our crowd was digging it.

Matt Piazza

Agm

(415) 265-3161



Dean Biersch | dean@hopmonk.com
www.hopmonk.com | 707.829.7300

Agenda Item Title: Application for a Use Permit allowing the conversion of a single-family residence into a vacation rental.

Applicant/Owner: Donna Dambach and Christine Argenziano/Lisa Ellis

Site Address/Location: 780 Broadway

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 8/2/13

PROJECT SUMMARY

Description: Application of Donna Dambach and Christine Argenziano for a Use Permit allowing the conversion of a single-family residence into a vacation rental at 780 Broadway.

General Plan Designation: Mixed Use (MU)

Planning Area: Broadway Corridor

Zoning: **Base:** Mixed Use (MX) **Overlay:** Historic (/H)

Site Characteristics: The subject property is an internal ±8,100-square foot parcel located on the west side of Broadway, north of Chase Street. The property is currently developed with a 2,000 square foot residence constructed in 1995. The property spans Nathanson Creek and is accessed by a driveway easement over the adjoining property to the west which fronts Broadway.

Surrounding Land Use/Zoning:

North: Single-family home approved for live-work office and detached second dwelling unit/Mixed Use

South: Single-family home approved for B&B use (Bancroft House)/Mixed Use

East: Single family home/Low Density Residential

West: Office Building/Mixed Use

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 with conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The applicants are in contract to purchase the subject property and are requesting approval to operate the residence as a vacation rental when they are not residing on the property. The home has ±2,000 square feet of living area with two bedrooms and a small rear yard area. As a vacation rental, it could be rented on a short-term basis for periods of less than 30 consecutive days. More details on the proposal can be found in the attached project narrative.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Mixed Use by the General Plan. The Mixed Use land use designation is intended to accommodate uses that provide a transition between commercial and residential districts, to promote a pedestrian presence in adjacent commercial areas, and to provide neighborhood commercial services to adjacent residential areas. Vacation rentals are allowed in the corresponding Mixed Use zone, subject to review and approval of a Use Permit by the Planning Commission. The following General Plan goals and policies apply to the project:

Local Economy Element, Policy 1.5: Promote and accommodate year-round tourism that is consistent with the historic, small-town character of Sonoma.

Housing Element, Goal 3: Maintain and enhance the existing housing stock.

The proposal is consistent with the policy that encourages tourism however impacts to the housing stock and compatibility with adjoining residential uses must also be considered (refer to “Discussion of Project Issues” below).

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Mixed Use (MX). The MX zone is intended to allow for higher density housing types, such as apartments and condominiums, in conjunction with commercial and office development, in order to increase housing opportunities, reduce dependence on the automobile, and provide a pedestrian presence in commercial areas. Vacation rentals are allowed in the MX zone, subject to review and approval of a Use Permit by the Planning Commission.

Development Standards: The proposed use would operate within an existing structure. New construction is not proposed. As a result, the project does not raise any issues in terms of compliance with building setback, FAR, lot coverage, open space, and building height standards.

On-Site Parking: Under the Development Code, one parking space is required for each bedroom within a vacation rental. Accordingly, two on-site parking spaces are required for the use. The property is provided with parking areas that can accommodate up to four vehicles (two spaces on the east side of the creek in proximity to the residence and two on the west side of the creek). Some of the parking is constrained but clearly the two space requirement would be met.

Vacation Rental Standards: The applicable standards set forth under Section 19.50.110 of the Development Code have been included in draft conditions of approval (attached). These include requirements related to fire and life safety, maintaining a business license, payment of Transient Occupancy (TOT) taxes, and limitations on signs.

**CONSISTENCY WITH OTHER
CITY ORDINANCES/POLICIES** (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the leasing, permitting, or operation of existing private structures involving negligible or no expansion of use is considered Categorically Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

Impact on Housing Stock: As discussed above, the General Plan supports tourism but also calls for the preservation of housing stock. Foremost, staff would emphasize that vacation rentals are substantially restricted under the City's current regulations. In essence, new vacation rentals are now allowed only in the Commercial (C) and Mixed Use (MX) zones subject to Use Permit approval – they are prohibited in all residential zoning districts and circumstances under which a vacation rental can be approved as an adaptive reuse of a historic building in residential zones were greatly restricted by regulations adopted in 2009. Accordingly, the bulk of the City's housing stock, which is located in the residential zoning districts, is protected. This leaves limited opportunities in the C and MX zone where an application may be filed to operate a vacation rental. As reflected in the attached table, 18 vacation rentals have been approved in the past 13 years since initial restrictions were adopted in 1999 and seven of those were approved as adaptive reuse prior to the tightening of those regulations. While there has been an increase in vacation rental applications and approvals this year, these statistics do not represent a significant impact on the City's housing stock, currently estimated at 5,546 housing units. For these reasons, staff does not view use of the residence as a vacation rental as a significant impact to housing.

Vehicle Trips: The subject property is an internal parcel accessed by a driveway easement over the property to the west that fronts Broadway (778 Broadway). Given this somewhat unique condition, staff considered the difference in vehicle trips that could result from use of the property as a vacation rental. The ITE Trip Generation Manual indicates that an occupied vacation rental unit generates an average of 11 vehicle trips per weekday versus an average of 10 trips for a detached single-family home. As expected a vacation rental generates less trips at typical commute hours (7-9am and 4-6pm), meaning that vehicle trips associated with a vacation rental are typically spread out more through the day. Given the negligible difference in the trip generation rates, it is staff's view the proposed use would not adversely impact 778 Broadway or other adjoining properties/residents in terms traffic or vehicle noise. In addition, given the proximity of the property to the Plaza and downtown area guests may choose to walk to restaurants, shops, and other destinations which would reduce the number of vehicle trips.

Compatibility with Residential Uses: The property is located along the Broadway Corridor in a Mixed-Use zone that supports a variety of commercial and residential uses. However, the setting directly around the home is more residential in nature. As a result, compatibility with adjoining residential uses is a key consideration primarily in terms of potential noise impacts. Staff would note that the subject property has only two bedrooms and a small rear yard/deck which should inherently limit the number of guests and amount of outdoor activity/noise. The applicants also have experience managing another vacation rental, and within their rental contract would restrict the number of guests to four (i.e., no large groups) and limit outdoor activity after 10pm. The applicants intend to provide their phone number to adjoining neighbors and would maintain the phone number of guests to address any issues or complaints that may arise. Given the property's small back yard in conjunction with the management approach, adjoining residential should not be significantly affected by use of the residence as a vacation rental.

Neighbor Outreach & Comment: In addition to the required public notice provided by the City, the applicants conducted their own outreach to directly adjoining neighbors by sending letters about their proposal that included their contact information. The applicants also went door to door but only made contact with the property owner of 78 Chase Street who apparently had no objections to the proposal. The City has not received any neighbor comments or correspondence on this item to date.

RECOMMENDATION

Staff recommends approval of the Use Permit, subject to the attached conditions.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location map*
4. *Legal Vacation Rental List*
5. *Project Narrative*
6. *Aerial Photos*
7. *Site Plan*
8. *Property Photos*
9. *Building Elevations*

cc: Donna Dambach (via email)
88 King Street #415
San Francisco, CA 94107

Lisa Ellis
780 Broadway
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Dambach-Argenziano Vacation Rental Use Permit – 780 Broadway
August 8, 2013

Based on substantial evidence in the record, including but not limited to the staff report, and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Use Permit Approval

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions).
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Dambach-Argenziano Vacation Rental Use Permit – 780 Broadway
August 8, 2013

1. The vacation rental shall be operated in conformance with the project narrative and the approved site plan.

Enforcement Responsibility: Planning, Building and Public Works
Timing: Ongoing

2. Two on-site parking spaces shall be provided and maintained for the vacation rental.

Enforcement Responsibility: Planning, Building, and Public Works
Timing: Ongoing

3. The applicant/property owner shall obtain and maintain a business license from the City for the vacation rental use, and shall register with the City to pay associated Transient Occupancy Taxes (TOT).

Enforcement Responsibility: Planning, Building, and Public Works; Finance Department
Timing: Prior to operation of the vacation rental and ongoing

4. Fire and life safety requirements administered by the Fire Department and the Building Division shall be implemented. Minimum requirements shall include approved smoke detectors in each lodging room, installation of an approved fire extinguisher in the structure, and the inclusion of an evacuation plan posted in each lodging room.

Enforcement Responsibility: Building Division; Fire Department
Timing: Prior to operation and ongoing

5. The vacation rental shall comply with the annual fire and life safety certification procedures of the Fire Department.

Enforcement Responsibility: Fire Department
Timing: Ongoing

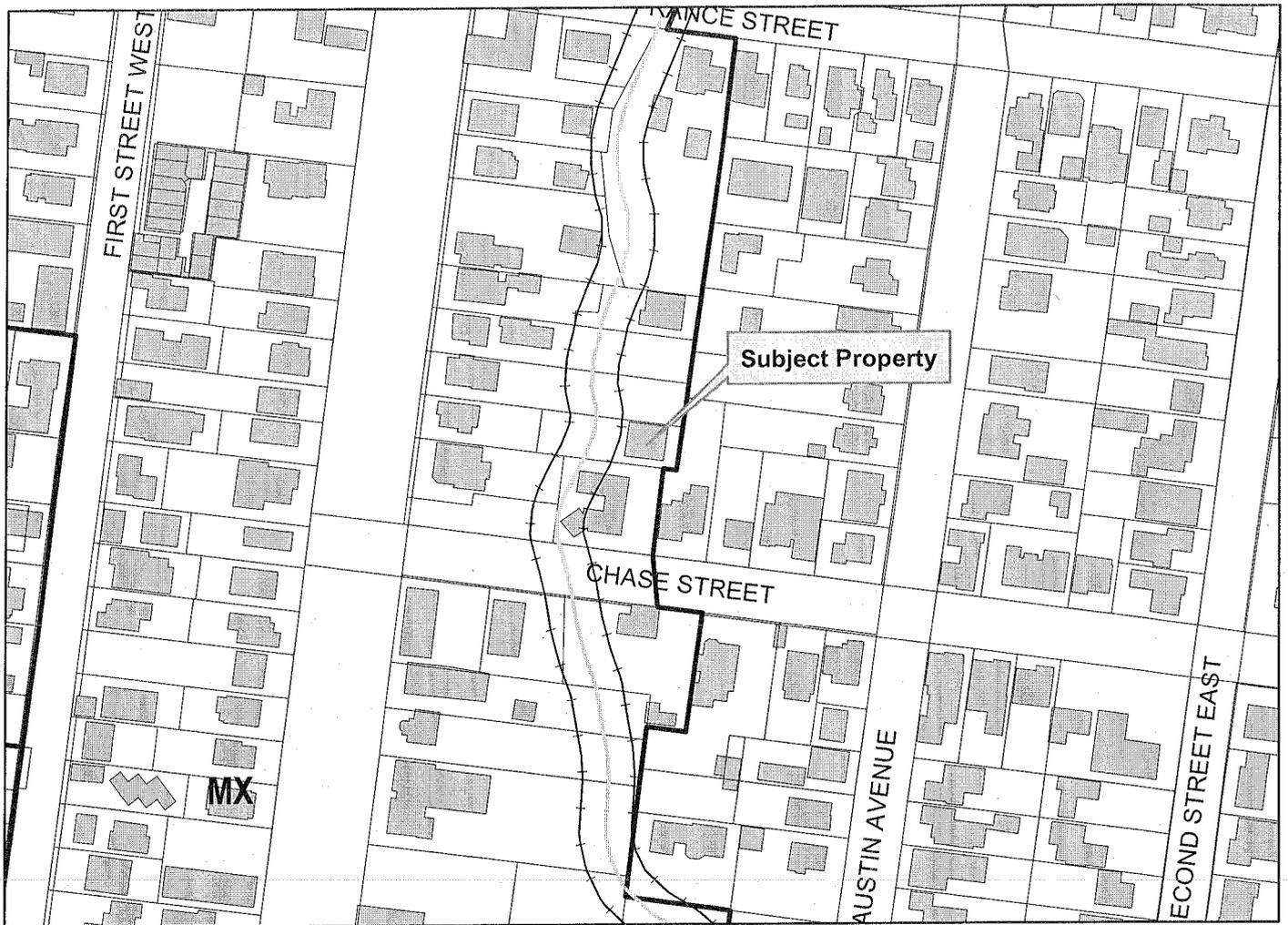
6. One sign, with a maximum area of two square feet, may be allowed subject to the approval of the City's Design Review Commission.

Enforcement Responsibility: Planning Department; DRC
Timing: Prior to installation of a sign for the vacation rental

7. The project shall comply with all applicable Fire and Building Code requirements.

Enforcement Responsibility: Building Department
Timing: Prior to operation

Vicinity Map



Project Summary

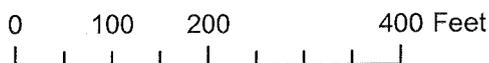
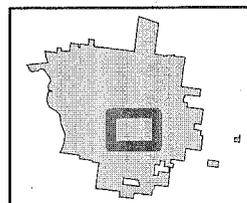
<i>Project Name:</i>	Dambach-Argenziano Vacation Rental
<i>Property Address:</i>	780 Broadway
<i>Applicant:</i>	Donna Dambach and Christine Argenziano
<i>Property Owner:</i>	Lisa Ellis
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic

Summary:

Application for a Use Permit allowing the conversion of a single-family residence into a vacation rental.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



1 inch = 200 feet

City of Sonoma - Legal Vacation Rentals (updated 5/22/13)

Operator/Property Name	APN	Site Address	Zoning	Number of Units	Approval Date	Type of Approval
Alexandra's Plaza Suite	018-222-023	440 Second Street East	R-L/H	1	Grandfathered	Grandfathered
Casa De Carroll	018-442-019	965 West Spain Street	C	1	Grandfathered	Grandfathered
Andrea's Hidden Cottage	018-171-009	138 East Spain Street	R-M/H	1	Grandfathered	Grandfathered
Brickhouse Bungalow	018-162-025	313 First Street East	R-M/H	5	Grandfathered	Grandfathered
Casa Chiquita	018-780-001	196 West Spain Street	R-M/H	2	Grandfathered	Grandfathered
Blankfort/Martin	018-352-030	117 France Street	R-L/H	1	Grandfathered	Grandfathered
Sonoma Farmhouse	018-201-003	446 Third Street West	R-L/H	2	Grandfathered	Grandfathered
McPherson	018-121-021	289 First Street West	R-M/H	1	Grandfathered	Grandfathered
McGovern	018-510-019	190 Padre	R-M/H	1	Grandfathered	Grandfathered
Mathis	018-121-020	287 First Street West	R-M/H	1	Grandfathered	Grandfathered
Cecilia's Adobe	018-172-003	378 Second Street East	R-M/H	1	Grandfathered	Grandfathered
Sonoma Culinary Inn	018-191-034	477 West Spain Street	R-L	3	Grandfathered	Grandfathered
Stone Cottage	018-231-022	391 East Spain Street	R-L/H	1	Grandfathered	Grandfathered
Susan's	018-202-006	458 Second Street West	C/H	2	Grandfathered	Grandfathered
The Cooperage/Wager House	018-161-017	301 First Street West	R-M/H	3	Grandfathered	Grandfathered
Caroline's Cottage	128-172-051	171 Newcomb Street	R-L	1	Grandfathered	Grandfathered
Bernard	018-201-008	270 West Napa Street, Unit 2R	C/H	1	4/13/2000	Use Permit
Cottage Sonoma	018-202-002	424 Second Street West	R-M/H	1	7/10/2003	Adaptive Reuse
Parker/Naylor	018-202-026	157 West Spain Street	R-M/H	1	7/10/2003	Adaptive Reuse
Benziger Solana Cottage	018-171-030	304 First Street East	R-M/H	1	6/9/2005	Adaptive Reuse
Casa de Sonoma	018-141-012	247 Fourth Street East	R-HS/H	1	9/14/2006	Adaptive Reuse
Inn Wine Country/Summers	018-352-052	758 Broadway	MX/H	1	1/10/2008	Use Permit
Auberge Sonoma	018-261-023	151 East Napa Street	R-M/H	2	5/20/2008	Adaptive Reuse
Schaefer	018-311-009	663 Second Street East	R-L/H	1	4/10/2008	Adaptive Reuse
Boden	128-083-021	20073 Broadway	MX/H	1	12/11/2008	Use Permit
Sobon-McDonald	018-201-004	454 Third Street West	C/H	1	3/10/2011	Use Permit
Tillem-Fagan	018-412-032	854 Broadway	MX/H	1	12/11/2011	Use Permit
Jones-Morrison	128-083-009	20079 Broadway	MX/H	1	2/14/2012	Use Permit
Matt & Jan Mathews	018-201-007	284-294 West Napa Street, Units	C/H	2	4/11/2013	Use Permit
Sonoma Plaza 1889	018-201-039	464 Third Street West	C/H	1	4/11/2013	Use Permit
Marino	018-411-020	853 Broadway	MX/H	1	4/11/2013	Use Permit
O'Toole	182-221-020	180 East Napa Street	R-M/H	1	5/9/2013	Adaptive Reuse
Total:			Total:	45		

Zoning Designations:

- R-L = Low Density Residential 10
- R-M = Medium Density Residential 21
- R-HS = Hillside Residential 1
- C = Commercial 8
- MX = Mixed Use 5

Project Narrative for 780 Broadway Street, Sonoma, CA

Applicant: Donna Dambach and Christine Argenziano

Property Owner: Lisa Ellis (property is in contract to sell to Dambach and Argenziano with close of escrow scheduled for August 16, 2013)

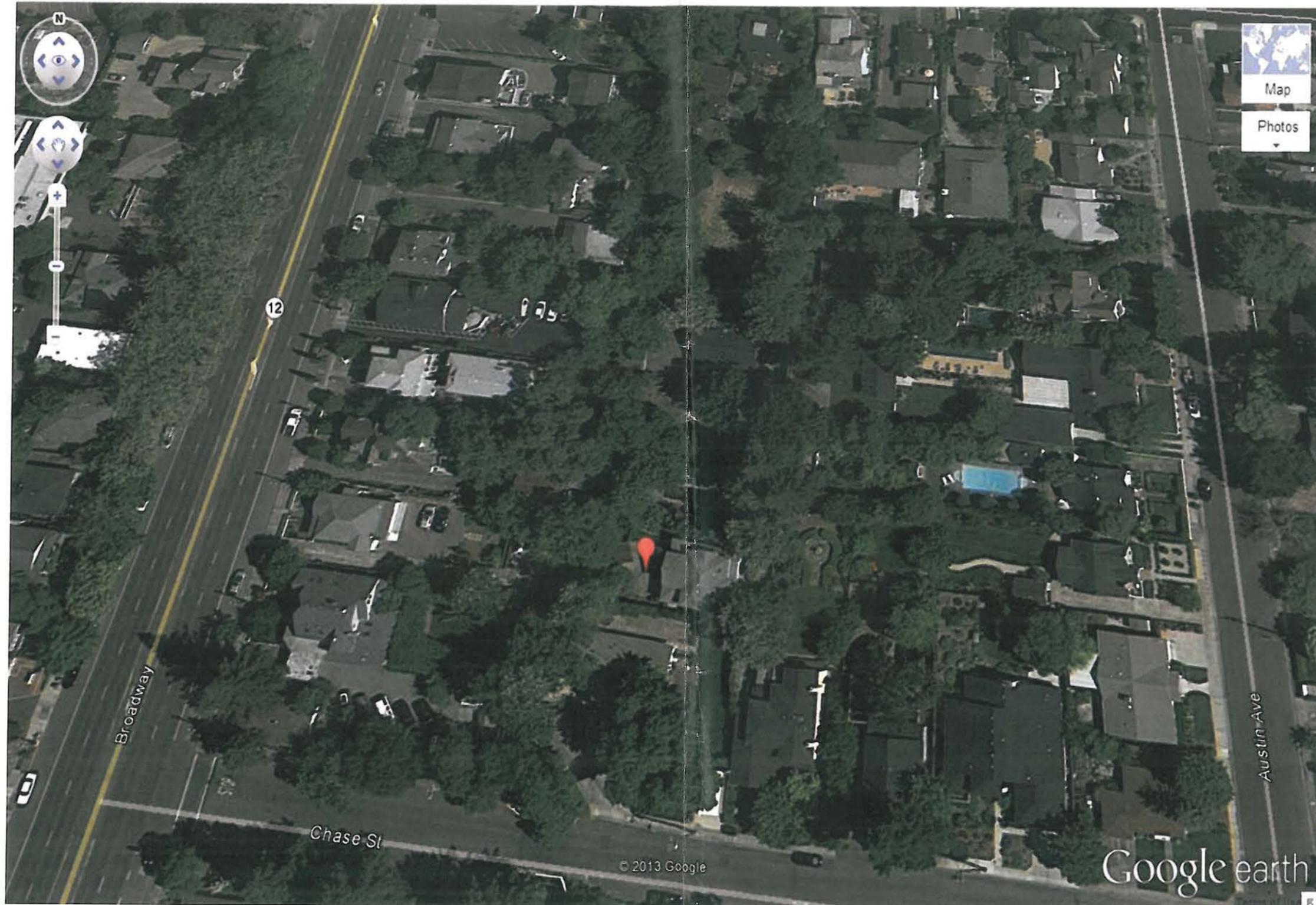
Description of Proposed Use:

The intended use of 780 Broadway Street is that of a single-family residence with the option for occasional use as a short-term vacation rental. For the purposes of use as a rental, this property has two bedrooms, and the intended maximum number of renters will be limited to four (4) adults only, thus no large groups will be allowed. Furthermore, outdoor activity will be limited after 10pm. Parking spaces on the property are available for 4 automobiles, in a non-tandem arrangement: 2 parking pads are located on the western side of Nathanson Creek; two other parking pads are located on the eastern side of Nathanson Creek (one directly in front of the garage and one in front of the house).

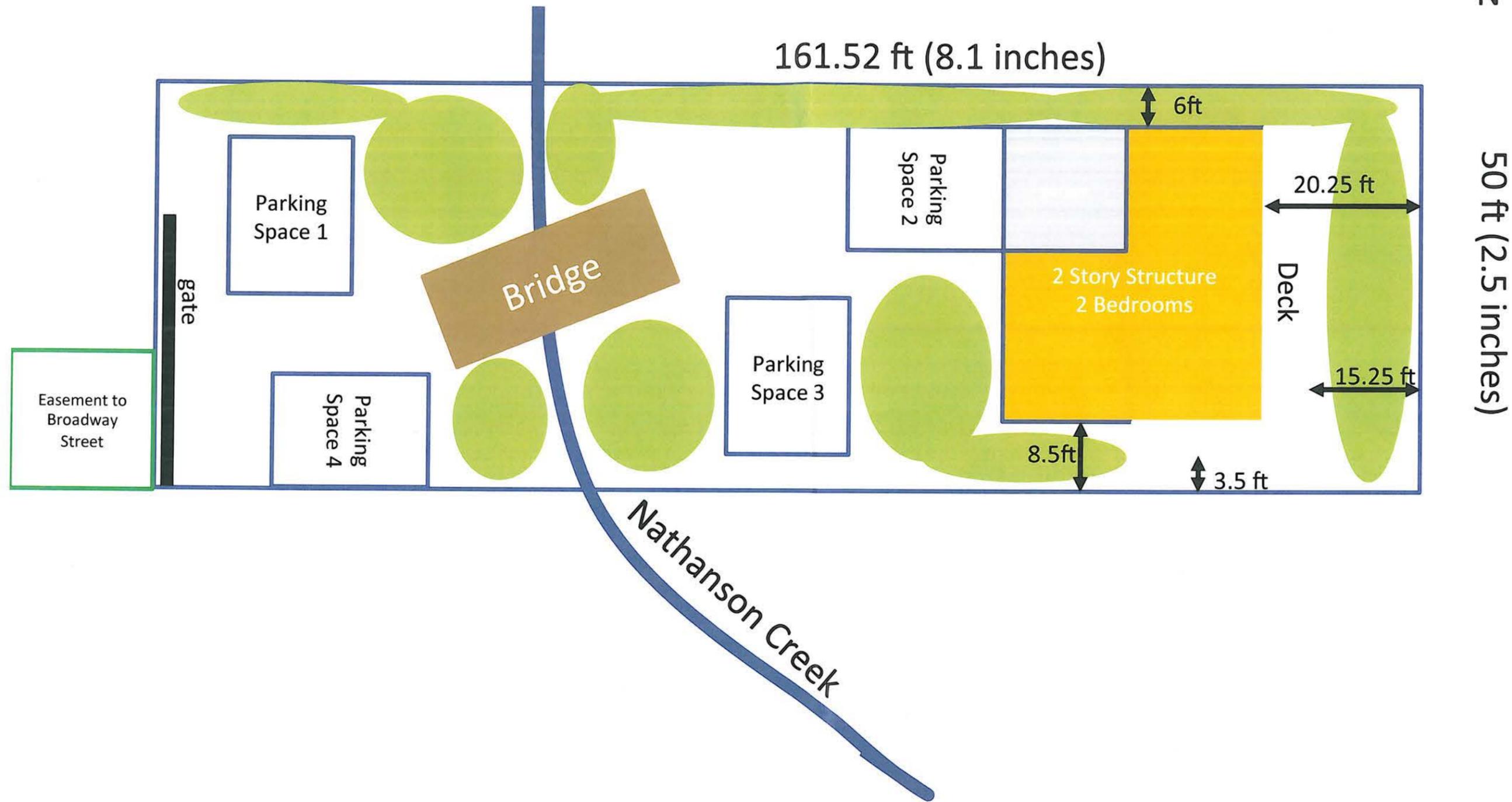
This portion of Broadway has numerous properties used for lodging – from vacation rentals to full service inns. In its' May 2013 meeting, the Planning Commission approved a Conditional Use Permit for 853 Broadway to be used as a vacation rental. Further north toward the Plaza, the Rose Garden Inn at 681 Broadway has 4 rooms for rent, and the Inn at Sonoma at 630 Broadway has 28. The property at the corner of Broadway and Chase, immediately to the south of the subject property, was used for a number of years as the Bancroft House Bed and Breakfast. In other words, lodging is an established use on this part of the Broadway corridor.

Donna Dambach and Christine Argenziano have 3 years experience owning and managing a vacation rental on a quiet, private residential lane in the Glen Ellen area. The management philosophy of the Glen Ellen property is similar to that proposed for the 780 Broadway property, i.e. a maximum of 4 adults with limited outdoor activity after 10pm. We are very respectful of our neighbors' privacy and environment. In the 3 years of managing the Glen Ellen property, we have had no complaints from neighbors, and we have an excellent relationship with all 5 neighbors on the lane.

780 Broadway Street Site indicated with Red Figure: Google Earth



780 Broadway Street Site Plan Parking and Structure Footprint



Lot = 8076 sq ft

Scale: 0.5 inches = 10 ft

East Side Looking South



East Side Looking North



780 Broadway Street Building
Elevations



N.E. Corner Back to Front



North Side Back to Front



North side Front to Back



South Side Front to Back



West Side (Front view)

Parking Pad 2



Detail Parking Pad 2



Parking Pad 3



Bridge to House



Lane to Bridge



Parking Pad 4



Parking Pad 1 and Bridge



Detail Parking Pad 1

780 Broadway Street
Building Elevation with Parking
Pads

FLAT GLASS LOW E of
 SOLAR ORIENTED
 SKYLIGHTS
 GABLE VENT 14" x 24"
 RIDGE VENT - CONT. 2
 RIDGE & W/PD

ARCHITECTURAL GRADE, 30 YE.
 COMP. SHINGLE, DARK GREY
 CLASS 'A'

LAP SIDING - HARDBOARD
 5/8" INSULATION EACHIER
 2" V2" GUT FLYND

5/8" GI. CROSS GUTTER & GI.
 DOWNSPOUTS.

VINYL WINDOWS,
 INCL. GLASS - TYP.

1 1/4" SPRUCE TRIM.

PAINTED D.P. FURCH
 5 STAIRS, & RAILING.

LIGHTWELL -
 DRAIN TO DAYLIGHT
 2" x 2" W/ GHE VALVE

PAINTED
 MTL. DR.

GUTTER 1 1/2" ON MAX
 FOUR-VECTION VENTIL -
 1/2" R/O D. (2 UNDER
 FRONT PORCH)

REVISIONS	BY
A 7-28-94	CP
B 8-11-94	CP

LARRY PAYNE Residential Design & Drafting
 PO BOX 1848 SONOMA, CA 94976

Phone 707-996-0281 Fax 707-996-1511

BROOKS RESIDENCE
 780 BROADWAY, SONOMA, CA 95476
 OWNER: RICHCO 707-996-3858
 PO BOX 1736 SONOMA, CA

EXTERIOR
 ELEVATIONS

Date 5-25-94
 Scale 1/2"
 Draw LMP
 Job #12100

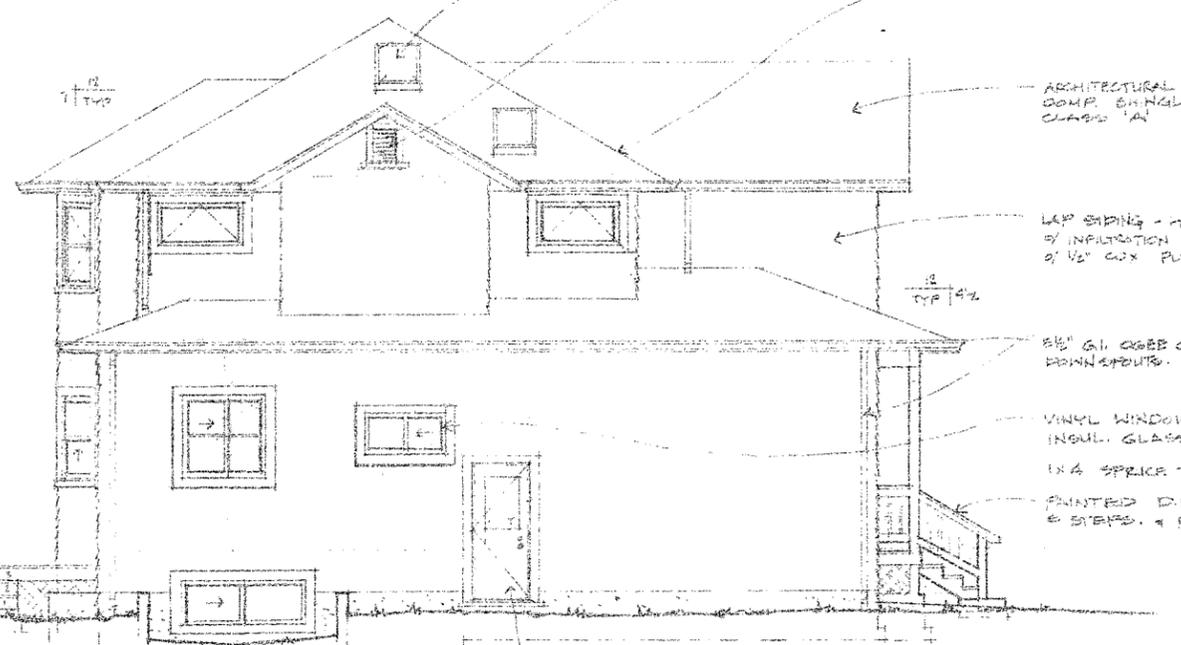
Sheet
3
 Sheets

APPROVED
 CITY OF SONOMA
 BUILDING DIVISION
 BY [Signature]
 DATE 8/17/94

JOB COPY



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

MEMO

To: Planning Commission
From: Associate Planner Atkins
Re: Study session on a proposal to construct 12 apartments on a 1-acre site at 840 West Napa Street (Applicant Victor Conforti, Architect).

Property Description

The subject property is a 1.01-acre site (43,996 square feet) located on the north side of West Napa Street, midblock between Seventh Street West and Sonoma Highway. The parcel, which has a width of only 72.5 feet, extends from West Napa Street to West Spain Street, with frontage on both roadways. Development on the site consists of a single-family residence, a detached accessory structure, and a well. Numerous trees are located on the site (see table below).

Existing Trees		
Tree Species	Location	Diameter
Plum	Southeast corner	12"
Plum	Southwest corner	12"
Acacia	Southwest corner	12"
Mulberry	Southwest corner	8"
Maple	West of proposed BLDG #6	18"
Maple	West of proposed BLDG #6	18"
Pine	North of proposed BLDG #6	6"
Mulberry	North of proposed BLDG #6	6"
Plum	North of proposed BLDG #5	15"
Acacia	Southeast of proposed BLDG #4	6"
Acacia	Southeast of proposed BLDG #4	8"
Acacia	Northeast of proposed BLDG #4	8"
Acacia	Northeast of proposed BLDG #2	8"
Acacia	Northeast of proposed BLDG #1	10"
Acacia	Northeast of proposed BLDG #1	10"
Privet	East of proposed BLDG #1	18"

The property frontage on West Napa Street is not improved, but the frontage along West Spain Street has been improved with curb, gutter and sidewalk. Adjoining uses are as follows:

- *North:* A triplex and a 14-unit condominium development are located to the north, across West Spain Street.
- *South:* Commercial buildings: Sonoma Solutions/Benjamin Moore/My Pal are located to the south, across West Napa Street.
- *East:* A commercial building and Sonoma Gardens, a 12-unit condominium development, are located to the east. The condominium development includes one and two-story building elements and a swimming pool.

- *West*: A vacant barn and Palm Court, a 20-unit planned development, are located to the west. The planned development includes two-story buildings elements.

The portion of the site fronting West Napa Street is designated Commercial by the General Plan and has a corresponding C zoning, which allows a maximum residential density of 20 dwelling units/acre. This portion of the site has a depth of 186 feet and an area of 13,340. The portion of the site fronting West Spain Street is designated Medium Density Residential. This portion of the site has a depth of 422 feet and an area of 30,595, and has a corresponding R-M zoning, which allows a residential density of between 7-11 dwelling units/acre.

Proposed Development

The proposal involves developing the 1-acre site with 12 residential apartments all held under one ownership; no subdivision into individual lots or condominiums is proposed. The project narrative indicates that the development is intended to provide “an opportunity for rental housing that is not often available in Sonoma”. The apartments would take the form of duets divided between six detached buildings. All of the apartments are proposed as two-story units with 2 bedrooms and 2½ baths (building heights range from 11’ to 27’ measured to the roof peak). Three unit types are proposed with similar elevation concepts that, according to the project applicant, draw from a “traditional Sonoma” architectural style. Living areas for the units consist of 1,328 square feet, and each apartment would have a one car attached carport with a parking apron in front of the carport. The apartments are arranged beside a straight driveway along the east side of the site that would access the development from both West Napa Street and West Spain Street. However, two gates are proposed (one on West Napa and one on West Spain Street) in order to prevent cut-through traffic. Each unit would have a private patio and yard area. A central common open space area is proposed in the center of the site to provide easy access to all residents and to allow open sight lines for properties on adjacent sites. In addition to carport and apron parking, six guest parking spaces are proposed along the driveway. There are two buildings (a residence and accessory structure) on the site that are over 50 years in age and would be removed to accommodate the project.

In terms of setbacks, a ±40 foot front yard setback would be provided on the West Napa Street frontage and a ±20 foot front yard setback would be provided on the West Spain Street frontage. A ±5 foot side yard setback is provided on the west facing elevation. In addition, the second floor is setback ±7 feet from the west facing elevation. A ±33 foot setback is provided on the east facing elevation.

General Plan Policy Direction

The site has a dual General Plan land use designation of “Commercial” and “Medium Density Residential”. The “Commercial” designation is intended to provide areas for retail, hotel, service, medical, and office development, in association with apartments and mixed-use developments and necessary public improvements. The “Medium Density Residential” designation is intended to provide opportunities for multi-family housing and related public improvements, especially in transition areas between higher density and single-family development. General Plan policies that apply to the project and warrant consideration by the Planning Commission include the following:

Community Development Element:

- Implement the Land Use Plan through the review of new development and redevelopment (CDE 2.1).
- Require pedestrian and bicycle access and amenities in all development (CDE 4.4).

- Promote higher density, infill development, while ensuring that building mass, scale and form are compatible with neighborhood and town character (CDE 5.5).

Local Economy Element:

- Encourage a residential and pedestrian presence in commercial centers through mixed use and multi-family development (LE 1.9).

Housing Element:

- Encourage the sustainable use of land and promote affordability by encouraging development at the higher end of the density range within the Medium Density, High Density, Housing Opportunity, and Mixed Use land use designations (HE 1.4).
- Continue to provide opportunities for the integration of housing in commercial districts and the adaptive reuse of non-residential structures (HE1.5).
- Utilize inclusionary zoning as a tool to integrate affordable units within market rate developments, and increase the availability of affordable housing throughout the community (HE 1.6).
- Maintain and enhance the existing housing stock and ensure that new residential development is consistent with Sonoma’s town character and neighborhood quality (HE Goal 3).
- Promote the use of sustainable construction techniques and environmentally sensitive design for all housing, to include best practices in water conservation, low-impact drainage, and greenhouse gas reduction (HE 6.3).

Environmental Resources Element:

- Require new development to provide adequate private and, where appropriate, public open space (ERE 1.4).
- Preserve existing trees and plant new trees (ERE 2.6).
- Encourage construction, building maintenance, landscaping, and transportation practices that promote energy and water conservation and reduce green-house gas emissions (ERE 3.2).

Circulation Element:

- Expand the availability of sheltered bicycle parking and other bicycle facilities (CE 2.3).
- Incorporate bicycle facilities and amenities in new development (CE 2.5).
- Encourage a mixture of uses and higher densities where appropriate to improve the viability of transit and pedestrian and bicycle travel (CE 3.2).
- Ensure that new development mitigates its traffic impacts (CE 3.7).

Public Safety Element:

- Ensure that all development projects provide adequate fire protection (PSE 1.3).

Noise Element:

- Require adequate mitigation of potential noise from all proposed development (NE 1.3).
- Evaluate proposed development using the Noise Assessment Guide and require an acoustical study when it is not certain that a proposed project can adequately mitigate potential noise impacts (NE 1.4).
- Encourage all new development to minimize noise intrusions through project design (NE 1.5).

Development Standards

Project Design: The Commercial zoned portion of the project site is located in the West Napa Street/Sonoma Highway Corridor area, while the Medium Density Residential portion of the

project site is located in the Northwest Area. For these Planning Areas, the Development Code indicates that new development should incorporate any desirable site features, especially trees and existing buildings having a street presence. Driveway cuts should be minimized, especially through the use of shared access, and new parking should be located in the back of properties and screened from adjacent residential zoning districts and land uses.

Consistency with Density Limitations. The site has dual General Plan land use designations of “Commercial” and “Medium Density Residential and is split between two planning areas. The southern portion of the site adjacent to West Napa Street has a Commercial land use designation, which allows a maximum density of 20 units per acre. As proposed the Commercial zoned portion of the site would have a density of 6.24 units per acre. The northern portion of the site adjacent to West Spain Street has a Medium Density Residential land use designation, which allows a maximum density of between 7 and 11 units per acre. As proposed, the Medium Density Residential zoned portion of the site would have a density of 7.26 units per acre. Taken as a whole, the project would have a density of 11.8 units per acre. In comparison, adjacent apartment and condominium complexes have higher densities, ranging from 12.4 to 19.5 units per acre (see table below). Staff would note that these developments were constructed prior to the current density allowances in the Development Code and under a different zoning designation. In and of itself, the proposed project density does not raise any issues from staff’s perspective, but of course issues of site planning and compatibility need to be considered and these may ultimately have a bearing on density.

Comparison of Surrounding Density				
Name	Location	Site Acres	# of Units	DU/Acre
Palm Court Apartments	West	1.18	20	17.0
Mulberry Gardens PUD	West	0.9	12	13.3
Triplex	North	7,500	3	17.6
Sun Valley Cluster Homes	North	1.84	14	7.6
Sonoma Gardens Condominiums	East	1.03	12	11.7
Sonoma Park Condominiums	East	1.94	24	12.4
De Smet Apartments	East	0.5	9	18.0
<i>840 West Napa Street (Proposed)</i>	NA	<i>1.015</i>	<i>12</i>	<i>11.8</i>

Zoning Regulations (Commercial portion of property): For two-story buildings of this height in the West Napa Street/Sonoma Highway Corridor area, the Commercial C zone requires a 25-foot front yard setback, no rear yard setback, and no side yard setback, except when abutting a residential zone (this portion of the property does not abut a residential zone). In addition, the maximum building height is 30 feet. The Commercial C zone Floor Area Ratio (FAR) is limited to 0.80 and a 70% lot coverage maximum applies. Open space requirements call for 300 square feet per unit, any combination of shared or private open space per unit. The proposed development within the Commercial portion of the property complies with applicable zoning regulations.

Zoning Regulations (Medium Density Residential portion of property): For two-story buildings of this height in the Northwest area, the Medium Density Residential R-M zone requires a 20-foot/streetside setback, a 20-foot rear yard setback, and a side yard setback of 5 to 7 feet with 15 feet combined. In addition, the maximum building height is 30 feet. The Medium Density Residential FAR is limited to 0.50 and a 60% lot coverage maximum applies. Open space requirements call for between 72 and 225 square feet per unit of private open space per units plus 300 square feet of common open space per unit. Development proposed on the Medium Density Residential portion of the property complies with applicable the zoning regulations.

On-Site Parking. For multi-family development the Development Code requires 1.5 parking spaces per unit (including one covered space), plus an additional 25% for guest parking. Accordingly, 23 spaces are required for the project, including 12 covered spaces and 11 uncovered spaces. All units in the project are provided with one-car carports and each home would have apron parking within driveways. In addition, six guest parking spaces are provided along the driveway. Overall, the 30 proposed parking spaces exceeds the amount required by the Code.

Internal Circulation: A private driveway would access the development through the property off of both West Napa Street and West Spain Street. The proposed 20-foot road width is consistent with the City's private street standard and would allow for two-way traffic. The 20-foot width is also the minimum required by the Fire Department for emergency vehicle access (the street would be identified as a fire lane with parking prohibited, except for the guest parking curb extensions). Two gates are proposed on the site plan in order to prevent cut-through traffic: one on West Napa and the other on West Spain Street. A traffic study will be required for the project, which will in part address the following:

- Adequacy of the private driveway for EVA access per current Fire Department standards, including the driveway width.
- Any safety issues and/or turning conflicts associated with the proposed two-way driveways.
- Adequacy of the proposed number of guest parking spaces.
- Location of the proposed gates adjacent to West Napa Street and West Spain Street.

Inclusionary Units: Developments with five or more units must provide that at least 20% of the total number of units are affordable to households in the low and moderate-income categories (§19.44.020.B). Accordingly, a minimum of two units within the development must be affordable. The applicant has identified the two units in building #6 (adjacent to West Napa Street) as affordable units.

Bicycle Parking: Bicycle parking is required in all new multi-family development subject to review and approval by the Planning Commission. The applicant has indicated that bicycle parking will be provided for by hanging bikes in carports and behind the carports for guests. The location of bicycle parking should be identified on future site plans for the project.

Demolition Permit: There are two buildings (a residence and accessory structure) on the site that are over 50 years in age and would be removed to accommodate the project. Accordingly, review of a Demolition Permit by the Design Review Commission will be required for those buildings. Staff would note that a cultural resource evaluation is required which, in part, will assess the historical significance of the existing residence and accessory structure. This information will be incorporated into the environmental review for the project and will be available for the DRC's consideration in review of a Demolition Permit application.

Use Permit: A Use Permit is required for five or more multi-family dwellings on a Commercial or Medium Density Residential zoned property.

Environmental Review

The proposal is a discretionary project subject to the requirements of the California Environmental Quality Act (CEQA). In accordance with CEQA, an Initial Study will be prepared by staff to identify any potential environmental impacts that could result from the project. As part of this review, a traffic impact study and cultural resource study (addressing both archaeological and built resources as there are known archaeological sites in the area) will be commissioned consistent with recommendations from Caltrans and the Northwest Information Center. A sewer ca-

capacity analysis and a Stormwater Mitigation Plan will also be necessary for this review. In addition, an acoustical analysis will be required for the unit located adjacent to West Napa Street. Finally an arborist report will be commissioned to address tree removal and replacement recommendations. The Initial Study will be reviewed by the Environmental Review Committee and will be referred to the Sonoma Valley Citizens Advisory Commission prior to consideration by the Planning Commission.

Project Issues

Setbacks in Relation to Adjacent Development: Because the proposal is an infill project it must be evaluated carefully in terms of how it relates to existing development on adjoining properties, especially considering that two-story apartments are proposed. The table below summarizes the proposed setbacks to those of existing development for purposes of comparison:

Site Boundary	Adjoining Development			840 West Napa Street (Proposed)	
	Complex Name	Improvement Type	(E) Setback	(P) Setback	Improvement Type (P)
West Edge	Palm Court Planned Unit Development	2-story buildings	5' to 75'	5' to 7'	2-story apartments
	Hass Warehouse	1-story warehouse	5'	5' to 7'	2-story apartments
East Edge	Sonoma Gardens Condominiums	1 & 2-story buildings	38'	33'	2-story apartments
		community pool	50'	33'	2-story apartments
	Fisch Commercial Building	1-story building	34"	33'	2-story apartments

The project's relationship to the condominiums and commercial building to the east does not raise any significant concern because existing driveways help provide a substantial separation between existing and proposed development (a minimum distance of 67 feet would result and existing trees along the driveway would help provide screening). However, conditions to the west are somewhat different since some buildings within the Palm Court PUD and the adjoining warehouse are closer to the site. As illustrated in the table, setbacks proposed on this side of the project are minimal in staff's view given the two-story units. The Planning Commission may want to consider requesting the applicant relocate the driveway from the east side of the property to the west side of the property to provide for greater setbacks between the existing two-story apartments to the west and the proposed two-story apartments. Staff is not aware of any incompatibilities that would be created by switching the location of the driveway.

Gates: Two gates are proposed on the site plan: one on West Napa and the other on West Spain Street. Staff has concerns that vehicles may back up onto West Napa Street and West Spain Street waiting to enter the driveway area. The applicant is proposing a 20-foot setback from the gate to the West Napa Street property line and 23-foot setback from the gate to the West Spain Street property line. Gates are normally discouraged in the Development Code, but these are proposed to prevent cut-through traffic, which could be an issue given the location of the site and linear nature. Even so, the Planning Commission may want to consider eliminating one of the gates or providing greater setbacks from the street for both gates.

Guest Parking: As noted above, the total amount of parking within the project exceeds code requirements. Regardless, at a Project Advisory Committee meeting some staff members expressed concern that parking, including common guest parking, is insufficient. Although the site plan has

been modified to reflect additional guest parking (with the addition of two guest parking spaces), the Planning Commission should provide direction on this issue.

Site Plan: As discussed above, the Planning Commission may want to consider relocating the proposed driveway from the east portion of the site to the west portion.

Frontage Improvements: Frontage improvements will be required on the West Napa Street frontage.

Project Advisory Committee Meeting Review

The applicant received feedback on the proposal at a Project Advisory Committee meeting attended by representatives of the Planning Department, the Building Department, the Police Department, Public Works, and the Fire Department. The following is a list of issues identified in this review:

- **Planning:** Because the end units on both West Napa and West Spain Streets have limited private open space, staff recommended that these units be shifted to the east to allow for additional private open space. Staff indicated that a historic evaluation, arborist report, sewer capacity analysis, Stormwater Mitigation Plan, water demand analysis, and an acoustical analysis (for the unit adjacent to West Napa Street) would be required. The Stormwater Mitigation Plan will be required at the time of Planning Commission project review. The applicant was encouraged to conduct public outreach prior to the Planning Commission meeting. It was recommended the applicant contact Sonoma Garbage to coordinate the location of the trash and recycling receptacles. The location of bicycle parking should be indicated on the site plan. In addition, the project will be subject to the Design Review Commission for demolition, design review, and landscape review.
- **Fire:** Key pad KNOX BOX (for security) will be required for both gates. The driveway will require “No Parking” signs as a fire lane. Pervious pavement, if utilized, will need to support the weight of a fire truck. All apartments will require sprinklers and smoke alarms. A check valve will be required.
- **Public Works:** Property conditions will be maintained by the property owner or property management company. Stop bar markings will be required on the private driveways at the exits onto West Napa Street and West Spain Street. A water main is not located on-site, but can be taken from either West Napa Street or West Spain Street. Confirmed that existing fire hydrants are within 300 feet of the project location. The existing well will need to be abandoned. Some vegetation may need to be removed for sight-line issues on West Napa Street. If public pedestrian access is to be provided the City will require a public access easement. If pervious pavement is proposed consult with a civil engineer. Encouraged drought resistant landscape instead of turf. Confirmed that gates will automatically close. Trash receptacle lids need to remain closed and receptacles screened from public view. Indicate location of trash receptacles on site plan. Projects that disturb one acre more of land need to comply with the Construction General Permit. Beginning July 1, 2013, there will be increased stormwater inspections and increased fees.
- **Building:** Solid walls at the back of the carports trigger fire separation between units. Bedroom windows require emergency access.

Next Steps

The applicant is before the Planning Commission in a study session format to obtain feedback from the Commission and receive comments from the public at this time. In terms of next steps, the City will be conducting environmental review of the project (i.e., preparing an Initial Study) involving both a traffic study, and a cultural and archaeological resource evaluation. An arborist

report will also be prepared, subject to review by the City's Tree Committee, and a Demolition Permit will need to be considered by the Design Review Commission for the removal of the existing residence and accessory structure. The project will also be subject to consideration by the Environmental Review Committee and Sonoma Valley Citizens Advisory Commission. Ultimately, after those steps are complete, the project would come back to the Planning Commission for consideration of the environmental review and Use Permit.

Recommendation

Staff recommends that the Planning Commission provide direction to the applicant on the issues identified in the staff report, and any other issues raised through this review.

Attachments

1. *Vicinity Map*
2. *Project Narrative*
3. *Site Plan*
4. *Floor Plans*
5. *Exterior Elevations*

cc: Victor Conforti, Architect
755 Broadway
Sonoma, CA 95476

Michael Rabbitt
894 35th Avenue
San Francisco, CA 94121-3438

Mike Rabbitt
1223 35th Avenue
San Francisco, CA 94122

Berryl Brooks
905 West Napa Street, unit T
Sonoma, CA 95476

Maree Armstorg
905 West Spain Street, unit N
Sonoma, CA 95476

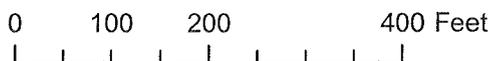


Project Summary

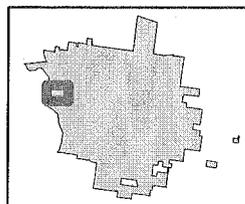
<i>Project Name:</i>	Conforti Study Session--12 Unit Apartments
<i>Property Address:</i>	840 West Napa Street
<i>Applicant:</i>	Victor Conforti, Architect
<i>Property Owner:</i>	Michael Rabbitt
<i>General Plan Land Use:</i>	Commercial/Medium Density
<i>Zoning - Base:</i>	Commercial/Medium Density
<i>Zoning - Overlay:</i>	N/A
<i>Summary:</i>	Study session on a proposal to construct 12 apartments on a 1-acre site.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



1 inch = 200 feet



Narrative

July 9, 2013

Rev. July 30, 2013

Residential Apartments
840 W. Napa St.
Sonoma, CA 95476

This is a proposal for a residential rental apartment development of a long narrow parcel between W. Napa St. and West Spain St. The parcel is zoned Commercial, along West Napa, and the balance is RM, residential medium density, fronting on West Spain St. The parcel has an existing home on the West Napa St. frontage, which will be removed. There is a 15' dedication to the public street Highway 12 right-of-way required along the W. Napa St. frontage.

This is a private residential apartment proposal and not a Planned Development, and therefore does not fall under the PD requirements. It is held under one individual's ownership and no subdivision into lots is proposed. Density, building set backs, height limits, coverage, FAR, and open space requirements are established in the Development Code, and all are well within the requirements.

The lot is too narrow to practically accommodate an Emergency Vehicle Access turn around, so a through driveway is proposed along the East side of the lot. This places the proposed driveway next to an existing driveway of the residential project to the East, where it is most compatible. Automatic entry gates at each end of the driveway will control through traffic from using the private driveway as a short cut. This creates a narrow remainder on which to develop.

The apartments are planned along the West side of the private driveway, with two story townhouse units separated by a two car carport, and private yards between the buildings oriented to the North and South. This creates a separation between units, with no common party walls, and an outdoor yard orientation away from the neighboring Palm Court residential project to the West, to reduce sight line conflicts.

Parking is provided for each unit with a covered carport space and one apron parking space. Six additional guest parking spaces are provided along the driveway in protected bays of parallel parking. This provides 2.66 parking spaces per unit, well over the required number of 1.875. Bike parking space will be available inside the carports with locking racks for hanging bikes for tenants, and behind the carports for guests.

The typical interior units have private patio and yard areas of 470 sf each. The "C" type end Units fronting on the streets, have a private 8' wide front porch of 224 SF, exceeding the required 150 SF private open space for a two bedroom unit. The Development Code allows front porches to be placed into the front yard area. To insure privacy on the porches several design features are included: A three foot high picket fence behind the sidewalk along the frontage with a latching gate at the entrance walk; Low landscaping on both sides of the fence; A railing with closely spaced pickets along the porch. This will create a handsome private front yard area. Due to the 15' dedication, the West Napa St. unit will have an unusually large front setback to provide more space for landscaping and visual separation to the highway.

A long series of carports serving Palm Court is adjacent at the East third of the site. These provide visual open space above the carports for proposed units along this portion of the site. A second building at Palm Court has units with rear yards facing the proposed project, where the proposed project has side yards, and the central open space is located. Special design considerations have been made providing higher windows at the second floor bedrooms in this area, to reduce sight lines into the neighbor's yards. The third Palm Court building is oriented with its' side to the common property line, thus reducing sight line issues.

The unit at the highway will have required acoustic improvements to reduce sound entering the unit, such as sound proof window glazing, heavier doors, special HVAC features for summer use, and other measures as required by State code.

A central Common Open Space of 2700 SF is provided in the middle of the site to provide easy access to all residents, and to provide more open sight lines for the adjacent Palm Court units. This space also provides for a rain garden area to help with on-site retention of storm water. A mix of other techniques will be used to augment this such as an underground storm water storage system, permeable paving, and bio-swales, as determined during the drainage design.

Individual tenant trash containers will be stored behind the carports, and placed along the private driveway on trash day. Sonoma Garbage has told us that with an agreement with the owner, it is possible that they can access the site along the private driveway. They have reviewed the Site Plan and have confirmed this.

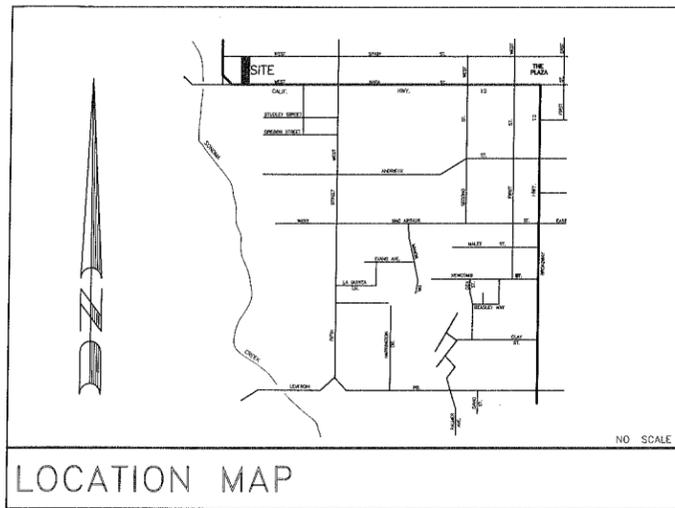
The proposed units are modest two story units, of two bedrooms, two baths, plus powder room, with 1328 SF. The project will provide much needed rental housing in Sonoma, while maintaining the pattern of development already in existence on both sides of the property.

A new apartment project offers an opportunity for rental housing that is not often available in Sonoma. Rental housing is more affordable than for-sale housing, in that the security deposit and the market rents are typically far less than a down payment, and mortgage, taxes, insurance and HOA monthly costs. To build this project within the constraints of a rental housing budget will take careful planning and cooperation of the Planning Commission to make this a reality. We look forward to your guidance and assistance.

Sincerely,



Victor Conforti - Architect



LOCATION MAP

ZONING: RESIDENTIAL R-M

COMMERCIAL SITE AREA: 14,174 SF (0.325 ACRES X 20 UNITS/ACRE = 6.5 UNITS)

RESIDENTIAL SITE AREA: 30,038 SF (0.690 ACRES X 11 UNITS/ACRE = 7.6 UNITS)

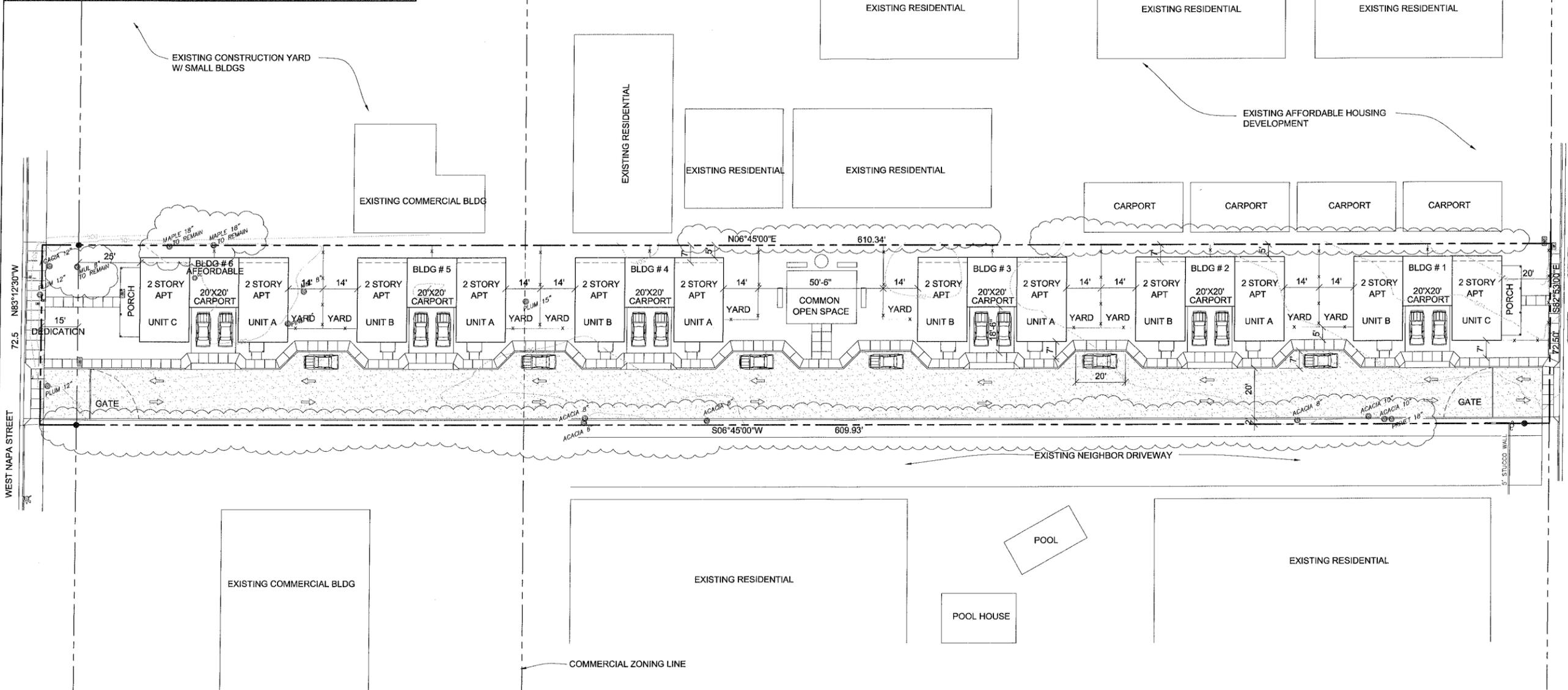
TOTAL LOT SIZE: 44,212 SF

TOTAL ALLOWED = 14 UNITS
TOTAL PROPOSED = 12 UNITS

TOTAL ACREAGE: 1.015 ACRES

PROPOSED BUILDING FOOTPRINT 1760 SF X 6 BDLGS = 10,560 SF
COVERAGE = 0.24

TOTAL BLDG AREA = 1528 X 12 UNITS = 18,336 SF F.A.R. = 0.41



REVISIONS	BY

VICTOR CONFORTI - ARCHITECT
755 BROADWAY, SONOMA, CA 95476 - (707) 996-7923

SITE PLAN



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MULTI FAMILY APARTMENTS
840 WEST NAPA STREET
SONOMA CALIFORNIA 95476

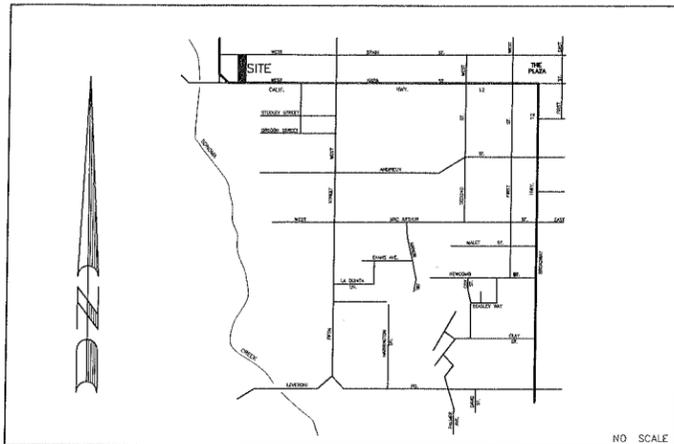
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SITE PLAN
SCALE: 1"=20'-0"

A.P. No. 127-211-009

SINGLE UNIT:	
FIRST FLOOR	680 SF
SECOND FLOOR	648 SF
TOTAL FLOOR AREA	1328 SF PER UNIT
CARPORT (10' X 20')	200 SF
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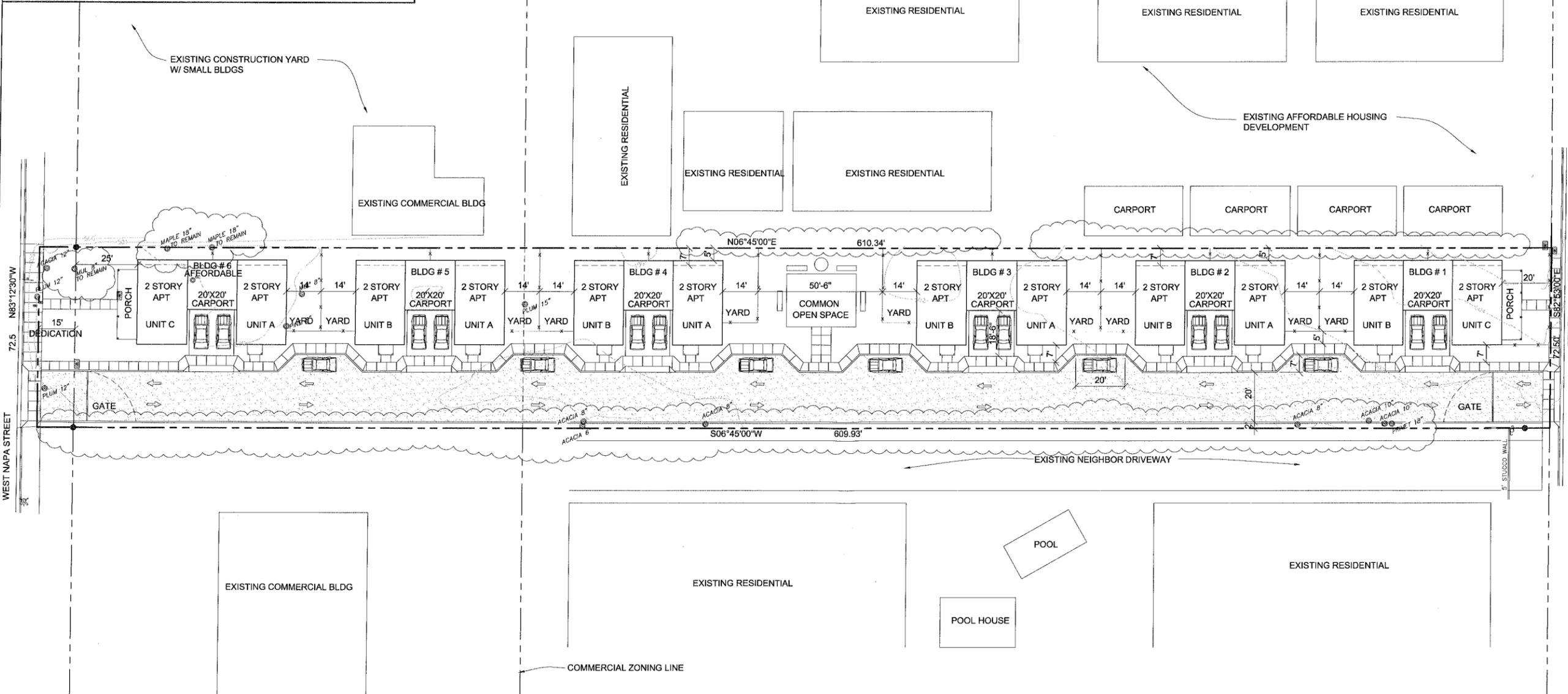
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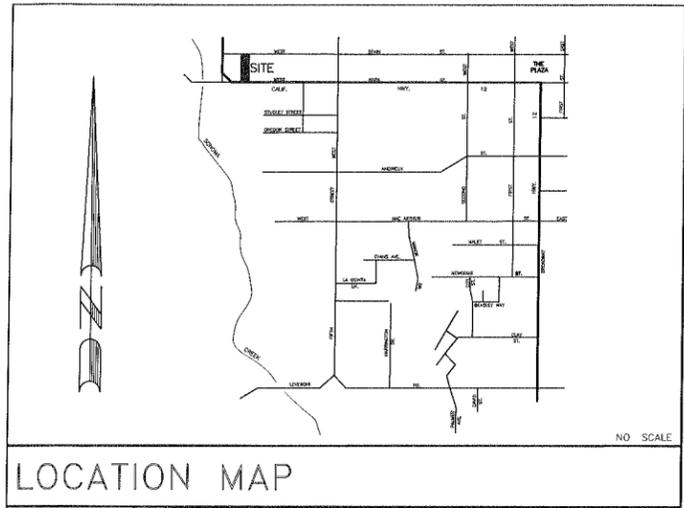
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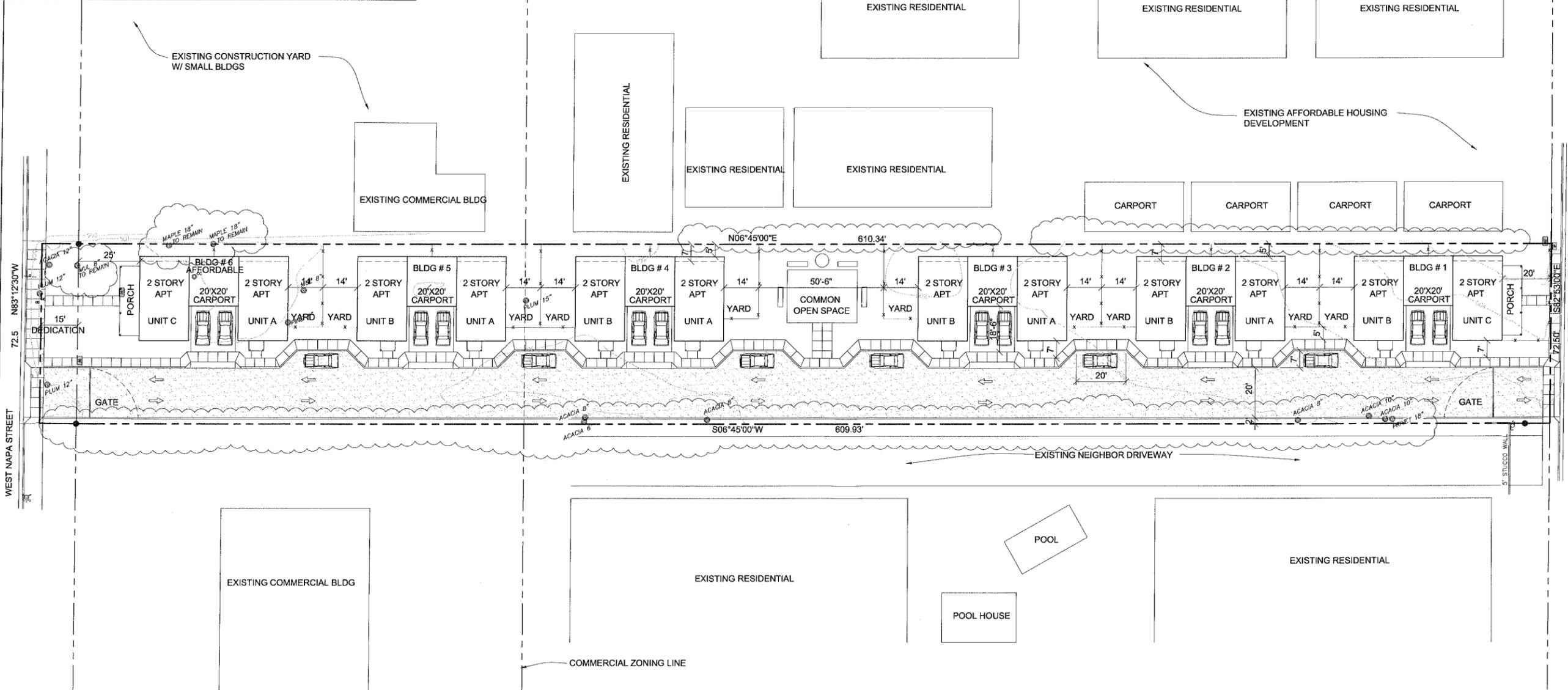
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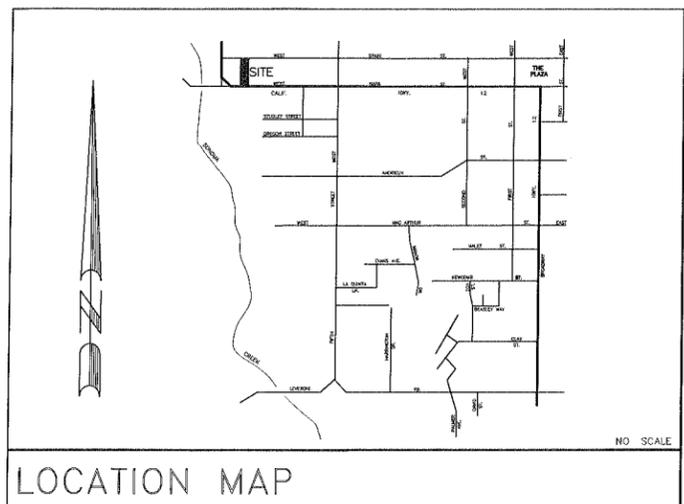
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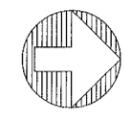
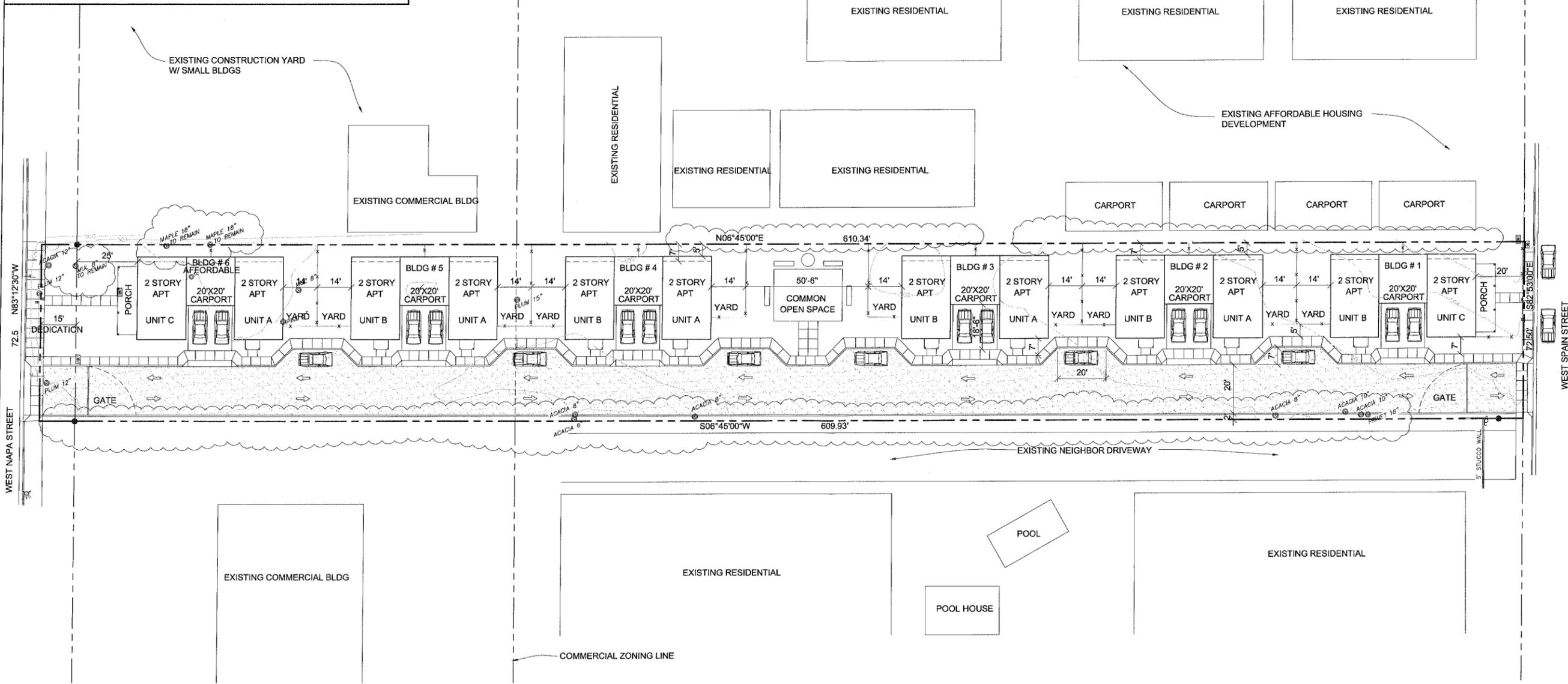
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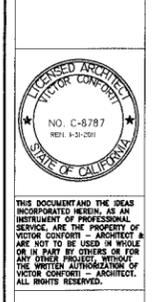
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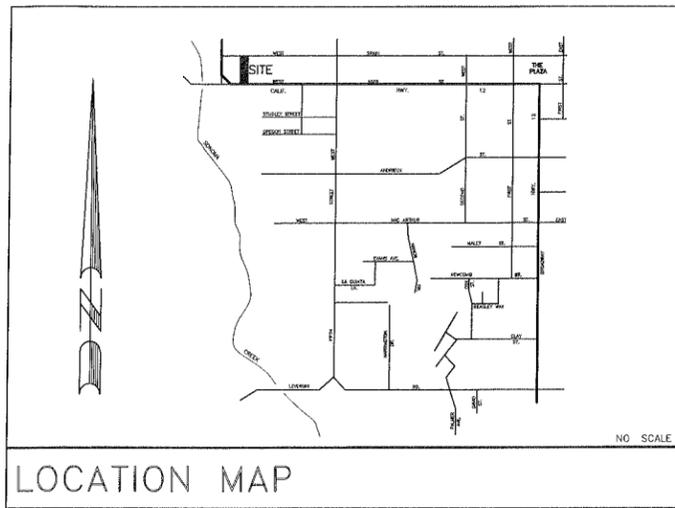
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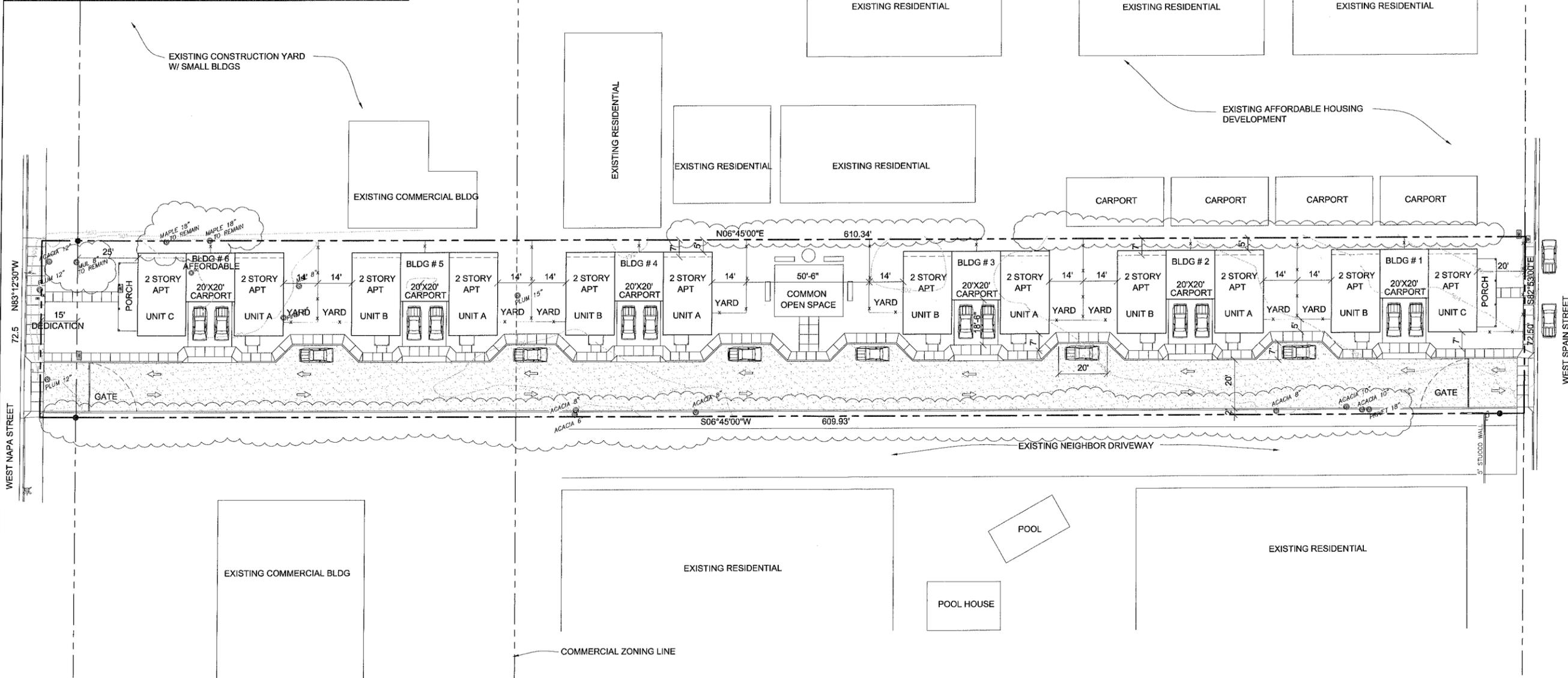
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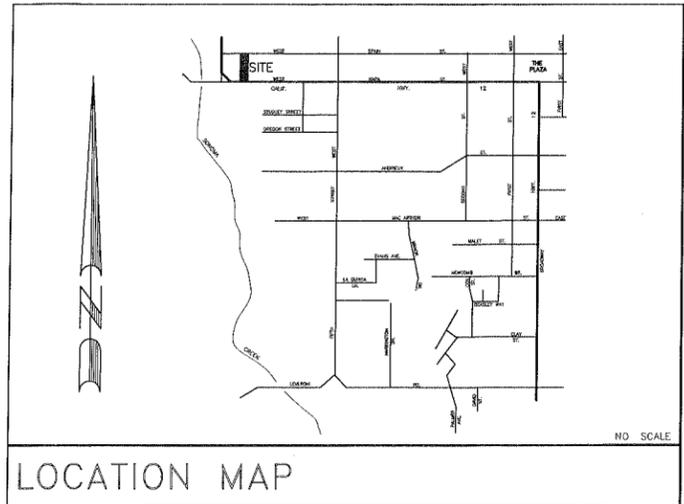


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A.P. No. 127-211-009

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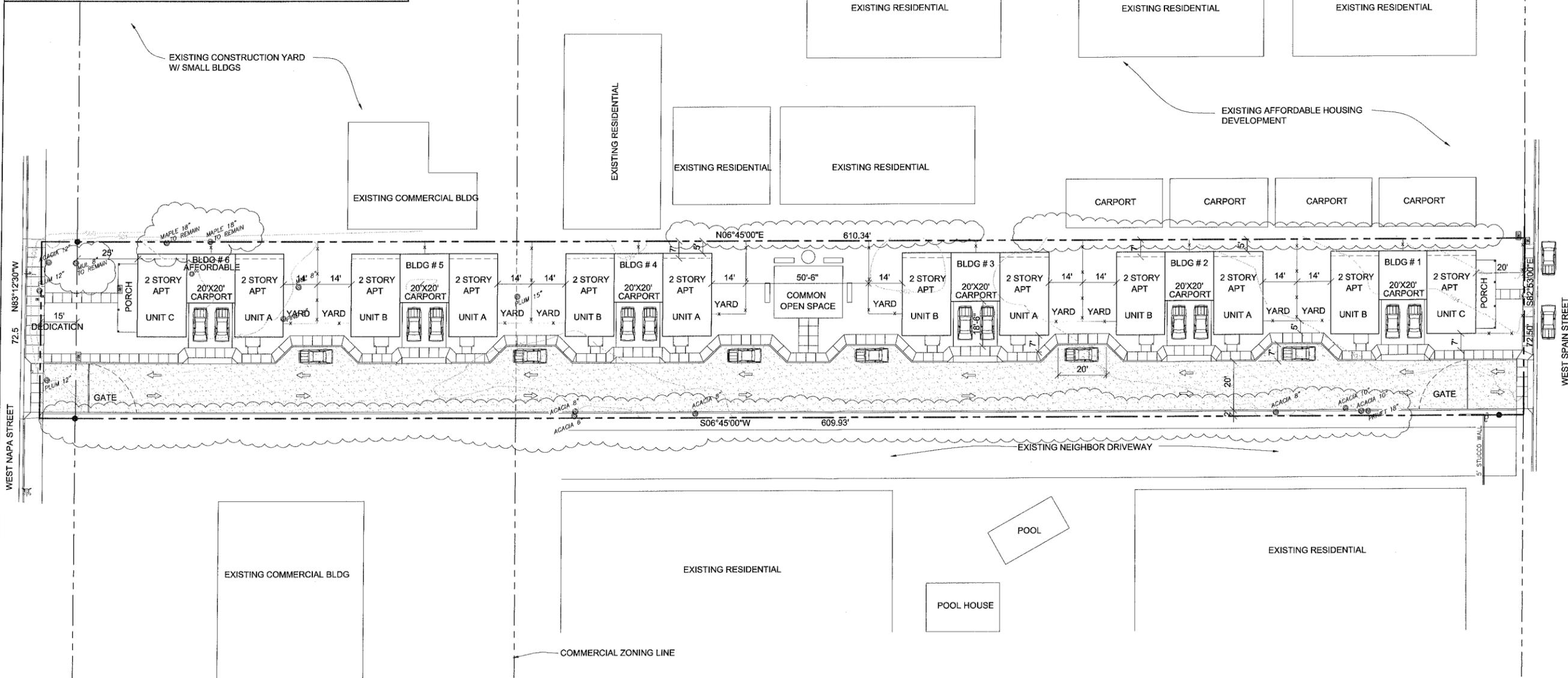
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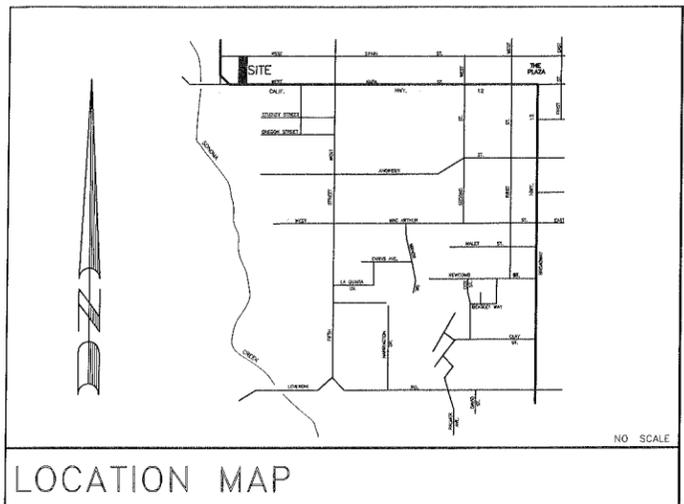
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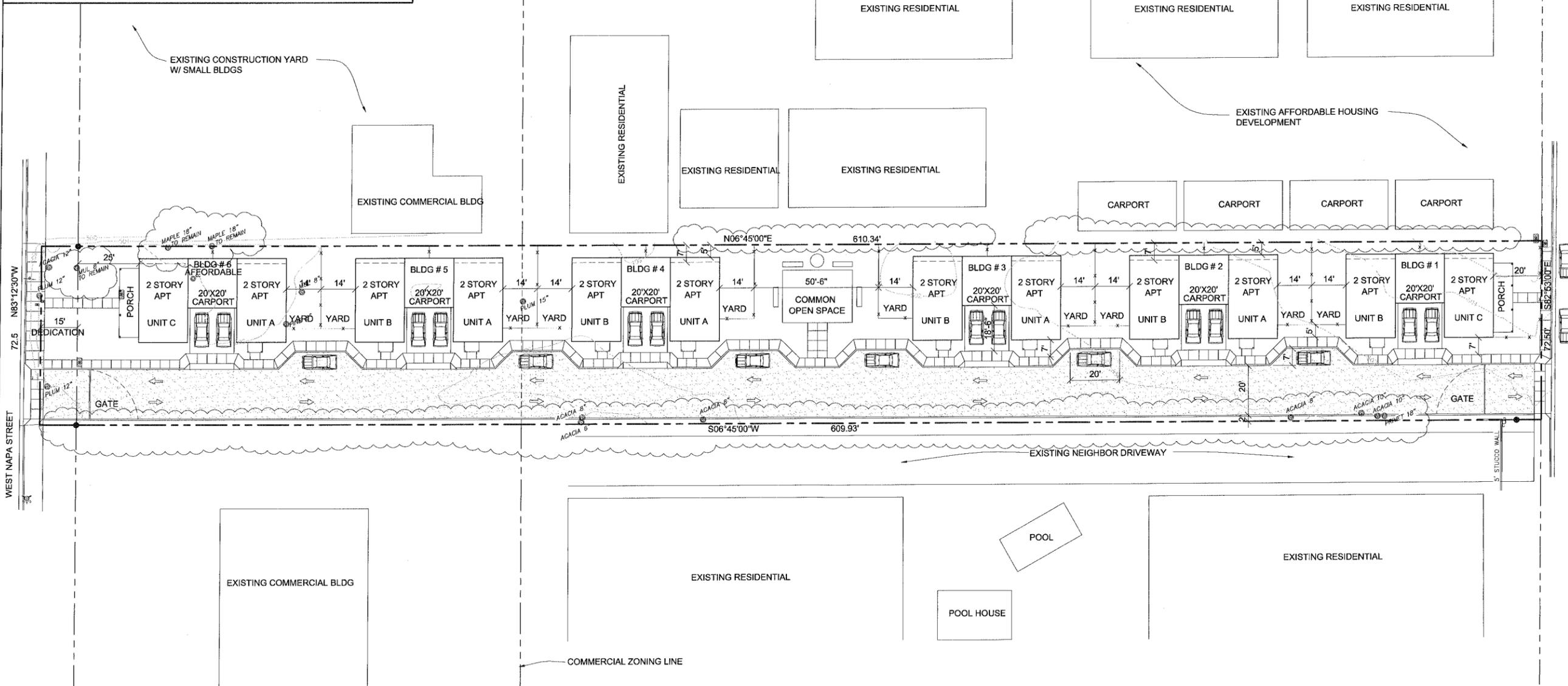
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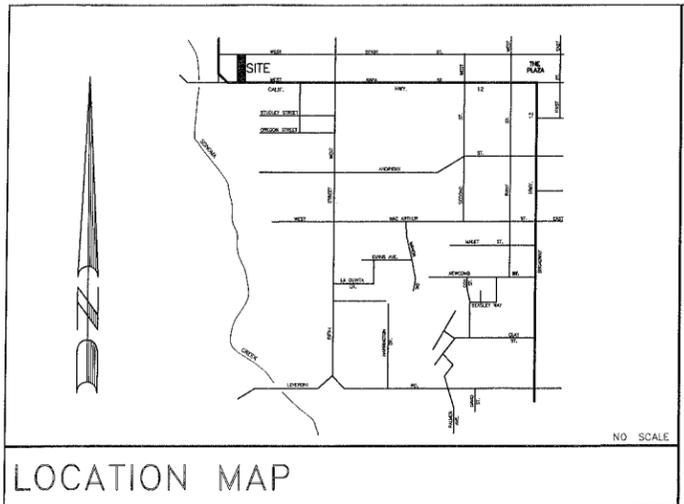
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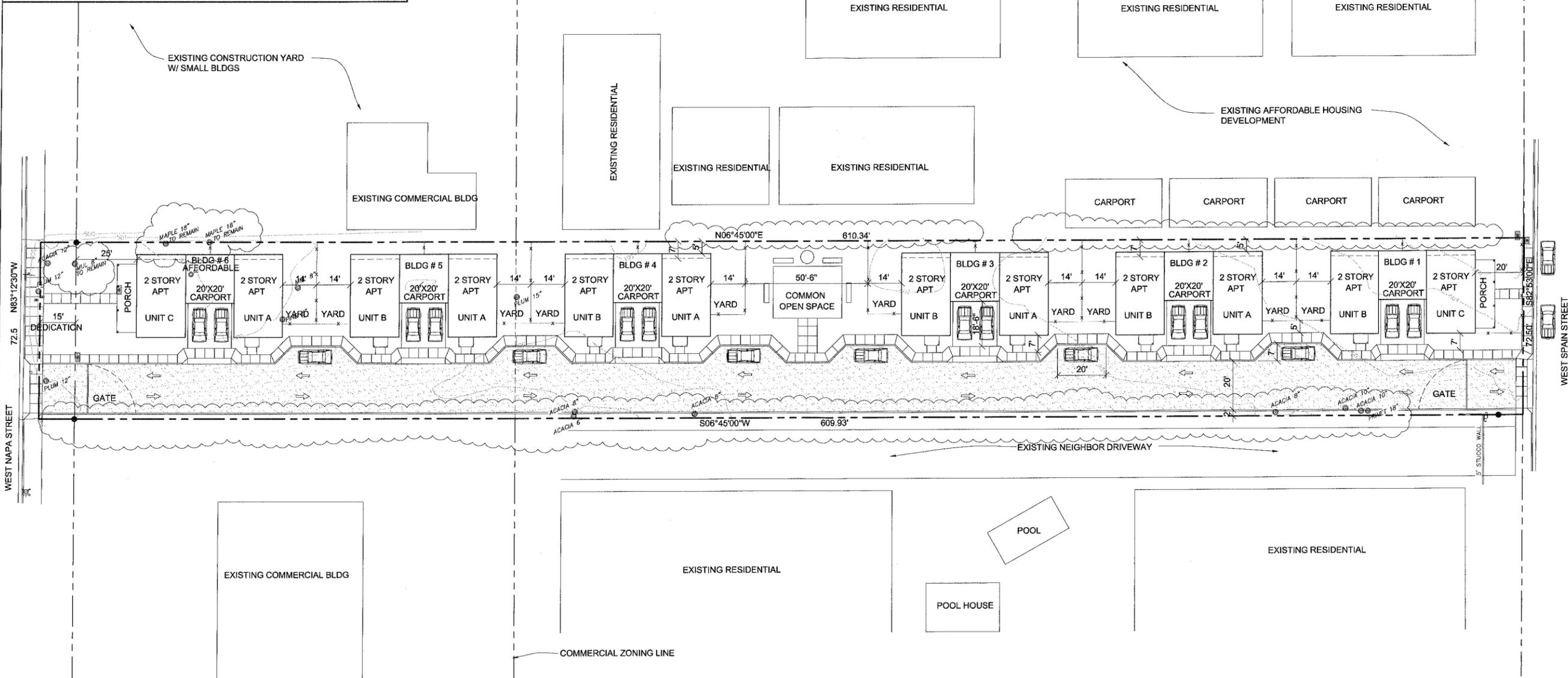
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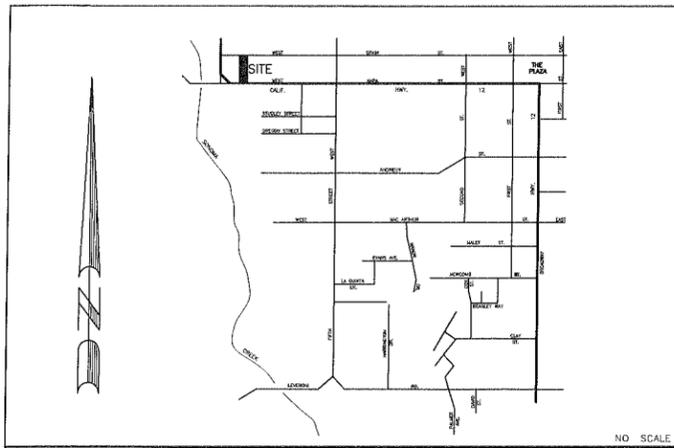
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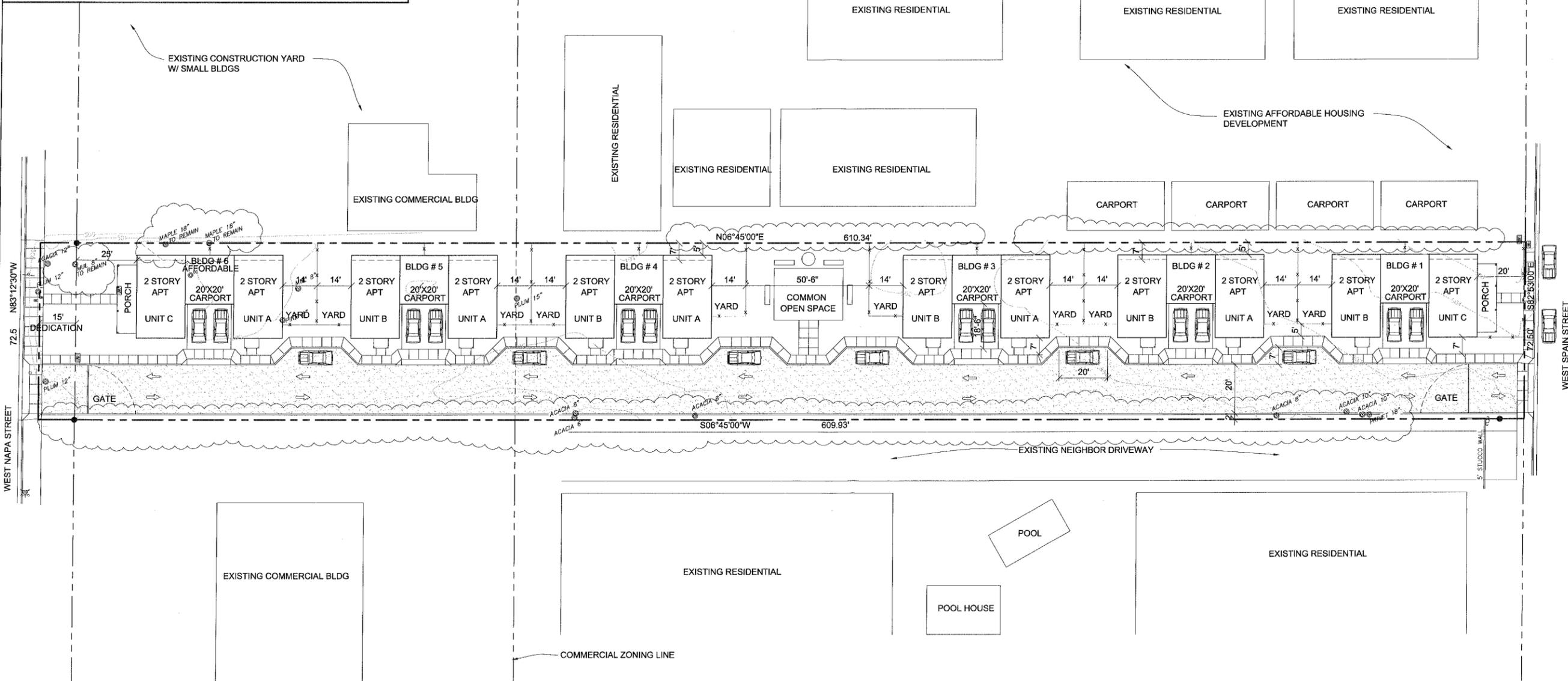
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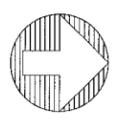
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