

Hugh Futrell

From: Rose, William [WRose@srcity.org]
Sent: Thursday, October 04, 2018 6:02 PM
To: Hugh Futrell
Subject: Re: RE Art House

Hugh,

As a follow up to my voice message, the proposal described below will be classified as a short term residential use, and not a hotel use. As a permitted use, this can be authorized through the issuance of a Zoning Clearance, subject to requisite Transient Occupancy Taxes.

Please let me know if you have any questions.

Bill

Sent from my iPad

On Oct 2, 2018, at 9:13 AM, Hugh Futrell <hf@hughfutrellcorp.com> wrote:

Bill:

Following up on our exchanges of email and our conversation.

My understanding is that you concur that a hospitality/hotel project is a permitted use under the Zoning Code, consistent with the General Plan, and is not barred by any current project approvals. You have observed that because a residential use abuts the property a minor use permit, which is an administrative permit acted on by the Zoning Administrator, would be required if the use is defined as a hotel. Such a minor use permit could be expedited.

However: based on your suggestion, and my further review, I have drawn the conclusion that a minor use permit is not necessary because our project falls outside the literal hotel occupancy as that occupancy is detailed in the Code. I would request that you concur on this point as well so that we can proceed without an administrative use permit and our lender can complete its appraisal and close the construction loan. (Site demolition is underway currently under permit.)

The project will provide extended, monthly, weekly and nightly lodging for members of the public, including construction workers, corporate travelers, families and other occupants not requiring the range of hotel services cited in the Code and instead oriented to a residential environment and unit-type.

Specifically, the facility will not provide room service, concierge, on-site or affiliated restaurant dining (except breakfast outlays on a limited basis), swimming pools, tennis courts, meeting facilities, personal services, daily maid and laundry services (except as ordered like any residential tenant may in upper-tier multifamily projects, and provided by a third party vendor), indoor recreational facilities, accessory retail sales or any other elements called out in the Code as distinguishing technical hotel use from other

forms of occupancy. The art gallery on the property is a separate tenant, located within a separate condominium space, and open and accessible to the public and is not directly affiliated with the lodging facility. On-site staff is also limited.

The spaces occupied by the public will be equipped, in most cases, with washer dryers and kitchens, secured garage parking (appropriate for extended stays) and are of a size in most cases (one and two bedroom units and studios, with some separate rooms) larger and equipped differently from hotel rooms and intended to be substantially occupied by members of the public who are not oriented towards or served by conventional hotel stays.

Defined in this manner, the condominiums of this project would not be subject to minor use permit if providing extended, monthly, weekly and nightly occupancies.

Hugh Futrell

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