



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of November 13, 2014 -- 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, Matthew Tippell

Commissioners: Gary Edwards
Robert Felder
Mark Heneveld
Matt Howarth
Chip Roberson
Bill Willers
James Cribb (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 meetings of September 11, 2014 and October 9, 2014.

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:

Review of a previously approved Music Venue License allowing regularly-scheduled live music performances at Burgers & Vine.

400 First Street East

Extend license.

General Plan Designation:

Commercial (C)

CEQA Status:

Categorically Exempt

Zoning:

Planning Area: Downtown District

Applicant/Property Owner:

Codi Binkley/Richard Cuneo

Base: Commercial (C)

Overlay: Historic (/H)

Staff: Rob Gjestland

ITEM #3 – PUBLIC HEARING

REQUEST:

Year-end review of a seasonal outdoor food truck event (Food Truck Fridays) and an application for the 2015 outdoor food truck event for the Sebastiani Winery.

Applicant/Property Owner:

Foley Family Wines Inc.

Staff: Wendy Atkins

Project Location:

389 Fourth Street East

General Plan Designation:

Wine Production (WP)

Zoning:

Planning Area: Northeast Area

Base: Wine Production (W)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #4 – PUBLIC HEARING

REQUEST:

Consideration of a Use Permit to reconfigure the interior space of the Sonoma Cheese Factory to allow for a multitenant marketplace use.

Applicant/Property Owner:

Viviani Trust

Staff: Rob Gjestland

Project Location:

2 West Spain Street

General Plan Designation:

Commercial (C)

Zoning:

Planning Area: Downtown District

Base: Commercial (C)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #5 – DISCUSSION

ISSUE:

Consideration of an amendment to the Development Code establishing a review and licensing process for limited short-term rentals within owner-occupied single-family residences.

Staff: David Goodison

RECOMMENDED ACTION:

Forward recommendation for adoption to City Council.

CEQA Status:

Not applicable

ITEM #6 – STUDY SESSION

REQUEST:

Study session on a revised proposal to develop a mixed-use project (Sonoma Gateway Commons).

Applicant/Property Owner:

Bull Stockwell Allen Architects/
Sonoma Gateway Commons LP and
Stu Lambert Inc.

Staff: David Goodison

Project Location:

870 and 899 Broadway

General Plan Designation:

Mixed Use (MU)

Zoning:

Planning Area: Broadway Corridor

Base: Mixed Use (MX)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Provide direction to applicant.

CEQA Status:

Not applicable

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 November 7, 2014.

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.

November 13, 2014
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. On August 8, 2013, the Planning Commission approved a one-year extension. The new (and current) expiration of the project is November 9, 2014. 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 fourth 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

October 30, 2014

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 Ikeda

Cc Bill Willers/Marcus Willers Architects

RECEIVED

OCT 31 2014

CITY OF SONOMA

MEMO

To: Planning Commission

From: Rob Gjestland, Senior Planner

Re: Review of a previously approved Music Venue License allowing regularly-scheduled live music performances at Burgers & Vine (400 First Street East).

Property Description

The subject property is a ±3,800-square foot corner lot fronting First Street East and East Spain Street that is developed with the historic “Old Sonoma Creamery” building. Burgers & Vine, a restaurant and microbrewery, has been operating within the building since February 2012 after a long vacancy. The property is located in a Commercial zoning district and faces the Plaza and the Mission. Directly adjoining land uses include:

North: Mission San Francisco Solano (Park zoning).

South: Commercial businesses and offices within the El Paseo complex (Commercial zoning).

East: La Casa Restaurant (Commercial zoning).

West: The Plaza opposite First Street East (Park zoning).

Background

Music License Regulations: In February 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, 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.

Initial Approval of License for Burgers & Vine: On January 10, 2013, the Planning Commission reviewed and approved a Music Venue License allowing regularly-scheduled live music performances at Burgers & Vine, which was not open at that time as the building was being upgraded. Burgers & Vine subsequently opened for business in February 2014, at which time music performances commenced. The Music Venue License currently allows amplified live music performances on Thursdays from 8p.m. to 11p.m., Fridays and Saturdays from 9p.m. to 12a.m., and Sundays from 1p.m. to 3p.m. As conditioned, windows and doors are to remain closed during performances and the venue is subject to the decibel limits and other standards of the City's Noise Ordinance. The Planning Commission also required reevaluation of the Music Venue License after a summer trial season (rather than one year after commencement) partly due to concerns raised by the North of the Mission Neighborhood Association during the initial review.

Reevaluation of Burgers & Vine Music License

Purpose of Reevaluation: 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 within one year of initial approval to verify compliance with the conditions of approval and reevaluate 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 Burgers & Vine related to noise or music since the business began operating in February 2014. However, the Planning Department did receive one neighbor complaint about the volume of music performances that occurred on the opening night (Saturday, February 22, 2014). That said, given that only one complaint has been reported, and that this complaint relates to an opening night event over eight months ago, it would appear to staff that the current limitations are adequate to ensure compatibility.

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 limitations (see attached conditions of approval).

Attachments

1. Findings of License Approval
2. Draft Conditions of Approval
3. Vicinity Map

cc: Codi Binkley (via email)
400 First Street East
Sonoma, CA 95476

Jon Diederich, President (via email)
North of the Mission Neighborhood Association
140 Mission Terrace
Sonoma, CA 95476

Joseph Costello (via email)
128 Mission Terrace
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF LICENSE APPROVAL
Burgers & Vine Music Venue License Reevaluation– 400 First Street East

November 13, 2014

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
Burgers & Vine Music Venue License Reevaluation– 400 First Street East

November 13, 2014

1. Windows and doors shall remain closed when music is performed within the building. Doors shall not be propped open.

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. The use shall operate in conformance with the approved management plan (aka project narrative), except as modified by these conditions.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

4. The Police Chief shall review and approve the security plan for the music venue prior to operation.

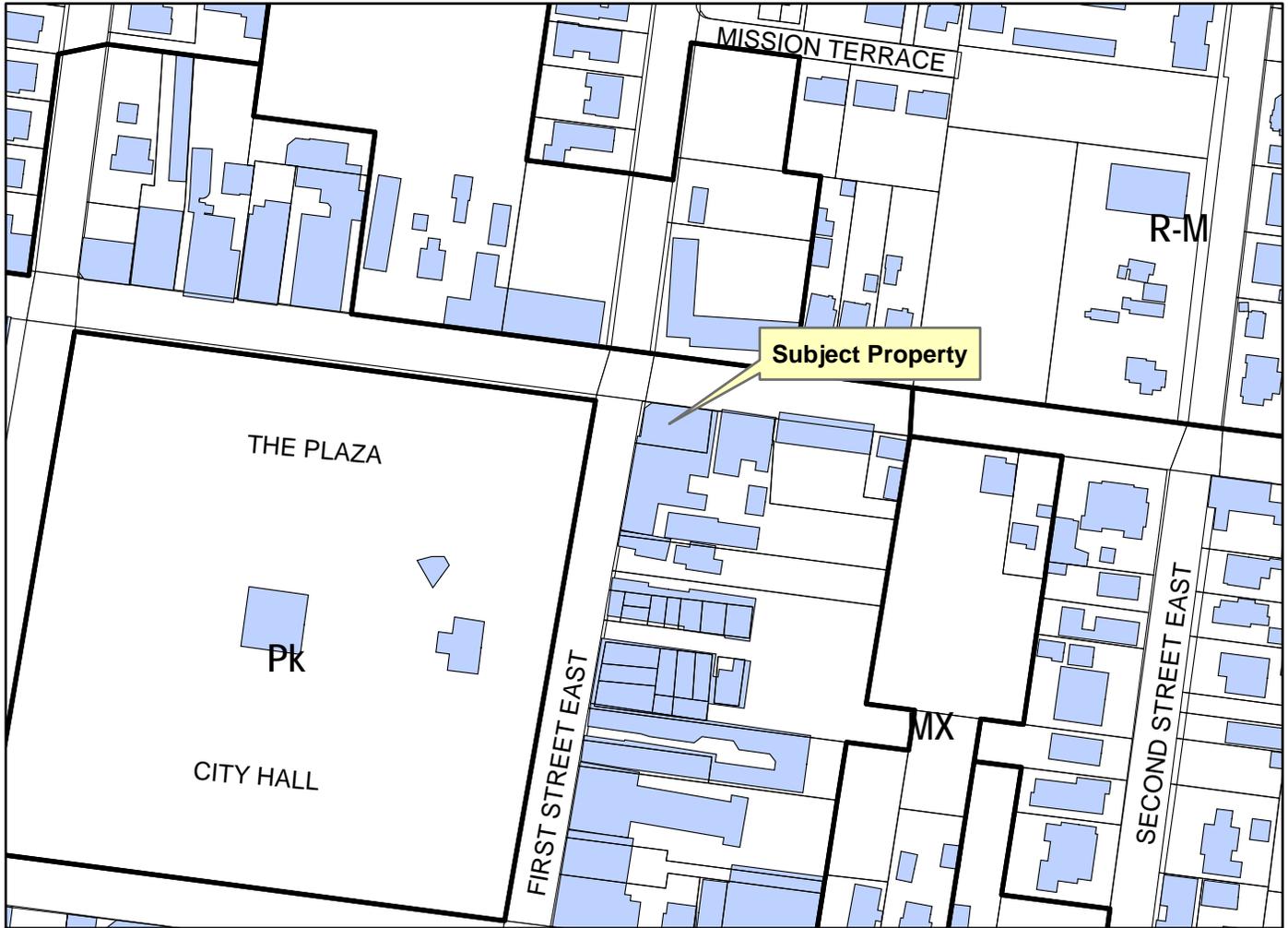
Enforcement Responsibility: Police Department
Timing: Prior to Operation

5. Live music performances with amplification shall be allowed indoors only within the following timeframes:

Thursday: 8p.m. to 11 p.m.
Friday and Saturday: 9p.m. to 12 a.m.
Sunday: 1p.m. to 3p.m.

Enforcement Responsibility: Planning Department; Police Department
Timing: Ongoing

Vicinity Map

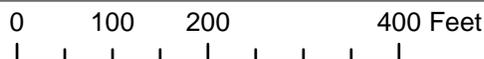


Project Summary

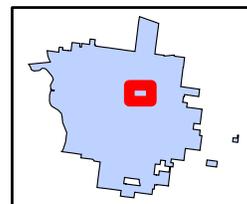
<i>Project Name:</i>	Burgers & Vine Music License
<i>Property Address:</i>	400 First Street East
<i>Applicant:</i>	Codi Binkley
<i>Property Owner:</i>	Richard Cuneo
<i>General Plan Land Use:</i>	Commercial
<i>Zoning - Base:</i>	Commercial
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Reevaluation of a Music Venue License allowing regularly scheduled live music performances at Burgers & Vine.

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



Agenda Item Title: Year-end review of a seasonal outdoor food truck event (Food Truck Fridays) and an application for the 2015 outdoor food truck event through the approval of a temporary use permit for the Sebastiani Winery.

Applicant/Owner: Sebastiani Winery/Foley Family Wines, Inc.

Site Address/Location: 389 Fourth Street East

Staff Contact: Wendy Atkins, Associate Planner
Staff Report Prepared: 11/03/14

PROJECT SUMMARY

Description: Year-end review of a seasonal outdoor food truck event (Food Truck Fridays) and an application for the 2015 outdoor food truck event through the approval of a temporary use permit for the Sebastiani Winery.

General Plan Designation: Wine Production (WP)

Zoning: **Base:** Wine Production (W) **Overlay:** Historic (/H)
Site

Characteristics: The Sebastiani Winery is located on Fourth Street East between East Spain Street and Lovall Valley road. The winery consists of a number of properties used for the winery and wine making. The area of the Winery involved in the subject application is at the southwest corner of Fourth Street East and Lovall Valley Road.

Surrounding Land Use/Zoning: **North:** Single Family Residences/ Low Density Residential
South: Single Family Residences/ Low Density Residential
East: Winery Building/ Wine Projection
West: Winery Office/ Low Density Residential

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 subject to conditions.

PROJECT ANALYSIS

BACKGROUND/POST-EVENT REVIEW

The “Food Truck Friday” event at the Sebastiani Winery began in 2011. The initial approval of the event was granted by the Planning Commission on April 14, 2011, as a Temporary Use Permit. The event takes place in conjunction with a Friday evening music series, which occurs indoors, in the tasting room. Most recently, on February 13, 2014, a six-month review of the 2013 event and a Temporary Use Permit for the 2014 event was approved by the Commission. Conditions of approval were as follows:

1. The allowance for a once per month food truck event (May through October) as provided herein shall be permitted strictly on a temporary basis, subject to a post-event reconsideration shall be conducted by the Planning Commission no later than November 13, 2014.
2. The food truck event shall be operated and managed in accordance with the project narrative, except as modified by the conditions of approval.
3. Up to six food vendors (including food trucks) shall be allowed to park and operate from the main Winery parking lot on the fourth Friday of each month (with the exception of October, which will occur on the second Friday of the month). The vendors shall be located along the Fourth Street East side of the parking lot, south of the parking lot entrance, or in front of the tasting room. Hours of operation in terms of being open to the public shall not exceed 5:30 p.m. to 9 p.m.
4. The applicant shall designate an on-site manager with responsibility for managing the food truck event and ensuring compliance with all applicable rules and conditions.
5. Recycling bins and trash bins shall be provided and the parking lot shall be cleaned of trash and debris at the conclusion of each event. Trash bins and recycling receptacles shall be located away from adjoining residential properties.
6. Compliance with the decibel limits of the Noise Ordinance is required.
7. Each participating vendor shall obtain a City of Sonoma Business License. Each vendor shall post their business license in a readily visible location at or upon the vending station.
8. Each participating vendor shall obtain a Sonoma County Health Department Permit to Operate. Each vendor shall post an SB180 “public right to know” sign in a readily visible location at or upon the vending station.
9. Food vendors shall be fully self-contained with respect to food preparation and shall be operated in compliance with all applicable health regulations and permit requirements.
10. Alcoholic beverages shall not be served or consumed, except within the confines of the tasting room area.
11. No other outdoor activities, including the performance of live music or the playing of pre-recorded music, are authorized under this permit.
12. The use of generators on the property shall be prohibited.

13. The doors on the northeastern portion of the tasting room building located directly adjacent to the band area shall remain closed when music is played.

The post-event review is a requirement of the temporary use permit. As approved under the temporary use permit, the trucks are parked within the main Winery parking lot along the rock wall that fronts on Fourth Street East and/or directly in front of the tasting room. The event is supervised by an on-site Sebastiani hospitality manager, whose responsibilities include confirming that each food vendor has a valid City of Sonoma business license and ensuring that the business license is readily visible at or upon each vending station. In addition, the food trucks must use existing electricity on site rather than generators. Planning staff monitored two of the Food Truck Friday events over the course of the season (June and July events). At the June event, planning staff took the initiative to have individual food vendors display the City of Sonoma Business License and Sonoma County Health Department SB180 “public right to know” sign as this information was not readily visible. At the July event, the Sebastiani hospitality manager made certain that the City of Sonoma Business License and “public right to know” signs were readily visible and this was confirmed by staff. Because of the steps the applicant took to ensure conditions of approval were met, is staff’s view that the applicant substantially complied with all of the conditions of approval associated with the temporary use permit.

DETAILED PROJECT DESCRIPTION/2015 FOOD TRUCK FRIDAY SERIES

The Sebastiani Winery is requesting use permit approval to host six food trucks on the fourth Friday of each month, in conjunction with its existing Friday evening music series (which occurs indoors, in the tasting room). As proposed in the project narrative (attached), the 2015 Food Truck Friday event would operate largely as it has for the last four years, including the flexibility to operate the six events within a seven-month time frame (from April through October). The trucks would be parked within the main winery parking lot along the rock wall that fronts on Fourth Street East and directly in front of the tasting room. The applicant is proposing to have the food trucks open from 5:30 p.m. to 9 p.m. Apart from the food trucks, no other outdoor activities are proposed.

GENERAL PLAN CONSISTENCY (Not Applicable to this Project)

The property is designated Wine Production by the General Plan. This designation is intended to recognize the Sebastiani Winery. Within this land use designation, agricultural or food processing, wineries, and winery accessory uses are allowed subject to use permit review. The scope of this proposal does not raise issues with regard to General Plan goals and policies.

DEVELOPMENT CODE CONSISTENCY (Not Applicable to this Project)

Use: The property is zoned Wine Production (WP). “Winery Accessory Uses” are allowed in the Wine Production land use designation with a use permit. This use category is defined as follows: *Uses and activities conducted in conjunction with a winery, including wine tasting, food service and restaurants, gift sales and special events.*

On-Site Parking: Parking for the Friday evening music event is provided on the Winery’s main parking lot. Because of the large amount of off-street parking available at the winery, it is staff’s view that the proposal does not raise any parking issues, even with the loss of some of the parking spaces to the food trucks.

Development Standards: Because the proposal does not involve the construction of any new or expanded structures, coverage, setback, height, and other development standards are not applicable.

**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 or minor alteration of existing private structures and facilities is Categorically Exempt from the provisions of CEQA (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

In staff's view, the primary issue to be considered in review of this event is compatibility with neighboring residential uses with respect to noise and parking. As discussed above, the Planning Commission first approved a Temporary Use Permit for this event in December, 2011. When it first began, there were problems, especially with regard to communicating the requirement to obtain a business license to the food vendors. Staff worked with the management of the Winery to address this problem and is satisfied with the measures Sebastiani Winery has taken to address the issue. Sebastiani Winery employees manage the event on-site and have ensured that business licenses have been obtained for each of the food vendors. Staff has attended a number of events and observed ample parking within the Winery lot to support the use. With regard to noise, generators have been prohibited by the Planning Commission in its approval of a temporary use permit since 2012. This prohibition would remain in place for the 2015 season. Staff is recommending a requirement for a post-event reconsideration no later than November 12, 2015, as set forth in the conditions of approval. As of the date the staff report, one letter (attached) was received, which supports the proposal. The Police Department does not have a record of receiving any noise complaints for the Sebastiani Winery on a Food Truck Friday from April 1 to October 31, 2014 (although one complaint was received about a Friday music event not in conjunction with Food Truck series). Sebastiani Winery has indicated that, as has been the practice in previous seasons, a notice will be placed on the doors stating that the doors shall remain closed during music events.

As in previous seasons, Staff has informed the Winery that any additional out-door events will be subject to Planning Commission review and that no administrative approvals will be granted.

RECOMMENDATION

Approve the temporary use permit for 2015 season, subject to conditions.

Attachments

1. *Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Location map*
4. *Project narrative*
5. *Site plan*
6. *Correspondence*

cc: Sebastiani Winery
Attn: Christopher Johnson
389 Fourth Street East
Sonoma, CA 95476

Linda McGarr
486 Lovall Valley Road
Sonoma, CA 95476

Ken and Patricia McTaggart
402 Fourth Street East
Sonoma, CA 95476

Erin McTaggart
380 Church Street
Sonoma, CA 95476

Cliff and Gloria Knuckles
431 San Lorenzo court
Sonoma, CA 95476

Michael Kalyk
16008B Shore Drive
Lynnwood, WA 98087-6627

John and Laura Dunning
272 Fourth Street East
Sonoma, CA 95476

Bret Sackett, Police Chief

Lyn Freed, via email

Dan Sondheim, via email

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Use Permit for Sebastiani Winery Special Events Venue Use Permit – 389 Fourth Street East

November 13, 2014

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:

Use Permit Findings

1. The proposed use is consistent with the General Plan and any Specific Plan;
2. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this 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
Use Permit for Sebastiani Winery Food Truck Event – 389 Fourth Street East

November 13, 2014

1. The allowance for a maximum of six food truck events (April through September or May through October) as provided herein shall be permitted strictly on a temporary basis, subject to a post-event reconsideration shall be conducted by the Planning Commission no later than November 12, 2015.

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. The food truck event shall be operated and managed in accordance with the project narrative, except as modified by these conditions of approval.

Enforcement Responsibility: Planning Department
Timing: Ongoing

2. Up to six food vendors (including food trucks) shall be allowed to park and operate from the main Winery parking lot on the fourth Friday of each month. The vendors shall be located along the Fourth Street East side of the parking lot, south of the parking lot entrance, or in front of the tasting room. Hours of operation in terms of being open to the public shall not exceed 5:30 p.m. to 9 p.m.

Enforcement Responsibility: Planning Division
Timing: Ongoing

3. The applicant shall designate an on-site manager with responsibility for managing the food truck event and ensuring compliance with all applicable rules and conditions.

Enforcement Responsibility: Planning Division
Timing: Ongoing

4. Recycling bins and trash bins shall be provided and the parking lot shall be cleaned of trash and debris at the conclusion of each event. Trash bins and recycling receptacles shall be located away from adjoining residential properties.

Enforcement Responsibility: Planning Department
Timing: Ongoing

5. Compliance with the decibel limits of the Noise Ordinance is required.

Enforcement Responsibility: Planning Department
Timing: Ongoing

6. Each participating vendor shall obtain a City of Sonoma Business License. Each vendor shall post their business license in a readily visible location at or upon the vending station.

Enforcement Responsibility: Planning Department

Timing: Ongoing

7. Each participating vendor shall obtain a Sonoma County Health Department Permit to Operate. Each vendor shall post an SB180-“public right to know” sign in a readily visible location at or upon the vending station.

Enforcement Responsibility: Planning Department

Timing: Ongoing

8. Food vendors shall be fully self-contained with respect to food preparation and shall be operated in compliance with all applicable health regulations and permit requirements.

Enforcement Responsibility: Planning Department

Timing: Ongoing

9. Alcoholic beverages shall not be served or consumed, except within the confines of the tasting room area.

Enforcement Responsibility: Planning Department

Timing: Ongoing

10. No other outdoor activities, including the performance of live music or the playing of pre-recorded music, are authorized under this permit.

Enforcement Responsibility: Planning Department

Timing: Ongoing

11. The use of generators on the property shall be prohibited.

Enforcement Responsibility: Planning Department

Timing: Ongoing

12. The doors on the northeastern portion of the tasting room building located directly adjacent to the band area shall remain closed when music is played.

Enforcement Responsibility: Planning Department

Timing: Ongoing

October 17, 2014

Planning Commission
City of Sonoma
#1 the Plaza
Sonoma, CA 95476

Subject: Application for 2015 Food Truck events at Sebastiani Winery

Members of the Planning Commission:

This short narrative is to request another "Use Permit" for the Food Truck Friday events at Sebastiani Winery for 2015. Over the past three years between April and October on the last Friday of the month we've had 6 food trucks parked in our parking lot to supply food to our Friday night patrons. As you know we've worked closely with the Planning Commission and the community to come up with a specific outline on how these events are run. During these events we have worked with and supported local food vendors to offer options to our guests. This event has truly become popular with the majority of the members of the neighborhood as well as the outlying community. It's a place where families, friends and neighbors can gather for three hours one Friday night a month to enjoy each other's company. The majority of the neighbors feel this has been a wonderful addition to Sonoma's Friday night offerings and has had no true negative impact on the neighborhood or neighbors. In fact we continue to receive a great amount of support from the neighbors and community at large.

Food Truck Friday's will be held typically on the last Friday of the month. The evening time frame would be from 5:30pm to 9pm and occur between April and October 2015. There will only be 6 food trucks events between that period. I listed April through October just in case there is a schedule conflict with our events department in the month of April 2015 and we have to go from May to October 2015 which is what happened in the 2014 season. In keeping with the Planning Commissions previous approvals we would like to have the 6 food trucks parked in the parking lot in area C on the attached map. With the exception of area C on the map all other activity will take place within the walled area (fountain area, law area and inside area) of our grounds which is considered part of the tasting room and well away from Lovall Valley rd.

Conditions already established over the last three years are:

- *Allowance for one food truck event a month**
- *limit to 6 food trucks per event**
- *Applicant shall designate an onsite Manager**
- *Recycling bins and trash receptacles will be supplied**

***Compliance with decibel limits and noise ordinance**

***Each participating vendor shall purchase a Sonoma city business license**

***Food vendors shall be contained with respect to food preparation and operate with required health permits**

***Food Trucks will operate between 5:30pm and end promptly at 9pm**

***Food trucks will operate on electricity only**

I've worked closely over the last few years with the Planning Commission and certainly respect the guidance and input they have given me on these events. As a result I feel we've built a wonderful early evening venue for the neighborhood and community at large we can be proud of. My hope is that you will continue support these events and grant us approval for another "Use Permit" for 2015.

Thank you for your time and consideration!

Sincerely,

Christopher Johnson
Senior Hospitality Manager
Sebastiani Winery
389 4th Street East
Sonoma, CA 95476
Phone 707-933-3207 fax 707-933-3390

October 17, 2014

Planning Commission
City of Sonoma
#1 The plaza
Sonoma, CA 95476

Subject: Year-end review of a seasonal outdoor food truck event (Food Truck Fridays), and an application for the 2015 outdoor food truck event for the Sebastiani Winery at 389 Fourth Street East.

To the members of the Planning Commission:

We completed our last food truck event on October 10th 2014 and this letter is to review any and all issues regarding the 2014 food truck events at Sebastiani. For the most part the 6 food truck events that were held were very successful. Once again the food truck event was a popular early evening venue attended by local families who came to enjoy good food and music together. As for the vendors, we continued to use many who've already taken part in past food truck events and who know exactly what is expected from them regarding the rules. We did have a few new vendors who unfortunately made the one time only mistake of not having posted their permits and licenses as required. What made it worse or rather embarrassing to me personally was that it happened the night that Wendy made her first visit to check on the events compliance. It wasn't that vendors didn't have the proper permits and licenses because all except one did it was that some didn't have them posted as required. As Wendy can attest, on the night she came the event was very busy and as a result **I failed** because I didn't take the time to walk to each truck before her arrival to ensure all trucks had everything visibly posted. Unfortunately, I learned once again that regardless of how many times you explain the rules and regardless of how many times you email the rules I absolutely must visit each truck to make sure that they follow the rules by posting the required paperwork. There was one truck that didn't have the proper paperwork though. At the last minute I needed a truck to fill in for a vendor who was not able to make it. There is a truck that is always parked across from the high school "El Coyote" that I asked to attend. When I spoke to him I did ask if he had a Sonoma business license and county health permit. His answer was yes and that he would love to be a part of the event. Because this particular truck had been operating at that location for years I assumed that he indeed had the proper permits and licenses to operate within the city. Unfortunately, this was not the case and he had indeed been operating illegally at that location. He did however obtain the city business license following that night and was able to participate in three other food trucks during the summer.

So if there is a silver lining in this instance it's that city was made aware of this as he is now operating legally at his location. This was the only violation that I know for the summer and other than that everything went according the rules and expectations that the commission expected from the event. Wendy can also attest that on her follow up visit everything was as it should have been regarding the conditions of the "Use Permit".

Thank you once again for allowing us to continue the Food Truck events and I hope that you will continue to give your support for our "Use Permit" in 2015.

Sincerely,
Christopher Johnson
Senior Hospitality Manger

Sebastiani Winery

Conditions established over the last for our Food Truck events are as follows:

1. One food truck event a month up to 6 months a season.
This requirement was met.
2. Limited to 6 food truck per event
This requirement was met.
3. Applicant will designate an onsite manager
This requirement was met.
4. There shall be plenty of trash and recycling bins on site
This requirement was met.
5. Compliance with the city's established decibel limits and noise ordinance.
This requirement was met.
6. Each participating vendor will purchase a city business license
One truck on one night did not have this. All other events this requirement was met.
7. Food vendors shall be self contained in regards to food preparation and operate with the required health permits.
This requirement was met.
8. Alcohol shall be kept within the confines of the ABC permitted area of the Sebastiani tasting room.
Security staff was hired and posted at the entrance to ensure this requirement was met.
9. No other outdoor activities including live or recorded music is authorized under the permit.
This requirement was met.
10. Food trucks will operate between 5:30pm and 9pm.
This requirement was met.
11. Food trucks will operate on electricity only.
This requirement was met.

Google earth



Cristina Morris

From: dansonheim@comcast.net
Sent: Sunday, October 26, 2014 5:28 PM
To: Cristina Morris
Subject: Response to Project

RECEIVED

OCT 27 2014

CITY OF SONOMA

Hi Cristina,

Please forward to the appropriate person who is collecting feedback for the Planning Commission consideration of the Foley Family Wines application for the 2015 outdoor food truck events.

I am Dan Sondheim (461 San Lorenzo Ct.) I wish to support the Foley application for Food Truck Fridays. The 2014 events seemed successful to me. Well attended, good food, family friendly atmosphere. I am not aware of any down side to these events and I support approval of their application for these events to continue in 2015.

Thank you,

Dan Sondheim

461 San Lorenzo Ct.

Sonoma

Agenda Item Title: Application for a Use Permit to reconfigure the interior space of the Sonoma Cheese Factory to allow for a multitenant marketplace use.

Applicant/Owner: Viviani Trust

Site Address/Location: 2 West Spain Street

Staff Contact: Rob Gjestland, Senior Planner
Staff Report Prepared: 11/10/14

PROJECT SUMMARY

Description: Application of the Viviani Trust for a Use Permit to reconfigure the interior space of the Sonoma Cheese Factory at 2 West Spain Street to allow for a multitenant marketplace use.

General Plan Designation: Commercial (C)

Zoning: **Base:** Commercial (C) **Overlay:** Historic (/H); Plaza Retail (/P)

Site Characteristics: The subject property consists of two parcels on the north side of the Plaza with a combined area of approximately of ±20,400 square feet. The properties are currently developed with the historic Sonoma Cheese Factory building.

Surrounding Land Use/Zoning: **North:** Barracks Parking Lot (State Parks)/Park
South: Sonoma Plaza (across Spain Street)/Park
East: Sonoma State Historic Park/Park
West: Restaurants/Commercial

Environmental Review:

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

Staff Recommendation: Approve with conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The current proposal, identified as Phase 1 in the application submittal, involves reconfiguring the interior space of the Sonoma Cheese Factory to allow for a multitenant marketplace with a focus on local artisan food and wine. Existing food preparation and service would continue and current levels of seating would be maintained in conjunction with this use. The proposal also includes partial demolition of a rear building element to facilitate a pedestrian walkway and courtyard on the west side of the site linking the Barracks parking lot and Plaza. While not part of the Use Permit request, two future phases are identified that would add new building area at the rear of the site. Additional details are provided in the attached project narrative.

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

The property is designated Commercial by the General Plan. The Commercial land use 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 following General Plan policies apply to the project:

Local Economy Element, Policy 1.1: Focus on the retention and attraction of businesses that reinforce Sonoma's distinctive qualities – such as agriculture, food and wine, history and art – and that offer high-paying jobs.

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

Community Development, Policy 5.4: Preserve and continue to utilize historic buildings as much as feasible.

The proposal is consistent with the intent of the Commercial land use designation and applicable General Plan policies that encourage food industry businesses, tourism, and the preservation of historic structures.

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

Use: The property is located within a Commercial (C) zoning district, which is applied to areas appropriate for a range of commercial land uses including retail, tourist, office, and mixed-uses. With more than three retail vendors/tenants, the proposed marketplace falls under the definition of a shopping center and is therefore subject to review and approval of a Use Permit by the Planning Commission.

Development Standards: Aside from the area of demolition, only minor changes to the existing footprint are proposed under Phase 1, none of which raise any issues in terms of compliance with applicable building setback, FAR, lot coverage, and building height standards.

Parking Requirements: The property has no on-site parking with the exception of a loading area at the back. However, for structures that face the Plaza additional parking is not required for a new use unless the new use results in 1) an increase in the square footage of the structure, or 2) an off-street parking requirement that exceeds one parking space for each 300 square feet of floor area (Development Code Section E.19.48.040.F). Phase 1 would actually reduce the square footage of the structure and the proposed multi-tenant marketplace is considered a retail use with a parking requirement (1 space/300 sq. ft.) that is consistent with the City's parking allowance for the site. Staff would note that approximately

100 existing restaurant seats would be maintained under the proposal as food and beverage service would continue, with the majority of the seats located outdoors on the east side of the building.

Although the current proposal does not trigger a requirement for additional parking, the parking allowance for the site must be considered in light of future phases (refer to “Discussion of Project Issues” below).

Demolition Permit: A portion of the rear building element would be demolished under Phase 1 to accommodate an exterior courtyard and the pedestrian connection (an additional area of demolition at the back is also contemplated under Phase 2). Pursuant to a Historic Resource Evaluation of the property (attached), the northern portion of the structure consists of more contemporary additions that are not character defining features. A letter submitted by the Historical Consultant finds that the proposed alterations, including areas of demolition at the back, would not adversely impact the historic significance of the structure (refer to attached letter prepared by Stacy Farr, Page & Turnbull, dated November 6, 2014). That being said, areas proposed for demolition appear to be over 50 years old and therefore require review and approval of a Demolition Permit by the DRHPC. A condition of approval has been included in this regard as well as a condition making the Use Permit contingent on upon DRHPC approval of the Demolition Permit.

Design Review: While the building façade would remain unchanged, a number of exterior improvements are proposed under Phase 1, including improvements associated with the new exterior pedestrian walkway and courtyard (i.e., entry portals, signage, lighting, landscaping, etc.) as well as minor modifications to the east and west building elevations. Under Section 19.54.080.B.2 of the Development Code, exterior building modifications, repainting, lighting, and landscaping associated with commercial development are subject to design review by the DRHPC (signs are also subject to DRHPC review). Conditions of approval have been included to address these design review requirements.

Trash Enclosure: The proposed pedestrian walkway would eliminate the current screened dumpster location and garbage/recycling storage and collection is not addressed in the application. Under Section 19.40.100.F of the Development Code, any outdoor storage of garbage cans, dumpsters, recycling bins or other similar containers shall be enclosed by a solid wooden fence, masonry wall, or other similar enclosure. A condition of approval has been included to address this requirement, giving the DRHPC responsibility over the design and location of the enclosure.

Bicycle Parking: Any change of commercial use within an existing structure that requires Use Permit approval must provide bicycle parking on-site (§19.48.110). While bicycle parking is not identified on the plans, a condition of approval has been included to address this requirement, giving the DRHPC responsibility over the location and type of bicycle racks.

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

ENVIRONMENTAL REVIEW (**Not Applicable to this Project**)

The applicant commissioned a Historic Resource Evaluation (HRE) of the property which found that the building appears to be eligible for listing on the California Register of Historic Resources due to its association with the development of the cheese industry in Sonoma (refer to enclosed Historic Resource Evaluation prepared by Page & Turnbull, dated November 6, 2014). Because the building meets the criteria for listing on the California Register, it is considered a historical resource under the California Environmental Quality Act (CEQA). That said, a letter submitted by the Historical Consultant finds that the proposed alterations would not impact the character defining features of the building and therefore

would have no impact or a less than significant impact on the historic significance of the structure (refer to attached letter prepared by Stacy Farr, Page & Turnbull, dated November 6, 2014). Accordingly, the project would be considered Categorical Exempt from the provisions of CEQA under Section 15301 (Class 1 – Existing Facilities).

DISCUSSION OF PROJECT ISSUES

Compatibility: In staff's view, the proposal does not raise significant issues in terms of compatibility with surrounding land uses as the property is located in the Downtown District in a commercial setting.

Lot Merger: At present, the building straddles the two parcels that comprise the project site, APN 018-162-022 and APN 018-162-004. Accordingly, staff has included a condition of approval requiring that the parcels be merged in order to resolve this nonconforming condition.

Assignment of Parking Credit for Future Phases: In essence, the property receives a parking credit of 1 space per 300 square feet of floor area. This amounts to a credit of 38 spaces based on the existing gross floor area (11,397 square feet). The application requests that these spaces remain grandfathered/assigned to the property for future development despite the reduction of floor area that would occur with demolition (1,085 sq. ft. under Phase 1 and ±1,150 sq. ft. under Phase 2). Ultimately, the current gross square floor area would be increased by 2,130 sq. ft. under future development phases. In staff's view, only the area of demolition qualifies for consideration in any assignment of existing parking credit toward future phases, and that concept is subject to the Planning Commission's discretion. With respect to parking matters in general, staff would note that use of the building is being intensified under the current proposal and the applicant is also requesting that the existing amount of seating associated with food service be maintained.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions: 1) approve of the Use Permit subject to the attached conditions of approval; and, 2) provide direction with regard to the request to carry over a parking credit in conjunction with the building area proposed for demolition.

Attachments:

1. *Draft Findings of Project Approval*
2. *Draft Conditions of Approval*
3. *Vicinity Map*
4. *Project Narrative*
5. *Letter of Findings prepared by Stacy Farr, Page & Turnbull, dated November 6, 2014*
6. *Phase 1 Use Permit Drawings*

Enclosure:

1. *Historic Resource Evaluation of 2 West Spain Street prepared by Page & Turnbull, dated November 6, 2014*

cc: Michael Ross (via email)
RDCA Architecture, Inc.
18924 Sonoma Highway
Sonoma, CA 95476

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Sonoma Cheese Factory Use Permit
2 West Spain Street

November 13, 2014

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:

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): and
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
Sonoma Cheese Factory Use Permit
2 West Spain Street

November 13, 2014

1. The Use Permit shall be contingent upon approval of a Demolition Permit by the Design Review & Historic Preservation Commission (DRHPC) allowing for the demolition of the portion of the rear building element identified as Phase 1 Demolition Area on Drawing No. A1.06 (dated 10/21/14).

Enforcement Responsibility: Planning Department
Timing: Prior to issuance a building permit

2. The building and property shall be improved and used in conformance with the project narrative, and approved site plan, demolition plan, floor plan, and exterior elevations specific to Phase 1, except as modified by these conditions and the following:
 - a. The maximum number of retail vendors, including the Sonoma Cheese Factory, shall be limited to nine.
 - b. The number of seats associated with food/beverage service shall be limited to 103 (including indoor and outdoor seats combined).
 - c. The marketplace shall be closed to the public by midnight daily.

Enforcement Responsibility: Planning Department
Timing: Ongoing

3. The two parcels that comprise the project site, APN 018-162-022 and APN 018-162-004 shall be merged.

Enforcement Responsibility: Planning Department; Building Department; City Engineer
Timing: Prior to issuance of a building permit

4. All Building Department requirements shall be met, including applicable Building Code requirements related to compliance with CALGreen standards, seismic retrofitting, occupancy separation, the provision of commercial kitchen hood(s), and ADA requirements (i.e. disabled access including at entrances, handicap parking, accessible paths of travel, bathrooms, etc.). A building permit shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

5. All Fire Department requirements shall be met, including applicable requirements related to emergency access, kitchen hood(s), fire sprinkler systems, and water line/connections for fire service.

Enforcement Responsibility: Fire Department; City Engineer; Building Department
Timing: Prior to issuance of any building permit; Prior to operation

6. An encroachment permit from the City shall be required for all work within the public right of way on West Spain Street.

Enforcement Responsibility: City Engineer; Public Works Department; Building Department
Timing: Prior to any work/construction within the public right of way

7. The applicant shall obtain any necessary permits, licenses, and/or clearances from the Sonoma County Environmental Health Division and the State Department of Alcoholic Beverage Control (ABC) for food/beverage preparation, cooking, and service associated with the use. Food/beverage preparation, cooking, and service shall conform to the limitations of those permits.

Enforcement Responsibility: Department of ABC; Sonoma County Health Division; Planning Department
Timing: Prior to operation; Ongoing

8. The applicant shall comply with the following requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA):
 - a. The applicant shall submit a Wastewater Discharge Survey to PRMD. The Applicant shall obtain a **Survey for Commercial/Industrial Wastewater Discharge Requirements** (“Green form”) from PRMD, and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Sanitation Section of PRMD. The Survey evaluation must be completed by the Sonoma County Water Agency and submitted to the PRMD Engineering Division before a building permit for the project can be approved.
 - b. If additional sewer pre-treatment and/or monitoring facilities (i.e. Grease trap, Sampling Manhole, etc.) are required by the Sonoma Valley County Sanitation District per the Wastewater Discharge Survey, the Applicant shall comply with the terms and requirements of the Survey prior to commencing any food or beverage service. If required, the Sampling Manhole shall be constructed in accordance with Sonoma County Water Agency *Design and Construction Standards for Sanitation Facilities*, and shall be constructed under a separate permit issued by the Engineering Division of PRMD.
 - c. In accordance with Section 5.05, "Alteration of Use", of the Sonoma Valley County Sanitation District Ordinances, the Applicant shall pay increased sewer use fees as applicable for changes in the use of the existing structure. The increased sewer use fees shall be paid the Engineering Division of PRMD prior to the commencement of the use(s).
 - d. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency; City of Sonoma Building Department

Timing: Prior to issuance of a building permit

9. The Applicant shall pay any required increased water fees applicable to the changes in use in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Department; Water Operations Supervisor; City Engineer

Timing: Prior to final occupancy

10. In addition to those already identified, the following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:
 - a. Sonoma Valley Unified School District [For school impact fees]
 - b. Sonoma County Water Agency [For grading, drainage, and erosion control plans]

Enforcement Responsibility: Building Department

Timing: Prior to issuance of a building permit

11. The project shall be subject to design review by the Design Review & Historic Preservation Commission (DRHPC), encompassing exterior building modifications, elevation details, exterior materials and colors, lighting, landscaping, trash enclosure and the location and type of required on-site bicycle parking. This review shall include improvements associated with the new exterior pedestrian walkway and courtyard.

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to the issuance of a building permit

12. A landscape plan shall be prepared by a licensed landscape architect. The plan shall be subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). The plan shall address site landscaping (including planters/containers), hardscape improvements, pedestrian furniture/amenities, and any fencing/walls. The landscape plan shall comply with City of Sonoma’s Water Efficient Landscaping Ordinance (Municipal Code §14.32) and Development Code Sections 19.46 (Fences, Hedges, and Walls) and 19.40.060 (Landscape Standards).

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to the issuance of a building permit

MEMO

To: Planning Commission

From: David Goodison, Planning Director

Re: Overview of bed and breakfast/vacation rental regulations and enforcement issues and consideration of an amendment to the Municipal Code establishing a review and licensing process for limited short-term rentals within owner-occupied single-family residences

Definitions

Under the Development Code, a bed and breakfast inn is defined as follows: “*Bed and breakfast inns (B&Bs)*” mean residential structures with one family or resident-manager in permanent residence with up to five bedrooms rented for overnight lodging, where meals may be provided subject to SMC [19.50.030](#), *Bed and breakfast inns*, and applicable health department regulations. A bed and breakfast inn with more than five guest rooms is considered a hotel or motel, and is included under the definition of “*Hotel or motel.*” A vacation rental is defined as the rental or letting of up to two complete residential units, containing bedrooms, kitchens, and bathrooms, for a period of less than 30 consecutive days. Unlike bed and breakfasts, an on-site manager is not required for vacation rentals. For both types of uses, operators are required to maintain a business license and pay transient occupancy taxes to the City.

Past and Current Regulations

The City has had zoning regulations addressing bed and breakfast inns for more than 20 years and they have changed very little over that time. Bed and Breakfast Inns are allowed in lower density residential zoning districts as a conditionally-permitted use, but only within structures that are either historic or replicas of historic structures. The current rules that apply to bed and breakfast are found in section 19.50.030 of the Development Code, attached. In contrast, for many years, the City did not address vacation rentals in its zoning regulations, but as a matter of practice they were treated as an allowed use in residential zoning districts, subject only to the issuance of a business license. However, in 1999, the City Council became concerned that an increasing number of vacation rentals were becoming established in residential neighborhoods throughout the city and were resulting in conflicts with long-term residences. In response, the City Council adopted Ordinance 1999-14, which established the following:

- Vacation rentals were defined as a land use type.
- Vacation rentals were allowed subject to conditional use permit in the Commercial zone and the Mixed Use zone, but prohibited in the Gateway Commercial zone.
- Vacation rentals were prohibited in residential zones, except as an adaptive reuse of a historic structure, subject to use permit review.

- A list of existing vacation rentals was recognized as “grand-fathered”, in meaning that they could continue to operate as a legal non-conforming use.

In 2003, the City Council adopted the Development Code, the comprehensive zoning regulations and guidelines that are currently used by the City. In general, the limitations on vacation rentals previously established by Ordinance 1999-14 were integrated into the Development Code. However, the Development Code also introduced specific standards for the adaptive reuse of historic structures, including eligibility criteria, allowable uses, and findings that the Planning Commission must make (in addition to those required for a Use Permit) in order to approve an adaptive reuse.

In 2009, the City Council amended the vacation rental regulations once again, this time tightening the adaptive re-use allowance. Two key changes were made. First, in order to be eligible to apply, the property had to be listed or eligible for listing on the State Register of Historic Places. (To qualify for other types of adaptive reuse it is only necessary for a property to have local historic significance.) Second, in order for to be approved as an adaptive re-use, the Planning Commission must find that the use of the property as a vacation rental is necessary to:

Restore and rehabilitate a historic structure and/or property, which is listed or eligible for listing on the State Register of Historic Places, that has fallen into such a level of disrepair that the economic benefits of adaptive reuse are necessary to stem further deterioration, correct deficient conditions, or avoid demolition as implemented in the conditions of project approval.

This is a high bar and since 2009 only one residence in a single-family zoning district has been approved for use as a vacation rental under the current adaptive re-use provisions. Another application for adaptive re-use was recently denied by the Planning Commission, but will be heard by the City Council on appeal.

Current Conditions

At this time, there are 50 recognized, legal vacation rental units within city limits. Of these, 27 were designated as legal-non-conforming units in the 1999 ordinance, while another 23 have been approved since that time. The distribution of units by zoning district is as follows:

R-L = Low Density Residential	10
R-M = Medium Density Residential	21
R-HS = Hillside Residential	1
C = Commercial	12
MX = Mixed Use	6
Total:	50

The attached spreadsheet provides additional information on these units.

Enforcement Issues

For the most part, violations of Development Code regulations are identified through complaints. In following on a complaint, the enforcement process typically proceeds as follows:

- 1) Staff attempts to make an initial contact with the property owner, by letter or phone call, to notify them that a complaint has been received and inform them of the applicable regulations.
- 2) If the property owner agrees to correct the situation, a letter is sent document this fact and identifying the steps that need to be taken to achieve compliance.
- 3) If the property owner fails to respond, a second letter is sent notifying them that the matter will be referred to the City Prosecutor's Office unless an immediate correction is made.
- 4) If compliance is still not achieved, then the matter is referred to the City Prosecutor for an administrative abatement. Planning staff is still involved as it is necessary to establish a record of the violation.

Usually compliance is achieved by step 3. However, this process often takes several weeks or longer to implement as there is typically a certain amount of back-and-forth between staff and the property and because, since the City does not have a dedicated Code Enforcement Officer, it is necessary for planning staff to accommodate enforcement activities among many other tasks. It is also the case that with the advent of on-line booking services such as Airbnb, VRBO, and Craigslist, operating one's home as a vacation rental has become an easy and increasingly popular option, to the point where conducting enforcement on a complaint basis is no longer a good option.

To address the problem of proliferating illegal short-term rentals, the City Council authorized the hiring of a consultant, MuniServices Financial, to review on-line services and identify potentially unauthorized vacation rentals and bed and breakfasts. This survey was quite effective and, in total, it identified as many 32 instances of potentially illegal vacation rentals or bed and breakfasts that staff is now investigating. It should also be noted that the enforcement workload resulting from the MuniServices report represents about 40% of the enforcement caseload that staff would normally handle in one year.

City Council Discussion and Draft Ordinance

At its meeting of August 18, 2014, the City Council received the MuniServices Report and discussed its implications. As part of its discussion of enforcement issues, the City Council agreed that it wished to retain the current definitions and pertaining to bed and breakfasts inns and vacation rentals. However, a majority of the Council expressed interest in establishing a new category of short-term rental that might encompass the following characteristics:

- Limited to owner-occupied, single family residences.
- Limited to a single-room.
- Property owner to remain on-site.
- Possible restrictions on the frequency of rentals.
- License rather than use permit.

This option, if implemented, would be responsive to several persons that staff has made contact with as a result of the MuniServices survey, who have stated that they rent out rooms on an occasional basis in order to offset housing costs and to make ends meet. However, if consideration is given to loosening the rules in this manner, careful consideration would need to

be given as to how such imitations would be monitored and enforced. As noted in the City Council meeting minutes, while some members of the public support loosening the rules to allow for limited room rentals, others are concerned that such an allowance would introduce tourism into neighborhoods in an incompatible manner, leading to the erosion of residential character.

As directed by the City Council, staff has prepared a draft ordinance that would establish an allowance for limited room rentals within single-family homes through a licensing process administered by the Planning Commission.

Recommendation

This item is before the Planning Commission for discussion, feedback, and possible action on the draft ordinance. If the Planning Commission identifies significant questions or issues associated with the draft ordinance, then direction should be given to staff concerning additional information that may be necessary or possible modifications to the ordinance. If the Planning Commission is satisfied that the draft ordinance is basically sound, then it should forward it to the Council, along with any comments or recommendations for revision.

Attachments

1. SMC Section 19.50.030 (Bed and Breakfast Inns)
2. Inventory of existing authorized vacation rentals
3. Minutes of the August 13, 2014 City Council meeting
4. Draft Ordinance

or within a contiguous agricultural area, shall be located to provide convenient truck access with a minimum of interference to normal pedestrian or vehicular traffic.

F. Building Permit Required. A building permit shall be required for all structures larger than 120 square feet.

G. Sale of Agricultural Products.

1. Permanent Structures. Permanent structures shall not be constructed, erected, or permanently maintained primarily for the sale of agricultural products; and
2. Temporary Structures. A temporary structure may be erected with temporary use permit approval, in compliance with SMC 19.54.030, and the standards identified in SMC 19.50.070, Produce stands.

H. Pre-Existing Uses. Any legally established noncommercial and nonconforming agricultural structure(s) that became nonconforming upon adoption of this development code shall be allowed to continue subject to the provisions of SMC 19.82.020, Restrictions on nonconforming uses and structures. (Ord. 2003-02 § 3, 2003).

19.50.030 Bed and breakfast inns.

This section provides requirements for the establishment and operation of bed and breakfast inns.

A. Permit and Operational Requirements. The approval and operation of a bed and breakfast inn shall be subject to the following requirements:

1. Conditional Use Permit Required. The establishment and operation of a bed and breakfast inn shall require the approval of a conditional use permit in compliance with SMC 19.54.040;
2. Business License Required. A business license is required for the establishment and operation of a bed and breakfast inn;
3. Maximum Number of Rooms. Bed and breakfast inns shall be limited to five rental guest rooms plus accommodations for the manager/owner;
4. On-Site Management. An on-site manager shall maintain residence on the subject site;
5. Maximum Length of Stay. Visitor occupancy shall be limited to a maximum of 29 consecutive days;
6. Provision of Meals.
 - a. Limitations. Food service shall be limited to breakfast served to registered overnight guests only;
 - b. Guestroom Cooking Facilities Prohibited. Cooking facilities in individual rental guestrooms are prohibited;
7. Other Uses. Amplified music, lawn parties, outdoor weddings, or similar activities shall not occur on site unless specifically allowed by the required conditional use permit;
8. Fence Requirements. Where the site of a proposed bed and breakfast inn adjoins a residential zoning district, a six-foot high solid decorative fence of masonry and wood or solid masonry shall be erected and permanently maintained along the side and rear property lines;

9. Signs. Signs shall identify the establishment as an inn and not as a hotel, lodge, motel, or similar use. Signs shall be limited to two square feet, shall be subject to the approval of the city's design review and historic preservation commission, and shall comply with the applicable standards of SMC Title 18, Signs and Display Advertising;

10. Waste Collection and Disposal. Waste collection areas shall be clearly designated on the proposed site plan. Areas shall be clearly accessible for pickup and shall be screened from view with solid walls and landscape materials. Waste disposal pickup bins (dumpsters) shall not occupy any required parking space(s) or intrude into required access drives;

11. Lighting Restrictions. Low-intensity safety and security lighting for parking areas and structures shall be required as a security and safety measure, shall not reflect on adjoining properties, and shall be confined to ground lighting wherever possible;

12. County Approvals Required. Applicants for bed and breakfast inns shall receive written approval of the county public health department and sanitation district before the business becomes operational.

B. Neighborhood Concentration. In the review of a use permit application for a bed and breakfast inn, the planning commission shall consider the following guidelines:

1. Bed and breakfast inns on contiguous lots are discouraged.
2. A concentration of bed and breakfast inns that would damage the residential character of a neighborhood is discouraged.

C. Design and Character Compatibility.

1. Unique Residential Structures. Bed and breakfast inns are limited to the adaptive conversion and reuse of, or reproductions of, architecturally or historically unique residential structures, which are compatible with the surrounding neighborhood.

2. Residential Character and Scale. New structures, or additions to existing structures, shall maintain the established residential character and scale, consistent with other on-site structures and the surrounding neighborhood.

3. Accessory Structures Not for Guests. Accessory structures shall not be used for rental guest rooms.

4. Increase in Guest Rooms Prohibited. Additions to existing structures which would increase the number of rental guest rooms shall not be allowed except through conditional use permit review (see SMC 19.54.040). (Ord. 06-2013 § 3, 2013; amended during June 2011 supplement; Ord. 2003-02 § 3, 2003).

19.50.033 Emergency shelters.

This section provides development and operational requirements for emergency shelters, as defined in Division VIII, Chapter 19.92 SMC (Definitions).

A. Site Development Standards. In addition to any other applicable requirements of the development code and any other applicable statutes and regulations, all emergency shelter facilities shall be subject to the following development standards:

1. Client Intake and Waiting Area. Each emergency shelter facility shall provide an indoor client

City of Sonoma - Legal Vacation Rentals (updated 4/9/14)

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
Bungalows 313	018-162-025	313 First Street East	R-M/H	5	Grandfathered	Grandfathered
Casa Chiquita Cottage	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 Town	018-201-003	446 Third Street West	R-L/H	2	Grandfathered	Grandfathered
Huff	018-121-021	289 First Street West	R-M/H	1	Grandfathered	Grandfathered
McGovern	018-510-019	190 Padre Drive	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
Cortopassi	018-191-034	477 West Spain Street	R-L	3	Grandfathered	Grandfathered
Cuneo Cottage	018-231-022	391 East Spain Street	R-L/H	1	Grandfathered	Grandfathered
Susan's Guest Cottage	018-202-006	458 Second Street West	C/H	2	Grandfathered	Grandfathered
Cooperage Inn	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	4/13/00	Use Permit
Cottage Sonoma	018-202-002	424 Second Street West	R-M/H	1	7/10/03	Adaptive Reuse
Bungalow Sonoma	018-202-026	157 West Spain Street	R-M/H	1	7/10/03	Adaptive Reuse
Tulsi Cottage	018-171-030	304 First Street East	R-M/H	1	6/9/05	Adaptive Reuse
Casa Sebastiani	018-141-012	247 Fourth Street East	R-HS/H	1	9/14/06	Adaptive Reuse
Inn Wine Country	018-352-052	758 Broadway	MX/H	1	1/10/08	Use Permit
Auberge Sonoma	018-261-023	151 East Napa Street	R-M/H	2	5/20/08	Adaptive Reuse
Hoover	018-311-009	663 Second Street East	R-L/H	1	4/10/08	Adaptive Reuse
Mary Jean's Place	128-083-021	20073 Broadway	MX/H	1	12/11/08	Use Permit
Sonoma Farmhouse Ranch	018-201-004	454 Third Street West	C/H	1	3/10/11	Use Permit
Tillem-Fegan	018-412-032	854 Broadway	MX/H	1	12/11/11	Use Permit
Jones-Morrison	128-083-009	20079 Broadway	MX/H	1	2/14/12	Use Permit
Matt & Jan Mathews	018-201-007	284-294 West Napa Street, Units #2 and #3	C/H	2	4/11/13	Use Permit
Sonoma Plaza 1889	018-201-039	464 Third Street West	C/H	1	4/11/13	Use Permit
Marino	018-411-020	853 Broadway	MX/H	1	4/11/13	Use Permit
O'Toole	018-221-020	180 East Napa Street	R-M/H	1	5/9/13	Adaptive Reuse
Dambach-Argenziano	018-352-040	780 Broadway	MX/H	1	8/8/13	Use Permit
Redmond	018-212-026	567 First Street East	C/H	1	10/10/13	Use Permit
Marino	018-202-010	158 West Napa Street	C/H	1	3/13/14	Use Permit
Marino	018-202-009	164 & 172 West Napa Street	C/H	2	3/13/14	Use Permit
Total:				50		

Zoning Designations:

- R-L = Low Density Residential
- R-M = Medium Density Residential
- R-HS = Hillside Residential
- C = Commercial
- MX = Mixed Use
- /H = Historic Overlay Zone

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Item 7A: **Renewal of the Sonoma Tourism Improvement District (TID), Continued**

Gallian, seconded by Clm. Cook, to adopt Resolution Number 41-2014 entitled A Resolution of the City Council of the City of Sonoma Declaring Its Intention to Renew the Sonoma Tourism Improvement District (STID) and Fixing the Time and Place of a Public Hearing and a Public Hearing Thereon and Giving Notice Thereof with the date of the public hearing changed to read October 20, 2014. The motion carried unanimously.

Item 7B: **Discussion, Consideration and Possible Action on the Results of the Vacation Rental Review Program including a Discussion of the City's Existing Ordinance Provisions Regulating Vacation Rentals.**

City Manager Giovanatto reported that in October 2013, the Council authorized staff to secure an agreement with MuniServices LLC to conduct an audit of properties within the City limits which were operating as vacation rentals without benefit of registering with the City under the requirements of the Transient Occupancy Tax Ordinance. The process undertaken by MuniServices included researching various data sources to identify vacation rentals including MuniServices' proprietary data warehouse and external internet web sites such as AirBnB and VRBO. As a result of the consultant's work, 46 properties were identified of which 37 required follow-up action by MuniServices and/or the City's Planning Department. Revenue identified through review of financial records submitted by the properties owners included \$36,072 in Transient Occupancy Tax Revenue and \$4,815 of Business License Tax Revenue. MuniServices received 45% of the attained revenue and the City netted \$22,488. Giovanatto stated that staff was seeking direction from the Council on whether to retain the services of MuniServices to continue the review process on a limited bi-annual basis.

Planning Director Goodison reported on the land use and zoning implications of the issue and explained that the Planning Department had begun reaching out to the effected property owners that had been identified in the audit.

Mayor Barnett invited comments from the public. Larry Barnett stated that, while on the City Council in 1999, he championed the City's vacation rental regulations and the Preserving Sonoma Committee research had disclosed how big the unregulated vacation rental problem was. He was happy to see the City follow up and suggested consideration of adding a provision for rooming houses.

Joanne Sanders stated that she was experiencing seeing lots of people in her neighborhood on East Napa Street that she did not recognize. One neighbor added a pool house and she had noticed an increase in the number of cars and people which she felt was an indication that the pool house was being rented out. She stated it was important for people to know who they were living next to, who their neighbors were.

Patricia Cullinan stated she found it interesting that the City believed the numbers that had been provided by the illegal establishments and she questioned if they were following all the health regulations.

Cathy Grant suggested that there be some type of vacation rental disclosure provided to people when purchasing real estate.

Bill Blum stated that the TID worked in partnership with MuniServices in preparing the audit. He suggested that vacation rentals should only be allowed in commercial areas, not in established neighborhoods.

Rachel Hundley stated her support for enforcing the rules and that it made sense to outsource the task of the audit.

Liza Graves, Beautiful Places, stated she specialized in vacation rentals and urged the Council to enforce its regulations because lack of enforcement created an unfair business environment.

David Eichar stated that he owned a vacation rental located in Boyes Hot Springs and he did not feel vacation rentals competed with hotels because they were utilized by families desiring places with kitchens. He felt the City did not need an outside resource to conduct the audit.

Pat Collins stated that she rented out a bedroom in her home and had submitted about \$3,000 to the City. She said there should be a separate category for that type of rental.

Jeannie Allen reported her history of operating a vacation rental and stated that they would like to be able to rent out a bedroom because they like having people in their home. She said there would be no bigger impact to her neighborhood than if they were having friends over for a visit.

Joan Geary stated there were many reasons for not allowing vacation rentals and she commended the City for its regulations.

Morgan Sanders stated that the fabric of the community was being frayed by the transiency problem created by vacation rentals. He urged the City to enforce its ordinance and put some fines in place for those who violate the rules.

Anna Frizell stated that affordable housing needed to be a part of the consideration.

Mayor Rouse commented that he too had experienced packs of strangers in his neighborhood and stated his support for enforcing the regulations and keeping neighborhoods free of short-term renters. He supported keeping MuniServices on board and would like to look into an enforcement officer. Clm. Barbose stated he would like to see consideration of an additional category that would permit the renting of a room and he agreed with the idea of an enforcement officer. Councilmembers Gallian, Brown and Cook also agreed. Mayor Rouse concluded by stating that the Council agreed to continue the contract with MuniServices, consider a code enforcement officer, and consider adding a rooming house category to the regulations.

RECESS: The meeting recessed from 8:22 to 8:30

Item 7C: Approval of a Resolution declaring a Stage 2 Water Shortage, responding to the State's Drought Emergency Water Conservation Regulations.

Public Works Director Takasugi reported that on July 15, 2014, the State Water Resources Control Board adopted Article 22.5 entitled "Drought Emergency Water Conservation Regulations" which made drought-related findings and imposed state-wide mandatory requirements on urban water suppliers. He said the City of Sonoma was an Urban Water Supplier with nearly 4,500 water service connections. Takasugi stated that although it had been a drought year, the City was not desperate due Lake Sonoma's water level. He described the

CITY OF SONOMA

ORDINANCE NO. XX - 2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA
AMENDING TITLE 5 AND TITLE 19 OF THE SONOMA MUNICIPAL CODE BY
ESTABLISHING A LICENSING PROCESS FOR BOARDING ROOMS

The City Council of the City of Sonoma does ordain as follows:

Section 1. Boarding Room Licensing (Title 5).

Chapter 5.36, "Boarding Room" licensing is hereby established added to the Sonoma Municipal Code to read as set forth in Exhibit "A".

Section 2. Amendments to "Zones and Allowable Uses" (Title 19, Division II) of the Sonoma Municipal Code.

A. Table 2-1 is amended to add "Boarding Room" as follows:

<i>Allowed Uses and Permit Requirements for Residential Districts (1)</i>			<i>Permit Required by District (2)</i>				<i>P</i>	<i>Use permitted</i>		
							<i>UP</i>	<i>Use Permit required</i>		
							<i>L</i>	<i>License required</i>		
							<i>—</i>	<i>Use not allowed</i>		
<i>Land Use (1)</i>	<i>R- HS</i>	<i>R-R</i>	<i>R-L</i>	<i>R-S</i>	<i>R-M</i>	<i>R-H</i>	<i>R-O</i>	<i>R-P</i>	<i>Specific Use Regulations</i>	
<i>Retail Trade and Services</i>										
<i>Art, Antiques, Collectible and Gift Sales</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>UP</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>		
<i>Artisan Shops</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>UP</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>		
<i>Bed and Breakfast Inns</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>19.50.030</i>	
<i>Boarding Rooms</i>	<i><u>L</u></i>	<i><u>L</u></i>	<i><u>L</u></i>	<i><u>L</u></i>	<i><u>L</u></i>	<i><u>—</u></i>	<i><u>—</u></i>	<i><u>—</u></i>	<i><u>SMC 5.36</u></i>	
<i>Child Day Care Center</i>	<i>—</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	<i>—</i>	<i>—</i>		
<i>Notes:</i>										
<i>1. See SMC 19.10.050(C) regarding uses not listed. See Division VIII for definitions of the listed land uses.</i>										
<i>2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).</i>										
<i>3. Supportive and Transitional Housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zone. For example, such housing structured as single-family is permitted in the RL and RS residential zones, whereas Supportive and Transitional housing structured as multi-family is limited to the RM and RH residential zones and the Mixed Use Zone.</i>										

Section 3. Exemption from Environmental Review.

The amendments to the Municipal Code effected by this ordinance are exempt from environmental review pursuant to Section (b)(3) of title 14 of the California Code of Regulations, as it can be determined with certainty that there is no possibility that establishing more restrictive regulations on Boarding Rooms and special events may have a significant effect on the environment.

Section 4. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this XX day of XX 2014.

Chapter 5.36 Boarding Room Licensing

5.36.010 Purpose.

Boarding Room Licenses are intended to provide uniform and comprehensive regulations to ensure that the short-term rental of a room within a residence is conducted in a manner that is compatible with adjacent land uses and protects the character and quality of residential neighborhoods. The procedures of this Chapter provide for the review of the location and potential impacts of the Boarding Room to be licensed, to evaluate the compatibility of a prospective Boarding Room with surrounding uses, and to establish requirements and limitations to protect the character of residential neighborhoods.

5.36.020 Boarding Room Defined.

Boarding Room. For the purpose of this chapter, a "Boarding Room" shall be defined as follows: A bedroom within an owner-occupied detached single-family residence that is made available for rental of for periods of less than thirty days.

5.36.030 General Requirements.

All Boarding Rooms shall be subject to the following requirements and limitations:

- A. A Boarding Room shall only be operated within an owner-occupied single-family residence.
- B. No more than one Boarding Room per residence shall be allowed.
- C. A resident must be on-site when a Boarding Room is rented.
- D. A Boarding Room shall be occupied by no more than two persons.
- E. A Boarding Room shall not be rented more than two times per month.
- F. A Boarding Room shall not be allowed within a residence that is subject to an affordable housing covenant.
- G. A Boarding Room shall not be allowed within an accessory structure.
- H. Transient Occupancy Tax shall be paid in accordance with Section 3.16 of the Sonoma Municipal Code.
- I. A Business License shall be required.

5.36.040 License Requirement.

No person shall operate a Boarding Room within the city limits without a valid Boarding Room License.

5.36.050 Applicability.

A Boarding Room License may only be granted within those zoning districts identified in Title 19, Division II (Zones and Allowable Uses) as allowing Boarding Rooms, subject to the approval of a License in compliance with the provisions of this Chapter.

5.36.60 Application Requirements.

An application for a Boarding Room License shall be filed and processed in compliance with

SMC 19.52 Applications: Filing and Processing. In addition to the requirements specified in SMC 19.52, the submittal of a project narrative shall be required that fully describes controls for ensuring compliance with this Chapter and compatibility of the proposed activity with surrounding uses.

5.36.070 Application Review, Notice and Hearing.

Each Boarding Room License application shall be analyzed by the City Planner to ensure that the application is consistent with the purpose and intent of this Chapter and shall be circulated for comment to other City Departments as necessary. The Planning Commission shall conduct a public hearing on an application for a Boarding Room License. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 19.88 (Public Hearings).

5.36.080 Findings, decision.

Following a public hearing, the Planning Commission may approve or disapprove an application for a Boarding Room License. The Planning Commission shall record the decision and the findings upon which the decision is based. The Planning Commission may approve a Boarding License only if the Planning Commission first finds that:

- A. The proposed Boarding Room License is consistent with the General Plan and the Development Code (SMC Chapter 19);
- B. The location and property characteristics of the proposed site are compatible with the existing and future land uses in the vicinity;
- C. There is not an excessive concentration of Boarding Rooms, Vacation Rentals, and/or Bed and Breakfast Inns within the vicinity of the site; and
- D. When implemented, the conditions of approval sufficiently assure ongoing compliance with the requirements and limitations of this Chapter.

5.36.090 Conditions of approval.

In approving a Boarding Room License, the Planning Commission may adopt any conditions of approval deemed necessary to achieve consistency with the General Plan and any applicable Specific Plan, compliance with the provisions and purposes of this Chapter, and any applicable provisions of the Sonoma Municipal Code, and the protection of the public health, safety, and/or welfare.

5.36.100 Expiration.

A Boarding Room License shall be exercised (namely, the activity or one of the activities for which the license was granted actually takes place) within six months from the final date of approval or the License shall become void, unless an extension is approved in compliance with SMC Chapter 19.56--Permit Implementation, Time Limits, Extensions.

5.36.120 Review and Termination.

A Boarding Room License may be reviewed and terminated by the Planning Commission in a public hearing at any time, subject to the notice requirements set forth in Chapter 19.88 (Public Hearings). A Boarding Room License may be terminated by the Planning Commission based on any of the following findings, supported by substantial evidence in the record:

- A. The licensee has failed to comply with the conditions of approval attached to the Boarding

- Room License; or
- B. The licensee has failed to comply with any of the requirements and limitations set forth in section 5.36.030; or
 - C. The findings set forth in Section 5.36.080 can no longer be made with respect to the Boarding Room or the manner in which the Boarding Room has been or is being operated, based on specific evidence in the record that demonstrates that the Boarding Room is having significant adverse effects on the health, safety, or welfare of residences in its vicinity; or

5.36.130 Term and Renewal.

A Boarding Room License is valid for one year, after which it expires if not renewed prior to the completion of the one-year term. The annual renewal of a Boarding Room license shall be processed administratively and shall not be subject to a public hearing requirement, provided that staff finds that the applicant is in compliance with the conditions of approval associated with the license and all other requirements of this Chapter. Otherwise, the renewal of the license shall be referred to the Planning Commission for review, subject to the notice requirements set forth in Chapter 19.88 (Public Hearings). Notwithstanding the foregoing, said License shall not expire unless the City has given written notice to the licensee of the date of expiration and the licensee fails to renew the License within thirty (30) days of receipt of said notice.

5.36.140 Licenses not Transferrable.

A Boarding Room License is personal to the person or entity to whom or to which it is granted. Only the licensee is permitted to engage in the activities described in the license and those activities may only occur on or at the premises described in the License. A Boarding Room License may not be transferred and is not transferrable.

5.36.150 Fees.

Fees for an application for a Boarding Room License shall be as established by the City Council, and amended from time-to-time, through the adoption of a Resolution.

MEMO

To: Planning Commission

From: David Goodison, Planning Director

Re: Study session on alternative mixed-use development proposals for 870 and 899 Broadway

Background

At its meeting of October 10, 2014, the Planning Commission held a study session on a mixed use proposal addressing the properties located at 870 Broadway and 899 Broadway. The development concept envisioned a 36-room hotel, a food-oriented commercial component (“the culinary promenade”) and 15 apartment units, on-site parking areas at 870 Broadway, with an off-site parking lot at 899 Broadway operated with a valet service. The service station on the 899 Broadway site was proposed to be retained. In the course of the discussion, many on the Planning Commission expressed support for the overall mix of uses and for the architectural approach. However, significant concerns were raised regarding the use of the 899 Broadway site as a parking lot, the adequacy of parking provided, and the practicality of the valet service. Other concerns related to massing and height. The Planning Commission suggested that the feasibility of underground be explored. Several Commissioners suggested that they would be open to increasing the size of the retail component, as there was some concern that it might be too small to succeed as marketplace of individual retailers. However, at least one Commissioner was concerned about the prospect of it being used for special events. The draft minutes of the October 10th meeting (attached) summarize the comments of the both the Planning Commission and the public.

In response to the comments received at the study session, the applicants and their architectural team have developed an alternative proposal. On the 870 Broadway site, the proposal calls for 20 townhomes and an expanded culinary promenade, with seven live-work units above. The hotel component is eliminated. The 899 Broadway site would be redeveloped with 10 townhomes and a small retail space. A conceptual site plan and floor plans are attached, along with a zoning table and a narrative that discusses how the project concept was altered in response to feedback from the Planning Commission and the public.

Property Description and Environs

The proposed project, known as Sonoma Gateway Commons, involves two sites, one at the northeast corner of Broadway and MacArthur Street, and one at the northwest corner:

- *870 Broadway:* This square-shaped site is comprised of two parcels and has an area of 1.91 acres, with frontage on Broadway and East MacArthur Street. The site had been used for auto sales, rentals, and repairs since 1925, but that use closed approximately three years ago.

Development on the property currently consists of a 6,000 square-foot auto showroom, a 3,000 square-foot building with the appearance of barn that had been used for storage and as an automotive paint shop, and a 1,000 square-foot wood-framed garage building. Large areas of the site have been paved for use as vehicle display areas and storage. Adjoining uses include a mixed-use development to the north (offices and apartments), a single-family residence and an open space preserve to the east, a hotel development to the south, and apartments and commercial development to the west (across Broadway).

- *899 Broadway*: This long, rectangular parcel has an area of 0.56 acres and fronts on Broadway, West MacArthur Street, and First Street West. It is developed with a small service station oriented towards Broadway that was constructed in 1962. The area of the site behind the service is fenced and is used primarily for storage. There is also a wooden outbuilding on the property, located near the First Street West frontage, on the north side of the site. Adjoining uses include an apartment building to the north, the Sonoma Truck and Auto site to the east (across Broadway), single-family residences to the west (across First Street West), and a music school to the south (across West MacArthur Street).

Both sites have a General Plan land use designation of Mixed Use and a corresponding Mixed Use zoning designation. In addition, both sites are located within the Historic Overlay zone. The northeast corner of 870 Broadway lies within a creek setback area associated with Nathanson Creek.

Alternative Development Concept

The proposal envisions the redevelopment of 870 Broadway site with 20 townhomes and an expanded culinary promenade, with seven live-work units above. The 899 Broadway site would be redeveloped with 10 townhomes and a 1,500 square-foot retail space. Unlike the earlier alternative, the two sites would be developed independently and the hotel component has been eliminated. The elements of the project would be arranged as follows:

- *870 Broadway*. The culinary promenade would be aligned with Broadway, its size increased to 8,750 square feet from the 5,600 feet proposed in the initial alternative. As before, the first floor would be retail, configured as a marketplace occupied by a number of specialty food tenants; however, instead of a two-story structure with a high ceiling and a limited mezzanine devoted to storage, it would be a partial three-story building accommodating seven live-work rental units above the retail floor. Each live-work unit would have an area 1,200 square feet, with open space taking the form of second-floor decks. A surface parking lot with 44 spaces would wrap around the building in a L-shaped configuration, minimizing visual exposure from Broadway. Two tiers of townhomes would be located east of the parking lot, aligned north/south. Twenty townhomes are proposed, configured as separated duets. Vehicle access would take the form of a private drive, with an entrance off of East MacArthur Street and a hammerhead turn-round on the north end of the site. Each unit would have a living area of 1,750 square feet and would feature a private yard. Two dedicated parking spaces per unit are proposed, one a covered garage and the other a carport space. Lastly, the northeast section of the property, which includes the creek setback/floodway area, would be configured as open space, along with a swimming pool and a clubhouse. Note: These structures would be outside of the creek setback.

- *899 Broadway.* The alternative development calls for a linear building fronting West MacArthur Street, consisting of a one-story, 1,500 square foot retail space, at the corner of Broadway and MacArthur, and ten 3-story townhomes having an area 1,800 square feet each, along with two tandem garage spaces. The northern half of the property would be developed with a private drive and parking area with access to both Broadway and First Street West. Six 90-degree parking spaces would be provide for the retail space, along with seven parallel spaces as guest-parking for the residences.

In order to accommodate the proposed development, all of the structures on both sites would be demolished.

General Plan Policies

As noted above, both sites have a land use designation of “Mixed Use,” a designation that 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. The designation allows a density up to 20 residential units per acre and a residential component equal to 50% of the area of new construction is normally required in new development, unless a reduction or an exemption is granted by the Planning Commission through the use permit review process. Retail uses and multi-family development are identified as a conditionally-allowed uses. Although the use types proposed in the development application are consistent with the Mixed Use land use designation, there are General Plan policy issues that will need to be considered in the review of this development, especially those related to design compatibility and traffic issues.

Design Guidelines for the Broadway Corridor

In addition to quantified zoning requirements regarding setbacks, coverage, Floor Area Ratio limitations, and so forth, the Development Code sets forth design guidelines tailored to each Planning Area. Within the Broadway Corridor, key guidelines applicable to the proposed development are as follows:

- New commercial and mixed-use buildings and alterations to existing structures should contribute to the established Broadway streetscape.
- Buildings should reinforce the scale, massing, proportions and detailing established by other significant historic buildings in the vicinity.
- The massing of larger commercial and mixed-use buildings (5,000 square feet or greater) should be broken down to an appropriate scale through the use of storefronts and breaks in the facade.
- Architectural styles and details that reflect the Sonoma vernacular should be used. Along Broadway, Victorian and other residential architectural styles are more typical than purely commercial building types. The use of durable, high quality materials is encouraged.
- Site design and architectural features that contribute to pedestrian comfort and interest, such as awnings, recessed entrances, and alleys, are encouraged.
- Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged.

The alternative site plan is conceptual, but it provides a basis for evaluating consistency relative to many of the guidelines, as discussed below. Elevations have not yet been developed for this alternative, but the applicants state that they would employ the overall architectural approach developed for the previous alternative.

Issues

The following issues have been highlighted by staff in order to generate discussion and feedback as part of the study session on the project. However, it is not intended as a complete list of the issues that that will need to be evaluated in the course of the planning process, nor should it preclude discussion of other topics of interest to the Planning Commission or interested members of the public.

Balance of Uses. A residential component is normally required for new development in the Mixed Use zone. Per the Development Code, the expectation is that the residential component will equal at least 50% of the building area within the development, although the Planning Commission may reduce or even waive this standard through the development review process. In the revised alternative, the residential component greatly exceeds 50% of the total building area.

Floor Area and Coverage. The maximum FAR in the MX zone is 1.0. The project would result in a FAR of 0.68 on the 870 Broadway site and 0.99 on the 899 Broadway site. The maximum coverage in the MX zone is 60% of the total lot area. The project would result in site coverage of 27% on the 870 Broadway site and 38% on the 899 Broadway site. The limits are met on both sites, but the FAR at 899 Broadway approaches the maximum FAR allowance.

Setbacks: The setback standards of the Development Code appear to be met in the revised alternative.

Height. All of the primary buildings are proposed with three stories and with ridge heights at a maximum of 36 feet. The maximum building height in the MX zone is 30 feet, except that within the Commercial, Gateway Commercial, and Mixed Use zoning districts, a maximum height of 36 feet may be allowed in order to accommodate third-floor multifamily residential development. However, this allowance is at the discretion of the Planning Commission.

Design and Visual Compatibility. As listed above, the Development Code sets forth a number of design directions for new development in the Broadway Planning Area against which this project will need to be evaluated. To begin with overall site planning, on the 870 Broadway site, the culinary building is oriented along Broadway, which is appropriate, and the parking serving this building is accessed from Broadway on the north and then wraps around behind the building, which is also consistent with the design guidelines. The two tiers of townhomes are layered behind the commercial area, screening them from Broadway, and the dedicated residential parking is separated from the commercial parking and screened from view. The creek setback/floodway area is preserved and used as a landscaped amenity for the residences. All elements of the site are well-connected with pedestrian paths. On the 899 Broadway site, the mixed-use building would front on and align with West MacArthur Street with its retail component fronting Broadway. The parking and drive serving the development would be placed behind the building and the retail and guest parking areas are clearly distinct.

Without elevations, issues of massing and scale cannot be fully evaluated at this time but some general observations may be made. First, all of the buildings feature articulation as well as variations in height. On the 870 Broadway site, the culinary promenade is divided into two units by a pedestrian way that provides access through the building and into the site. At the second-floor level, the live-work units are set back from Broadway and a large deck is proposed at the south end of the building. The massing of the townhomes (all of which are proposed as three-story buildings) is broken down by their arrangement in two tiers and further by their separation into two-unit duets. At the 899 Broadway site, the retail element would be limited to one-story, while the townhomes would be three-story. At the third floor, decks would be used to step back the building edges on the north and south.

That said, all of the primary buildings are proposed with three stories and ridge heights of 36 feet. As part of the review process, it will be necessary to demonstrate their scale is appropriate to their setting and changes in the project design may be needed to achieve this. As an example, it may be desirable to create a separation in the mixed-use building at 899 Broadway by eliminating two of the middle units. This would have the added benefit of providing a common open space area for the residents, which is lacking in the current plan. As another example, if the three-story configuration of the culinary promenade is found to be anomalous with respect to the visual character of Broadway, it may be necessary to remove the live-work component or incorporate it within the townhome area. Staff is not advocating these changes at this time. This discussion is only intended to highlight the fact that there are a number of options available for addressing issues of massing and visual compatibility.

With respect to architecture, the Development Code neither mandates nor prohibits specific architectural styles, in part because a wide variety of styles exist in Sonoma. However, the Development Code does suggest that new development make use of the “Sonoma vernacular”, meaning that there should be local and preferably historic references to be found in the architectural approach. As noted, elevations have not yet been developed for this alternative, but according to the project narrative, the approach would be based on that of the previous submittal, making use of traditional forms and finishes, but in a distinctly modern way. As the project proceeds through the review process, elevations will be prepared. Because of their high-profile location on the Broadway corridor, project design and architecture on both sites will be a significant topic in the review process and visual simulations will likely be required.

Cultural Resources. The 870 Broadway site has an interesting history dating back to 1864 when it was developed as college that later served as Sonoma’s first public high school. However, through the conversion of the site to auto sales in the 1920’s, the structures associated with the school use were either torn down or substantially modified. A cultural resources analysis commissioned by the former property owner concluded that the buildings on the site are not historically significant. However, this evaluation will need to be independently assessed as part of the environmental review of the proposed project. In addition, it will be necessary to verify that the service station at 899 Broadway (built in 1962) is not historically significant, since it is now proposed to be removed.

Circulation and Parking. The project is located on Highway 12 adjoining a busy, signalized intersection. Given these circumstances and the scale and nature of the proposed development, traffic issues will need to be carefully evaluated, to include consultation with Caltrans. That said,

by eliminating the hotel and emphasizing residential development, traffic generation is reduced in comparison to the previous alternative and the issues associated with the valet parking plan no longer apply. With regard to parking, at a general level, the alternative proposal appears to meet or exceed the parking standards set forth in the Development Code. However, compliance with parking requirements will need to be explored in greater depth and there are some issues that are already apparent. As an example, the tandem parking spaces proposed for the townhomes on the 899 Broadway site will need to be accepted by the Planning Commission. As another example, the proposal calls for using the parking associated with the culinary promenade as shared guest parking for the townhomes. The Development Code allows for shared parking in mixed-use settings where there are different peak parking demands, but this is at the discretion of the Planning Commission.

Operational Issues: Garbage/recycling storage and pick-up need needs to be addressed, as does the management of commercial deliveries.

Stormwater. Addressing storm water retention and filtration requirements can be a challenging issue. An engineering proposal will need to be developed and analyzed as part of the planning review process, to include a preliminary grading and drainage plan.

Utilities. The adequacy of water and sewer availability will need to be confirmed as part of the environmental review process. A water demand analysis, prepared by a qualified engineer, will need to be provided.

Non-conforming Use at 899 Broadway. The service station at the 899 Broadway site is considered to be a legal non-conforming use. In the previous proposal it was proposed to be retained, which created difficult issues with respect to Development Code consistency. In the revised proposal, the service station would be eliminated.

Recommendation

The applicants are before the Planning Commission in a study session in order to obtain feedback from the Commission and comments from the public at the earliest stage of the review process. Staff recommends that the Planning Commission provide direction to the applicant on the issues identified in the staff report and any other issues identified through Commission discussion or public comment.

Attachments

1. Location Map
2. Alternative Development Concept
3. Site Plan for Previous Alternative

Vicinity Map



Project Summary

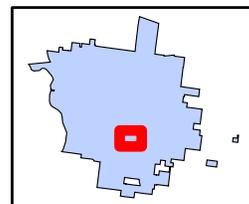
<i>Project Name:</i>	Sonoma Gateway Commons
<i>Property Address:</i>	870 and 899 Broadway
<i>Applicant:</i>	Bull Stockwell Allen Architects
<i>Property Owner:</i>	Robert Bohna Trust
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Study session on a revised proposal to develop a mixed-use project (Sonoma Gateway Commons).

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



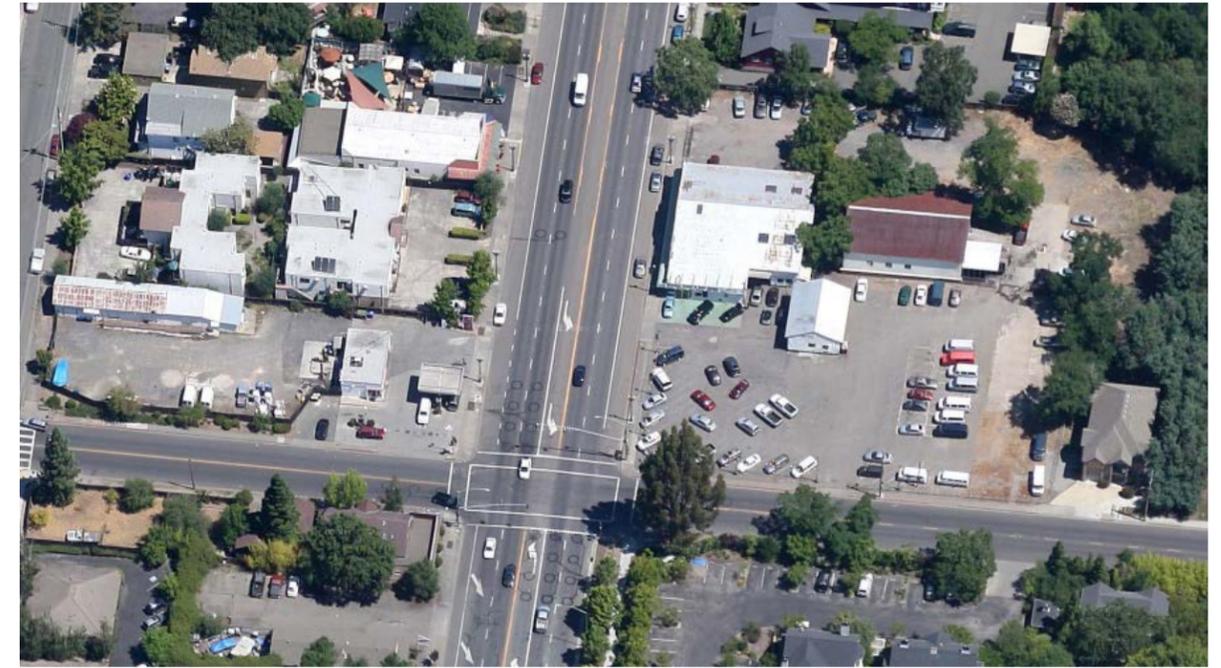
Following the City of Sonoma's Planning Commission study session of October 9, our development team heard a variety of comments and concerns from both the commissioners and the public. We've taken the opportunity to evaluate the current scheme in light of these issues and are happy to present this 'Alternative Scheme' to the planning Commission for their comment and consideration. We expect that this scheme will be seen as a successful strategy for creating better 'East/West' connection, address concerns about parking, and re-focus the uses more towards the community's needs.

Whereas the previous proposals used both the 899 and 870 Broadway parcels interdependently, the Alternative Scheme considers the optimum land use for each site individually. At the West site (899 Broadway), the non-conforming Gas Station use has been eliminated, as well as the open parking lot proposed. The site shows a small single-story retail building on the corner, in keeping with the mixed-use pattern on Broadway. The remainder of the site will be used for 10 single family townhomes. The townhomes will have tandem garages and associated guest parking. Their outdoor amenity space would front West MacArthur Street. The uses, heights, and density would be within the limits set by the Mixed Use corridor plan.

The East Parcel (870 Broadway) would be limited to uses of the Culinary Promenade and housing only. The Culinary Promenade is significantly larger in this scheme than previously, responding to many of the comments from the last study session. The Culinary Promenade occupies the full frontage along Broadway, and is parked from the rear using 100% surface parking. The building would be complimented by Live/Work units above, intended for some of the retailers/artisans supporting the food hall below. The total height of the Culinary Promenade would be limited to 36'.

The rear half of the site will be used for a new neighborhood of duplex type townhomes, entered from East MacArthur Street. The homes would each have one garaged and one covered parking space in a mews-style arrangement. The homes would share a group amenity clubhouse and swimming pool facing the creek and adjoining open space. All structures would stay clear of the recently mapped floodway from the creek. The total parking on this parcel would exceed the requirements on both the residential and retail sides, without building additional parking structures or using alternative shared parking measures.

The Hotel use became incompatible with this alternative scheme due to parking limitations imposed by the increased retail and residential components. The scheme shown is in full compliance with the requirements for FAR, height, uses, parking, and site coverage.



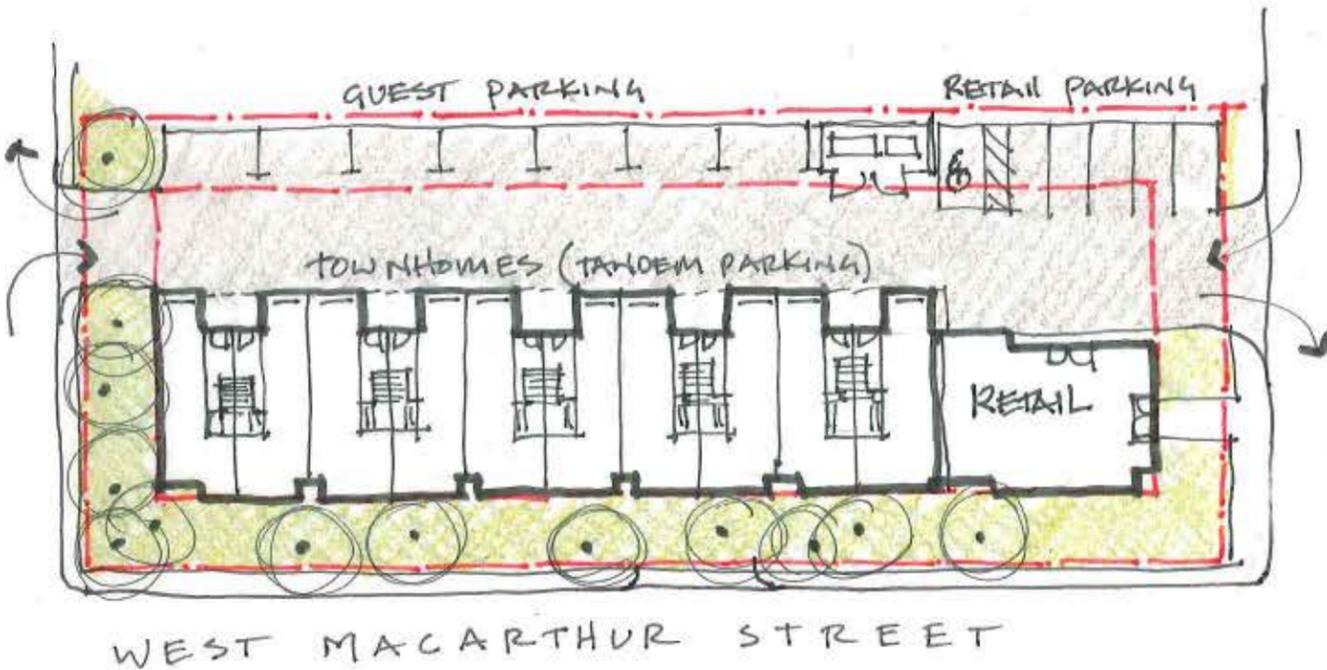
Proposed Site Development:

East Parcel (870 Broadway):

- 8750 s.F Culinary Promenade at ground level
- (7) 1200 s.F live/work units above
- Shared parking for 44 cars
- (20) 1750 s.F townhomes on three levels over parking with 220 s.F garage (two spaces to each unit)
- 750 s.F clubhouse and resident amenities

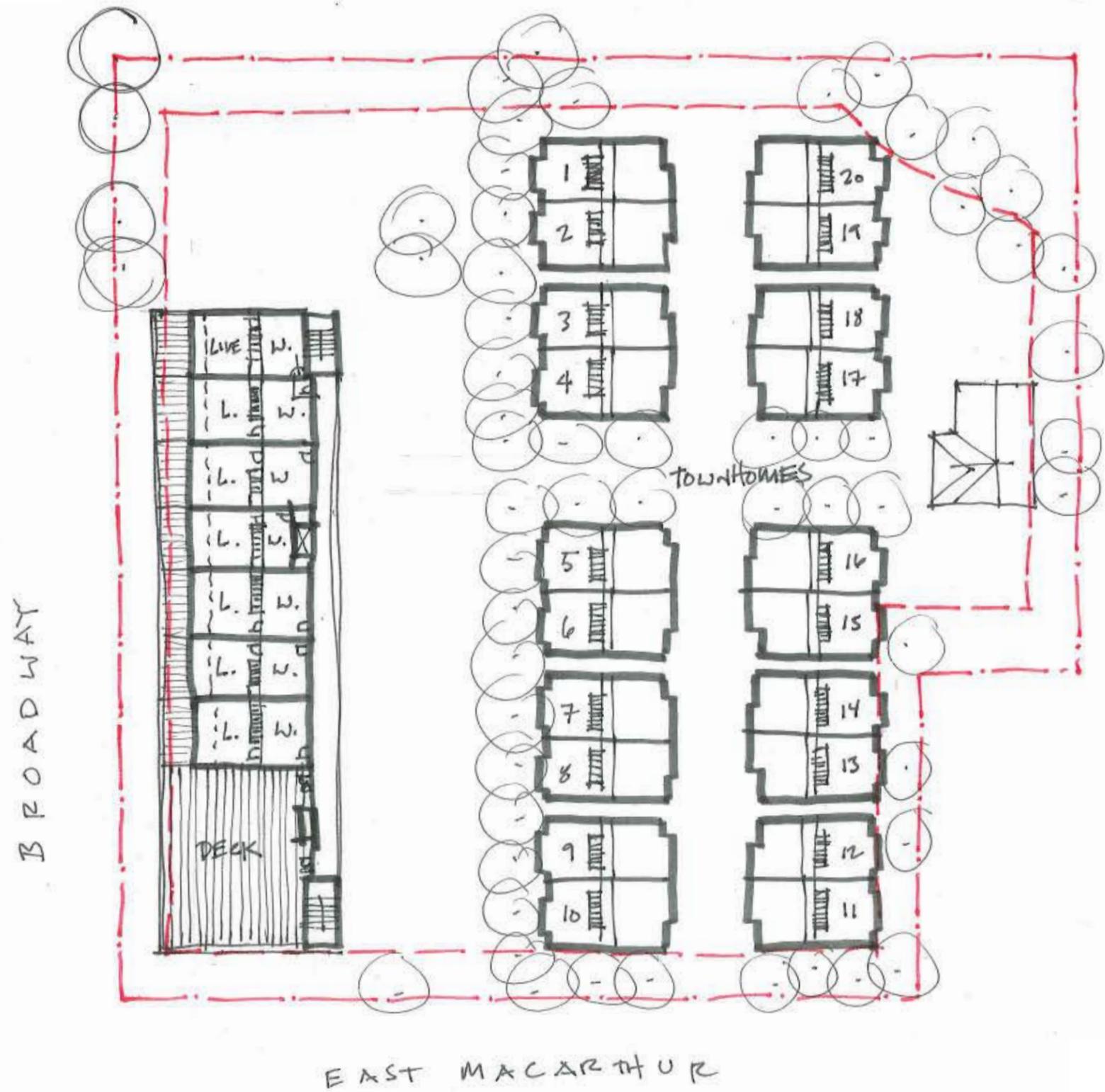
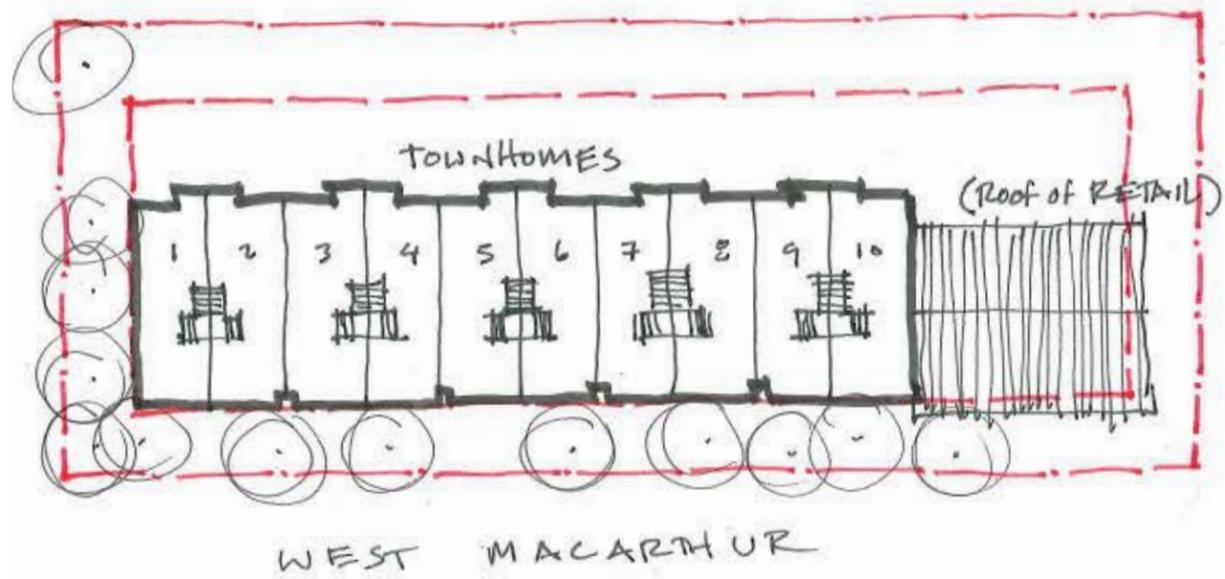
West Parcel (899 Broadway):

- 1500 s.F Retail/Corner Store with 6 parking spaces
- (10) 1800 s.F Townhomes with 500 s.F tandem parking garage below. 7 guest parking spaces on site.



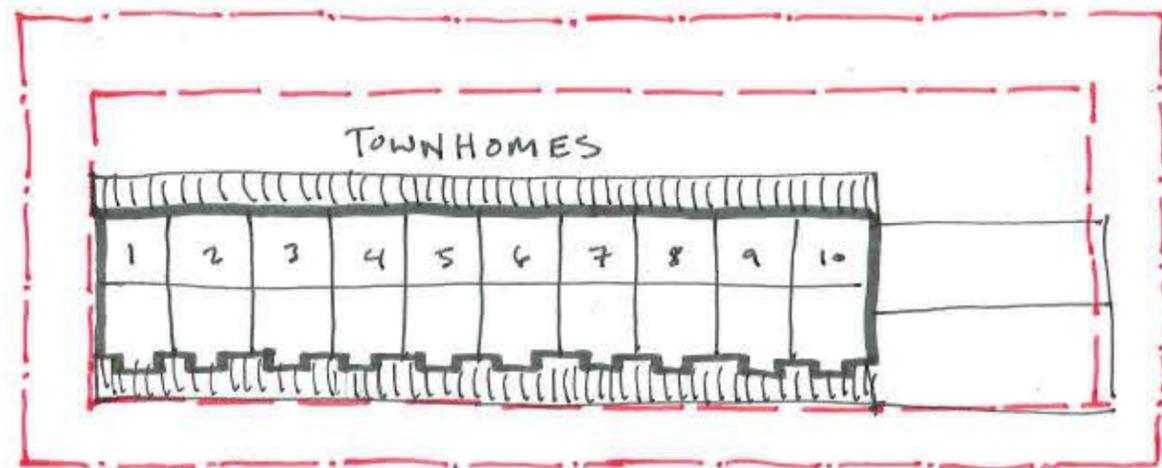
Alternative Scheme- First Floor/Site Plan





Alternative Scheme Second Floor Plan





WEST MACARTHUR



EAST MACARTHUR

Alternative Third Floor Plan



870 Broadway (East Parcel)

	<i>Floor Area (sf)</i>	<i>Bedrooms/units</i>	<i>Parking guideline:</i>	<i>Parking requirement</i>	<i>Parking Provided</i>
Culinary Promenade	8,750	n/a	1 per 300 s.f retail	30	34
Live /Work Above	9,900	7 Units, 1200 ea. Plus 1500 demising	1 per unit plus 1 per 4	9	10
Townhomes	39,400	20 units (1750 plus 220 garage)	1.5 per unit plus 25% visitor	35	40
Clubhouse	750		(residents only)	0	0
Totals	58,800			74	84

	<i>Site Area (sf)</i>	<i>Proposed Floor Area</i>	<i>Allowable/Proposed FAR</i>	<i>Allowable/Proposed coverage</i>
East Parcel Land Use	86,320	58,800	1.0/0.68	0.60/0.27

899 Broadway (West Parcel)

	<i>Floor Area (sf)</i>	<i>Bedrooms/units</i>	<i>Parking guideline:</i>	<i>Parking requirement</i>	<i>Parking Provided</i>
Townhomes	22,500	10 Units, 1850 ea plus 400 garage	1.5 per unit plus 25% visitor	18	27
Retail	1,500		1 per 300 s.f retail	5	6
Totals	24,000			23	33

	<i>Site Area (sf)</i>	<i>Proposed Floor Area</i>	<i>Allowable/Proposed FAR</i>	<i>Allowable/Proposed coverage</i>
West Parcel Land Use	24,255	24,000	1.0/0.99	0.60/0.38

Note: All square footage areas are approximate 'gross' (measured to outside walls), but don't include balconies, outdoor area, stairs, or elevator.

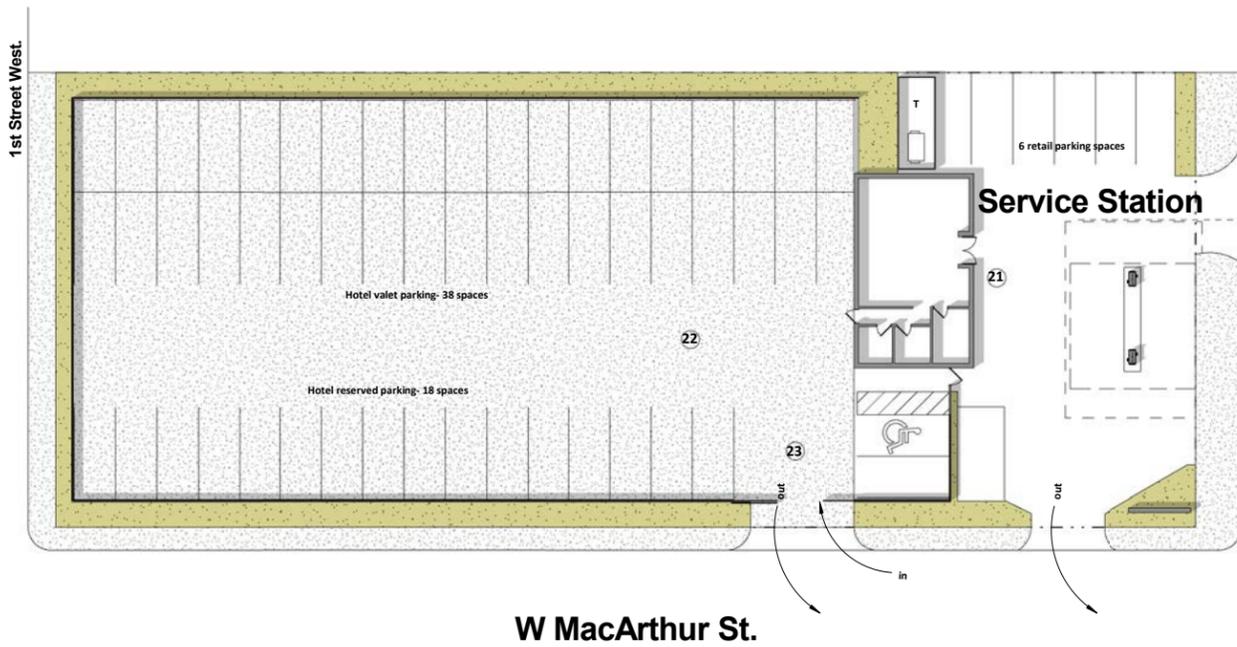
Setbacks (East Site)	<i>Front</i>	<i>Side</i>	<i>Rear</i>	<i>Adjacent to Creek</i>	<i>Building Height</i>
Required	15'	15' (1st)/21' (2nd)	15'	30'	30'/36'
Proposed	15'	15' (1st)/21' (2nd)	21'	30'	30'/36'

Alternative- Zoning Table



Key notes

- 1 Market space with open-plan food vendors
- 2 Outdoor seating and temporary sales/display areas
- 3 Storage mezzanine above
- 4 Public restrooms for Culinary Promenade
- 5 Outdoor seating for public and residents
- 6 Low stone walls rebuilt from school house with seating, and large pergola above built with salvaged roof trusses
- 7 Customer parking for Culinary Promenade
- 8 20' wide Fire Lane
- 9 Existing broad-leaf maple to remain
- 10 Existing Oak to remain
- 11 Existing Oak to remain
- 12 Typical 2 bedroom apartment with shared entry lobby (on three stories)
- 13 Typical 2 bedroom apartment with shared entry lobby (on two stories)
- 14 Shared open amenity space for apartments
- 15 Boutique hotel over three stories, with 36 guest rooms, meeting space, amenities, and support spaces
- 16 Outdoor amenity space for hotel, with pool, seating areas, and outdoor spas
- 17 New screening planting with existing creek-side planting to remain
- 18 Bike parking, typical
- 19 Parking lot for residences and drop-off/check in for hotel
- 20 Trash storage for hotel and residences
- 21 Existing service station and shop, renovated
- 22 New parking area for hotel and guests, with tandem valet spaces
- 23 Perimeter fence and automatic gates to secure parking area



Broadway



Level 1 Plan



Sonoma Gateway Commons Planning Commission Study Session

9 October 2014