

SUBDIVISION COMMITTEE REPORT
December 12, 2019

ELM TREE STATION

Project Description

The Elm Tree Station (Project) involves a Waiver of Parcel Map and subsequent Certificate of Compliance to subdivide an approximately 1.12-acre parcel into two parcels sized .73 and 0.25 acres located at 874 Wright Road. The subject site is unimproved land and the Project will include public right-of-way improvements.

LOCATION 874 Wright Road (PD 0435: Wright – Sebastopol Commercial District)

APN 035-063-001

GENERAL PLAN LAND USE Retail and Business Service

ZONE CLASSIFICATION

EXISTING PD 0435 (Planned Development)

PROPOSED PD 0435 (Planned Development)

OWNER/APPLICANT Dhillon Mangal

ADDRESS 3343 Industrial Dr., #9
Santa Rosa, CA 95403

ENGINEER/SURVEYOR BKF Engineering

ADDRESS 200 4th Street #300
Santa Rosa, CA 95404

REPRESENTATIVE Jean Kapolchok & Associates

ADDRESS 843 2nd Street
Santa Rosa, CA 95404

FILE NUMBER..... CC18-004

CASE PLANNER..... Adam Ross, City Planner

PROJECT ENGINEER Laura Ponce, Engineering Technician

PLANNING COMMISSION REP... Karen Weeks

Background

The proposal before the Subdivision Committee includes a Certificate of Compliance and subsequent Parcel Map Waiver for subdivision of a 0.98-acre parcel located at 874 Wright Road in Santa Rosa. The site is an undeveloped parcel south of Highway 12 and the Joe Rodota Trail, and north of Sebastopol Road in the southwest quadrant of the City of Santa Rosa. The parcel division will create two lots, Lot 1 containing 0.73-acres for the proposed gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above. Lot 2 is a 0.25-acre parcel that would be developed with a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path.

The Project received Entitlement Approval on October 24, 2013, adopting the Mitigated Negative Declaration (MND) (Attachment 5), the Conditional Use Permit (Attachment 6), and Minor Subdivision (Attachment 7). On March 20, 2014, the Design Review Board approved Final Design Review for the Project (Attachment 8). During that time, the Project received several State and City approved extensions of time, while meeting Project milestones, which had held up the Project back from completing construction. In October 2017, Wildfires caused extensive damage and the Private and Public Design communities have been inundated with rebuilding the damages structures and as a result, this Project's Tentative Map had expired. However, because this Project had met certain milestones and the specific nature of the local effects on the private and public design communities including labor, City Staff determined that a Certificate of Compliance would continue the intent and original approval of this Project.

The applicant seeks a Parcel Map Waiver and subsequent Certificate of Compliance to subdivide the parcel as described in Attachment 2 – Elm Tree Station Parcel Map Waiver for Certificate of Compliance. As allowed by Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code, a waiver of a Parcel Map and subsequent Certificate of Compliance would legally recognize two parcels, as shown on the attached Certificate of Compliance exhibit. The project includes a gasoline and electric charge fueling station, mixed-use residential and commercial space, and extended hours of operation.

An Initial Study/Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) in 2013, for the Elm Tree Station (Attachment 9). A Mitigated Negative Declaration was posted with the California State Clearing House and the Sonoma County Clerk's Office, initiating a thirty-day public comment period beginning September 9, 2013, and ending October 8, 2013. Potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials, Noise, and Transportation/Traffic, Water, Land Use, and Aesthetics were mitigated to a less than significant level through mitigation measure implementation or compliance with existing Municipal Code requirements or City standards. The MND prepared for the project concluded that the subdivision for the construction gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above, and a small retail building

and park amenities, including a patio/trellis area, benches and picnic area and bike path would not result in direct or primary environmental effects. The Planning Commission adopted the IS/MND at its October 24, 2013.

Conditions of Approval

The following summary constitutes the recommended conditions of approval on the subject application/development based on plans stamped received September 19, 2019.

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. There is evidence of wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this project, which would require a re-application of the Certificate of Compliance for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received: September 19, 2019.

PLANNING AND ECONOMIC DEVELOPMENT

1. Compliance with all Conditions of Approval for City Resolution Nos. 13-887, 11653, and 11655 associated with this Project attached hereto and incorporate herein as Attachments 5, 6, and 8.
2. Compliance with the Elm Tree Station Mitigated Negative Declaration attached hereto and incorporated herein as Attachment 9.

CERTIFICATE OF COMPLIANCE AND EASEMENT DEDICATION

3. A minimum 10-foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Certificate of Compliance.
4. A 7.5-foot Public Utility Easement is to be dedicated to the City along Wright Road.
5. The private utility services from N. Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area, except for the fueling island and recharging station locations on Lot 1, shall be covered with a Floating Access Easement in favor of Lot 2.
6. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
7. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid. A copy of the receipt shall be submitted with the remaining copy to the Public Works, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
8. All Certificate of Compliance, dedication and easement document preparation costs shall be borne by the property owner, including preparation of any legal descriptions, plats, title reports, and deeds necessary. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
9. The Certificate of Compliance shall show a private storm drainage easement over the alignment of the private storm drain systems if any systems run through the rear yards of the lots. The easement on each lot shall be in favor of all upstream lots served by the system.
10. Any encroachments into the adjacent County of Sonoma located along the projects entire northerly and northwesterly property line shall be permitted separately by County of Sonoma directly with the Developer at the Developer's sole expense.

11. A reciprocal private access, sewer, and water easement 20-feet wide between lot 1 and lot 2 shall be shown on the Certificate of Compliance.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

12. All common benefit and public improvements shall be completed prior to recordation of the Certificate of Compliance.
13. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35-foot wide for the southerly driveway and 24-foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
14. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10-foot radius pavement returns.

STORM WATER SWLID COMPLIANCE

15. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years and shall be made available to the City upon request.
- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Planning and Economic Development Department for review.

- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developer's Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 16. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project shall comply with all current State Water Board General Construction Permit Requirements.
- 17. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of any nature, shall be allowed to enter into or be placed where it shall be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.
- 18. Where bio swales or BMP treatment facilities are in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check. BMP's and or proprietary devices used as BMP's, shall not be located within the Public utility easements and shall be privately maintained by the owner for perpetuity.

PUBLIC STORM WATER

- 19. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
- 20. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm

drain is to be constructed with a City Standard 216 maintenance access road contained within a 15-foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road connecting Wright Road to the Joe Rodota Trail.

21. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

WATER AND WASTE WATER

22. An Encroachment Permit shall be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.
23. Applicant shall install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N. Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 shall be required on the water and irrigation services for Lots 1 and 2. The private fire main shall require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve shall be contained within a Public Water Easement up to the first valve location.
24. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards and as required by the Director of Utilities for Lots 1 and 2.
25. A private fire hydrant shall be required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150-feet of commercial buildings and a minimum 40-feet from structures, or as otherwise approved by the Santa Rosa Fire Department. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.

26. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N. Wright Road on Lot 1 by Lot 2 shall be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document shall be reviewed and approved by the Fire Department and shall be recorded prior to issuance of any permit to construct the private Underground Fire Main.
27. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve shall be required.
28. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an Encroachment permit. The existing meter shall be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
29. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
30. The trash enclosure shall be covered as per City of Santa Rosa Building Codes to prevent any storm water contact with waste trash bins and receptacles. As applicable, any enclosure drain shall be plumbed directly to the grease interceptor and have no direct connection to City sanitary sewer or storm drain systems. If a trash enclosure drain is provided, an Industrial Waste Discharge Permit shall be obtained from the City's Utilities Environmental Compliance Section. Contact Environmental Services at (707) 543-3393.
31. Water Supply - Applicants shall provide Fire flow calculations for projects indicating compliance with current California State Fire Code. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.
32. Demand fees and meter sizes are to be determined after review of building plans. Submit details of the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
33. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
34. Submit the square footage of each lot to determine sewer and water demand fees.
35. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.

36. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure shall be reviewed during plan check.
37. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4028, on October 27, 2015. Plans shall be submitted with the Building Permit application.

TRAFFIC

38. The applicant shall coordinate directly with the County of Sonoma who has obtained a grant to install a signalized east-west pedestrian crossing of North Wright Street along the Joe Rodota Trail alignment along the north property line of the project regarding how this may affect their project.
39. Comply with current standards for parking lot and accessible stall dimensions and signage. Submit an on-site sign and striping plan for the new parking lot improvements at first building review. Submit parking lot and street lighting plans for review and approval. Lighting shall meet minimum lighting requirements.
40. Install traffic control signs, directional arrows and guiding striping lines in the new parking lot configuration and for project driveway exiting. The northern driveway shall be signed "exit and right- turn out" only.
41. New services (electrical, telephone, cable or conduit) to new structures shall be underground.
42. Developer shall coordinate, and where necessary, pay for the relocation of any power poles, signs or other existing public utilities, as necessary to complete the project to current standards.
43. Install bicycle parking facilities near the entrance as the project is adjacent to the Joe Rodota Trail entrance.
44. Adequate sight distance from the driveways shall be maintained at all times and landscaping shall be maintained at maximum 36" height within the stopping site distance triangle using a stopping site distance as designated by Caltrans standards. Signs and monuments shall not be placed within the stopping sight distance triangle. Tree canopies shall be maintained at least 7-feet off the ground. Install "No parking" signs and paint the curbs red within the site distance areas.

45. Appropriate street name signs, street pavement markings, and regulatory signs, as approved by the City Engineer, shall be installed and or reinstalled along the projects North Wright Road frontage. The Developer shall be responsible for any transitional improvements required between new construction and existing improvements. The Developer shall restripe the project area frontage including bike lane and bike symbol, lane dividing lines, edge striping, and right turn only arrows with thermoplastic paint. Signing and striping shall be reviewed and approved by the City Transportation Department. Traffic markings shall be installed per the CA. MUTCD standards.
46. The project Developer shall be responsible for repairing/removing any debris, damage, or deterioration occurring to existing local streets and/or private driveways as a direct result of construction activity related to installation of the improvements (grading, street construction, utility installation, etc.). Required repair shall involve patching, cleaning, sealing or overlaying affected areas as appropriate to return North Wright Road to the condition it was in prior to construction. If the project developer does not act prudently in a timely manner, the City shall, at its discretion, perform the correction and charge the owner/subdivider for all costs and overhead incurred.

FIRE DEPARTMENT

47. Installation of new tanks requires a separate and additional permit from the Fire Department. Contact Assistant Fire Marshal Paul Lowenthal (543-3542) for additional information.
48. All enclosed buildings (not fueling canopy) shall be protected with fire sprinklers designed and installed per NFPA 13. Fire Department Connection (FDC) for sprinklers shall be located within 100 feet of a fire hydrant.
49. Twelve-inch (12) Inch illuminated premise identification shall be provided per Fire Department Standards. An illuminated monument sign may be provided at the main entrance.
50. Fire Department access is required to provide access to within 150 feet of all sides of the building along an approved path on a minimum 20 feet wide unobstructed roadway. The roadway around the fueling station canopy shall meet Fire Department inside turning radius of 20 feet and outside turning radius of 40 feet.
51. A minimum fire flow of 1500 GPM at not less than 20 PSI is required for this project. A fire Hydrant shall be provided within 400 feet of all sides of the structures along an approved path.

52. The Market and dwelling unit building shall be protected by an automatic fire sprinkler system in accordance with NFPA 13.
53. Provide a Fire Department key box (Knox box).
54. Traffic calming measures on private property are not approved as a part of this review. (i.e. speed bumps, humps, speed tables or undulations.)
55. Storage or use of any hazardous materials at the site shall require a Hazardous Materials Inventory Statement to be submitted to the Fire Department for review. Materials in excess of the permit amounts shall require a Hazardous Materials Management Plan to be submitted to the Fire Department for review and approval and may require payment of Hazardous Material Use or Hazardous Waste Generator fees. Underground flammable or combustible tanks shall be reviewed and approved by the Fire Department.
56. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

RECREATION AND PARKS

57. New street trees shall be planted by the Developer. Selection shall be made from the City's approved master plan list. Planting shall be done in accordance with the City's Standards and Specifications for Planting Parkway Trees. Copies of the master street tree list and standards are available at the Parks Division Office by calling (707) 543-3770. This condition shall be added to the General Notes of the improvement plans.
58. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance. The fee amount shall be determined by the resolution in effect at the time.
59. All landscaping shall be privately maintained and irrigated. Property owners shall be responsible for the irrigation and the maintenance of the planter strips along North Wright Road and the Joe Rodota Trail.
60. Tree preservation measures shall be on all improvement and construction plan sets. Prior to site work grading and underground trenching, a meeting should be held to implement tree preservation measures to lessen the impacts to the root zone, which is larger than the dripline.
61. The canopy shall not be pruned or reduced, unless low branches will be damaged by equipment.

Public Hearing

The public hearing was opened by Planning Commission Vice Chair Weeks.

Adam Ross, project planner, reviewed staff report and recommendation for approval of the subject Certificate of Compliance and subsequent Parcel Map Waiver.

Laura Ponce, project engineer, and Gabe Osburn, Deputy Director of reviewed the Certificate of Compliance and subsequent Parcel Map Waiver Conditions of Approval.

Eric Wade, applicant Representative, provided project background.

Following discussion, the public hearing was closed.

The Subdivision Committee of the City of Santa Rosa, based upon the evidence presented and the records herein, hereby determines that the proposed Certificate of Compliance and subsequent Waiver of a Parcel Map Waiver for the Elm Tree Station, as hereinafter conditioned, complies with the requirements of Chapter 19 of the Santa Rosa City Code and the California Subdivision Map Act, based upon the following findings:

- The proposed lot split is consistent with the Santa Rosa General Plan 2035. The area is within an area designated by the General Plan as Retail and Business Service and can adequately accommodate the Project. Sites with the Retail and Business Services Land Use designation generally serve a variety of commercial retail establishments including but not limited to fuel stations, neighborhood markets, general retail, and mixed-use residential projects such as the Elm Tree Station, which is consistent with the General Plan.
- The site is physically suitable for the proposed lot split in that the parcels are of a shape and size and have topographical characteristics which easily lend themselves to the approved mixed uses uses.
- The site is physically suitable for the existing intensity of the development in that it will accommodate the parcels as shown on the proposed exhibit map and the Elm Tree Station Project as it was previously vetted and approved by Planning Commission on March 28, 2013, and Design Review Board on March 20, 2014.
- Neither the design of the proposed lot split nor the improvements will cause substantial environmental damage or will substantially and avoidably injure fish or wildlife habitat. The Subdivision Committee has determined that the proposed lot split would create no adverse environmental effects including those described above and a Mitigated Negative Declaration was adopted for the Project on March 28, 2019, to ensure the project would have less than significant impacts.
- Neither the design of the lot split nor the type of improvements as proposed is likely to cause serious health problems in that no health or sanitary problems

exist on the site or in the area of the site and the City can provide adequate water and sewer services to the properties.

- Neither the design of the proposed lot split nor the type of improvements, as proposed, will conflict with easements, acquired by the public at large, for access through, or use of, any property within or around the proposed subdivision. The Subdivision Committee, after review, has determined that no such easements exist.
- The properties resulting from the proposed lot split will not discharge waste into the City's sewer system that would result in violation of any requirements prescribed by the California Regional Water Quality Control Board.
- The project has been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study/Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) in 2013, for the Elm Tree Station (Attachment 8). A Mitigated Negative Declaration was posted with the California State Clearing House and the Sonoma County Clerk's Office, initiating a thirty-day public comment period beginning September 9, 2013, and ending October 8, 2013. Potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials, Noise, and Transportation/Traffic, Water, Land Use, and Aesthetics were mitigated to a less than significant level through mitigation measure implementation or compliance with existing Municipal Code requirements or City standards. The MND prepared for the project concluded that the subdivision for the construction gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above, and a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path would not result in direct or primary environmental effects. The Planning Commission adopted the IS/MND at its October 24, 2013.

The Subdivision Committee is a subordinate agency of the Santa Rosa Planning Commission and is empowered to act on behalf of the Planning Commission. All actions by the Subdivision Committee must be by unanimous vote or the matter under consideration is automatically referred to the Planning Commission.

Action

Approval with conditions as set forth in this report.

Denial - Major Reasons:

Continuance.

<u>Name</u>	<u>Vote</u>		<u>Continue</u>
	<u>Aye</u>	<u>No</u>	
<u>Karen Weeks</u>	<u>X</u>	<u> </u>	
<u>Laura Ponce</u>	<u>X</u>	<u> </u>	
<u>Adam Ross</u>	<u>X</u>	<u> </u>	

CLARE HARTMAN, Deputy Director of Planning
 Planning and Economic Development

Attachments:

- Attachment 1 – Disclosure Form
- Attachment 2 – Elm Tree Station Parcel Map Waiver Map
- Attachment 3 – Site Plan Received by the City on June 1, 2018
- Attachment 4 – Exhibit “A” dated December 5, 2019
- Attachment 5 – MND Adoption Resolution No. 11653
- Attachment 6 – Conditional Use Permit Resolution No. 11655
- Attachment 7 – Tentative Map Resolution No. 11654
- Attachment 8 – Final Design Review Resolution No. 14-888
- Attachment 9 – MND for Elm Tree Station

SUBDIVISION COMMITTEE REPORT
December 12, 2019

ELM TREE STATION

Project Description

The Elm Tree Station (Project) involves a Waiver of Parcel Map and subsequent Certificate of Compliance to subdivide an approximately 1.12-acre parcel into two parcels sized .73 and 0.25 acres located at 874 Wright Road. The subject site is unimproved land and the Project will include public right-of-way improvements.

LOCATION 874 Wright Road (PD 0435: Wright – Sebastopol Commercial District)

APN 035-063-001

GENERAL PLAN LAND USE Retail and Business Service

ZONE CLASSIFICATION

EXISTING PD 0435 (Planned Development)

PROPOSED PD 0435 (Planned Development)

OWNER/APPLICANT Dhillon Mangal

ADDRESS 3343 Industrial Dr., #9
Santa Rosa, CA 95403

ENGINEER/SURVEYOR BKF Engineering

ADDRESS 200 4th Street #300
Santa Rosa, CA 95404

REPRESENTATIVE Jean Kapolchok & Associates

ADDRESS 843 2nd Street
Santa Rosa, CA 95404

FILE NUMBER CC18-004

CASE PLANNER Adam Ross, City Planner

PROJECT ENGINEER Laura Ponce, Engineering Technician

PLANNING COMMISSION REP... Karen Weeks

Background

The proposal before the Subdivision Committee includes a Certificate of Compliance and subsequent Parcel Map Waiver for subdivision of a 0.98-acre parcel located at 874 Wright Road in Santa Rosa. The site is an undeveloped parcel south of Highway 12 and the Joe Rodota Trail, and north of Sebastopol Road in the southwest quadrant of the City of Santa Rosa. The parcel division will create two lots, Lot 1 containing 0.73-acres for the proposed gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above. Lot 2 is a 0.25-acre parcel that would be developed with a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path.

The Project received Entitlement Approval on October 24, 2013, adopting the Mitigated Negative Declaration (MND) (Attachment 5), the Conditional Use Permit (Attachment 6), and Minor Subdivision (Attachment 7). On March 20, 2014, the Design Review Board approved Final Design Review for the Project (Attachment 8). During that time, the Project received several State and City approved extensions of time, while meeting Project milestones, which had held up the Project back from completing construction. In October 2017, Wildfires caused extensive damage and the Private and Public Design communities have been inundated with rebuilding the damages structures and as a result, this Project's Tentative Map had expired. However, because this Project had met certain milestones and the specific nature of the local effects on the private and public design communities including labor, City Staff determined that a Certificate of Compliance would continue the intent and original approval of this Project.

The applicant seeks a Parcel Map Waiver and subsequent Certificate of Compliance to subdivide the parcel as described in Attachment 2 – Elm Tree Station Parcel Map Waiver for Certificate of Compliance. As allowed by Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code, a waiver of a Parcel Map and subsequent Certificate of Compliance would legally recognize two parcels, as shown on the attached Certificate of Compliance exhibit. The project includes a gasoline and electric charge fueling station, mixed-use residential and commercial space, and extended hours of operation.

An Initial Study/Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) in 2013, for the Elm Tree Station (Attachment 9). A Mitigated Negative Declaration was posted with the California State Clearing House and the Sonoma County Clerk's Office, initiating a thirty-day public comment period beginning September 9, 2013, and ending October 8, 2013. Potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials, Noise, and Transportation/Traffic, Water, Land Use, and Aesthetics were mitigated to a less than significant level through mitigation measure implementation or compliance with existing Municipal Code requirements or City standards. The MND prepared for the project concluded that the subdivision for the construction gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above, and a small retail building

and park amenities, including a patio/trellis area, benches and picnic area and bike path would not result in direct or primary environmental effects. The Planning Commission adopted the IS/MND at its October 24, 2013.

Conditions of Approval

The following summary constitutes the recommended conditions of approval on the subject application/development based on plans stamped received September 19, 2019.

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. There is evidence of wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this project, which would require a re-application of the Certificate of Compliance for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received: September 19, 2019.

PLANNING AND ECONOMIC DEVELOPMENT

1. Compliance with all Conditions of Approval for City Resolution Nos. 13-887, 11653, and 11655 associated with this Project attached hereto and incorporate herein as Attachments 5, 6, and 8.
2. Compliance with the Elm Tree Station Mitigated Negative Declaration attached hereto and incorporated herein as Attachment 9.

CERTIFICATE OF COMPLIANCE AND EASEMENT DEDICATION

3. A minimum 10-foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Certificate of Compliance.
4. A 7.5-foot Public Utility Easement is to be dedicated to the City along Wright Road.
5. The private utility services from N. Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area, except for the fueling island and recharging station locations on Lot 1, shall be covered with a Floating Access Easement in favor of Lot 2.
6. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
7. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid. A copy of the receipt shall be submitted with the remaining copy to the Public Works, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
8. All Certificate of Compliance, dedication and easement document preparation costs shall be borne by the property owner, including preparation of any legal descriptions, plats, title reports, and deeds necessary. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
9. The Certificate of Compliance shall show a private storm drainage easement over the alignment of the private storm drain systems if any systems run through the rear yards of the lots. The easement on each lot shall be in favor of all upstream lots served by the system.
10. Any encroachments into the adjacent County of Sonoma located along the projects entire northerly and northwesterly property line shall be permitted separately by County of Sonoma directly with the Developer at the Developer's sole expense.

11. A reciprocal private access, sewer, and water easement 20-feet wide between lot 1 and lot 2 shall be shown on the Certificate of Compliance.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

12. All common benefit and public improvements shall be completed prior to recordation of the Certificate of Compliance.
13. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35-foot wide for the southerly driveway and 24-foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
14. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10-foot radius pavement returns.

STORM WATER SWLID COMPLIANCE

15. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years and shall be made available to the City upon request.
- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Planning and Economic Development Department for review.

- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developer's Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 16. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project shall comply with all current State Water Board General Construction Permit Requirements.
- 17. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of any nature, shall be allowed to enter into or be placed where it shall be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.
- 18. Where bio swales or BMP treatment facilities are in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check. BMP's and or proprietary devices used as BMP's, shall not be located within the Public utility easements and shall be privately maintained by the owner for perpetuity.

PUBLIC STORM WATER

- 19. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
- 20. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm

drain is to be constructed with a City Standard 216 maintenance access road contained within a 15-foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road connecting Wright Road to the Joe Rodota Trail.

21. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

WATER AND WASTE WATER

22. An Encroachment Permit shall be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.
23. Applicant shall install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N. Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 shall be required on the water and irrigation services for Lots 1 and 2. The private fire main shall require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve shall be contained within a Public Water Easement up to the first valve location.
24. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards and as required by the Director of Utilities for Lots 1 and 2.
25. A private fire hydrant shall be required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150-feet of commercial buildings and a minimum 40-feet from structures, or as otherwise approved by the Santa Rosa Fire Department. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.

26. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N. Wright Road on Lot 1 by Lot 2 shall be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document shall be reviewed and approved by the Fire Department and shall be recorded prior to issuance of any permit to construct the private Underground Fire Main.
27. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve shall be required.
28. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an Encroachment permit. The existing meter shall be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
29. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
30. The trash enclosure shall be covered as per City of Santa Rosa Building Codes to prevent any storm water contact with waste trash bins and receptacles. As applicable, any enclosure drain shall be plumbed directly to the grease interceptor and have no direct connection to City sanitary sewer or storm drain systems. If a trash enclosure drain is provided, an Industrial Waste Discharge Permit shall be obtained from the City's Utilities Environmental Compliance Section. Contact Environmental Services at (707) 543-3393.
31. Water Supply - Applicants shall provide Fire flow calculations for projects indicating compliance with current California State Fire Code. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.
32. Demand fees and meter sizes are to be determined after review of building plans. Submit details of the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
33. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
34. Submit the square footage of each lot to determine sewer and water demand fees.
35. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.

36. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure shall be reviewed during plan check.
37. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4028, on October 27, 2015. Plans shall be submitted with the Building Permit application.

TRAFFIC

38. The applicant shall coordinate directly with the County of Sonoma who has obtained a grant to install a signalized east-west pedestrian crossing of North Wright Street along the Joe Rodota Trail alignment along the north property line of the project regarding how this may affect their project.
39. Comply with current standards for parking lot and accessible stall dimensions and signage. Submit an on-site sign and striping plan for the new parking lot improvements at first building review. Submit parking lot and street lighting plans for review and approval. Lighting shall meet minimum lighting requirements.
40. Install traffic control signs, directional arrows and guiding striping lines in the new parking lot configuration and for project driveway exiting. The northern driveway shall be signed "exit and right- turn out" only.
41. New services (electrical, telephone, cable or conduit) to new structures shall be underground.
42. Developer shall coordinate, and where necessary, pay for the relocation of any power poles, signs or other existing public utilities, as necessary to complete the project to current standards.
43. Install bicycle parking facilities near the entrance as the project is adjacent to the Joe Rodota Trail entrance.
44. Adequate sight distance from the driveways shall be maintained at all times and landscaping shall be maintained at maximum 36" height within the stopping site distance triangle using a stopping site distance as designated by Caltrans standards. Signs and monuments shall not be placed within the stopping sight distance triangle. Tree canopies shall be maintained at least 7-feet off the ground. Install "No parking" signs and paint the curbs red within the site distance areas.

45. Appropriate street name signs, street pavement markings, and regulatory signs, as approved by the City Engineer, shall be installed and or reinstalled along the projects North Wright Road frontage. The Developer shall be responsible for any transitional improvements required between new construction and existing improvements. The Developer shall restripe the project area frontage including bike lane and bike symbol, lane dividing lines, edge striping, and right turn only arrows with thermoplastic paint. Signing and striping shall be reviewed and approved by the City Transportation Department. Traffic markings shall be installed per the CA. MUTCD standards.
46. The project Developer shall be responsible for repairing/removing any debris, damage, or deterioration occurring to existing local streets and/or private driveways as a direct result of construction activity related to installation of the improvements (grading, street construction, utility installation, etc.). Required repair shall involve patching, cleaning, sealing or overlaying affected areas as appropriate to return North Wright Road to the condition it was in prior to construction. If the project developer does not act prudently in a timely manner, the City shall, at its discretion, perform the correction and charge the owner/subdivider for all costs and overhead incurred.

FIRE DEPARTMENT

47. Installation of new tanks requires a separate and additional permit from the Fire Department. Contact Assistant Fire Marshal Paul Lowenthal (543-3542) for additional information.
48. All enclosed buildings (not fueling canopy) shall be protected with fire sprinklers designed and installed per NFPA 13. Fire Department Connection (FDC) for sprinklers shall be located within 100 feet of a fire hydrant.
49. Twelve-inch (12) Inch illuminated premise identification shall be provided per Fire Department Standards. An illuminated monument sign may be provided at the main entrance.
50. Fire Department access is required to provide access to within 150 feet of all sides of the building along an approved path on a minimum 20 feet wide unobstructed roadway. The roadway around the fueling station canopy shall meet Fire Department inside turning radius of 20 feet and outside turning radius of 40 feet.
51. A minimum fire flow of 1500 GPM at not less than 20 PSI is required for this project. A fire Hydrant shall be provided within 400 feet of all sides of the structures along an approved path.

52. The Market and dwelling unit building shall be protected by an automatic fire sprinkler system in accordance with NFPA 13.
53. Provide a Fire Department key box (Knox box).
54. Traffic calming measures on private property are not approved as a part of this review. (i.e. speed bumps, humps, speed tables or undulations.)
55. Storage or use of any hazardous materials at the site shall require a Hazardous Materials Inventory Statement to be submitted to the Fire Department for review. Materials in excess of the permit amounts shall require a Hazardous Materials Management Plan to be submitted to the Fire Department for review and approval and may require payment of Hazardous Material Use or Hazardous Waste Generator fees. Underground flammable or combustible tanks shall be reviewed and approved by the Fire Department.
56. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

RECREATION AND PARKS

57. New street trees shall be planted by the Developer. Selection shall be made from the City's approved master plan list. Planting shall be done in accordance with the City's Standards and Specifications for Planting Parkway Trees. Copies of the master street tree list and standards are available at the Parks Division Office by calling (707) 543-3770. This condition shall be added to the General Notes of the improvement plans.
58. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance. The fee amount shall be determined by the resolution in effect at the time.
59. All landscaping shall be privately maintained and irrigated. Property owners shall be responsible for the irrigation and the maintenance of the planter strips along North Wright Road and the Joe Rodota Trail.
60. Tree preservation measures shall be on all improvement and construction plan sets. Prior to site work grading and underground trenching, a meeting should be held to implement tree preservation measures to lessen the impacts to the root zone, which is larger than the dripline.
61. The canopy shall not be pruned or reduced, unless low branches will be damaged by equipment.

Public Hearing

The public hearing was opened by Planning Commission Vice Chair Weeks.

Adam Ross, project planner, reviewed staff report and recommendation for approval of the subject Certificate of Compliance and subsequent Parcel Map Waiver.

Laura Ponce, project engineer, and Gabe Osburn, Deputy Director of reviewed the Certificate of Compliance and subsequent Parcel Map Waiver Conditions of Approval.

Eric Wade, applicant Representative, provided project background.

Following discussion, the public hearing was closed.

The Subdivision Committee of the City of Santa Rosa, based upon the evidence presented and the records herein, hereby determines that the proposed Certificate of Compliance and subsequent Waiver of a Parcel Map Waiver for the Elm Tree Station, as hereinafter conditioned, complies with the requirements of Chapter 19 of the Santa Rosa City Code and the California Subdivision Map Act, based upon the following findings:

- The proposed lot split is consistent with the Santa Rosa General Plan 2035. The area is within an area designated by the General Plan as Retail and Business Service and can adequately accommodate the Project. Sites with the Retail and Business Services Land Use designation generally serve a variety of commercial retail establishments including but not limited to fuel stations, neighborhood markets, general retail, and mixed-use residential projects such as the Elm Tree Station, which is consistent with the General Plan.
- The site is physically suitable for the proposed lot split in that the parcels are of a shape and size and have topographical characteristics which easily lend themselves to the approved mixed uses uses.
- The site is physically suitable for the existing intensity of the development in that it will accommodate the parcels as shown on the proposed exhibit map and the Elm Tree Station Project as it was previously vetted and approved by Planning Commission on March 28, 2013, and Design Review Board on March 20, 2014.
- Neither the design of the proposed lot split nor the improvements will cause substantial environmental damage or will substantially and avoidably injure fish or wildlife habitat. The Subdivision Committee has determined that the proposed lot split would create no adverse environmental effects including those described above and a Mitigated Negative Declaration was adopted for the Project on March 28, 2019, to ensure the project would have less than significant impacts.
- Neither the design of the lot split nor the type of improvements as proposed is likely to cause serious health problems in that no health or sanitary problems

exist on the site or in the area of the site and the City can provide adequate water and sewer services to the properties.

- Neither the design of the proposed lot split nor the type of improvements, as proposed, will conflict with easements, acquired by the public at large, for access through, or use of, any property within or around the proposed subdivision. The Subdivision Committee, after review, has determined that no such easements exist.
- The properties resulting from the proposed lot split will not discharge waste into the City's sewer system that would result in violation of any requirements prescribed by the California Regional Water Quality Control Board.
- The project has been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study/Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) in 2013, for the Elm Tree Station (Attachment 8). A Mitigated Negative Declaration was posted with the California State Clearing House and the Sonoma County Clerk's Office, initiating a thirty-day public comment period beginning September 9, 2013, and ending October 8, 2013. Potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials, Noise, and Transportation/Traffic, Water, Land Use, and Aesthetics were mitigated to a less than significant level through mitigation measure implementation or compliance with existing Municipal Code requirements or City standards. The MND prepared for the project concluded that the subdivision for the construction gasoline and electric charge fueling station and neighborhood market with a one-bedroom apartment above, and a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path would not result in direct or primary environmental effects. The Planning Commission adopted the IS/MND at its October 24, 2013.

The Subdivision Committee is a subordinate agency of the Santa Rosa Planning Commission and is empowered to act on behalf of the Planning Commission. All actions by the Subdivision Committee must be by unanimous vote or the matter under consideration is automatically referred to the Planning Commission.

Action

Approval with conditions as set forth in this report.

Denial - Major Reasons:

Continuance.

	<u>Vote</u>		
<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Continue</u>
<u>Karen Weeks</u>	<u>X</u>	_____	
<u>Laura Ponce</u>	<u>X</u>	_____	
<u>Adam Ross</u>	<u>X</u>	_____	

CLARE HARTMAN, Deputy Director of Planning
 Planning and Economic Development

Attachments:

- Attachment 1 – Disclosure Form
- Attachment 2 – Elm Tree Station Parcel Map Waiver Map
- Attachment 3 – Site Plan Received by the City on June 1, 2018
- Attachment 4 – Exhibit “A” dated December 5, 2019
- Attachment 5 – MND Adoption Resolution No. 11653
- Attachment 6 – Conditional Use Permit Resolution No. 11655
- Attachment 7 – Tentative Map Resolution No. 11654
- Attachment 8 – Final Design Review Resolution No. 14-888
- Attachment 9 – MND for Elm Tree Station

Ext 18 - 0013 CUP
0014 ARB
0015 Tent Map



DISCLOSURE FORM

Please Type or Print

File No. CC 18-004	Quad.
Related Files	
DEPARTMENT USE ONLY	

www.srcty.org

D I S C L O S U R E F O R M	Project Title: <u>Elm Tree Station - 874 North Wright Road, Santa Rosa</u> (Include site address)	
	Please provide the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action. Include the names of all applicants, developers, property owners, and each person or entity that holds an option on the property.	
	Individuals:	Identify all individuals
	Partnerships:	Identify all general and limited partners
	Corporations:	Identify all shareholders owning 10% or more of the stock and all officers and directors (unless the corporation is listed on any major stock exchange, in which case only the identity of the exchange must be listed.
	LLCs:	Identify all members, managers, partners, officers and directors.
	Trusts:	Identify all trustees and beneficiaries.
	Option Holders:	Identify all holders of options on the real property.
	Full Name:	Address:
	Mangal Dhillon	2743 Yulupa Ave., Santa Rosa, CA 95405
In addition, please identify the name of each civil engineer, architect, and consultant for the project.		
Full Name:	Address:	
J, Kapolchok & Associates	843 2nd Street, Santa Rosa, CA 95404	
Tierney Figueiredo Architects	817 Russell Ave., Suite H, Santa Rosa, CA 95403	
BKF Engineering	200 4th Street, Suite 300, Santa Rosa, CA 95401	

Additional names and addresses attached: Yes No

The above information shall be promptly updated by the applicant to reflect any change that occurs prior to final action.	
I certify that the above information is true and correct: <u><i>Mangal Dhillon</i></u> Applicant	12/6/2019 Date

NOTES:

THE PROPOSED DEVELOPMENT WILL BE IN CONFORMANCE WITH THE CITY OF SANTA ROSA ZONING CODE, GENERAL PLAN AND DESIGN & CONSTRUCTION STANDARDS OR AS MODIFIED BY THIS TENTATIVE MAP AND AS APPROVED BY THE REVIEWING AGENCY.

- WATER SUPPLY ----- CITY OF SANTA ROSA
- SEWAGE DISPOSAL ----- CITY OF SANTA ROSA
- PRESENT ZONING ----- PD-0435
- PROPOSED ZONING ----- PD-0435

THERE ARE NO EXISTING BUILDINGS WITHIN 100 FEET OF THE PROJECT PROPERTY LINE.

THIS SUBDIVISION IS NOT WITHIN AN AREA DESIGNATED AS A HIGH FIRE SEVERITY ZONE.

GRADING

SOILS ON THIS SITE ARE NOT ANTICIPATED TO PROHIBIT THIS TYPE OF DEVELOPMENT.

THE ENGINEER AND DEVELOPER ARE NOT AWARE OF HAZARDOUS MATERIALS ON THIS SITE.

FEMA FLOOD MAPS REVEAL THAT THE SITE IS NOT SUBJECT TO INUNDATION.

PROVISIONS FOR EROSION CONTROL WILL BE INCORPORATED INTO THIS PROJECT.

UTILITIES

EXISTING SEWER AND WATER SERVICES WHICH WILL NOT BE USED WITH THESE SUBDIVISION IMPROVEMENTS WILL BE ABANDONED AT THE MAIN IN ACCORDANCE WITH THE CITY OF SANTA ROSA DESIGN AND CONSTRUCTION STANDARDS.

PROPOSED UTILITIES WILL BE PRIVATELY OWNED AND MAINTAINED UNLESS NOTED OTHERWISE ON THESE DRAWINGS.

UTILITIES WILL CONFORM WITH CITY OF SANTA ROSA DESIGN AND CONSTRUCTION STANDARDS.

ELECTRICAL SERVICE FOR THIS SUBDIVISION WILL BE UNDERGROUND.

GENERAL MAP INFORMATION

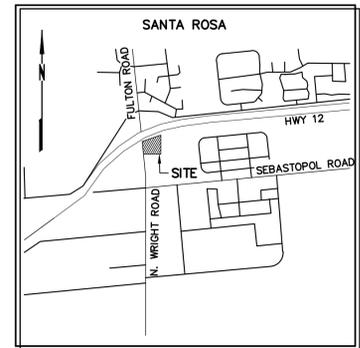
TOPOGRAPHIC INFORMATION SHOWN HEREON WAS MAPPED BY MICHAEL FORD INC. ON 5/23/05 AND 5/31/05.

DISTANCES AND ELEVATIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.

BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM PUBLIC RECORDS AND DOES NOT CONSTITUTE A FORMAL BOUNDARY DETERMINATION.

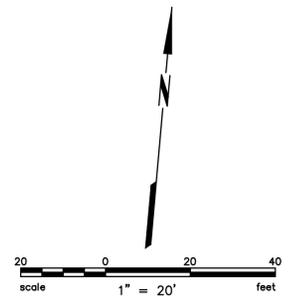
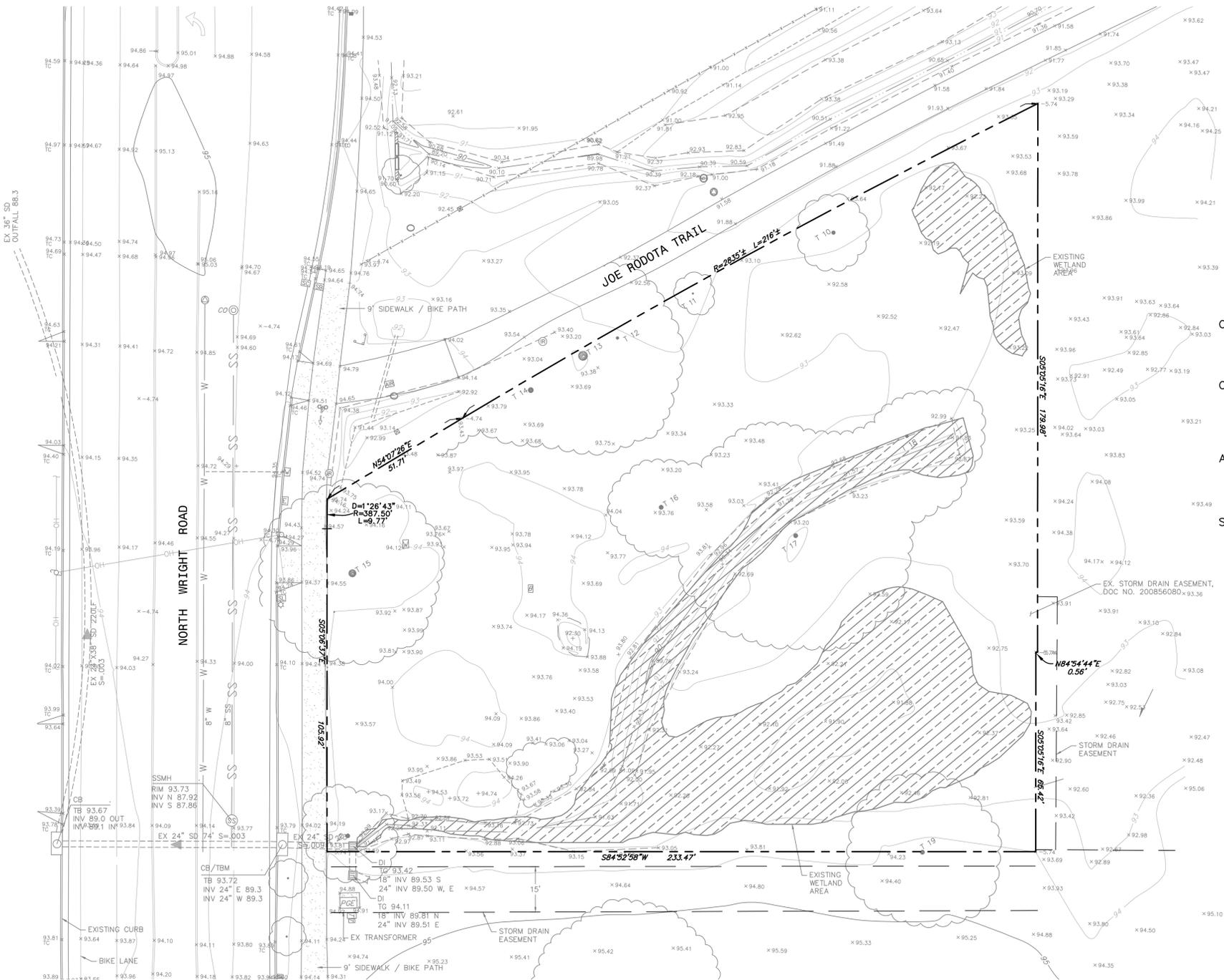
BASIS OF BEARINGS: N69°22'10"E BETWEEN FOUND IRON PIPES AS PER RECORD OF SURVEY FILED IN BOOK 654 OF MAPS, PAGE 37, SONOMA COUNTY RECORDS.

BENCHMARK: CATCH BASIN ALONG EASTERLY CURBLINE OF WRIGHT ROAD AS SHOWN ON THIS MAP PER CITY ENGINEER'S DWG. NO. 99-56. EL. 93.72



VICINITY MAP
NOT TO SCALE

- OWNER: MD WINE AND LIQUOR
2743 YULUPA AVENUE
SANTA ROSA, CA 95404
PH: 546-7500
- CIVIL ENGINEER: BKF ENGINEERS
200 4TH ST #300
SANTA ROSA, CA. 95401
PH: 583-8500
FAX: 583-8539
- ARCHITECT: TIERNEY/FIGUEIREDO ARCHITECTS
817 RUSSELL AVENUE, SUITE H
SANTA ROSA, CA 95403
PH: (707) 576-1557
- SURVEYOR: MICHAEL FORD INC.
8910 SONOMA HWY SUITE 12B
PO BOX 1243 KENWOOD, CA 95452
PH: (707) 833-6468
FAX: (707) 833-5744



SYMBOLS & LEGEND

- | EXISTING | PROPOSED | |
|----------|----------|--------------------------------|
| | | BLOW OFF VALVE |
| | | WATER VALVE ON CONCRETE PILLAR |
| | | HOSE BIB |
| | | UTILITY POLE |
| | | CATCH BASIN (CURB INLET) |
| | | MANHOLE ON CONCRETE PILLAR |
| | | MANHOLE |
| | | SANITARY SEWER MANHOLE |
| | | SANITARY SEWER CLEANOUT |
| | | TREE SYMBOL & DRIP LINE |
| | | PROPERTY LINE |
| | | EASEMENT |
| | | GRADE BREAK |
| | | FLOW LINE |
| | | WIRE FENCE |
| | | FACE OF CURB |
| | | SANITARY SEWER |
| | | STORM DRAIN |
| | | WATER |
| | | OVERHEAD UTILITY LINE |
| | | ASPHALT |
| | | CONCRETE |
| | | INVERT AT CLEANOUT |

ABBREVIATIONS

- | | | | |
|------|--------------------------|------|------------------------------|
| ± | MORE OR LESS | HC | HANDICAP |
| AB | AGGREGATE BASE | IFO | IN FAVOR OF |
| AC | ASPHALT CONCRETE | INV | INVERT-BOTTOM INSIDE OF PIPE |
| APN | ASSESSOR'S PARCEL NUMBER | IP | IRON PIPE |
| BFP | BACKFLOW PREVENTER | IR | IRRIGATION |
| BM | BENCHMARK | LP | LIGHT POLE |
| BLDG | BUILDING | MB | MAILBOX |
| BW | BACK OF WALK | MON | MONUMENT |
| CB | CATCH BASIN | OH | OVERHEAD |
| CL | CENTERLINE | PG&E | PACIFIC GAS & ELECTRIC |
| CONC | CONCRETE | PUE | PUBLIC UTILITY EASEMENT |
| CNTL | CONTROL | RWD | REDWOOD |
| DIA | DIAMETER | SS | SANITARY SEWER |
| DW | DRIVEWAY | SSCO | SANITARY SEWER CLEANOUT |
| DI | DROP INLET | SSMH | SANITARY SEWER MANHOLE |
| ECMH | ECCENTRIC MANHOLE | SD | STORM DRAIN |
| ESMT | EASEMENT | SDMH | STORM DRAIN MANHOLE |
| EP | EDGE OF PAVEMENT | SF | SQUARE FEET |
| E | ELECTRIC | STLT | STREET LIGHT |
| EX | EXISTING | TC | TOP FACE OF CURB |
| FND | FOUND | TB | TOP OF BOX |
| FH | FIRE HYDRANT | TG | TOP OF GRATE |
| FL | SURFACE FLOWLINE | UB | UTILITY BOX |
| G | GAS | UP | UTILITY POLE |
| GI | GRATE INLET | W | WATER |
| GUY | GUY ANCHOR | WL | WATER LINE |
| GV | GATE VALVE | WM | WATER METER |
| | | WS | WATER SERVICE |

	SQUARE FEET	ACRES
LOT 1	31,859	0.73
LOT 2	10,865	0.25
SMALLEST	10,865	0.25
LARGEST	31,859	0.73
AVERAGE	21,362	0.49

PARCEL MAP WAIVER
FOR
ELM TREE STATION
874 NORTH WRIGHT ROAD
EXISTING CONDITIONS
2 COMMERCIAL LOTS

BEING A SUBDIVISION OF THE LANDS OF DHILLON DESCRIBED IN THAT GRANT DEED FILED UNDER DOCUMENT NO. 2006-105916, OFFICIAL RECORDS OF THE COUNTY OF SONOMA

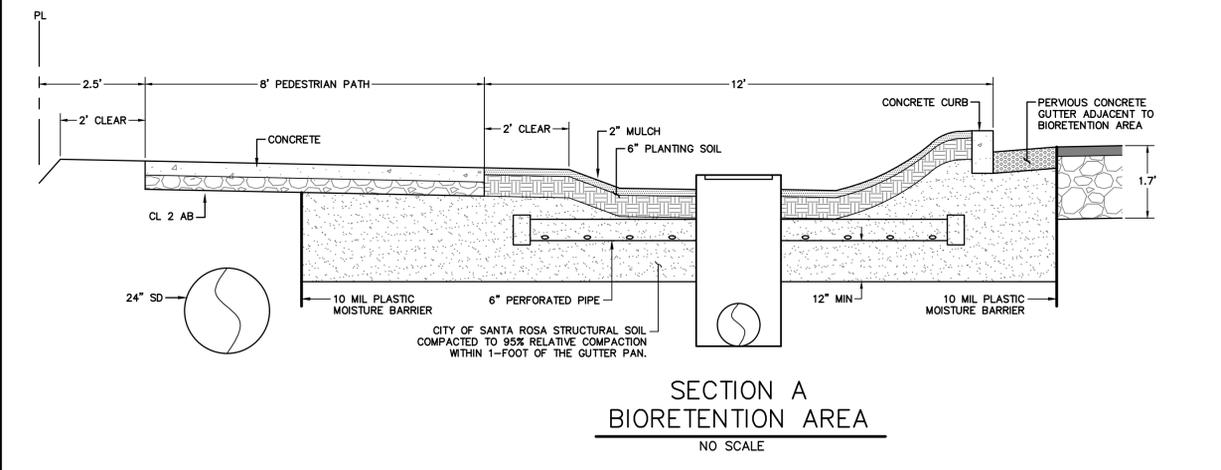
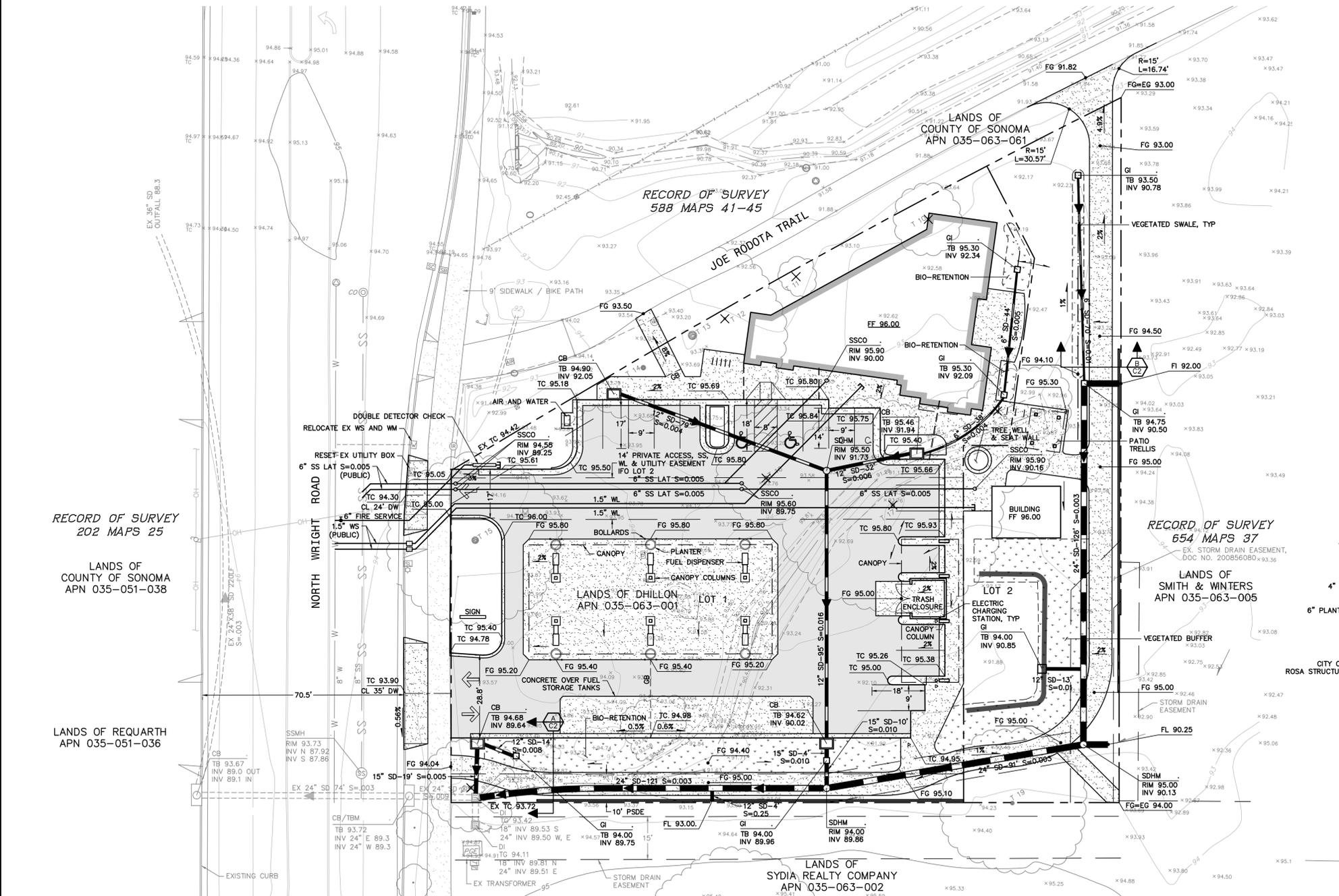
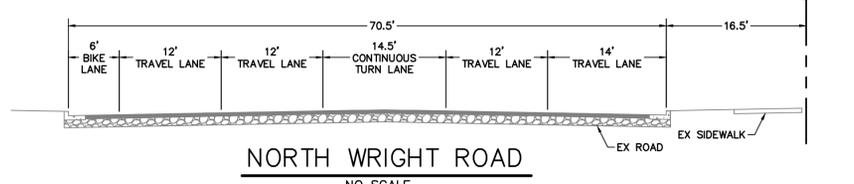
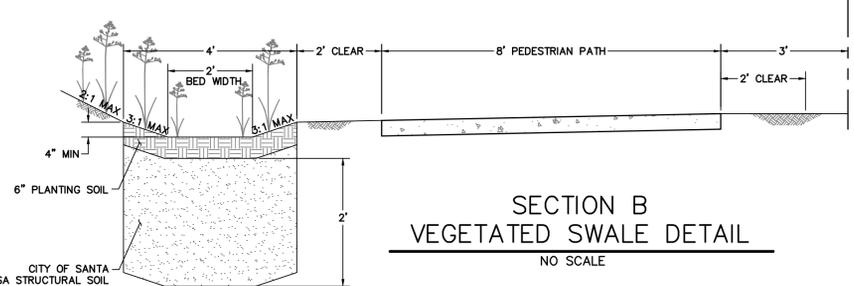
874 NORTH WRIGHT ROAD
SANTA ROSA
APN 035-063-001
0.98 ACRES
NOVEMBER 2019



PRELIMINARY
FOR STUDY PURPOSES ONLY
DATE: 11/20/2019
ERIC D. WADE C 81862



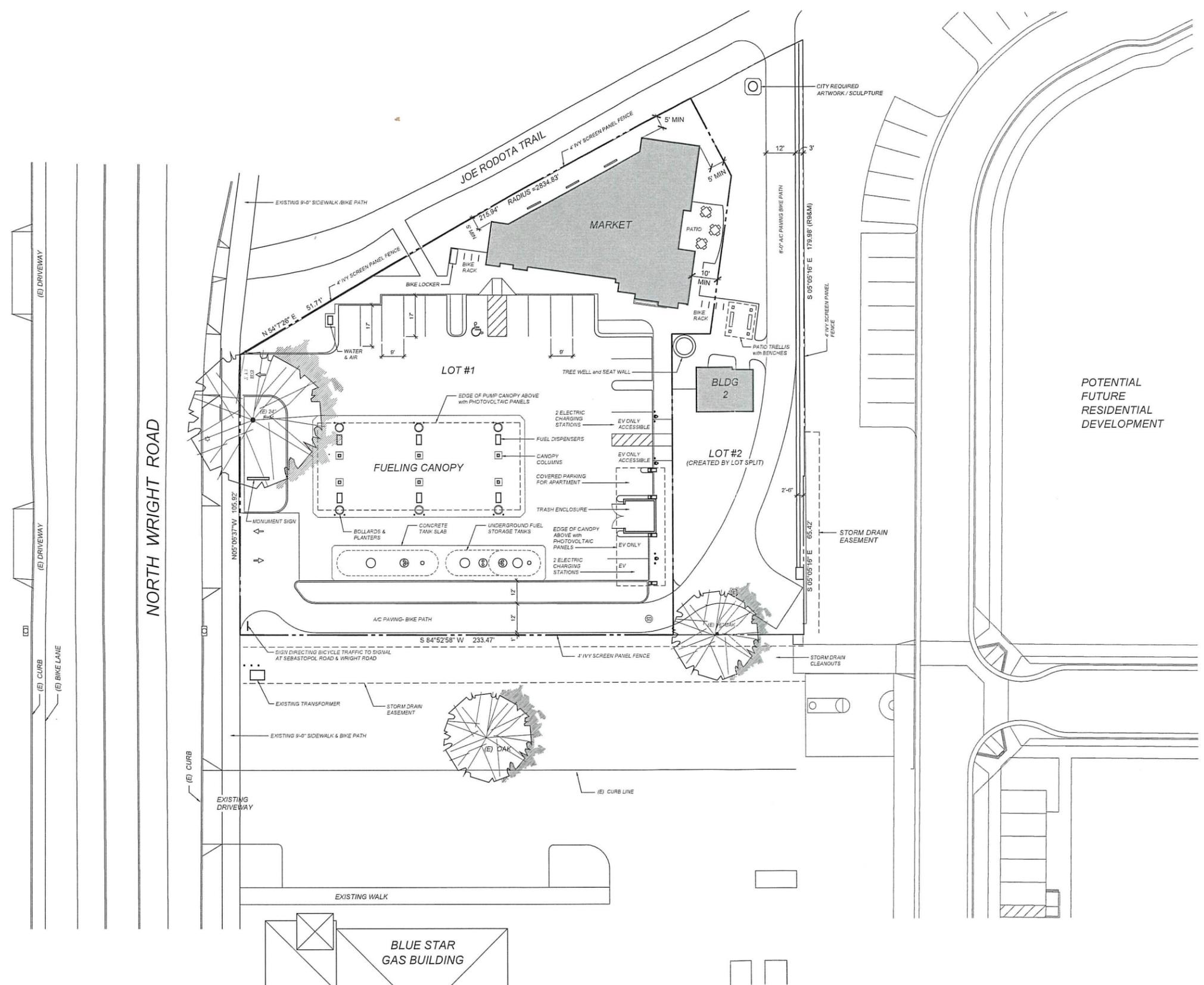
TREE TABLE			
NUMBER	SPECIES	TRUNK DIAMETER (INCHES)	
10	PINE	14	REMOVE
11	UNKNOWN, 3 TRUNKS	6	REMOVE
12	OAK	10	REMOVE
13	BIRCH	36	RETAIN
14	BIRCH, 2 TRUNKS	20	RETAIN
15	ELM, 2 TRUNKS	24-28	RETAIN
16	REDWOOD	16	REMOVE
17	ELM, 4 TRUNKS	12-16	REMOVE
18	UNKNOWN, 3 TRUNKS	8-12	REMOVE
19	OAK	16	RETAIN
20	OAK CLUSTER	4-6	REMOVE



PRELIMINARY
FOR STUDY PURPOSES ONLY
DATE: 11/20/2019
ERIC D. WADE C 81862



PARCEL MAP WAIVER
FOR
ELM TREE STATION
874 NORTH WRIGHT ROAD
GRADING AND UTILITY
2 COMMERCIAL LOTS
BEING A SUBDIVISION OF THE LANDS OF DHILLON DESCRIBED IN THAT GRANT DEED FILED UNDER DOCUMENT NO. 2006-105916, OFFICIAL RECORDS OF THE COUNTY OF SONOMA
874 NORTH WRIGHT ROAD
SANTA ROSA
APN 035-063-001
0.98 ACRES
NOVEMBER 2019



PROJECT DATA

ADDRESS: 874 NORTH WRIGHT ROAD
 APN: 035-063-001
 ZONING: PD-0435

LOT SIZE:
 LOT #1: Approx. 0.73 ACRES
 LOT #2: Approx. 0.25 ACRES

MARKET: 3,448 S.F.
 APARTMENT: 806 S.F.
 BUILDING 2: 432 S.F.

BUILDING COVERAGE (LOT #1): 24.7%
 (Building, Gas Pump Canopy, Trash Encl/Carport Canopy)

PARKING REQUIRED:

MARKET (Retail at 1:250 S.F.)	13.8
1-BEDROOM APARTMENT	1.5
BUILDING 2 (Retail at 1:250 S.F.)	1.7
TOTAL	17.0

PARKING PROVIDED: 18.0

BICYCLE PARKING REQUIRED:

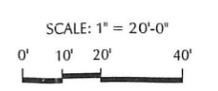
MARKET	1
1-BEDROOM APARTMENT	1
BUILDING 2	1
TOTAL	3

BICYCLE PARKING PROVIDED: 8



ELM TREE STATION
 RETAIL MARKET and FUEL FACILITY
 874 N. Wright Road Santa Rosa, California

DEVELOPMENT PLAN



City of Santa Rosa
 JUN 01 2018
 Planning & Economic
 Development Department

TIERNEY / FIGUEIREDO
 817 RUSSELL AVE. SUITE H, SANTA ROSA, CA 95403
 (707) 576-1557 (707) 576-1555 FAX info@tfarch.com

ARCHITECTS AIA

A-1
 #0538 01-25-18

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
DECEMBER 5, 2019

874 N Wright Rd
ELM TREE STATION
CC18-004

Parcel Map Waiver & Certificate of Compliance

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. There is evidence of wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this project, which would require a re-application of the Certificate of Compliance for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received: September 19, 2019.

CERTIFICATE OF COMPLIANCE AND EASEMENT DEDICATION

1. A minimum 10-foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Certificate of Compliance.

2. A 7.5-foot Public Utility Easement is to be dedicated to the City along Wright Road.
3. The private utility services from N. Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area, except for the fueling island and recharging station locations on Lot 1, shall be covered with a Floating Access Easement in favor of Lot 2.
4. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
5. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid. A copy of the receipt shall be submitted with the remaining copy to the Public Works, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
6. All Certificate of Compliance, dedication and easement document preparation costs shall be borne by the property owner, including preparation of any legal descriptions, plats, title reports, and deeds necessary. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
7. The Certificate of Compliance shall show a private storm drainage easement over the alignment of the private storm drain systems if any systems run through the rear yards of the lots. The easement on each lot shall be in favor of all upstream lots served by the system.
8. Any encroachments into the adjacent County of Sonoma located along the projects entire northerly and northwesterly property line shall be permitted separately by County of Sonoma directly with the Developer at the Developer's sole expense.
9. A reciprocal private access, sewer, and water easement 20-feet wide between lot 1 and lot 2 shall be shown on the Certificate of Compliance.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

10. All common benefit and public improvements shall be completed prior to recordation of the Certificate of Compliance.

11. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35-foot wide for the southerly driveway and 24-foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
12. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10-foot radius pavement returns.

STORM WATER SWLID COMPLIANCE

13. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years and shall be made available to the City upon request.
- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Planning and Economic Development Department for review.
 - c) A special tax district for public BMP facilities.
 - d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developer's Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

14. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project shall comply with all current State Water Board General Construction Permit Requirements.
15. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of any nature, shall be allowed to enter into or be placed where it shall be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.
16. Where bio swales or BMP treatment facilities are in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check. BMP's and or proprietary devices used as BMP's, shall not be located within the Public utility easements and shall be privately maintained by the owner for perpetuity.

PUBLIC STORM WATER

17. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
18. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm drain is to be constructed with a City Standard 216 maintenance access road contained within a 15-foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road

connecting Wright Road to the Joe Rodota Trail.

19. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

WATER AND WASTE WATER

20. An Encroachment Permit shall be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.
21. Applicant shall install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N. Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 shall be required on the water and irrigation services for Lots 1 and 2. The private fire main shall require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve shall be contained within a Public Water Easement up to the first valve location.
22. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards and as required by the Director of Utilities for Lots 1 and 2.
23. A private fire hydrant shall be required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150-feet of commercial buildings and a minimum 40-feet from structures, or as otherwise approved by the Santa Rosa Fire Department. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.
24. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N. Wright Road on Lot 1 by Lot 2 shall be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document shall be reviewed and approved by the Fire Department and shall be

recorded prior to issuance of any permit to construct the private Underground Fire Main.

25. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve shall be required.
26. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an Encroachment permit. The existing meter shall be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
27. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
28. The trash enclosure shall be covered as per City of Santa Rosa Building Codes to prevent any storm water contact with waste trash bins and receptacles. As applicable, any enclosure drain shall be plumbed directly to the grease interceptor and have no direct connection to City sanitary sewer or storm drain systems. If a trash enclosure drain is provided, an Industrial Waste Discharge Permit shall be obtained from the City's Utilities Environmental Compliance Section. Contact Environmental Services at (707) 543-3393.
29. Water Supply - Applicants shall provide Fire flow calculations for projects indicating compliance with current California State Fire Code. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.
30. Demand fees and meter sizes are to be determined after review of building plans. Submit details of the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
31. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
32. Submit the square footage of each lot to determine sewer and water demand fees.
33. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.
34. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure shall be reviewed during plan check.

35. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4028, on October 27, 2015. Plans shall be submitted with the Building Permit application.

TRAFFIC

36. The applicant shall coordinate directly with the County of Sonoma who has obtained a grant to install a signalized east-west pedestrian crossing of North Wright Street along the Joe Rodota Trail alignment along the north property line of the project regarding how this may affect their project.
37. Comply with current standards for parking lot and accessible stall dimensions and signage. Submit an on-site sign and striping plan for the new parking lot improvements at first building review. Submit parking lot and street lighting plans for review and approval. Lighting shall meet minimum lighting requirements.
38. Install traffic control signs, directional arrows and guiding striping lines in the new parking lot configuration and for project driveway exiting. The northern driveway shall be signed "exit and right- turn out" only.
39. New services (electrical, telephone, cable or conduit) to new structures shall be underground.
40. Developer shall coordinate, and where necessary, pay for the relocation of any power poles, signs or other existing public utilities, as necessary to complete the project to current standards.
41. Install bicycle parking facilities near the entrance as the project is adjacent to the Joe Rodota Trail entrance.
42. Adequate sight distance from the driveways shall be maintained at all times and landscaping shall be maintained at maximum 36" height within the stopping site distance triangle using a stopping site distance as designated by Caltrans standards. Signs and monuments shall not be placed within the stopping sight distance triangle. Tree canopies shall be maintained at least 7-feet off the ground. Install "No parking" signs and paint the curbs red within the site distance areas.
43. Appropriate street name signs, street pavement markings, and regulatory signs, as approved by the City Engineer, shall be installed and or reinstalled along the projects North Wright Road frontage. The Developer shall be responsible for

any transitional improvements required between new construction and existing improvements. The Developer shall restripe the project area frontage including bike lane and bike symbol, lane dividing lines, edge striping, and right turn only arrows with thermoplastic paint. Signing and striping shall be reviewed and approved by the City Transportation Department. Traffic markings shall be installed per the CA. MUTCD standards.

44. The project Developer shall be responsible for repairing/removing any debris, damage, or deterioration occurring to existing local streets and/or private driveways as a direct result of construction activity related to installation of the improvements (grading, street construction, utility installation, etc.). Required repair shall involve patching, cleaning, sealing or overlaying affected areas as appropriate to return North Wright Road to the condition it was in prior to construction. If the project developer does not act prudently in a timely manner, the City shall, at its discretion, perform the correction and charge the owner/subdivider for all costs and overhead incurred.

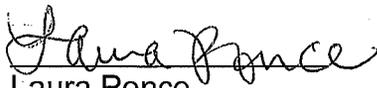
FIRE DEPARTMENT

45. Installation of new tanks requires a separate and additional permit from the Fire Department. Contact Assistant Fire Marshal Paul Lowenthal (543-3542) for additional information.
46. All enclosed buildings (not fueling canopy) shall be protected with fire sprinklers designed and installed per NFPA 13. Fire Department Connection (FDC) for sprinklers shall be located within 100 feet of a fire hydrant.
47. Twelve-inch (12) Inch illuminated premise identification shall be provided per Fire Department Standards. An illuminated monument sign may be provided at the main entrance.
48. Fire Department access is required to provide access to within 150 feet of all sides of the building along an approved path on a minimum 20 feet wide unobstructed roadway. The roadway around the fueling station canopy shall meet Fire Department inside turning radius of 20 feet and outside turning radius of 40 feet.
49. A minimum fire flow of 1500 GPM at not less than 20 PSI is required for this project. A fire Hydrant shall be provided within 400 feet of all sides of the structures along an approved path.
50. The Market and dwelling unit building shall be protected by an automatic fire sprinkler system in accordance with NFPA 13.
51. Provide a Fire Department key box (Knox box).

52. Traffic calming measures on private property are not approved as a part of this review. (i.e. speed bumps, humps, speed tables or undulations.)
53. Storage or use of any hazardous materials at the site shall require a Hazardous Materials Inventory Statement to be submitted to the Fire Department for review. Materials in excess of the permit amounts shall require a Hazardous Materials Management Plan to be submitted to the Fire Department for review and approval and may require payment of Hazardous Material Use or Hazardous Waste Generator fees. Underground flammable or combustible tanks shall be reviewed and approved by the Fire Department.
54. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

RECREATION AND PARKS

55. New street trees shall be planted by the Developer. Selection shall be made from the City's approved master plan list. Planting shall be done in accordance with the City's *Standards and Specifications for Planting Parkway Trees*. Copies of the master street tree list and standards are available at the Parks Division Office by calling (707) 543-3770. This condition shall be added to the General Notes of the improvement plans.
56. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance. The fee amount shall be determined by the resolution in effect at the time.
57. All landscaping shall be privately maintained and irrigated. Property owners shall be responsible for the irrigation and the maintenance of the planter strips along North Wright Road and the Joe Rodota Trail.
58. Tree preservation measures shall be on all improvement and construction plan sets. Prior to site work grading and underground trenching, a meeting should be held to implement tree preservation measures to lessen the impacts to the root zone, which is larger than the dripline.
59. The canopy shall not be pruned or reduced, unless low branches will be damaged by equipment.


Laura Ponce
Project Reviewer

RESOLUTION NO. 11653

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE ELM TREE STATION
PROJECT LOCATED AT 874 NORTH WRIGHT ROAD - ASSESSOR'S PARCEL
NUMBER(S) 035-063-001 - FILE NUMBER MJP12-005

WHEREAS, the Environmental Coordinator has conducted an Initial Study on the possible environmental consequences of the proposed Tentative Map and Conditional Use Permit (Elm Tree Station project), for the property located at 874 North Wright Road, which study was initially completed on August 26, 2013; and

WHEREAS, the study, in its final form, did not identify any significant effects on the environment which would result from the proposed Elm Tree Station project provided certain mitigation measures therein identified and listed were adopted and implemented; and

WHEREAS, the Environmental Coordinator, based on the Initial Study, determined that any potential environmental effects of the proposed Elm Tree Station project could be mitigated to less than significant by the identified mitigation measures and the Environmental Coordinator, based upon this determination, prepared a Mitigated Negative Declaration, a notice of which was thereafter duly posted on September 9, 2013 and an opportunity for comments from the public was given; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the proposed Mitigated Negative Declaration, the staff report, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearing held on October 24, 2013, and all comments and materials submitted prior thereto.

NOW, THEREFORE, BE IT RESOLVED that based upon the Initial Study and Mitigated Negative Declaration, the staff report and other evidence presented, the Planning Commission of the City of Santa Rosa hereby determines that the proposed Elm Tree Station project will not have a significant effect upon the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration are implemented prior to development of the subject property, and hereby approves and adopts the Mitigated Negative Declaration for the Elm Tree Station project.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 24th day of October, 2013, by the following vote:

AYES: (5) Chair Cisco, Vice Chair Stanley, Commissioners Byrd, Karsten and Minton

NOES: (1) Commissioner Duggan

ABSENT: (1) Commissioner Groninga

ABSTAIN: (0)

APPROVED: 
CHAIR

ATTEST: 
EXECUTIVE SECRETARY

Attachment 6

RESOLUTION NO. 11655

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR ELM TREE STATION - LOCATED AT 874 NORTH WRIGHT ROAD;
APN: 035-063-001 - FILE NUMBER MJP12-005

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Elm Tree Station to allow a gasoline and electric charge fueling station, mixed residential and commercial use and extended hours from 5 a.m. to mid-night, seven days a week for the property located at 874 North Wright Road, also identified as Sonoma County Assessor's Parcel Number(s) 035-063-001;

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff report, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been approved by the Planning Commission for this project pursuant to CEQA.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for Elm Tree Station to allow a gasoline and electric charge fueling station, mixed residential and commercial use and extended hours from 5 a.m. to mid-night, seven days a week, is approved subject to each of the following conditions:

DEPARTMENT OF COMMUNITY DEVELOPMENT

GENERAL:

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. All work shall be done according to the final approved plans dated received August 5, 2013.
3. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.

EXPIRATION AND EXTENSION:

4. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
5. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

BUILDING DIVISION:

6. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
7. Obtain building permits for the site work and for each structure.

ENGINEERING DIVISION:

8. Compliance with all conditions as specified by the attached Exhibit "A" dated August 22, 2013 and amended October 24, 2013.

PLANNING DIVISION:

9. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Planning Commission. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
10. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
11. Project shall comply with the Mitigation Monitoring and Reporting Program dated August 26, 2013.
12. The gasoline and electric charge fueling station and neighborhood market may operate between the hours of 5:00 a.m. and mid-night, 7 days per week.
13. Fuel deliveries or deliveries to the neighborhood market shall be limited to the hours of 7 a.m. and 7 p.m. only.
14. Prior to final occupancy, the applicant shall provide the City with a copy of a long-term agreement for two parking spaces on Lot 1 to be utilized by the retail building on Lot 2.
15. The applicant shall obtain a license agreement from Sonoma County Regional Parks to construct the two Joe Rodota Trail connectors located on Sonoma County property. Proof of the license agreement shall be provided to the Community Development Department prior to issuance of a building permit.
16. The applicant shall install bicycle legends along N. Wright Road, adjacent to both project driveways, and shall install clear and visible signage at the access points between the Joe Rodota Trail and the bypass path through the project site.
17. **PROJECT DETAILS:**
 - A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines.
 - B. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of

main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.

- C. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architecturally design element approved by the Design Review Board or Planning Division.
- D. All outdoor storage of materials or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.

18. TREE PRESERVATION:

- A. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
- B. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:
 - i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
 - ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
 - iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
 - iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
 - v. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
 - vi. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.
- C. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning

and Building Divisions prior to issuance of a building or grading permit for any site work.

- D. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
- E. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
- F. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
- G. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

19. LANDSCAPING:

- A. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
- C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
- D. Street trees will be required and shall be planted by the developer. Selection will be made from the City's approved Master Street Tree Plant List in coordination with the City Parks Division. Planting shall be done in accordance with the City "Standards and Specifications for Planting Parkway Trees." Copies of the Street Tree List and the Planting Standards are available at the Parks Division office.

20. LIGHTING:

- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
- B. Light sources shall be concealed from public view.
- C. All lighting shall be directed toward the subject property and away from adjacent properties.

- D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

21. PARKING:

- A. The parking lot shall be constructed to City standards.
- B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Department of Community Development in some other fashion.
- C. The parking lot shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.
- D. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.

22. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
- B. A planning sign permit application is required for all signs.
- C. Sign permit approval shall be obtained prior to application for a building permit.
- D. Building permits for sign installations shall be separate permits from other building permits issued for construction.
- E. Building permits for sign installations shall be separate permits from other building permits issued for construction.

23. NATURAL RESOURCES:

- A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
- B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires

project redesign shall trigger a review by the City of Santa Rosa Director of Community Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.

- C. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
- D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

FIRE DEPARTMENT

- 24. Hydrant spacing for this commercial project shall comply with current Fire Department standards: hydrants maximum 300 feet on center and minimum 40 feet from the structure.
 - A. Minimally, upsize the 6 inch lateral to 8 inch; provide a combination fire service with a hydrant at the sidewalk, then the DDC and a private, on site, hydrant in the parking island between the trash enclosure and the building.
 - B. Locations of Fire Department Connections (FDC's) for the required automatic fire sprinkler system (within 50 feet of a hydrant), and hydraulic adequacy of the required on-site, water system are a deferred item.
- 25. Fire Department access roads shall be provided to within 150 feet path-of-travel distance of all portions of first floor exterior walls of all structures and hazardous materials use or storage areas. Access roads shall be designed to current Fire Department standards: 20 feet wide minimum for structures two-stories or less in height. Required Fire Department access roads shall be signed "No Parking – Fire Lane" per current Fire Department standards.
- 26. A Fire Flow Analysis including proposed building areas, type of construction, and calculated available fire flow at the proposed fire hydrant(s) shall be provided to the Fire Department for review and approval concurrent with submittal of Grading plans. Minimum required Fire Flow for this commercial project is 2500 gpm with 20 psi residual in the main. A reduction of up to 50% is permitted as a credit for the installation of fire sprinklers. The adjusted flow cannot be less than 1500 gpm.

- A. Applicant shall contact City Utilities Department to have flow tests performed for existing hydrant #5388 (Blue Star Gas) to obtain data required prior to submitting the Fire Flow Analysis and for design of the on-site private fire main system.
27. Two copies of a Phase 1 Environmental Site Assessment shall be included with submittal of the first Engineering plan check. One copy is to be submitted directly to the Fire Department and review fee paid; a copy of the receipt shall be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and approved the Phase 1 study.
28. Site address signage per current Fire Department Standards shall be established and maintained during and after any combustible construction or intensification of site use. See SRFD Building Address Standard at http://srcity.org/departments/fire/prevention/checklists_library/Forms/AllItems.aspx
29. Traffic calming measures (speed bumps, humps, undulations, etc.) are not approved as a part of this review and require specific approval from the Fire Department.
30. Lockable gates limiting vehicle access to commercial facilities shall be equipped with a Fire Department approved locking device or Fire Department approved key system (“Knox” lock or “Knox” keyed lock). Call 543-4547 for assistance in obtaining the required lock or key system.
31. The City of Santa Rosa has adopted a local ordinance which requires automatic fire sprinkler systems in virtually all new construction. All structures shall be protected with automatic fire sprinkler systems.
32. Deferred Fire Department permits: **Construction**; Underground fire main system (from the backside of the detector check), Automatic Fire Sprinkler System. Fire Alarm System (water-flow monitoring), Fixed Extinguishing System if Market has cooking equipment; Underground Storage Tank installation, Rooftop PV System requires fire approval on the Building submittal. **Operation**: Hazardous Materials Storage, Underground Storage Tank operation and Motor Vehicle Fuel Dispensing
33. Storage or use of any hazardous materials at the site (such as diesel fuel for the on-site generator or acid for batteries) will require a Hazardous Materials Business Plan to be submitted to the on-line reporting program at www.unidocs.org. The Fire Department will review for approval. Materials on site will require a Hazardous Materials Permit to be submitted to the Fire Department for review and approval and require payment of Hazardous Material Management Plan fee.

34. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

RECREATION AND PARKS DEPARTMENT

35. The applicant shall pay park fees in effect at the time the building permit is issued.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 24th day of October, 2013 by the following vote:

AYES: (5) Chair Cisco, Vice Chair Stanley, Commissioners Byrd, Karsten and Minton

NOES: (1) Commissioner Duggan

ABSTAIN: (0)

ABSENT: (1) Commissioner Groninga

APPROVED: _____



CHAIR

ATTEST: _____



SECRETARY

TRANSPORTATION and PUBLIC WORKS DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
(August 22, 2013)
Amended October 24, 2013

874 Wright Rd
ELM TREE STATION
Minor Subdivision

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. **Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.**
- III. The tentative map shows wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received June 25, 2013:

PARCEL MAP AND EASEMENT DEDICATION

1. A minimum 10 foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Map.
2. A 7.5 foot Public Utility Easement is to be dedicated to the City along Wright Road.
3. The private utility services from N.Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area except for the fueling island and recharging station locations on Lot 1

shall be covered with a Floating Access Easement in favor of Lot 2.

4. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
5. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid, a copy of the receipt shall be submitted with the remaining copy to the Public Works, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

6. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35 foot wide for the southerly driveway and 24 foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
7. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10 foot radius pavement returns.

STORM DRAINAGE

8. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.

- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Department of Community Development for review.
- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 9. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
- 10. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm drain is to be constructed with a City Standard 216 maintenance access road contained within a 15 foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road connecting Wright Road to the Joe Rodota Trail.
- 11. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

UTILITY

- 12. An Encroachment Permit must be obtained from TPW Engineering Development Services prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.

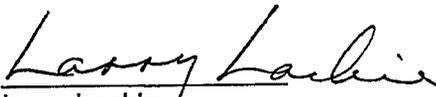
EXHIBIT A

PAGE 4

13. Applicant must install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 will be required on the water and irrigation services for Lots 1 and 2. The private fire main will require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve is to be contained within a Public Water Easement up to the first valve location.
14. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards, State Health code Title 17, and as required by the Director of Utilities for Lots 1 and 2.
15. A private fire hydrant is required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150 feet of commercial buildings and a minimum 40 feet from structures. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.
16. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N.Wright Road on Lot 1 by Lot 2 is to be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document is to be reviewed and approved by the Fire Department to be recorded prior to issuance of any permit to construct the private Underground Fire Main.
17. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve will be required.
18. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
19. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
20. The storm drain from the trash bin area is to be connected to the sewer lateral through a grease interceptor unless the trash bin is covered with roof drainage being connected to the private site drainage/SUSMP LID BMP's system. An Industrial Waste Discharge Permit must be obtained from the City's Utilities Environmental Services Section. Contact Environmental Services at 543-3369.
21. Water Supply - Applicants shall provide Fire flow calculations for projects indicating

compliance with CFC Appendix III-A. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.

22. Demand fees and meter sizes are to be determined after review of building plans. Submit details of plumbing fixtures, including the amount of fixtures and the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
23. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
24. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes should be listed on the information sheet of the Final Map.
25. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.
26. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check.
27. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B).
28. This property is subject to paying any remaining portion of the Southwest Development Impact Fee, SWDIF, required for this property in addition to standard demand fees. The local agency informational sheet of the Final Map must be annotated with this information.


Larry Lackie
Project Engineer

RESOLUTION NO. 11654

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING THE ELM TREE STATION TENTATIVE MAP LOCATED AT 874 NORTH
WRIGHT ROAD - FILE NUMBER MJP12-005

WHEREAS, an application has been submitted by Jean Kapolchok, J. Kapolchok & Associates, requesting approval of a tentative map of Elm Tree Station, more particularly described as Assessor's Parcel Number(s) 035-063-001, dated July 2013, to subdivide the property into two parcels; and

WHEREAS, the applicant was presented with the opportunity and did not prepare proposed findings supported by evidence that said subdivision complies with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code) and the Subdivision Map Act (Government Code Section 66410, et seq.).

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of two lots and no more is in compliance with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) based upon the following findings:

- A. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5.
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That the proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring Program dated August 26, 2013, as conditions in to this approval, and directs staff, as therein identified, to implement and complete the program.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Elm Tree Station Tentative Map dated July 2013, and stamped received by the City of Santa Rosa on August 5, 2013, and on file in the Department of Community Development, subject to the following conditions:

1. Compliance with all conditions as specified by the attached Exhibit "A" dated August 22, 2013, and amended October 24, 2013.
2. Project shall comply with the Mitigation Monitoring and Reporting Program dated August 26, 2013.
3. Compliance with all conditions as specified by the Elm Tree Station Conditional Use Permit Resolution Number 11655.
4. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
5. That the developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.
6. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
7. The developer shall pay park fees in effect at the time the building permit is issued.
8. Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time, or thereafter, that the building permit(s) for this development, or any part thereof, are issued.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 24th day of October, 2013, by the following vote:

AYES: (5) Chair Cisco, Vice Chair Stanley, Commissioners Byrd, Karsten and Minton

NOES: (1) Commissioner Duggan

ABSTAIN: (0)

ABSENT: (1) Commissioner Groninga

APPROVED:



CHAIR

ATTEST:


EXECUTIVE SECRETARY

TRANSPORTATION and PUBLIC WORKS DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"
(August 22, 2013)
Amended October 24, 2013

874 Wright Rd
ELM TREE STATION
Minor Subdivision

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. **Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.**
- III. The tentative map shows wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received June 25, 2013:

PARCEL MAP AND EASEMENT DEDICATION

1. A minimum 10 foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Map.
2. A 7.5 foot Public Utility Easement is to be dedicated to the City along Wright Road.
3. The private utility services from N.Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area except for the fueling island and recharging station locations on Lot 1

shall be covered with a Floating Access Easement in favor of Lot 2.

4. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
5. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid, a copy of the receipt shall be submitted with the remaining copy to the Public Works, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

6. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35 foot wide for the southerly driveway and 24 foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
7. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10 foot radius pavement returns.

STORM DRAINAGE

8. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.

- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Department of Community Development for review.
- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 9. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
- 10. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm drain is to be constructed with a City Standard 216 maintenance access road contained within a 15 foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road connecting Wright Road to the Joe Rodota Trail.
- 11. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

UTILITY

- 12. An Encroachment Permit must be obtained from TPW Engineering Development Services prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.

EXHIBIT A

PAGE 4

13. Applicant must install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 will be required on the water and irrigation services for Lots 1 and 2. The private fire main will require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve is to be contained within a Public Water Easement up to the first valve location.
14. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards, State Health code Title 17, and as required by the Director of Utilities for Lots 1 and 2.
15. A private fire hydrant is required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150 feet of commercial buildings and a minimum 40 feet from structures. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.
16. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N.Wright Road on Lot 1 by Lot 2 is to be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document is to be reviewed and approved by the Fire Department to be recorded prior to issuance of any permit to construct the private Underground Fire Main.
17. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve will be required.
18. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
19. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
20. The storm drain from the trash bin area is to be connected to the sewer lateral through a grease interceptor unless the trash bin is covered with roof drainage being connected to the private site drainage/SUSMP LID BMP's system. An Industrial Waste Discharge Permit must be obtained from the City's Utilities Environmental Services Section. Contact Environmental Services at 543-3369.
21. Water Supply - Applicants shall provide Fire flow calculations for projects indicating

EXHIBIT A

PAGE 5

compliance with CFC Appendix III-A. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.

22. Demand fees and meter sizes are to be determined after review of building plans. Submit details of plumbing fixtures, including the amount of fixtures and the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
23. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
24. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes should be listed on the information sheet of the Final Map.
25. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.
26. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check.
27. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B).
28. This property is subject to paying any remaining portion of the Southwest Development Impact Fee, SWDIF, required for this property in addition to standard demand fees. The local agency informational sheet of the Final Map must be annotated with this information.


Larry Lackie
Project Engineer

RESOLUTION NUMBER 14-888

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING FINAL DESIGN REVIEW APPROVAL FOR THE ELM TREE STATION PROJECT LOCATED AT 874 NORTH WRIGHT ROAD, APN: 035-063-001, FILE NO. MJP12-005

WHEREAS, on December 19, 2013, the Design Review Board of the City of Santa Rosa considered written and oral reports of staff, testimony and other evidence presented by all those who wished to be heard on the Elm Tree Station project located at 874 North Wright Road; and

WHEREAS, on March 20, 2014, the Design Review Board of the City of Santa Rosa considered Final Design Review for the Elm Tree Station project; and

WHEREAS, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans); and
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review (Design Guidelines, Introduction, Subsection C); and
3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood; and
5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained; and
6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA), and a Mitigated Negative Declaration was adopted by the Planning Commission on October 24, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Design Review Board of the City of Santa Rosa does hereby grant Final Design Review of the Elm Tree Station project subject to each of the following conditions:

1. The project shall comply with all conditions of approval set forth in Preliminary Design Review Resolution of Approval 13-887.
2. The landscaping in the bioswale shall be native mow free grass.

3. Allow flexibility in the design of the gas canopy. Final approval of the design shall be delegated to staff.

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa Design Review Board on this 20th day of March, 2014, by the following vote:

AYES: (6) Hilberman, Hedgpeth, Anderson, Burch, Kincaid, Sunderlage

NOES: (0)

ABSTAIN: (0)

ABSENT: (1) Zucco

Approved:

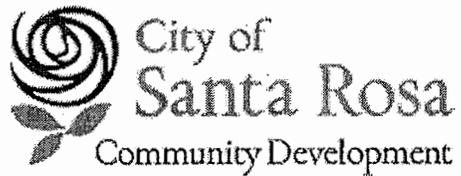


Doug Hilberman, Chair

Attest:



Bill Rose, Executive Secretary



Elm Tree Station

874 North Wright Road, Santa Rosa, CA (Sonoma County)
Assessor's Parcel No. 035-063-001

Initial Study/Mitigated Negative Declaration

Lead Agency:

City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Rm. 3
Santa Rosa, CA 95404

Contact: Jessica Jones, Senior Planner

Date: August 26, 2013



DATE: August 26, 2013
TO: Public Agencies, Organizations and Interested Parties
FROM: Jessica Jones, Senior Planner
SUBJECT: NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Department of Community Development of the City of Santa Rosa has prepared an Initial Study on the following project:

Project Name:

Elm Tree Station

Location:

874 North Wright Road, Santa Rosa, Sonoma County, California, APN: 035-063-001.

Property Description:

The currently undeveloped project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land.

Topography of the project site varies from previously graded level areas to nearly level undulating terrain, bisected by a man-made ditch that appears to dip to a lower elevation at the southeast corner of the project site. Elevations range from 89.76 to 94.57 feet above sea level, with the highest point occurring at the site of a former home at the northwestern corner of the project site, and the lowest point at the centerline of the man-made ditch.

Two topographic depressions on the east side of the project site and the man-made ditch all support seasonal wetlands. Vegetation on the site consists primarily of a mix of non-native annual grassland, seasonal wetland vegetation and ruderal (weedy) vegetation and ornamental plants. There are ten trees on site including Chinese Elm, Valley Oak, Oregon Ash, Mayten, Monterey Pine and White Poplar. The project site is located within the potential range of the California Tiger Salamander, and also provides suitable nesting habitats for the Red Shouldered and Red-Tailed Hawks, as well as the White-Tailed Kite.

The project site is designated as Retail and Business Services by the General Plan, and is zoned Planned Development (PD-0435: Wright-Sebastopol Commercial District).

Project Description:

Overall Site Improvements

The proposed project includes a request to subdivide the 0.98 acre site into two parcels. Parcel 1 is proposed at 31,143 square-feet in size and would be developed with a gasoline and electric charge fueling station and a neighborhood market with a 1-bedroom apartment above. Parcel 2 is proposed at 11,600 square-feet and would be developed with a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path.

The proposed neighborhood market would be approximately 3,448 square-feet in size, and will include outdoor patio seating. The upper floor of the market is proposed as an 806-square-foot, one-bedroom apartment, which the applicant has stated would potentially be used by staff of the market and gas station.

The fueling station includes six pumps and four electric charging stations. The canopy over the fueling pumps will include photovoltaic panels, as will the covered parking area at the east side of Parcel 1.

The small retail building on proposed Parcel 2 would be 432 square-feet in size, and, while the intended use is has not yet been determined, would potentially be used for a food service use. Parcel 2 also would include park-like amenities, as noted above, including a bike path that would traverse the eastern and southern boundaries of the project site from the Joe Rodota Trail to North Wright Road.

Two existing trees, a Valley Oak and a Chinese Elm, will be retained, and new landscaping will be added along the perimeter of the site, as well as throughout proposed Parcel 2. Proposed landscaping includes a variety of, primarily low water usage, trees, shrubs, groundcover, vines, perennials and grasses. The site will also include a new split-rail fence along the northern property line, adjacent to the Joe Rodota Trail, as well as a 4-foot tall screen panel fence along the eastern property line.

There are two proposed driveways to the site off of North Wright Road. The southerly driveway will provide both ingress and egress, while the northerly driveway will provide egress only. The proposal provides for clear circulation for vehicles and fueling trucks, as well as vehicle clearance with the presence of a truck during fueling operations. Eighteen parking spaces are proposed, three of which will be covered, which meets the Zoning Code requirements for the project. The project also proposes eight bicycle parking spaces, including traditional bike racks and one bike locker, which is consistent with Zoning Code requirements.

Site lighting includes twelve LED can lights under the fueling canopy, and two under the covered parking area. Decorative wall mounted lights and recessed can down-lights will illuminate the front and eastern side of the market building, while landscaping up-lights will illuminate the back market walls that face the Joe Rodota Trail and the proposed monument sign adjacent to North Wright Road. Ten-foot tall cut-off pole lights will be located along the proposed bike path, and 42-inch tall bollard lights will be located on either side of the proposed outdoor dining area on the eastern side of the proposed market. All lighting will be designed and located to prevent light and glare on neighboring properties.

The project has been designed to incorporate temporary, pollution prevention and permanent storm water Best Management Practices to minimize the introduction of pollutants in downstream water bodies. Bioretention areas are proposed along the parking areas, and a pervious concrete gutter pan along the head of the parking areas and some drive aisles will allow storm water to filter into the bioretention areas and interact with the plants in the landscape strip. Building roof-top water will be collected, conveyed in pipes and allowed to enter the bioretention areas. In large storm events, when the bioretention areas are at capacity, water will run down the building gutters, collect in catch basins and then be piped to the City of Santa Rosa storm drain system.

Santa Rosa Climate Action Plan Compliance (CAP)

The Elm Tree Station project incorporates all of the following policy measures contained in the CAP (listed by CAP policy), these include the following:

Policy 1.1.1 – Comply with CAL Green Tier 1 Standards: Construction documents will be designed to comply with State Energy requirements for Title 24, City of Santa Rosa’s Cal Green requirements and CAL Green Tier 1 Standards.

Policy 1.3.1 – Install real-time energy monitors to track energy use: The project will install a “Smart Meter” system to provide real-time monitoring of energy usage.

Policy 1.4.2 – Comply with the City’s Tree Preservation Ordinance (Santa Rosa Code Section 17-24.020): Existing trees have been preserved to the greatest extent possible and mitigation trees are proposed on site for those trees that are proposed for removal.

Policy 1.4.3 – Provide public and private trees in compliance with the Zoning Code: New trees and plantings associated with development of the Elm Tree Station project shown on the Conceptual Landscape Plan will be installed in compliance with the Santa Rosa Zoning Code and Santa Rosa Design Review Landscape Standards for planting private and public trees.

Policy 1.5 – Install new sidewalks and paving with high solar reflectivity materials: The project includes light colored concrete and light colored paving seal coat.

Policy 2.1.3 – Pre-wire and pre-plumb for solar thermal or PV systems: The project will include both a photovoltaic system and pre-wiring for potential future additional PV system(s).

Policy 3.2.2 – Improve non-vehicular network to promote walking, biking: The project includes a bicycle and pedestrian path that ties into the Joe Rodota Trail. In addition, the project also includes seating and bicycle racks to serve and support Joe Rodota Trail users.

Policy 3.2.3 – Support mixed-use, higher-density development near services: The project is mixed use in nature (it combines a retail market, a residential unit and automobile/pedestrian/bicycle uses).

Policy 3.6.1 – Install calming features to improve ped/bike experience: The project has seating areas, patios and a market that improve the pedestrian/bicyclist experience.

Policy 4.1.1 – Implement the Bicycle and Pedestrian Master Plan: The project’s pedestrian/bicycle path and amenities for users (see Policy 3.6.1 above) support the Bicycle and Pedestrian Master Plan.

Policy 4.1.2 – Install bicycle parking consistent with regulations: Proposed Parcels 1 and 2 both have bicycle parking for the two buildings and the Joe Rodota Trail users, consistent with the Zoning Code requirements.

Policy 4.5.1 – Include facilities for employees that promote telecommuting: The proposed residential unit is intended to be occupied by an employee of the market.

Policy 5.1.2 – Install electric vehicle charging equipment: The service station on proposed Parcel 1 includes four electrical vehicle charging stations, two of which are covered and dedicated to electric vehicle use only.

Policy 6.1.3 – Increase diversion of construction waste: A construction waste management plan will be created in compliance with CalGreen Tier 1 Standards.

Policy 7.1.1 – Reduce potable water for outdoor landscaping: As shown on the landscape plan, lower water usage landscaping will be installed to reduce potable water usage.

Policy 7.1.3 – Use water meters which track real-time water use: The project will have water meters with real-time usage tracking, assuming that the City of Santa Rosa has this capacity at the time of construction.

Policy 9.1.3 – Install low water use landscapes: Low water use native plants will be used to landscape the site. Plant materials and locations are shown on the project landscape plans.

Policy 9.2.1 – Minimize construction equipment idling time to 5 minutes or less: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.2 – Maintain construction equipment per manufacturer's specifications: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.3 – Limit Green House Gas (GHG) construction equipment by using electrified equipment or alternate fuels: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Required Entitlements/Permits

In addition to the requisite building and/or encroachment permits, Tentative Map, Conditional Use Permit and Design Review approvals are required for the proposed project.

Environmental Issues:

The proposed project would not result in potentially significant impacts. The Initial Study/Mitigated Negative Declaration document has been prepared in consultation with local, and state responsible and trustee agencies and in accordance with Section 15063 of the California Environmental Quality Act (CEQA). Furthermore, the Initial Study/Mitigated Negative Declaration will serve as the environmental compliance document required under CEQA for any subsequent phases of the project and for permits/approvals required by a responsible agency.

A thirty-day (30-day) public review period shall commence on September 9, 2013. Written comments must be sent to the City of Santa Rosa, Community Development Department, Planning Division, 100 Santa Rosa Avenue, Room 3, Santa Rosa CA 95404 by October 8, 2013. The City of Santa Rosa Planning Commission will hold a public hearing on the Initial Study/Mitigated Negative Declaration and project merits on October 10, 2013 in the Santa Rosa City Council Chambers at City Hall (address listed above). Correspondence and comments can be delivered to Jessica Jones, project planner, phone: (707) 543-3410, email: jjones@srcity.org

ENVIRONMENTAL CHECKLIST

1. **Project Title:** Elm Tree Station
2. **Lead Agency Name & Address:** City of Santa Rosa
Community Development Department
Planning Division
100 Santa Rosa Avenue
Santa Rosa, California 95404
3. **Contact Person & Phone Number:** Jessica Jones, Senior Planner
Phone number: (707) 543-3410
Email: jjones@srcity.org
4. **Project Location:** The site is located in the City of Santa Rosa, Sonoma County, California at 874 North Wright Road, Assessor's Parcel Nos. 035-063-001.
5. **Project Sponsor's Name & Address:** Project Sponsor

Mangal Dhillon
2743 Yulupa Avenue
Santa Rosa, CA 95405

Sponsor's Representative

Jean Kapolchok
J. Kapolchok & Associates
843 2nd Street
Santa Rosa, CA 95404
6. **General Plan Designation:** Retail and Business Services
7. **Zoning:** Planned Development (PD-0435: Wright-Sebastopol Commercial District)
8. **Description of Project:** (Describe the whole action involved, included but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach separate sheets if necessary.)

Overall Site Improvements

The proposed project includes a request to subdivide the 0.98 acre site into two parcels. Parcel 1 is proposed at 31,143 square-feet in size and would be developed with a gasoline and electric charge fueling station and a neighborhood market with a 1-bedroom apartment above. Parcel 2 is proposed at 11,600 square-feet and would be developed with a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path.

The proposed neighborhood market would be approximately 3,448 square-feet in size, and will include outdoor patio seating. The upper floor of the market is proposed as an 806-square-foot, one-bedroom apartment, which the applicant has stated would potentially be used by staff of the market and gas station.

The fueling station includes six pumps and four electric charging stations. The canopy over the fueling pumps will include photovoltaic panels, as will the covered parking area at the east side of Parcel 1.

The small retail building on proposed Parcel 2 would be 432 square-feet in size, and, while the intended use is has not yet been determined, would potentially be used for a food service use. Parcel 2 also would include park-like amenities, as noted above, including a bike path that would traverse the eastern and southern boundaries of the project site from the Joe Rodota Trail to North Wright Road.

Two existing trees, a Valley Oak and a Chinese Elm, will be retained, and new landscaping will be added along the perimeter of the site, as well as throughout proposed Parcel 2. Proposed landscaping includes a variety of, primarily low water usage, trees, shrubs, groundcover, vines, perennials and grasses. The site will also include a new split-rail fence along the northern property line, adjacent to the Joe Rodota Trail, as well as a 4-foot tall screen panel fence along the eastern property line.

There are two proposed driveways to the site off of North Wright Road. The southerly driveway will provide both ingress and egress, while the northerly driveway will provide egress only. The proposal provides for clear circulation for vehicles and fueling trucks, as well as vehicle clearance with the presence of a truck during fueling operations. Eighteen parking spaces are proposed, three of which will be covered, which meets the Zoning Code requirements for the project. The project also proposes eight bicycle parking spaces, including traditional bike racks and one bike locker, which is consistent with Zoning Code requirements.

Site lighting includes twelve LED can lights under the fueling canopy, and two under the covered parking area. Decorative wall mounted lights and recessed can down-lights will illuminate the front and eastern side of the market building, while landscaping up-lights will illuminate the back market walls that face the Joe Rodota Trail and the proposed monument sign adjacent to North Wright Road. Ten-foot tall cut-off pole lights will be located along the proposed bike path, and 42-inch tall bollard lights will be located on either side of the proposed outdoor dining area on the eastern side of the proposed market. All lighting will be designed and located to prevent light and glare on neighboring properties.

The project has been designed to incorporate temporary, pollution prevention and permanent storm water Best Management Practices to minimize the introduction of pollutants in downstream water bodies. Bioretention areas are proposed along the parking areas, and a pervious concrete gutter pan along the head of the parking areas and some drive aisles will allow storm water to filter into the bioretention areas and interact with the plants in the landscape strip. Building roof-top water will be collected, conveyed in pipes and allowed to enter the bioretention areas. In large storm events, when the bioretention areas are at capacity, water will run down the building gutters, collect in catch basins and then be piped to the City of Santa Rosa storm drain system.

Santa Rosa Climate Action Plan Compliance (CAP)

The Elm Tree Station project incorporates all of the following policy measures contained in the CAP (listed by CAP policy), these include the following:

Policy 1.1.1 – Comply with CAL Green Tier 1 Standards: Construction documents will be designed to comply with State Energy requirements for Title 24, City of Santa Rosa’s Cal Green requirements and CAL Green Tier 1 Standards.

Policy 1.3.1 – Install real-time energy monitors to track energy use: The project will install a “Smart Meter” system to provide real-time monitoring of energy usage.

Policy 1.4.2 – Comply with the City’s Tree Preservation Ordinance (Santa Rosa Code Section 17-24.020): Existing trees have been preserved to the greatest extent possible and mitigation trees are proposed on site for those trees that are proposed for removal.

Policy 1.4.3 – Provide public and private trees in compliance with the Zoning Code: New trees and plantings associated with development of the Elm Tree Station project shown on the Conceptual Landscape Plan will be installed in compliance with the Santa Rosa Zoning Code and Santa Rosa Design Review Landscape Standards for planting private and public trees.

Policy 1.5 – Install new sidewalks and paving with high solar reflectivity materials: The project includes light colored concrete and light colored paving seal coat.

Policy 2.1.3 – Pre-wire and pre-plumb for solar thermal or PV systems: The project will include both a photovoltaic system and pre-wiring for potential future additional PV system(s).

Policy 3.2.2 – Improve non-vehicular network to promote walking, biking: The project includes a bicycle and pedestrian path that ties into the Joe Rodota Trail. In addition, the project also includes seating and bicycle racks to serve and support Joe Rodota Trail users.

Policy 3.2.3 – Support mixed-use, higher-density development near services: The project is mixed use in nature (it combines a retail market, a residential unit and automobile/pedestrian/bicycle uses).

Policy 3.6.1 – Install calming features to improve ped/bike experience: The project has seating areas, patios and a market that improve the pedestrian/bicyclist experience.

Policy 4.1.1 – Implement the Bicycle and Pedestrian Master Plan: The project's pedestrian/bicycle path and amenities for users (see Policy 3.6.1 above) support the Bicycle and Pedestrian Master Plan.

Policy 4.1.2 – Install bicycle parking consistent with regulations: Proposed Parcels 1 and 2 both have bicycle parking for the two buildings and the Joe Rodota Trail users, consistent with the Zoning Code requirements.

Policy 4.5.1 – Include facilities for employees that promote telecommuting: The proposed residential unit is intended to be occupied by an employee of the market.

Policy 5.1.2 – Install electric vehicle charging equipment: The service station on proposed Parcel 1 includes four electrical vehicle charging stations, two of which are covered and dedicated to electric vehicle use only.

Policy 6.1.3 – Increase diversion of construction waste: A construction waste management plan will be created in compliance with CalGreen Tier 1 Standards.

Policy 7.1.1 – Reduce potable water for outdoor landscaping: As shown on the landscape plan, lower water usage landscaping will be installed to reduce potable water usage.

Policy 7.1.3 – Use water meters which track real-time water use: The project will have water meters with real-time usage tracking, assuming that the City of Santa Rosa has this capacity at the time of construction.

Policy 9.1.3 – Install low water use landscapes: Low water use native plants will be used to landscape the site. Plant materials and locations are shown on the project landscape plans.

Policy 9.2.1 – Minimize construction equipment idling time to 5 minutes or less: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.2 – Maintain construction equipment per manufacturer’s specifications: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.3 – Limit Green House Gas (GHG) construction equipment by using electrified equipment or alternate fuels: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Required Entitlements/Permits

In addition to the requisite building and/or encroachment permits, Tentative Map, Conditional Use Permit and Design Review approvals are required for the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the projects surroundings)

The currently undeveloped project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land.

Topography of the project site varies from previously graded level areas to nearly level undulating terrain, bisected by a man-made ditch that appears to dip to a lower elevation at the southeast corner of the project site. Elevations range from 89.76 to 94.57 feet above sea level, with the highest point occurring at the site of a former home at the northwestern corner of the project site, and the lowest point at the centerline of the man-made ditch.

Two topographic depressions on the east side of the project site and the man-made ditch all support seasonal wetlands. Vegetation on the site consists primarily of a mix of non-native annual grassland, seasonal wetland vegetation and ruderal (weedy) vegetation and ornamental plants. There are ten trees on site including Chinese Elm, Valley Oak, Oregon Ash, Mayten, Monterey Pine and White Poplar. The project site is located within the potential range of the California Tiger Salamander, and also provides suitable nesting habitats for the Red Shouldered and Red-Tailed Hawks, as well as the White-Tailed Kite.

The project site is designated as Retail and Business Services by the General Plan, and is zoned Planned Development (PD-0435: Wright-Sebastopol Commercial District).

10. Other Public Agencies Whose Approval Is Required: (e.g., permits, financing approval, or participation agreement.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings Of Significance |

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an EARLIER EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Jessica Jones, Senior Planner

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

I. AESTHETICS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

I.(a) No Impact.

The site is not located on a street that is designated as a Scenic Road in the Santa Rosa 2020 General Plan. Because the subject site is relatively flat, surrounded by light industrial and commercial uses to the south and west, Highway 12 to the north and a vacant residential site to the east that will likely be developed with multi-family residential, and is not on a main street, there will be no impact to scenic vistas.

I.(b) No Impact.

There are no waterways, or historic buildings located on the site, therefore there will be no impact to existing scenic resources.

I.(c) Less-Than-Significant Impact.

The proposed project meets the objectives of the City's Design Review Guidelines. The project, as described herein, is not anticipated to substantially degrade the existing visual character or quality of the site and its surroundings as it will introduce a commercial fueling station, market, with an apartment unit for a potential employee, and small retail building that is in keeping with the generally with the mixed commercial/industrial and residential nature of the surroundings. The proposal offers a sensitive interface with the Joe Rodota Trail at the north of the property, and is designed to preserve a two of the more significant existing heritage trees on site.

I.(d) Less-Than-Significant Impact.

The City of Santa Rosa Design Guidelines for Retail Centers and Commercial Districts require that all outdoor lighting fixtures be limited to a maximum height of 16 feet in parking lots. In addition, the City of Santa Rosa Zoning Code (Code) Section 20-30.080 requires that lighting fixtures be shielded or recessed to reduce light bleed to adjoining properties, and that each light fixture be directed downward and away from adjoining properties and public rights-of-way, so that no on-site light fixture directly illuminates an area off the site. With these requirements in place, the proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Standard Measures:

- Design Review is required for the project. Design Review will be obtained prior to issuance of a building permit.
- A standard condition of approval regarding exterior lighting requirements will be placed on the project.
- Conformance review shall occur at the building permit stage.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa Design Guidelines, September 2002
- City of Santa Rosa Zoning Code, 2006

Potentially
Significant
Impact

Less-Than-
Significant With
Mitigation
Incorporation

Less-Than-
Significant
Impact

No
Impact

II. AGRICULTURE AND FOREST RESOURCES

(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) Would the project:

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

II.(a-e) No Impact.

There are no important Federal or State farmlands identified within the City limits of the City of Santa Rosa. The project site is not under a Williamson Act contract, nor would the project create a conflict to agricultural uses since none occur in the area. The Santa Rosa 2035 General Plan does not identify any Agricultural land within the Urban Growth Boundary (UGB). This project is within the UGB and therefore will cause no impact to conversion of agricultural lands or result in the loss of forest land.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa's Geographic Information System Database
- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

Potentially
Significant
Impact

Less-Than-
Significant With
Mitigation
Incorporation

Less-Than-
Significant
Impact

No
Impact

III. AIR QUALITY

Would the project: (*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.*)

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

III.(a-e). Less than Significant with Mitigation Incorporation.

Vehicle Trips

A Traffic Impact Study, dated July 26, 2013, was prepared by Whitlock & Weinberger Transportation, Inc. (W-Trans). The report indicates that the proposed Elm Tree Station project is anticipated to generate an average of 1,506 vehicle trips per day. This includes 73 vehicle trips during the a.m. peak hour and 91 vehicle trips during the p.m. peak hour. Some portion of traffic associated with the commercial uses would be drawn from existing traffic on nearby streets. These vehicle trips are not considered “new”, but are instead comprised of drivers who are already driving on the adjacent street and choose to make an interim stop. These trips are referred to as “pass-by”. The percentage of these pass-by trips was based on information provided by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual*, 9th Edition, 2012. The pass-by data presented by ITE is in the range of 48 to 87 percent of total trips. To ensure a conservative analysis, a pass-by rate at the lower end of the range of published data of 50 percent was applied to this analysis.

Based on the Bay Area Air Quality Management District's thresholds of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study. As such, the project is expected to have a less-than-significant impact relative to air quality impacts related to vehicle usage.

Construction Impacts

The project would generate temporary air pollutant emissions during construction activities. The short-term air quality impacts during construction would be associated primarily with an increase in suspended particulates (dust). Construction activities, including site clearing and soil disturbance, could generate dust emissions and locally elevated levels of particulates (i.e., PM10) downwind of construction activities. This increase in dust could result in potentially significant short-term impacts on nearby residential uses. The BAAQMD provides feasible control measures for construction emissions of PM10. The potentially significant air quality impacts would be reduced to a less-than-significant level with the mitigation presented below.

This project would use typical construction equipment such as trucks and bulldozers. This type of equipment can generate temporary emissions of ozone precursors (i.e., nitrogen oxides and volatile organic compounds). These emissions are accommodated in the emission inventory of the state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone standards. In addition, toxic air contaminants (TACs), such as diesel exhaust, are emitted from various construction vehicles and equipment. The project would require limited construction activities and would not emit substantial TACs.

Standard Measures:

None.

Recommended Mitigation Measures:

- AQ-1** The Applicant shall implement air quality protection measures recommended by the BAAQMD, including but not limited to those listed below, to reduce diesel particulate matter and PM_{2.5} from construction operations to ensure that short-term health impacts are avoided:
- a. Water all active construction grading areas at least twice daily and more often during windy periods.
 - b. Cover all hauling trucks or maintain at least two feet of freeboard.
 - c. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
 - d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep streets daily (with water sweepers) if visible soil material is deposited onto adjacent roads.
 - e. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
 - f. Limit traffic speeds on any unpaved roads to 15 mph.
 - g. Suspend construction activities that cause visible dust plumes that extend beyond the construction site.
 - h. A Disturbance Coordinator will be assigned to the Project at least for the full duration of demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues (e.g., dust and odors) in a timely manner. The contact information for this Coordinator will be posted in plain view at the

Project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.

- i. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke 3 minutes after start up is in violation of this measure.
- j. Properly tune and maintain equipment in accordance with manufacturer specifications.
- k. Reduce combustion emissions during construction as required in the California Air Resources Board Off-Road Diesel Rule. The "no idling" rule for in-use off-road diesel-fueled vehicles limits idling for such vehicles to no more than five minutes. Signs shall be clearly posted at the construction sites indicating the idle times for construction-related equipment shall be minimized and noting that no diesel equipment shall idle for more than five minutes. Idling necessary to accomplish work for which a vehicle was designed (such as operating a crane) are exempt from the rule (see rule for additional exemptions).
- l. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations or other regulatory requirements.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
--------------------------------------	---	-------------------------------------	--------------

IV. BIOLOGICAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <p>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

IV.(a, b, d, f) Less than Significant with Mitigation Incorporation.

The 0.98 acre site, which is currently undeveloped, at one time was the site of a former residential home, and now includes ornamental trees, shrubs and a pit in the location of a removed septic tank. A man-made ditch starts in the central eastern portion of the project site, runs diagonally through the site, and terminates at a stormdrain inlet structure on the west side, alongside North Wright Road. Project site vegetation is characterized as ruderal (weedy) and ornamental vegetation, non-native annual grassland and seasonal wetland.

A Biological Resources Analysis (Analysis), dated November 6, 2012, was prepared for the project by Monk & Associates, Inc. The Analysis provides a description of existing biological resources on the project site and identifies potentially significant impacts that could occur to sensitive biological resources, including common plant and animal species, special-status plants and animals and waters of the United States, from the development of the proposed project.

Potential Special-Status Plants on the Project Site:

According to the California Native Plant Society Inventory and the California Department of Fish and Game's Natural Diversity Database, a total of 62 special-status plant species are known to occur in the region of the project site. However, as discussed in the Analysis, the project site's ruderal and non-native, annual grassland with two small seasonal wetlands provides suitable habitat for only 14 of these 62 special-status plant species. None of the 14 special-status plant species were found on the site by Monk & Associates, Inc. during their investigation. However, the Analysis identified three species, including Sonoma Sunshine, Burke's Goldfields

and Sebastopol Meadowfoam, that could be potentially impacts. Specifically, although none of the aforementioned species were observed on the site after two years of appropriately timed surveys, according to the U.S. Fish and Wildlife Service's Santa Rosa Plain Conservation Strategy, any impact to potentially suitable seasonal wetland habitat for all three species would be significant. The mitigation measures identified below address these impacts.

Potential Special-Status Animals on the Project Site:

According to the Analysis, no special-status animals have ever been mapped on the project site. Field surveys, including aquatic dip-netting surveys, were conducted by Monk & Associates, Inc. in March, April, May and June of 2010 and 2011. No special-status animal species were observed on the project site during those studies. However, according to the California Department of Fish and Game's Natural Diversity Database, a total of six special-status animal species are known to occur within five miles of the project site. Of the six species, due to habitat requirements, only one, the California Tiger Salamander, has the potential to occur on the project site.

The project site is within the boundaries of the U.S. Fish and Wildlife Services' designated Critical Habitat of the Sonoma County "Distinct Population Segment" of the California Tiger Salamander (CTS). According to the Analysis, there are 20 reported occurrences of CTS within two miles of the project site, and six separate breeding areas are located within 1.5 miles of the project site. However, the closest breeding site occurs north of Highway 12, a major geographic barrier to CTS movements. The nearest recorded CTS occurrence to the project site that is not separated by physical barriers is approximately 2,000 feet east of the project site, in what was native grassland containing swales, but that is now partially developed.

During Monk & Associates, Inc.'s 2011 spring larval surveys, no CTS were found on the project site. According to the Analysis, the project site does not provide suitable breeding habitat for CTS, hence, no impacts to breeding or larval development habitat are expected from the proposed project. Accordingly, no salvage of CTS will be necessary prior to development of the project site.

According to the Analysis, no adult CTS occurrences have been documented within 500 feet of the project site. However, in accordance with the "Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain (1998)", for projects that are greater than 500 feet and within 2,200 feet of a known breeding site, CTS are required to be mitigated at a 2:1 ratio. Because there are no existing improvements on site, the entire 0.98 acre parcel is considered to provide upland over-summering habitat for CTS. Finally, the Analysis discusses that the project site is located in an area of the Santa Rosa Plain that has been designated in the Final Santa Rosa Plain Conservation Strategy as "potential for presence of CTS and listed plants". As a result, impacts to the CTS from the proposed development are considered potentially significant. However, following a meeting between Monk & Associates, Inc., the U.S. Fish and Wildlife Service and California Department of Fish and Game, the applicant has agreed to purchase 1.96 acres of mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. The mitigation measures identified below address the aforementioned impacts.

Additionally, based on Monk & Associates, Inc.'s experience, it is expected that raptors (birds of prey) and passerine (perching birds) could nest in the mature ornamental and native trees on or adjacent to the project site, those species include the Red Shouldered Hawk, Red-Tailed Hawk and White-Tailed Kite. The project site also provides suitable foraging habitat for these particular species. As a result, until nesting surveys are conducted that confirm or negate these species' presence on the project site, nesting impacts from the proposed project are considered potentially significant. Per the Analysis, preconstruction nesting surveys will be conducted before tree removal and earth-moving activities commence on the project site. If nesting of any of the aforementioned species are found on or adjacent to the project site, a buffer will be established until the young have fledged. The mitigation measures identified below address these impacts.

IV.(c) Less than Significant with Mitigation Incorporation.

According to the Biological Resources Analysis (Analysis), dated November 6, 2012, prepared by Monk & Associates, Inc., a preliminary wetland delineation was conducted on the project site on March 16, 2010, using the U.S. Army Corps of Engineers' (Corps) 1987 "Wetlands Delineation Manual" in conjunction with the regional supplement for the Arid West Region. Subsequently, on September 22, 2010, the Corps field verified the extent of their jurisdiction on the project site pursuant to Section 404 of the Clean Water Act. The Corps confirmed a total of 0.22 acres of waters of the U.S. on the project site. The Analysis identifies that the waters of the U.S. on the site consist of low-quality seasonal wetlands within a man-made ditch, two topographical depressions and a channel leading to a culvert on the southwestern corner of the project site. Construction of the proposed project will result in impacts to all Corps jurisdictional areas.

As stated in the Analysis, The Corps' mapped jurisdictional area would be regulated by the Regional Water Quality Control Board (RWQCB) pursuant to the Porter-Cologne Water Quality Control Act. Since any "threat" to water quality could conceivably be regulated pursuant to the Porter-Cologne Water Quality Control Act, care will be required when constructing the proposed project to be sure that adequate pre- and post-construction Best Management Practices are incorporated into the project implementation plans.

Pursuant to the Analysis, on February 17, 2011, Monk & Associates, Inc. met with the RWQCB's North Coast office and with the Corps to discuss the project. Both the RWQCB and the Corps agreed that impacts to waters of the U.S. and State could be mitigated using a Corps and RWQCB approved wetland conservation bank. The applicant has agreed to purchase 0.45 acres of mitigation credits from the Horn Avenue Mitigation Bank. The mitigation measures identified below address the aforementioned impacts.

IV.(e) Less than Significant with Mitigation Incorporation.

A total of ten trees were evaluated by Horticultural Associates based on their trunk diameter and location in relation to the proposed construction. The ten trees include two Valley Oaks, a Chinese Elm, three White Poplars, an Oregon Ash, a Mayten, and a Monterey Pine. Of the trees evaluated, eight are proposed for removal, four of which are protected trees and four of which are exempt pursuant to the Santa Rosa Tree Ordinance. According to the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, and a follow-up letter from Horticultural Associates, dated October 7, 2012, the project is proposing to preserve and protect the two most significant trees on site, a 17.5-inch Valley Oak and a Chinese Elm, which has trunk diameters of 21.5-inches and 24-inches. The four protected trees that are proposed for removal are a 9.5-inch Oregon Ash, a 7.5-inch Mayten, an 11-inch + 10.5-inch + 13-inch + 12.5-inch + 11-inch Chinese Elm, and a 4-inch + 3.5-inch + 5-inch + 5-inch + 6-inch + 4.5-inch Valley Oak. The mitigation measures identified below address these impacts.

Standard Measures:

None.

Recommended Mitigation Measures:

BR-1 Nesting Raptors – In order to avoid impacts to nesting raptors, a nesting survey shall be conducted 30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 300 feet of the entire project site (if access is readily available to offsite areas), not just trees slated for removal.

If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the

nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier than August 1st, or later, and would have to be determined by a qualified raptor biologist.

BR-2 Nesting Passerine Birds – If tree removal or site disturbance would occur between February 1st and August 31st, a nesting survey shall be conducted on the project site prior to the disturbance. The nesting surveys should be completed 15 days prior to commencing with the work. If nesting passerine birds are identified nesting on or near the project site, a 75-foot radius around the nest must be staked with bright orange spray painted lath or construction fencing. If an active nest is found offsite, the portion of the buffer that is onsite must be staked. No construction or earth-moving activity shall occur within this 75-foot staked buffer until it is determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones.

Typically, most birds in the region of the project site area expected to complete nesting by August 1st. However, in the region many species can complete nesting by mid-June to mid-July. Regardless, nesting buffers should be maintained until August 1st unless a qualified ornithologist determines that young have fledged and are independent of their nests at an earlier date. If buffers are removed prior to August 1st, the qualified biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Santa Rosa Community Development Department prior to the time that buffers are removed if the date is before August 1st.

BR-3 Waters of the United States and/or State – The applicant is proposing to mitigate impacts to 0.22 acres (9,623 square-feet) of U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional seasonal wetlands via purchase of mitigation credits from the Horn Avenue Mitigation Bank. Wetlands on the project were mostly created by the former resident as a “sink” collecting surface runoff from the surface area for the private residence relatively recently removed from the site. Wetland vegetation does not consist of vernal pool species, rather is mostly comprised of low value, non-native wetland plant species. As such the proposed impacted wetlands have low functions and services (i.e., they are low quality wetlands). Thus mitigation at a 2:1 ratio (i.e., for each tenth of an acre of impact, compensation shall consist of 2tenths of an acre of mitigation credits) from a qualified mitigation bank is appropriate. Since mitigation credits must be purchased at a minimum of 0.05-acre increments, and since the project will impact 0.22 acres of seasonal wetland, 0.45 acres of mitigation credits shall be purchased from the Horn Mitigation Bank, a qualified wetlands mitigation bank. An agreement with the Horn Mitigation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa’s Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.

BR-4 California Tiger Salamander – In accordance with the “Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plan Species on the Santa Rosa Plain (Programmatic BO)”, the applicant will mitigate impacts to 0.98 acres of California Tiger Salamander habitat with the purchase of 1.96 acres of

mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. To meet this mitigation requirement, the applicant has agreed to purchase 0.33 acres of combined Sebastopol Meadowfoam (*Limnanthes vincularis*) and California Tiger Salamander (CTS) mitigation credit from the Swift/Turner Conservation Bank. The remaining 1.63 acres of CTS mitigation credits have been purchased from Hale Wetland mitigation and the Hazel Mitigation Bank. An agreement with the Hale and Hazel Mitigation Banks and the Swift/Turner Conservation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. CTS and rare plant mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.

BR-5 **Suitable Habitat for Special-Status Plants** – Prior to issuance of a building permit, impacts to suitable habitat for Sonoma sunshine, Burke's goldfields and Sebastopol meadowfoam are required to be mitigated with 1:1 occupied or established habitat (any combination) and 0.5:1 of established habitat. The mitigation land is to be preserved and managed in perpetuity. The proposed project would result in impacts to 0.22 acres of seasonal wetland. Per the Programmatic Biological Opinion, it would be considered "suitable habitat" for listed vernal pool plant species. Thus, the applicant shall mitigate impacts to 0.22 acres of seasonal wetland/endangered plant habitat by purchasing 0.33 acres of credit from a U.S. Fish and Wildlife Services approved mitigation bank (1.5:1 ratio). An agreement with the Swift/Turner Conservation Bank to purchase 0.33 acres of Sebastopol meadowfoam mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.

BR-6 **Loss of Protected or Heritage Trees** – In accordance with Santa Rosa City Code, Chapter 17-24, the alteration, removal or relocation, of heritage, protected, or street trees and shall comply with the mitigation ratio requirements for tree removal mandated by the City Code. The total trunk diameter of heritage trees to be removed is 103 inches. Per the requirements of the City Code, the total trunk diameter is divided by 6 and multiplied by 2 to determine the total number of trees required as mitigation. A total of 35 trees are therefore required to be planted as mitigation. A fee of \$100 per replacement tree may be paid to the City of Santa Rosa's Tree Mitigation Fund prior to the removal of the trees in-lieu of planting replacement trees onsite.

The project developer shall comply with all grading, landscaping and pruning provisions contained in the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, consistent with requirements of the City's Tree Ordinance. This shall include, but not be limited to the following:

- a. Install temporary protective fencing at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Maintain fencing in place for duration of construction.
- b. Maintain existing grade within the fenced portion of the dripline. Route drainage swales and underground work outside the dripline where possible.
- c. Place a 4-inch layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Suitable bark must contain bark "fines". Maintain this layer of mulch throughout construction.
- d. Prune to clean and raise the canopy, and reduce end weight, per International Society of Arboriculture pruning standards.

Sources:

- Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
- California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
- Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
- Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
- Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

V. CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

V.(a-e) Less than Significant Impact.

A Cultural Resources Evaluation of the subject property was prepared by Archeological Resource Service, dated April 23, 2013. The evaluation concludes that there is no evidence of prehistoric cultural material during surface inspection and the previous buildings, which have been removed, was likely constructed sometime between 1954 and 1968. While the structures would have been greater than 45 years of age, they did not appear to be potentially significant historic resources under the California Register of Historic Resources criteria. Because no potentially significant cultural resources were identified within the project area, no specific mitigation is warranted at this time. However, standard measures are provided in the unlikely event that any buried archeological resources are discovered during excavation.

There are no known unique geological or paleontological features on the project site.

Standard Measures:

- If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation of any impacts to those resources.
- If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
- If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
---	---	--	----------------------

VI. GEOLOGY AND SOILS

Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

of loss, injury, or death involving:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

VI.(a-c) Less-than-Significant Impact.

Santa Rosa is located within a seismically active area of California. The City is subject to geological hazards primarily related to earthquakes due to the presence of active faults. Most notably the City has a designated Alquist Priolo Fault Zone extending through the City's downtown area, the fault zone is designated over the faults known as Roger's Creek Fault and the Healdsburg Fault. The City is also susceptible to the movement of the Bay Area's other active faults including the San Andreas Fault.

The Geotechnical Investigation Report, prepared by Bauer Associates, dated October 16, 2012, states that the published geologic maps do not indicate active faults on the site, therefore the risk of fault rupture during earthquakes is considered to be low. Further, Bauer Associates did not observe soils considered prone to liquefaction or densification below the weak surface soils.

Although the project site is not located within the Alquist Priolo Fault Zone, or within the limits of the Rodgers Creek Fault, any development will require the application of City and California Building code (CBC) construction standards to address all potential impacts related to possible area seismic activity, making impacts from geologic hazards less than significant. The CBC requires earthquake resistant design and construction which reduces earthquake damages and losses.

Application of City standards and Title 24/California Code of Regulations in effect at the time of a development application will address potential impacts related to possible area seismic activity.

VI.(d) Less than Significant with Mitigation Incorporation.

According to the Geotechnical Investigation Report, prepared by Bauer Associates, dated October 16, 2012, the primary geotechnical concerns related to the property and the proposed project are the presence of variable density old fills and weak surface soils, and the presence of highly expansive soils. The Report concludes that the existing surface materials are unsuitable for support of fills, foundations and concrete slabs in their present condition.

The Report explains that suitable foundation support can be achieved by upgrading weak/porous surface soils in building areas by removal and recompaction for their full depth. Further, the risk of future structural damage by shrinking and swelling of the expansive clays should be mitigated by covering the expansive soils with a 30-inch thick confining and moisture protecting blanket of non-expansive fill (where expansive soils are encountered within 30 inches of subgrade). The mitigation measure identified below address these impacts.

VI.(e) No Impact.

The project would connect to the existing wastewater system and would not need septic tanks or an alternative wastewater disposal system.

Standard Measures:

None.

Recommended Mitigation Measures:

GS-1 All recommendations outlined in the Geotechnical Investigation Report for Elm Tree Station Retail Market and Fuel Facility, prepared by Bauer Associates, dated October 16, 2012, shall be adhered to.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- a. Generate Greenhouse Gas Emissions, either directly or indirectly, that may have a significant impact on the environment?
- b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion:

VII.(a-b). Less-than-Significant Impact.

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of Greenhouse Gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming. State law defines GHG to include the following: carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code, section 38505(g).) The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, recognizes that California is the source of substantial amounts of GHG emissions. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems. In order to avert these consequences, AB 32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2035 (a reduction of approximately 25 percent from forecast emission levels) with further reductions to follow.

On December 4, 2001, the Santa Rosa City Council adopted a resolution to become a member of Cities for Climate Protection (CCP), a project of the International Council on Local Environmental Initiatives. On August 2, 2005 the City adopted Resolution 26341 which committed the City of Santa Rosa (City) to reduce the City's municipal (i.e., city government) greenhouse gas emissions by 20 percent below 2000 levels by 2010 and committed to help facilitate the community-wide greenhouse gas reduction target of 25% from 1990 levels by 2015 (City of Santa Rosa 2005). In October 2008, the nine Sonoma County cities and the County with the help of the Climate Protection Campaign (CPC) incorporated the greenhouse gas reduction goals into the Sonoma County Community Climate Action Plan (CAP).

In June 2008 the City prepared a report, *Greenhouse Gas Emissions Related to Water and Wastewater Services: Baseline, Reduction Strategies, and Recommendations*. This report investigates various greenhouse gas reduction strategies that the Utilities Department could implement in support of the City's municipal greenhouse gas reduction target. Of Santa Rosa's greenhouse gas emissions, the Utilities Department operations represent the largest share (46%). For the year 2005, greenhouse gas emissions from the entire wastewater sector was estimated at 9,513 tons of CO₂ equivalent per year. Of which, the pumping of wastewater (i.e. lift stations) was estimated at 60 tons of CO₂ equivalent per year or less than 1% of all emissions from wastewater. One strategy from the report to reduce these emissions is to improve pump efficiency.¹

In June 2012 the City approved the Santa Rosa Climate Action Plan (SRCAP) The SRCAP identifies a need to reduce emissions by a total of 558,090 tons (or 25%) below business-as-usual levels projected for 2020 to meet the established greenhouse gas reduction goals. The SRCAP includes recommendations for reducing emissions in the building, transportation, agriculture, forestry, and solid waste sectors and includes recommendations to reduce the City's reliance on the electrical grid by implementing renewable energy projects. The SRCAP measures, policies and projects to reduce community wide GHGs are aligned with the goals and policies of the Santa Rosa General Plan Open Space and Conservation Element.

To ensure that new development complies with the City's GHG reduction program, the SRCAP contains a "New Development Checklist". The Checklist contains policies allowing new development to incorporate measures for SRCAP compliance and to reduce potential GHG impacts to less than significant levels. The Checklist denotes 15 mandatory measures. If a project cannot meet one or more the mandatory measures, substitution of other measures described in the Checklist is permitted.

The Elm Tree Station project incorporates 14 of the mandatory measures, plus six additional measures, contained the SRCAP. These include the following:

Policy 1.1.1 – Comply with CAL Green Tier 1 Standards: Construction documents will be designed to comply with State Energy requirements for Title 24, City of Santa Rosa's Cal Green requirements and CAL Green Tier 1 Standards.

Policy 1.3.1 – Install real-time energy monitors to track energy use: The project will install a "Smart Meter" system to provide real-time monitoring of energy usage.

Policy 1.4.2 – Comply with the City's Tree Preservation Ordinance (Santa Rosa Code Section 17-24.020): Existing trees have been preserved to the greatest extent possible and mitigation trees are proposed on site for those trees that are proposed for removal.

Policy 1.4.3 – Provide public and private trees in compliance with the Zoning Code: New trees and plantings associated with development of the Elm Tree Station project shown on the Conceptual Landscape Plan will be installed in compliance with the Santa Rosa Zoning Code and Santa Rosa Design Review Landscape Standards for planting private and public trees.

Policy 1.5 – Install new sidewalks and paving with high solar reflectivity materials: The project includes light colored concrete and light colored paving seal coat.

Policy 2.1.3 – Pre-wire and pre-plumb for solar thermal or PV systems: The project will include both a photovoltaic system and pre-wiring for potential future additional PV system(s).

¹ Climate Protection Campaign. *Greenhouse Gas Emissions Related to Water and Wastewater Services: Baseline, Reduction Strategies, and Recommendations*, June 2008, <http://coolplan.org/ccap-report/source-material/4%20Wastewater.pdf>, Section 3.1.2.

Policy 3.2.2 – Improve non-vehicular network to promote walking, biking: The project includes a bicycle and pedestrian path that ties into the Joe Rodota Trail. In addition, the project also includes seating and bicycle racks to serve and support Joe Rodota Trail users.

Policy 3.2.3 – Support mixed-use, higher-density development near services: The project is mixed use in nature (it combines a retail market, a residential unit and automobile/pedestrian/bicycle uses).

Policy 3.6.1 – Install calming features to improve ped/bike experience: The project has seating areas, patios and a market that improve the pedestrian/bicyclist experience.

Policy 4.1.1 – Implement the Bicycle and Pedestrian Master Plan: The project's pedestrian/bicycle path and amenities for users (see Policy 3.6.1 above) support the Bicycle and Pedestrian Master Plan.

Policy 4.1.2 – Install bicycle parking consistent with regulations: Proposed Parcels 1 and 2 both have bicycle parking for the two buildings and the Joe Rodota Trail users, consistent with the Zoning Code requirements.

Policy 4.5.1 – Include facilities for employees that promote telecommuting: The proposed residential unit is intended to be occupied by an employee of the market.

Policy 5.1.2 – Install electric vehicle charging equipment: The service station on proposed Parcel 1 includes four electrical vehicle charging stations, two of which are covered and dedicated to electric vehicle use only.

Policy 6.1.3 – Increase diversion of construction waste: A construction waste management plan will be created in compliance with CalGreen Tier 1 Standards.

Policy 7.1.1 – Reduce potable water for outdoor landscaping: As shown on the landscape plan, lower water usage landscaping will be installed to reduce potable water usage.

Policy 7.1.3 – Use water meters which track real-time water use: The project will have water meters with real-time usage tracking, assuming that the City of Santa Rosa has this capacity at the time of construction.

Policy 9.1.3 – Install low water use landscapes: Low water use native plants will be used to landscape the site. Plant materials and locations are shown on the project landscape plans.

Policy 9.2.1 – Minimize construction equipment idling time to 5 minutes or less: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.2 – Maintain construction equipment per manufacturer's specifications: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.3 – Limit Green House Gas (GHG) construction equipment by using electrified equipment or alternate fuels: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013

Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
working in the project area?				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

VII.(a-d) Less than Significant Impact.

The proposed project would be required to comply with relevant Fire, Building and Health and Safety Codes which would reduce the risk of upset. According to the State of California EnviroStor Database of Hazardous Material Cleanup Sites the site is not in or near any Federal or State Superfund sites.

The project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school. Water for the site would be provided by the City of Santa Rosa. Accordingly, the project is not anticipated to create a significant risk of upset or hazard to human health and safety.

VII.(e, f) No Impact.

The project site is located approximately six miles from the Sonoma County Airport, and is outside of the Airport Land Use Plan planning area. The project site is not within the vicinity of a private airstrip.

VII.(g) Less than Significant Impact.

The City of Santa Rosa is under the County of Sonoma's jurisdiction for the Department of Emergency Services. The Division of Emergency Management in the Department of Emergency Services is the lead agency for the Sonoma Operational Area. The Sonoma Operational Area consists of nine incorporated cities (Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, and the Town of Windsor), Sonoma State University, the Sonoma County Junior College District, and other special districts within the county's geographical boundary. Construction at the project site would not interfere with an adopted emergency response or evacuation plan. However, there may be brief and intermittent disruptions to traffic during construction at the site. These minor disruptions would be monitored by flaggers who would clear the road for on-coming emergency vehicles.

VII.(h) No Impact.

According to General Plan Section 12-7, the project site is not located in an area designated for Wildland Fire. Since the project is not located in one of the indicated areas, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

Standard Measures:

- Two copies of a Phase 1 Environmental Site Assessment shall be required with submittal of the first Engineering plan check. One copy shall be submitted directly to the Fire Department and review fee paid; a copy of the receipt will be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits will not be issued until the Fire Department has reviewed and approved the Phase 1 study.
 - a. Obtain authorization from the Santa Rosa Fire Department – Hazardous Materials Division (CUPA) for construction to commence.
 - b. Provide a copy of no further action letter from the Regional Water Quality Control Board to the Fire Department.
 - c. Both authorizations above are to ensure that no additional remediation is necessary and that construction will not entomb contaminated materials which will not be able to be remediated once a building is atop same.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa’s Geographic Information System Database
- State of California EnviroStor Database of Hazardous Material Cleanup Sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm)

Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

IX.(a-j) Less than Significant Impact.

Water Supply/Conservation

To determine the water supply needs of the City's current General Plan, the Utilities Department has calculated water demand and water supply projections. These projections are included in the City's 2005 Urban Water Management Plan and the Water Supply Assessment for the Santa Rosa General Plan 2035. To meet the current water supply needs, the City has an agreement for water supply with the Sonoma County Water Agency to receive up to 29,100 acre-feet per year of water. In addition, the City has two groundwater wells that can produce up to 2,300 acre-feet per year and the City is the owner and operator of the Subregional System, which produces recycled water for irrigation. To meet the needs of the City's General Plan growth projections, additional water sources beyond what the City has currently developed could be needed as early as 2015. To augment currently developed supply, the City will use water conservation, recycled water, additional groundwater (wells), and possibly additional supply from the Sonoma County Water Agency. At this time, there is adequate reliable water supply during most hydrologic conditions for both current users and future users as dictated by the City's growth management regulations.

The City has had a long-standing commitment to water conservation, resulting in savings of over 3,900 acre-feet per year. In 1976-77, the City began its water conservation program and over the years has implemented many innovative water conservation incentives, such as the Go Low Flow program (replaced over 47,000 high flow toilets, showerheads and faucet aerators with ultra-low flow versions), washing machine rebate programs, landscape irrigation rebate programs, and other residential and commercial programs. Development fees fund the City's Water Conservation Program. In addition, new development is required to install ultra-low flush toilets and low flow showerheads and faucet aerators, as well as water efficient landscapes.

To deal with water supply shortages, the City has an adopted Urban Water Shortage Contingency Plan (Shortage Plan), which outlines how the City will respond to a reduction in water supply and which addresses the effect on new development when a cutback of 35% or greater is required. The Shortage Plan was updated in 2006 and adopted by City Council on June 27, 2006. Water supply shortages of 35% and greater require development to offset the water demand from their projects by conserving 2 times and 3 times the amount, depending on the level of the water supply shortage.

The Sonoma County Water Agency has not declared a water shortage to date. Should the Water Agency declare a water shortage and allocate water per the Water Shortage Allocation Methodology as outlined in the Restructured Agreement for water supply, the City will enact the appropriate stage of our Shortage Plan. Depending on when the project is developed, the appropriate demand offset will be required if needed.

Water Quality

Storm water, or runoff generated from rain, that is not absorbed into the ground accumulates debris, chemicals and other polluting substances harmful to water quality. Polluted stormwater entering creeks is a huge concern because of its threat to public health and the plant and animal life that inhabit waterways. Additionally, rain runoff from developments may increase flow rates and durations that cause hydromodification in creeks contributing to loss of habitat and decreased aquatic biological diversity. In areas with known groundwater pollution, infiltration of stormwater may need to be avoided as it could contribute to the movement or dispersion of groundwater contamination.

The project was required to provide a Preliminary Stormwater Treatment Plan for the project. The plan was reviewed by the City's Public Works - Engineering Development Services Division for compliance with Low

Impact Development stormwater management standards and found to be consistent with the requirements. The plan is attached to this report.

Flooding

The project site is not located within a flood zone (Santa Rosa General Plan 2035 Figure 12-4). As such, the proposed project is not anticipated to expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, nor is the site expected to be impacted by inundation by seiche, tsunami or mudflow. Impacts are expected to be less than significant.

Standard Measures:

- Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines using Low Impact Development (LID) Best Management Practices (BMPs). Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B).
- A Final Standard Urban Storm Water Mitigation Plan (SUSMP) using Low Impact Development (LID) Best Management Practices (BMP) is to be included with the Building Permit application. All private SUSMP structures are to be located outside of Public Right of Way and Public Utility Easements. All SUSMP details and improvements are to be included in the Building Permit Site Plans. This site is currently under a Toxic Remediation Order, review and approval of infiltration through on site retention will be required by the Regional Water Quality Control Board before submittal of the Final SUSMP for review and approval by the City. Recommendations received by the Board are to be incorporated into the Final SUSMP submitted to the City for review and approval.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

X. LAND USE AND PLANNING

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with any applicable land use plan, | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially
Significant
Impact

Less-Than-
Significant With
Mitigation
Incorporation

Less-Than-
Significant
Impact

No
Impact

policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion:

IX.(a-c) Less than Significant.

The subject site's Retail and Business Services General Plan land use designation allows retail and service enterprises, offices, and restaurants.

The project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land. Given the types of development allowed under the Retail and Business Services General Plan designation and the Planned Development (PD-0435: Wright-Sebastopol Commercial District) zoning classification, the proposed project is not anticipated to divide an existing community or conflict with a habitat conservation plan.

The proposed project is consistent with the Santa Rosa General Plan. In addition, project is not expected to translate into comprehensive environmental impacts with respect to the current General Plan designation and Zoning classification.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

XI. MINERAL RESOURCES

Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion:

X.(a-b) No Impact.

The project site does not contain any locally or regionally significant mineral resources. The proposed development of the project site will not create an adverse impact upon locally or regionally significant resources since there are no such resources located on the project site.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

XII. NOISE

Would the project result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to or generation of excessive ground borne vibration or ground

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
borne noise levels?				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

XI.(a-f) Less than Significant with Mitigation.

The Noise Element of the City of Santa Rosa's General Plan identifies policies that are intended to guide the development of new projects with regard to exposure to or generation of noise. The policies support the City's goal of maintaining an acceptable community noise level. The following policies are applicable to the proposed project:

- NS-B-1** Do not locate noise-sensitive uses in proximity to major noise sources.
- NS-B-2** Encourage residential developers to provide buffers other than sound walls, where practical. Allow sound walls only when projected noise levels at a site exceed land use compatibility standards in Figure 12-1 (of the Santa Rosa General Plan 2035).
- NS-B-3** Prevent new stationary and transportation noise sources from creating a nuisance in existing developed areas. Use a comprehensive program of noise prevention through planning and mitigation, and consider noise impacts as a crucial factor in project approval.
- NS-B-4** Require new projects in the following categories to submit an acoustical study, prepared by a qualified acoustical consultant:
 - All new projects that could generate noise whose impacts on other existing uses would be greater than those normally acceptable.

- NS-B-5** Pursue measures to reduce noise impacts primarily through site planning. Engineering solutions for noise mitigation, such as sound walls, are the least desirable alternatives.
- NS-B-6** Do not permit existing uses to generate new noises exceeding normally acceptable levels unless:
 - Those noises are mitigated to acceptable levels; or
 - The activities are specifically exempted by the City Council on the basis of community health, safety and welfare.
- NS-B-14** Discourage new projects that have potential to create ambient noise levels more than 5 dBALdn above existing background, within 250 feet of sensitive receptors.

The City of Santa Rosa has adopted a quantitative noise ordinance in Chapter 17-16 of the Municipal Code. Section 17-16.120 regulates noise from machinery and equipment: "It is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient base noise level by more than 5 decibels. Ambient base noise levels for residential office, commercial, and industrial areas are established in Section 17-16.030. The applicable ambient noise level criteria are shown in Table 1, below:

Land Use Zone	Daytime Level	Evening Level	Nighttime Level
Single-Family Residential	55	50	45
Multi-Family Residential	55	55	50
Office and Commercial	60	60	55
Intensive Commercial	65	65	55
Industrial	70	70	70

Source: City of Santa Rosa, City of Santa Rosa Municipal Code 17-16.030

The Noise Ordinance defines ambient noise as follows: "Ambient noise is the all-encompassing noise associated with a given environment usually a composite of sounds from many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources at the location and time of day near that at which a comparison is to be made." The noise descriptor, Leq, is used in the noise report for the purposes of determining noise with respect to these limits.

Based on the results of the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013, it was determined that the following project activities could exceed the site-specific allowable noise levels at adjacent residential uses:

- Nighttime market/retail deliveries; and
- Daytime, evening or nighttime fuel deliveries.

The mitigation measures listed below will reduce these potential project noise impacts and allow project compliance with the City's Noise Ordinance limits.

Standard Measures:

- Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays.

Recommended Mitigation Measures:

N-1 To mitigate the potential project noise impacts and allow daytime fuel deliveries and daytime, evening and nighttime market deliveries to comply with the City’s Noise Ordinance limits, prior to the occupancy of future residences on the adjacent to property to the east, a sound wall with a minimum height of ten (10) feet above parking lot grade shall be constructed. The sound wall shall be located on the eastern property line from the northern edge of the proposed southeast corner pedestrian access point, northward for approximately 160 feet to a point approximately 30 feet north of the southernmost edge of the market footprint (as illustrated in Figure 2 in the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013).

To be effective as a noise barrier, the wall shall be built without cracks or gaps in the face or large or continuous gaps at the base and have a minimum surface weight of 3.0 pounds per square-foot.

N-1 To mitigate potential impacts to future residential uses from heavy (semi-trailer type) truck fuel deliveries, fuel deliveries shall be during the hours of 7 a.m. to 7 p.m. only.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006
- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013.

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
--------------------------------------	---	-------------------------------------	--------------

XIII. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

XII. (a-c) Less than Significant Impact.

The Retail and Business Services General Plan category allows retail and service enterprises, offices, and restaurants. Self-storage facilities are permitted under the existing CG (General Commercial) zoning with a Minor Use Permit (MUP).

The subject site is bordered Sonoma Highway to the northwest, a commercial center including car wash, retail and offices to the northeast, commercial to the southeast and Santa Rosa Creek to the southwest. The proposal does not include substantial changes to the infrastructure beyond the established baseline of existing conditions. Given the types of development allowed under the Retail and Business Services General Plan designation and the scope of the proposal, the proposed project is not anticipated to induce substantial population growth in the area, nor is it expected to displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

The proposed project is not expected to translate into comprehensive environmental impacts with respect to the current General Plan designation and Zoning classification.

Standard Measures:

None

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
--------------------------------------	---	-------------------------------------	--------------

XIV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a. Fire protection?

- | | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

XIII.(a-e) Less than Significant. The project site is located within the City of Santa Rosa and would receive all necessary public services. Fire protection services will be provided by the City of Santa Rosa. Police protection services will be provided by the City's Police Department. The proposal is not anticipated to cause the need for new public services or facilities. Existing fire and police protection are determined to be adequate to serve the Project.

Standard Measures:

- The Fire Department has reviewed plans for the proposed project and imposed standard conditions of approval.
- Other standard conditions of approval will apply, including provision of a fire flow analysis to ensure adequate water pressure and flow rates.

Recommended Mitigation Measures:

None.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Community Development Department's Standard Conditions of Approval dated August 27, 2008

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
---	---	--	----------------------

XV. RECREATION

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

physical effect on the environment?

Discussion:

XIV.(a-b) Less than Significant. No on-site park or recreational facilities are proposed with the project. The project will provide an on-site connection to the Joe Rodota Trail, and will provide seating areas for bicyclists and pedestrians, although the area will not be a City park. Potential impacts to parks and recreation, relative to the proposed Elm Tree Station project, are anticipated to be less than significant.

Standard Measures:

None

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

Potentially Significant Impact

Less-Than-Significant With Mitigation Incorporation

Less-Than-Significant Impact

No Impact

XVI. TRANSPORTATION/TRAFFIC

Would the project:

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

XV.(a-b and d-f) Less than Significant.

A Traffic Impact Study was prepared for the proposed Elm Tree Station project by Whitlock & Weinberger Transportation, Inc. (W-Trans), dated July 26, 2013. The Study states that the proposed project is expected to generate an average of 1,506 net new daily trips after deductions are made for the pass-by component, which 73 of these trips during the morning peak hour and 91 during the evening peak hour. The study intersections of State Route (SR) 12/Fulton Road and Sebastopol Road/South Wright Road are currently operating acceptably and are expected to continue doing so upon the addition of project-generated traffic. Both study intersections are expected to operate acceptably at LOS D or better under existing plus project conditions, and both are currently experiencing collisions at a rate that is below the statewide average for similar facilities. Under future conditions, both intersections are expected to operate deficiently both without and with project traffic added. However, planned improvements in the Santa Rosa General Plan are assumed to improve both intersections to acceptable operation.

As outlined in the Study, existing facilities for non-vehicular modes of transportation are largely provided by the Joe Rodota Trail. However, connectivity between North Wright Road and the Joe Rodota Trail is generally lacking. To improve access, the project will add a pedestrian and bicycle path to connect the existing sidewalk along the project frontage to the Joe Rodota Trail. Bike racks are included as part of the project plan.

The Study further states that sight distance at the project's driveway is adequate, though landscaping should be maintained to ensure continued adequate site lines. The project will have two access driveways: the north for egress only and the south for both ingress and egress. The existing two-way left-turn lane on North Wright Road is expected to serve inbound traffic.

With regard to on-site circulation, the plans provided indicate that the AutoTURN application was used to analyze AASHTO design vehicle types P (passenger car) and WB-50 (intermediate semi-trailer). The two design vehicles were used because the site's main traffic generator is passenger vehicles and the intermediate semi-trailer will be used for delivering gas. Based on the information provided, circulation is expected to be adequate.

The proposed project is not expected to conflict with an applicable plan, ordinance or policy or conflict with an applicable congestion management program. The project is not anticipated to increase hazards due to design features nor result in inadequate emergency access. Public transit, bicycle, or pedestrian facilities in the vicinity are expected to operate acceptably with respect to the proposed project. Staff members from the City's Department of Public Works -Engineering Development Services, including the City's Traffic Engineer, have reviewed the proposal and have not identified any significant issues.

The project is anticipated to have a less-than-significant impact relative to transportation and traffic.

XV.(c) No Impact.

The project site is located approximately six miles from the Sonoma County Airport, and is outside of the Airport Land Use Plan planning area. The project site is not located near a public or private airport. The project will not impact air traffic patterns nor will it conflict with adopted policies programs supporting alternative transportation.

Standard Measures:

- The applicant shall pay traffic impact fees to help fund planned future improvements at State Route 12/Fulton Road and road widening on Sebastopol Road.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa's Geographic Information System Database
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

which could cause significant environmental effects?

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

XVI.(a-g) Less than Significant Impact.

The proposed project is located within an urbanized area within the City limits of Santa Rosa. Utilities and services exist or are available through local City services, waste removal, Pacific Gas & Electric and other providers. The project will use some of the existing service capacity. Services and supplies are adequate to serve the project which does not result in the need for new systems or supplies, therefore the impact is considered to be less than significant.

Standard City conditions will require compliance with the Storm Water Mitigation Plan Guidelines, including implementation of conditions of approval requiring use of best management practices, and submittal of storm drainage plans to the Regional Water Quality Control Board. Adequate landfill capacity exists at County facilities to support future development.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
--------------------------------------	---	-------------------------------------	--------------

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

XVII (a) Less-Than-Significant with Mitigation Incorporation.

The project is not anticipated to degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory. Through implementation of Mitigation Measures BR-1 through BR-6, potential impacts to the habitat of a fish or wildlife species, as well as flora and/or fauna on site, are anticipated to be reduced to less than significant.

XVII (b and c) Less-Than-Significant.

The project does not have the potential to create impacts which are individually limited but cumulatively considerable. The environmental effects of the project are generally negligible and will be lessened through standard City construction standards and practices.

Traffic impacts are not anticipated to result in adverse cumulative conditions; the City has adopted circulation policies as part of its General Plan Transportation Element that regulates traffic movement and requires construction of project improvements to ensure traffic safety. Long-term traffic impacts related to General Plan build-out (2035 scenario) and cumulative traffic conditions will be addressed by ongoing City efforts to pursue alternative transportation modes, including increased use of public transit and other Transportation Systems Management methods.

The proposal does not present potentially significant impacts which may cause adverse impacts upon human beings, either directly or indirectly. The development project will be conditioned to make City standard improvements with respect to noise impacts, roadways and storm drainage. Building and improvement plans will be reviewed to ensure compliance with applicable building codes and standards.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
- Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
- California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
- Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
- Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
- Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012
- A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013
- Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012
- Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013
- State of California EnviroStor Database of Hazardous Material Cleanup Sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm)

- Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013
- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013

APPENDIX

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Santa Rosa Department of Community Development. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Design Guidelines, September 2002
- City of Santa Rosa Zoning Code, 2006
- City of Santa Rosa's Geographic Information System Database
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
- Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
- California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
- Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
- Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
- Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012
- A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013
- Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012
- Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013
- State of California EnviroStor Database of Hazardous Material Cleanup Sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm)
- Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013
- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013
- Community Development Department's Standard Conditions of Approval dated August 27, 2008

PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES

As the project sponsor or the authorized agent of the project sponsor, I, Jean Kapolchok, J. Kapolchok & Associates, undersigned, have reviewed the Initial Study for the Elm Tree Station project and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of Santa Rosa to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Jean Kapolchok 8/27/13
Property Owner (authorized agent) Date

DETERMINATION FOR PROJECT

On the basis of this Initial Study and Environmental Checklist I find that the proposed project (choose the appropriate text):

- could not have a Potentially Significant Effect on the environment. A Negative Declaration will be prepared.
- could have a Potentially Significant Effect on the environment; however, the aforementioned mitigation measures to be performed by the property owner (authorized agent) will reduce the potential environmental impacts to a point where no significant effects on the environment will occur. A Mitigated Negative Declaration will be prepared.

Jessica Jones 8-26-13
Signature Date

Jessica Jones Senior Planner
Printed Name Title

REPORT AUTHORS AND CONSULTANTS

Jessica Jones, Senior Planner
City of Santa Rosa, Community Development Department.

Attachments:

1. Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
2. Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
3. California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
4. Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
5. Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
6. Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012

7. A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013
8. Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012
9. Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013
10. Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013
11. Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013

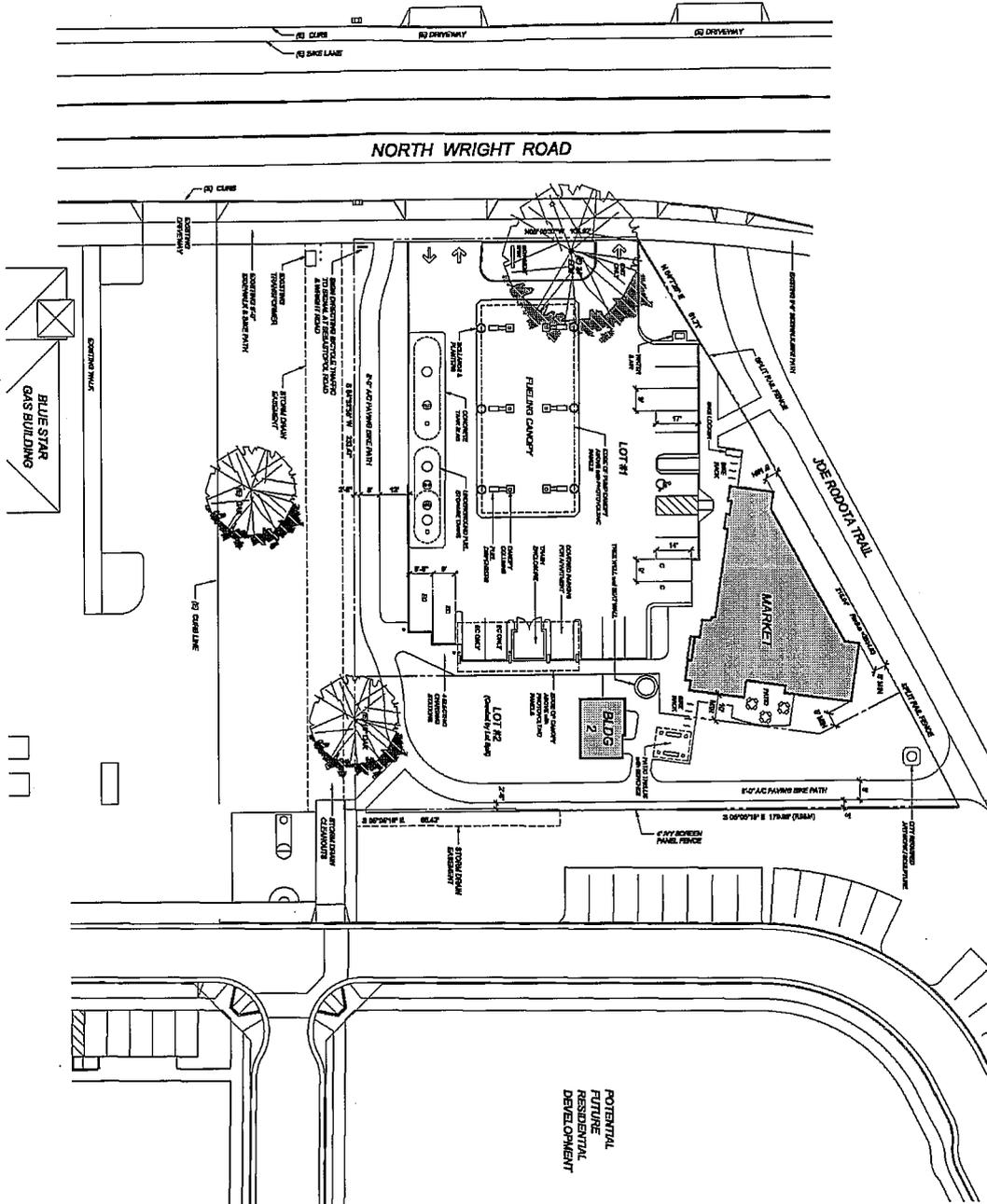
ELM TREE STATION
RETAIL MARKET and FUEL FACILITY
 874 N. Wright Road
 Santa Rosa, California

DEVELOPMENT PLAN

SCALE: 1" = 20'-0"
 0' 10' 20' 40'



TIERNEY / FIGUEROA
 87 TUBBEL AVE. SUITE 114 SANTA ROSA, CA 95405
 PHONE: (707) 539-1344 FAX: (707) 539-1345
ARCHITECTS AIA



POTENTIAL
 FUTURE
 RESIDENTIAL
 DEVELOPMENT



VICINITY MAP

PROJECT DATA

ADDRESS: 874 NORTH WRIGHT ROAD
 ZONING: PD-40S
 LOT SIZE: Approx. 0.73 ACRES
 LOT #1: Approx. 0.25 ACRES
 MARKET: 3,448 S.F.
 APARTMENT: 800 S.F.
 BUILDING 2: 422 S.F.

BUILDING COVERAGE (LOT #1): 24.7%
 (Market, Gas Pump Canopy, Trash Enclosure/Comp)

PARKING REQUIRED:
 MARKET (Retail at 1250 S.F.) 13.8
 1-BEDROOM APARTMENT 1.5
 BUILDING 2 (Retail at 1250 S.F.) 1.7
77.0

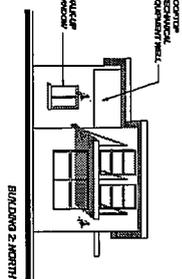
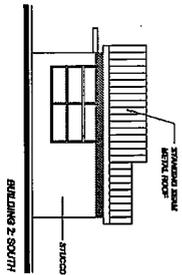
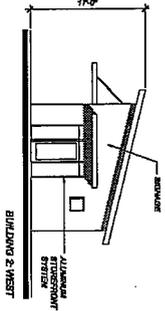
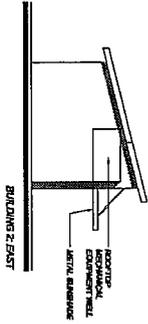
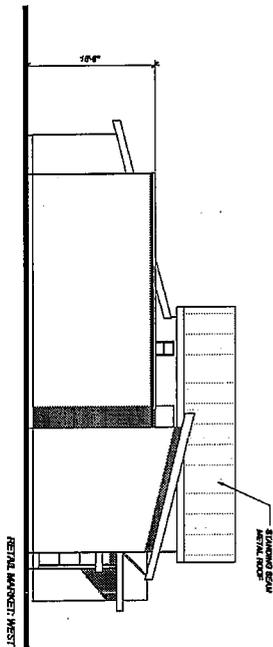
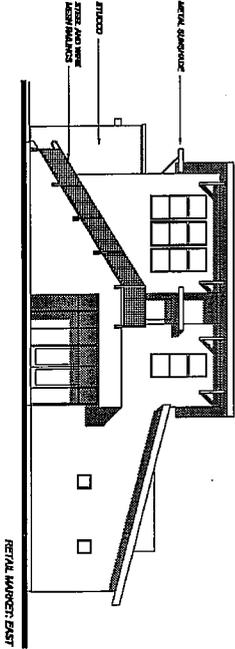
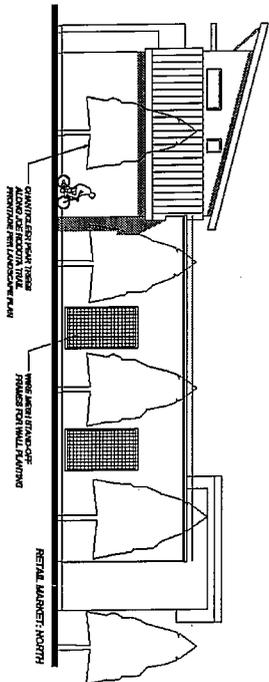
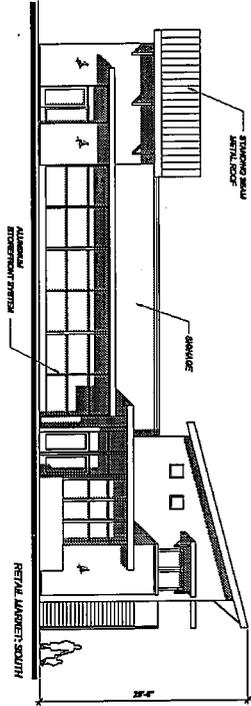
PARKING PROVIDED:
 18.0

BIKE/PARKING PROVIDED:
 MARKET 1
 1-BEDROOM APARTMENT 1
 BUILDING 2 5
8

ELM TREE STATION
RETAIL MARKET and FUEL FACILITY
 874 N. Wright Road Santa Rosa, CA

CONCEPTUAL ELEVATIONS
RETAIL MARKET and BUILDING 2

SCALE 1/8" = 1'-0"
 0 4 8 16



TIERNEY/FIGUEROA
 ARCHITECTS
 1115 S. MARKET STREET, SUITE 100
 SAN JOSE, CA 95128
 TEL: 415.763.1111
 FAX: 415.763.1112
 WWW.TIERNEYFIGUEROA.COM

ELM TREE STATION

Mitigation Monitoring and Reporting Program

August 26, 2013

ELM TREE STATION
MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM
Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
AESTHETICS – Standard Measures					
<ul style="list-style-type: none"> Design Review is required for the project. Design Review will be obtained prior to issuance of a building permit. A standard condition of approval regarding exterior lighting requirements will be placed on the project. Conformance review shall occur at the building permit stage. 	<p>Design Review process (Design Review Board).</p> <p>Incorporate into conditions of approval.</p> <p>Conformance review prior to building permit issuance.</p>	Planning Division	Prior to issuance of building permit.	Deny issuance of building permit.	
AIR QUALITY – Mitigation Measures					
AQ-1					
<p>The Applicant shall implement air quality protection measures recommended by the BAAQMD, including but not limited to those listed below, to reduce diesel particulate matter and PM_{2.5} from construction operations to ensure that short-term health impacts are avoided:</p> <ol style="list-style-type: none"> Water all active construction grading areas at least twice daily and more often during windy periods. Cover all hauling trucks or maintain at least 	<p>Incorporate into project conditions of approval, as well as the design and construction documents; on-site observation.</p>	Building Division	<p>Verification of incorporation into design and construction documents prior to issuance of building permit.</p> <p>Monitor during regularly scheduled inspections.</p>	<p>Deny issuance of building permit.</p> <p>Stop construction until compliance.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>two feet of freeboard.</p> <p>c. Pavement, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.</p> <p>d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep streets daily (with water sweepers) if visible soil material is deposited onto adjacent roads.</p> <p>e. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.</p> <p>f. Limit traffic speeds on any unpaved roads to 15 mph.</p> <p>g. Suspend construction activities that cause visible dust plumes that extend beyond the construction site.</p> <p>h. A Disturbance Coordinator will be assigned to the Project at least for the full duration of demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues (e.g., dust and odors) in a timely manner. The contact information for this Coordinator will be posted in plain view</p>					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>at the Project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.</p> <p>i. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke 3 minutes after start up is in violation of this measure.</p> <p>j. Properly tune and maintain equipment in accordance with manufacturer specifications.</p> <p>k. Reduce combustion emissions during construction as required in the California Air Resources Board Off-Road Diesel Rule. The "no idling" rule for in-use off-road diesel-fueled vehicles limits idling for such vehicles to no more than five minutes. Signs shall be clearly posted at the construction sites indicating the idle times for construction-related equipment shall be minimized and noting that no diesel equipment shall idle for more than five minutes. Idling necessary to accomplish work for which a vehicle was designed (such as operating a crane) are</p>					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>exempt from the rule (see rule for additional exemptions).</p> <p>1. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations or other regulatory requirements.</p>					
<p>BIOLOGICAL RESOURCES – Mitigation Measures</p>					
<p>BR-1</p> <p>Nesting Raptors – In order to avoid impacts to nesting raptors, a nesting survey shall be conducted 30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 300 feet of the entire project site (if access is readily available to offsite areas), not just trees slated for removal.</p> <p>If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The</p>	<p>Incorporate into project conditions of approval.</p> <p>A qualified biologist to conduct at preconstruction survey if earth moving activities and construction is proposed to occur during the nesting season. If found buffer areas will be established around any nesting site.</p>	<p>Building Division/Planning Division</p>	<p>Verification of incorporation into design and construction documents prior to issuance of building permit</p> <p>Monitor during regularly scheduled inspections</p>	<p>Deny issuance of building permit</p> <p>Stop construction until compliance</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier than August 1st, or later, and would have to be determined by a qualified raptor biologist.</p>	<p>Incorporate into project conditions of approval. A qualified biologist to conduct at preconstruction survey if earth moving activities and construction is proposed to occur during the nesting season. If found buffer</p>	<p>Building Division/Planning Division</p>	<p>Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections</p>	<p>Deny issuance of building permit Stop construction until compliance</p>	
<p>BR-2 Nesting Passerine Birds – If tree removal or site disturbance would occur between February 1st and August 31st, a nesting survey shall be conducted on the project site prior to the disturbance. The nesting surveys should be completed 15 days prior to commencing with the work. If nesting passerine birds are identified nesting on or near the project site, a 75-foot radius around the nest must be staked with bright orange spray painted lath or construction fencing. If an active nest is found offsite, the portion of the buffer that is onsite must be staked. No construction or earth-moving activity shall occur within this 75-foot staked buffer until it is</p>					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones.</p> <p>Typically, most birds in the region of the project site area expected to complete nesting by August 1st. However, in the region many species can complete nesting by mid-June to mid-July. Regardless, nesting buffers should be maintained until August 1st unless a qualified ornithologist determines that young have fledged and are independent of their nests at an earlier date. If buffers are removed prior to August 1st, the qualified biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Santa Rosa Community Development Department prior to the time that buffers are removed if the date is before August 1st.</p>	<p>areas will be established around any nesting site.</p>				
<p>BR-3</p> <p>Waters of the United States and/or State – The applicant is proposing to mitigate impacts to 0.22 acres (9,623 square-feet) of U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional seasonal wetlands via purchase of mitigation credits from the Horn Avenue Mitigation Bank. Wetlands on the project were mostly created by the former</p>	<p>Incorporate into project conditions of approval.</p> <p>Proof of purchase of mitigation credits shall be provided to the City of Santa</p>	<p>Planning Division</p>	<p>Verification of mitigation credit purchase</p>	<p>Deny issuance of building permit</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>resident as a "sink" collecting surface runoff from the surface area for the private residence relatively recently removed from the site. Wetland vegetation does not consist of vernal pool species, rather is mostly comprised of low value, non-native wetland plant species. As such the proposed impacted wetlands have low functions and services (i.e., they are low quality wetlands). Thus mitigation at a 2:1 ratio (i.e., for each tenth of an acre of impact, compensation shall consist of 2tenths of an acre of mitigation credits) from a qualified mitigation bank is appropriate. Since mitigation credits must be purchased at a minimum of 0.05-acre increments, and since the project will impact 0.22 acres of seasonal wetland, 0.45 acres of mitigation credits shall be purchased from the Horn Mitigation Bank, a qualified wetlands mitigation bank. An agreement with the Horn Mitigation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.</p>	<p>Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.</p>				

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>BR-4</p> <p>California Tiger Salamander – In accordance with the “Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plan Species on the Santa Rosa Plain (Programmatic BO)”, the applicant will mitigate impacts to 0.98 acres of California Tiger Salamander habitat with the purchase of 1.96 acres of mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. To meet this mitigation requirement, the applicant has agreed to purchase 0.33 acres of combined Sebastopol Meadowfoam (<i>Limnanthes vincularis</i>) and California Tiger Salamander (CTS) mitigation credit from the Swift/Turner Conservation Bank. The remaining 1.63 acres of CTS mitigation credits have been purchased from Hale Wetland mitigation and the Hazel Mitigation Bank. An agreement with the Hale and Hazel Mitigation Banks and the Swift/Turner Conservation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. CTS and rare plant mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa’s Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.</p>	<p>Incorporate into project conditions of approval.</p> <p>Proof of purchase of mitigation credits shall be provided to the City of Santa Rosa’s Community Development, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.</p>	<p>Planning Division</p>	<p>Verification of mitigation credit purchase</p>	<p>Deny issuance of building permit</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>BR-5</p> <p>Suitable Habitat for Special-Status Plants – Prior to issuance of a building permit, impacts to suitable habitat for Sonoma sunshine, Burke’s goldfields and Sebastopol meadowfoam are required to be mitigated with 1:1 occupied or established habitat (any combination) and 0.5:1 of established habitat. The mitigation land is to be preserved and managed in perpetuity. The proposed project would result in impacts to 0.22 acres of seasonal wetland. Per the Programmatic Biological Opinion, it would be considered “suitable habitat” for listed vernal pool plant species. Thus, the applicant shall mitigate impacts to 0.22 acres of seasonal wetland/endangered plant habitat by purchasing 0.33 acres of credit from a U.S. Fish and Wildlife Services approved mitigation bank (1.5:1 ratio). An agreement with the Swift/Turner Conservation Bank to purchase 0.33 acres of Sebastopol meadowfoam mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa’s Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.</p>	<p>Incorporate into project conditions of approval.</p> <p>Proof of purchase of mitigation credits shall be provided to the City of Santa Rosa’s Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.</p>	<p>Planning Division</p>	<p>Verification of mitigation credit purchase</p>	<p>Deny issuance of building permit</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>BR-6</p> <p>Loss of Protected or Heritage Trees – In accordance with Santa Rosa City Code, Chapter 17-24, the alteration, removal or relocation, of heritage, protected, or street trees and shall comply with the mitigation ratio requirements for tree removal mandated by the City Code. The total trunk diameter of heritage trees to be removed is 103 inches. Per the requirements of the City Code, the total trunk diameter is divided by 6 and multiplied by 2 to determine the total number of trees required as mitigation. A total of 35 trees are therefore required to be planted as mitigation. A fee of \$100 per replacement tree may be paid to the City of Santa Rosa's Tree Mitigation Fund prior to the removal of the trees in-lieu of planting replacement trees onsite.</p> <p>The project developer shall comply with all grading, landscaping and pruning provisions contained in the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, consistent with requirements of the City's Tree Ordinance. This shall include, but not be limited to the following:</p> <p>a. Install temporary protective fencing at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Maintain fencing in place for duration of construction.</p>	<p>Incorporate into project conditions of approval.</p> <p>Trees that are not to be removed shall be clearly marked by the construction manager in consultation with the project horticulturist and landscape architect.</p> <p>Temporary protective fencing shall be placed at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Replacement trees mitigating loss of removed trees shall be shown on the project landscape plans, and/or all</p>	<p>Building Division/Planning Division.</p>	<p>Verification of incorporation into design and construction documents prior to issuance of building permit</p> <p>Monitor during regularly scheduled inspections</p>	<p>Deny issuance of building permit</p> <p>Stop construction until compliance</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>b. Maintain existing grade within the fenced portion of the dripline. Route drainage swales and underground work outside the dripline where possible.</p> <p>c. Place a 4-inch layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Suitable bark must contain bark "fines". Maintain this layer of mulch throughout construction.</p> <p>d. Prune to clean and raise the canopy, and reduce end weight, per International Society of Arboriculture pruning standards.</p>	<p>in-lieu fees shall be paid prior to issuance of a building permit, with documentation of payment provided to the Community Development Department.</p>				

CULTURAL RESOURCES – Standard Measures

<ul style="list-style-type: none"> If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation of any impacts to those resources. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until 	<p>Incorporate into conditions of approval.</p>	<p>Planning Division</p>	<p>Prior to issuance of building and/or grading permit verify that conditions are on the plans for informational purposes.</p>	
--	---	--------------------------	--	--

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.</p> <ul style="list-style-type: none"> If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a 					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.</p>					
GEOLOGY AND SOILS – Mitigation Measures					
<p>GS-1 All recommendations outlined in the Geotechnical Investigation Report for Elm Tree Station Retail Market and Fuel Facility, prepared by Bauer Associates, dated October 16, 2012, shall be adhered to.</p>	<p>Incorporate into project conditions of approval, as well as the design and construction documents.</p>	<p>Building Division/Planning Division</p>	<p>Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections</p>	<p>Deny issuance of building permit Stop work</p>	
HAZARDS AND HAZARDOUS MATERIALS – Standard Measures					
<ul style="list-style-type: none"> Two copies of a Phase I Environmental Site Assessment shall be required with submittal of the first Engineering plan check. One copy shall be submitted directly to the Fire Department and review fee paid; a copy of the receipt will be submitted with the remaining copy to the Engineering Department. Grading, demolition or 	<p>Incorporate into conditions of approval.</p>	<p>Planning Division</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>construction permits will not be issued until the Fire Department has reviewed and approved the Phase I study.</p> <p>a. Obtain authorization from the Santa Rosa Fire Department – Hazardous Materials Division (CUPA) for construction to commence.</p> <p>b. Provide a copy of no further action letter from the Regional Water Quality Control Board to the Fire Department.</p> <p>c. Both authorizations above are to ensure that no additional remediation is necessary and that construction will not entomb contaminated materials which will not be able to be remediated once a building is atop same.</p>					
HYDROLOGY AND WATER QUALITY – Standard Measures					
<ul style="list-style-type: none"> Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines using Low Impact Development (LID) Best Management Practices (BMPs). Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment. 	<p>Incorporate into conditions of approval.</p>	<p>Planning Division</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<ul style="list-style-type: none"> Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B). A Final Standard Urban Storm Water Mitigation Plan (SUSMP) using Low Impact Development (LID) Best Management Practices (BMP) is to be included with the Building Permit application. All private SUSMP structures are to be located outside of Public Right of Way and Public Utility Easements. All SUSMP details and improvements are to be included in the Building Permit Site Plans. This site is currently under a Toxic Remediation Order, review and approval of infiltration through on site retention will be required by the Regional Water Quality Control Board before submittal of the Final SUSMP for review and approval by the City. Recommendations received by the Board are to be incorporated into the Final SUSMP submitted to the City for review and approval. 					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
NOISE – Standard Measures					
<ul style="list-style-type: none"> Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays. 	Incorporate into conditions of approval.	Planning Division			
NOISE – Mitigation Measures					
<p>N-1</p> <p>To mitigate the potential project noise impacts and allow daytime fuel deliveries and daytime, evening and nighttime market deliveries to comply with the City's Noise Ordinance limits, prior to the occupancy of future residences on the adjacent property to the east, a sound wall with a minimum height of ten (10) feet above parking lot grade shall be constructed. The sound wall shall be located on the eastern property line from the northern edge of the proposed southeast corner pedestrian access point, northward for approximately 160 feet to a point approximately 30 feet north of the southernmost edge of the market footprint (as illustrated in Figure 2 in the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013).</p> <p>To be effective as a noise barrier, the wall shall be built without cracks or gaps in the face or large</p>	Incorporate into project conditions of approval.	Planning Division			

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>or continuous gaps at the base and have a minimum surface weight of 3.0 pounds per square-foot.</p>					
<p>N-1 To mitigate potential impacts to future residential uses from heavy (semi-trailer type) truck fuel deliveries, fuel deliveries shall be during the hours of 7 a.m. to 7 p.m. only.</p>	<p>Incorporate into project conditions of approval.</p>	<p>Planning Division</p>			
<p>PUBLIC SERVICES – Standard Measures</p>					
<ul style="list-style-type: none"> The Fire Department has reviewed plans for the proposed project and imposed standard conditions of approval. Other standard conditions of approval will apply, including provision of a fire flow analysis to ensure adequate water pressure and flow rates. 	<p>Incorporate into project conditions of approval.</p>	<p>Planning Division</p>			
<p>TRANSPORTATION/TRAFFIC – Standard Measures</p>					
<ul style="list-style-type: none"> The applicant shall pay traffic impact fees to help fund planned future improvements at State Route 12/Fulton Road and road widening on Sebastopol Road. 	<p>Incorporate into project conditions of approval.</p>	<p>Planning Division</p>			

To: City of Santa Rosa Subdivision Committee

Re: Elm Tree Station project, 874 N Wright Road, Santa Rosa.

Dear City of Santa Rosa Subdivision Committee

I am writing to express my opposition to the Elm Tree Station Proposal at 874 N Wright Road, Santa Rosa, for many reasons including the following:

A gas station at this location is completely unnecessary. There are already several (10-14) gas stations within a couple of miles in every direction.

A lot has changed since the Conditional Use Permit approval, MND, and Final Design Review were approved in 2013. We are now much more conscious of the climate emergency. Sonoma County, the Cities of Petaluma, Sebastopol, Windsor and others have passed Climate Emergency Resolutions. Building new gas stations in 2019 makes no sense. A decision to approve a new gas station now would fly in the face of the stated goals of the Community Climate Action Plan to reduce local greenhouse gas emissions, and ensure long-term sustainability and resilience from climate change and its effects. It does nothing to reduce greenhouse gases or encourage residents to use public or alternative methods of transportation. It merely prolongs out-of-date infrastructure to support unsustainable lifestyles. Who will bear the costs of clean up when the gas station becomes obsolete?

The electric charging stations, bike racks etc. are a gesture in the right direction, but do not outweigh the negative impact of a new gas station. This is not a practical location for EV charging stations. Who will want to leave a car in this location to charge for at least an hour or two? EV charging stations need to be installed in places where people are already going to spend at least an hour or two: hotels, restaurants, movie theaters, etc.

Homeless encampments along the nearby Joe Rodota trail are a huge concern. Sales of liquor from a minimart in this area would only exacerbate problems. A friend who knows the area well wrote: "Any development on N. Wright will serve as a liquor distribution center for transients on the trail. I fear it will fuel their westward movement along the trail and encourage camping on Riccas Creek."

The Conditional Use Permit states (E.) that "Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property....in the vicinity..."

I believe that building a gas station would be injurious in terms of impacts to air and water quality as well as greenhouse gas emissions:

*Gasoline leaks happen at gas stations every day. As people fill up their gas tanks, gasoline drips from the nozzle onto the ground and vapors leak from the open gas tank into the air. Gasoline leaks can also happen in pipelines or in underground storage tanks where they can't be seen.*⁴

<https://www.eia.gov/energyexplained/gasoline/gasoline-and-the-environment.php>

This is an undeveloped site with wetlands and oak trees, within the area of critical habitat for the endangered California tiger salamander. Draining the ponds and paving over large parts of the

area with impervious surfaces will only have negative consequences on water quality on site and downstream. Underground storage tanks always end up leaking. Who will bear the costs of clean up when they do?

For all these reasons I urge you to reconsider this project.

Sincerely

Jenny Blaker

8166 Arthur St., Cotati, CA 94931

CONGAS Record of December 12, 2019 Subdivision Subcommittee meeting July 19, 2022

On December 12, 2019 the Subdivision Subcommittee of the Planning Commission of the City of Santa Rosa held a meeting where they voted to approve a parcel map waiver for the gas station proposal located at 874 North Wright Road in Santa Rosa.

Thirteen members of the Coalition Opposing New Gas Stations (CONGAS) attended the meeting. See photo below.



Thirteen members or supporters of CONGAS attend the December 12, 2019 Subdivision Subcommittee Mtg. In the image left to right on the side opposite the committee members are: Steve Birdlebough, June Brashares, Christine Hoex, Jenny Blaker, Debora Hammond, Miles Sarvis-Wilburn, Marcos Ramirez, Gig Hitao, Sunny Galbraith. Not pictured, taking the photo is Woody Hastings, and behind him are several other CONGAS members including Kevin Conway, Rich Sachen, and Laura Neish for whom there was no seat available in the small meeting room.

In casting their votes, we observed that none of the members of that committee stated any specific reason why the waiver should be granted. Several questions went unanswered such as why a parcel map waiver is needed at all in this case. Why not just produce a parcel map? Gas stations are by definition toxic sites. The public should be able to access maps that clearly indicate where on a property underground or above ground hazardous fuel is stored and where pipelines and dispensers will be located. Without this basic outline that indicates the subdivision which would be made clear in a parcel map, knowing where these facilities are located will be more difficult.

At the meeting, members of CONGAS made the following statements or posed the following questions:

A request that documentation of statutorily-required public noticing of the previous hearings and decision-making meetings regarding the 874 N. Wright Road proposal be shared with the public. Staff was unable to produce that documentation at the meeting. **We request that the waiver be denied at least until such time that documentation of compliance with public noticing requirements is shared with concerned citizens.**

The staff report appears to contain an error in the first paragraph where it states: “The Elm Tree Station (Project) involves a Waiver of Parcel Map and subsequent Certificate of Compliance to subdivide an approximately 1.12-acre parcel into two parcels sized .73 and 0.25 acres located at 375 Calistoga Road.” 375 Calistoga Road is located on the east side of Santa Rosa, miles from this project site at 874 N. Wright Road on the far west side of Santa Rosa.

In the staff report, attachment 2, Parcel Map Waiver map states that “*This subdivision is not within an area designated as a high fire severity zone.*” Given the dynamics and severity of urban-wildland interface wildfires over the past three years, including the 2017 Tubbs fire where the fire hopped the 101 freeway and spilled into the flats to the east of the freeway, **CONGAS asserted that this characterization is flawed and merits further consideration.**

In attachment 9 “Mitigated Negative Declaration for Elm Tree Station.” The 2013 MND is woefully outdated and should be considered obsolete. It does not include greenhouse gas emissions as an item on its checklist that is addressed. It is apparent on its face that expansion of fossil fuel infrastructure of any kind, which is the primary purpose of this project, contributes significantly to continued and expanded use of fossil fuels. Current science and state policy calls for rapid greenhouse gas reductions if we are to have any hope of safeguarding a livable global climate. **The MND should be nullified and a new environmental review should be initiated for this project.**

It is not clear that the applicant had fulfilled all of the conditions for approval for the Parcel Map Waiver at the time the Subdivision Committee granted the approval. In particular, there is no evidence that the applicant’s engineer has complied with all requirements of the current Municipal Separate Storm Sewer System and City Standard Urban Stormwater Mitigation Plan Low Impact Development Guidelines. **The parcel map waiver should be denied until such time that the applicant can demonstrate that they are in compliance with the guidelines.**