

RESOLUTION NO. INSERT ZA RESO NO.

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR HILLSIDE DEVELOPMENT PERMIT, PARKING REDUCTION AND MINOR DESIGN REVIEW FOR THE FOUNTAINGROVE INN MULTI-FAMILY RENTAL HOUSING PROJECT FOR THE PROPERTY LOCATED AT 3586 MENDOCINO AVENUE AND 0 ROUND BARN BOULEVARD SANTA ROSA, APN: 173-020-051 AND 173-020-052 AND 173-020-053, FILE NO. PRJ20-021 (HDP20-011 AND DR20-052)

WHEREAS, an application was submitted requesting the approval of a Minor Hillside Development Permit and Minor Design Review for the Fountaingrove Inn Multi-Family Rental Housing project (Project), comprised of 239 residential units within six buildings on a 9.6-acre site (19 studio units, 125 one-bedroom units, and 95 two-bedroom units), with indoor and outdoor amenity spaces, and with 414 parking spaces for the property located at 3586 Mendocino Avenue and 0 Round Barn Boulevard, also identified as Sonoma County Assessor's Parcel Numbers 173-020-051, 052 and 053; and

WHEREAS, the Project site is located within the Mendocino Avenue Corridor Priority Development Area (PDA), as described in Zoning Code § 20-16.070, Figure 1-1; and

WHEREAS, applications for Design Review for multi-family residential development for projects within the Mendocino Avenue Corridor PDA is delegated to the Zoning Administrator, through the Minor Design Review process in accordance with § 20-16.070(A), subject to Conceptual Design Review by the Design Review Board for new development of 10,000 square-foot or more in total floor area and a pre-application Neighborhood Meeting as required by § 20-16.070(A)(2); and

WHEREAS, applications for Hillside Development for new development within the Resilient City (-RC) combining zoning district that increases pre-fire footprint by at least 10 percent or that otherwise increases visual or environmental impact, or a new land use on that portion of a site with a slope of 10 percent or greater projects within -RC combining district is delegated to the Zoning Administrator, in accordance with § 20-28.100(F); and

WHEREAS, on March 2, 2020, the Planning and Economic Development Department held a pre-application Neighborhood Meeting (PRAP20-008) to provide the opportunity for early input by the public prior to submittal of the required Planning entitlement application; and

WHEREAS, on June 4, 2020, the Design Review Board conducted Conceptual Design Review (DR20-013), during which time the Design Review Board provided nonbinding comments to the applicant and the public as to how the application may meet the regulations, and those comments were recorded within the minutes of the subject meeting as follows

- The contrast of the black windows is appreciated.
- Building into existing grade is appreciated.

- Recommended for Building B1 where the podium meets the ground, soften with landscaping or trees at the podium level.
- Consider for the round barn tribute, landscaping and walls to create a void, as a tribute representing the void/loss for the community.
- Consider some restaurants or supportive retails at the Blvd entry at B1 and/or B2 Building.
- The detail and alcoves and balcony areas are appreciated.
- Pay homage to the Round Barn of other iconic structures that were lost, by presenting them on interior/exterior amenity details.
- Consider more native Oaks of varied size and species.
- Include amenities throughout the project. Maybe rethink the proposed fire pit; and

WHEREAS, the City Council, on November 3, 2009, adopted the Santa Rosa General Plan 2035 and associated Environmental Impact Report (EIR) (Resolution No. 27509); and

WHEREAS, the EIR concluded that impacts resulting from implementation of the General Plan would be significant and unavoidable, and as such the City Council adopted a statement of overriding considerations which balances the merits of implementing the General Plan despite the potential environmental impacts; and

WHEREAS, on November 9, 2020, an application was submitted for Minor Design Review and Minor Hillside Development Permit for Fountaingrove Inn Multi-Family Rental Housing Project; and

WHEREAS, the Project site is designated Retail and Business Services in the Santa Rosa General Plan 2035 (General Plan), which allows retail and service enterprises, offices and restaurants; and

WHEREAS, the General Plan Goal and Policy LUL-E-6 encourages residential development in the Retail and Business Services designation; and

WHEREAS, implementation of the project is within the scope of the General Plan and associated environmental impacts were previously reviewed in the General Plan EIR; and

WHEREAS, the project is eligible for streamlined review pursuant to CEQA Guidelines Section 15183 and 15168; and

WHEREAS, the Environmental Checklist for Streamlined Review prepared for the project, Exhibit C hereto, demonstrates that construction and operation of the project is within the scope of the Santa Rosa General Plan EIR, certified by the City of Santa Rosa in 2009, and concludes that the project will not result in new or more severe significant impacts that were not previously identified and mitigated in the General Plan EIR, and no substantive new mitigation measures would be required for implementation of the project; and

WHEREAS, there are no impacts peculiar to the project site and there have been no substantial changes in environmental circumstances that would result in new or more severe

significant environmental effects than were identified and evaluated in the General Plan 2035 EIR; and

WHEREAS, the project is required to implement all applicable mitigation measures identified in the EIR as well as applicable policies and implementation measures contained in the City's adopted General Plan intended to reduce environmental impacts, which have been imposed as environmental condition of approval (Exhibit B); and

WHEREAS, no subsequent or supplement EIR or other CEQA evaluation is required for the proposed project and the project has been reviewed in compliance with CEQA; and

WHEREAS, the Santa Rosa Zoning Administrator has completed its review of the project application for Minor Design Review and Minor Hillside Development for the Project, and the Zoning Administrator's review was based upon the project description and official approved exhibit dated received May 12, 2022; and

WHEREAS, in accordance with Section 20-52.030.I, Design Review findings, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, any 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) in that the property is zoned PD72-001-RC and PD0296-RC (Planned Development – Resilient City) and pursuant to Zoning Code Section 20-16.060(B)(5) multi-family dwelling is a permitted use within commercial Planned Development District, without requirements of a use permit; 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 in that the site and building designs are of superior design and provide a mix of building height with architectural details that contain light-colored stucco, exposed beams, tile roofs, and rounded arches. The balconies and courtyards have been incorporated to allow residents' private and common outdoor spaces. The project proposes to preserve existing trees to the greatest extent possible and includes landscape design that is appropriate for the site's location and encourages energy efficiency and water conservation; and
3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the majority of the project would be located on a previously developed lot and complies with all development standards for the General Commercial zoning district, which is the standard implementing zoning district for the Retail and Business Services land use, including height and setbacks.

The Fire Department has reviewed the project, and it has been determined the site provides required emergency access on-site.

A Focused Traffic Study by W-Trans, dated March 8, 2021, received and stamped by the City March 10, 2021, concludes the proposed project would generate 78 additional trips daily, 27 more trips during the morning peak hour, and 11 more trips during the evening peak hour and would not result in unsafe traffic conditions. Additionally, the proposed project would dedicate right-of-way along the Fountaingrove Parkway frontage for the future construction by the City of an additional westbound lane.

4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that cluster of multifamily and commercial developments in the Fountaingrove area reflect a varied mix of architectural styles ranging from modern to traditional, and the proposed traditional Santa Barbara architectural style would not feel out of place and would contribute to the existing eclectic styles. The proposed project provides a new statement to the existing neighborhood while employing simple massing by breaking up forms with decks, windows, balconies, tiles, irons, and decorative accents. The proposed landscape plan includes trees to soften the perimeter for each building and the parking area; 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 in that common areas are clearly distinguished and they are screened from private residential areas through landscape design; individual building identification, and highly visible building entrances support visitor interactions with the site; brightness of the color pallet and dark accents are used on buildings throughout the site to provide visual interest, and balconies, decks, and entries further articulate building facades; and a Defensible Space Plan instructs maintenance of landscaping and open spaces; 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 in that the project site is located in an area that is surrounded by commercial and residential uses, with access to City services and has been reviewed by City staff and conditioned to include improvements as necessary to support the project and its associated uses; the project design incorporates dedicated Emergency Vehicle Access roadways; the landscape plan considers the desire to create defensible space around the buildings; the applicant has prepared an Emergency Preparedness and Evacuation Plan that would provide emergency contact information to residents, collect emergency contact information from residents, establish protocols for communication in the event of an emergency; and the project includes installation of an emergency generator designed to service building D up to 12 hours. Furthermore, the project has been reviewed by City Building, Engineering, and Fire divisions and appropriately conditioned to comply with all local regulations currently in effect; and
7. Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and

earthmoving activities can be identified as a necessary and integral part of a construction project; and

8. As discussed in detail in the Environmental Checklist for Streamlined Review, the proposed project qualifies for streamlining under Sections 15183 and 15168 of the CEQA Guidelines and has been reviewed in compliance with the California Environmental Quality Act (CEQA).

WHEREAS, in accordance with Section 20-36.050, adjustments to parking requirements findings, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. Due to special circumstances associated with the operation of the use at its location, the proposed use will generate a parking demand different from the standards specified in Table 3-4. This site will be served by three transit routes (Santa Rosa CityBus Route 10 and Sonoma County Transit Routes 60 and 62) that operate on headways of 25 minutes to two hours. The bus stops are located within a walking distance from the project site. Further, bike lanes are located Mendocino Avenue and Fountaingrove Parkway; and
2. The number of parking spaces approved will be sufficient for its safe, convenient, and efficient operation of the use in that W-Trans has provided a Parking Study, Dated March 21, 2022, received and stamped by the City March 22, 2022, evaluating the adequacy of the provided 414 on-site parking spaces. The project proposes 19 studio units, 125 one-bedroom units, and 95 two-bedroom units, which requires a total of 455 parking spaces, including 239 covered spaces and 216 visitor parking spaces. The proposed 414 on-site spaces are 41 spaces, or 9 percent, short of meeting the City's requirements, Section 20-36.040. The applicant has also provided a parking management plan which describes how the parking would be managed on site for the guests and residents. Residents leasing studio and one-bedroom apartments will be assigned one reserved parking spot each, while two reserved spots will be assigned to residents in two-bedroom units. Guest surface parking will bear a time limit of 72 hours. For longer term guest parking durations, parking passes will be issued. Therefore, the provided 414 on-site parking spaces would be sufficient for its safe, convenient, and efficient operation of the use.

WHEREAS, in accordance with Section 20-32.060.F, Hillside Development Permit findings, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. Site planning minimizes the visual prominence of the hillside development by taking advantage of existing site features for screening including tree clusters, depressions in topography, setback hillside plateau areas, and other natural features in that the two largest and most prominent buildings (D & E) would be constructed on a level portion of the lot that was previously developed but then destroyed in the 2017 Tubbs fire. These buildings, therefore, take advantage of the existing landforms and features, minimizing visual impacts of the proposed building on the site. Buildings A, B, and C are a cluster of smaller buildings settled on the upslope portion of the lot along Round Barn Boulevard. These buildings will step with the hillside and include lower floors built into the hillside, which minimizes the visual prominence of the buildings. The majority of the site for Building F would be on a

slope less than 10 percent, located on the northwest corner of the project site. Building F would be placed behind building E and screened by the existing trees on the site; with access provided by improving and widening the existing emergency driveway. Furthermore, the buildings are spread across the site to create an environment of a hillside village; and

2. Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more in that much of the proposed project is located on the flattest portions of the site as well as the proposed driveways. Additionally, the project proposes to retain the existing, channelized drainage ditch located on the northwest portion of the project site and would not result in changes to the site's existing drainage pattern. Also, adequate drainage would be provided to manage runoff on-site, and directed in a controlled manner to the drainage facilities of the nearest road wherever feasible, subject to the approval of the City Engineer. Furthermore, landscape and irrigation plan in conformance with Santa Rosa's Water Efficient Landscape Ordinance will be submitted with the building permit application; and
3. Site development does not alter slopes of 25 percent or more except in compliance with [Section 20-32.020.B](#) (Applicability-Limitation on hillside development) in that some portion of the proposed buildings and parking lots would alter areas with slopes of 25 percent or greater; however, pursuant to the zoning code [Section 20-32.020.\(B\)\(3\)](#), the project includes illustrations showing how the proposed buildings would appear from public rights-of-way and would not be located on a hillside or ridgeline that would interrupt the view of the skyline from a major public viewpoint. Additionally, the proposed landscape design and existing trees on the site would screen the parking lots and buildings located on steeply upward sloping areas, which increase the apparent height of the buildings from the street. The project has included landscaping and trees to reduce the visual impact of the base of buildings A and B, as recommended by the Design Review Board during the meeting held on June 4, 2020; and
4. Project grading respects natural features and visually blends with adjacent properties in that the project has been designed to utilize the existing graded pads from the structures that existed on the site prior to the 2017 fires, and, to the extent feasible, is constructing new site improvements on areas of less than 10 percent slope. The new buildings will take advantage of the existing trees on site, and have been designed to blend architecturally with the surrounding properties; and
5. Building pad location, design, and construction avoids large areas of flat pads and building forms will be stepped to conform to site topography in that the project has been designed to utilize the existing graded pads from the structures that existed on the site prior to the 2017 fires. The new buildings will step with the topography of the site and will take advantage of the existing trees on site, as well as new proposed vegetation, to provide visual screening as necessary; and
6. The proposed project complies with the City's Design Guidelines in that the site and building designs are of superior design and provide a mix of building heights, with architectural details that contain light-colored stucco, exposed beams, tile roofs, and rounded arches. The balconies and courtyards have been incorporated to

allow residents' private and common outdoor spaces. The project proposes to preserve existing trees to the greatest extent possible and includes landscape design that is appropriate for the site's location; and

7. The proposed project complies with the requirements of this Chapter and all other applicable provision of this Zoning Code in that the property is zoned PD72-001-RC and PD0296-RC (Planned Development – Resilient City) and pursuant to Zoning Code Section 20-16.060(B)(5) multi-family dwelling is a permitted use within commercial Planned Development District, without requirements of a use permit. The proposed project meets the development standards of the Hillside Development section of the Zoning (Chapter 20-32); and
8. The proposed project is consistent the General Plan in that General Plan Policy LUL-E-6 encourages residential development in the Retail and Business Services designation, which is the land use designation for the site. The project also meets numerous Urban Design and Housing Element goals and policies. Specifically, the project maintains and enhances the diverse character of Santa Rosa's neighborhoods by introducing multi-family housing with varying unit sizes, providing visual interest in building and site design, meeting the housing needs of all Santa Rosa residents, and pursuing the goal of meeting Santa Rosa's housing needs through increased densities when compatible with existing neighborhoods; and
9. The establishment, maintenance, or operation of the use will not under the circumstances of the particular case be detrimental to the public health, safety, or general welfare in that the proposed project has been reviewed by City departments and outside agencies and appropriately conditioned to avoid significant impacts and to comply with all local regulations currently in effect. The proposed project is located within an area zoned for commercial and residential uses and through working with staff and other public agencies, the applicant has revised the proposed project to minimize impacts to its proposed tenants as well as surrounding neighborhood. An Emergency Preparedness and Evacuation Plan that provides emergency contact information to residents, establish protocols for communication in the event of an emergency, and includes roadway emergency evacuation routes to locations outside the Fountaingrove area has been submitted, and the project includes installation of an emergency generator designed to service building D up to 12 hours.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.030, Section 20-36.050, and Section 20-32.060, the Zoning Administrator of the City of Santa Rosa, does hereby grant Minor Design Review, Parking Reduction, and Minor Hillside Development Permit of the Fountaingrove Inn Multi-Family Rental Housing project.

BE IT FURTHER RESOLVED that these entitlements would not be granted 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 is invalid, these entitlements would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use

shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

Conditions of Approval

GENERAL:

1. Project shall comply with all environmental conditions of approval (Exhibit B), dated June 2022, attached hereto and incorporated herein.
2. 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.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. All work shall be done according to the final approved plans dated May 12, 2022.
5. Grading shall be limited to roadways, driveways, garage pads, and understructure areas including accessory structures such as swimming pools.
6. All grading shall be designed to blend into the natural contours of the site. Slope grading and contour grading techniques shall be utilized. All disturbed areas shall be revegetated with native plants to the maximum extent possible.
7. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
8. The Project shall comply with City Code Section 21-08, development requirements relating to public art.

BUILDING DIVISION:

9. 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.
10. Obtain building permits for the proposed project.

ENGINEERING DIVISION:

11. Compliance with all conditions as specified by the attached Exhibit "A" (Attachment A) dated June 8, 2022.

RECREATION AND PARK DIVISION:

12. Street trees will be required and planted by the developer. Selection will be made from the City's approved master plan list and inspected by the Parks Division may occur. Planting shall be done in accordance with the *City Standards and Specifications for Planting Parkway Trees*. Copies of the master street tree list and the standards are available at the Parks Division Office (707) 543-3770. This declaration shall be added to the General Notes of the improvement plans.
13. 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.
14. All landscaping shall be privately maintained and irrigated. Property owners and/or homeowners' association shall be responsible for the irrigation and maintenance of the street trees and maintenance of the planter strips in front of and alongside of their lots.

HOUSING DIVISION:

15. The project must comply with City Code Section 21-02, Housing Allocation Plan, through (a) provision of the appropriate number of on-site affordable units, (b) payment of Housing Impact Fees, or (c) an alternative compliance proposed in accordance with City Code Section 21-02.070 and approved by the Director of Planning and Economic Development. For purposes of this condition, the Director of Planning and Economic Development is designated as the review authority for review and acceptance of innovative Housing Allocation Plan compliance strategies under City Code Section 21-02.070(G).

PLANNING DIVISION:

16. 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 Zoning Administrator. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
17. The Fountaingrove Round Barn Memorial conceptual design, located at the project site at the corner of Round Barn Boulevard and Fountaingrove Parkway, is subject to Design Review and Final approval by staff.
18. No signs are approved as part of the Project. Signs will require separate Planning and Building permits.
19. **PROJECT DETAILS:**
 - A. 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. All fence details shall be included with the Building Permit application.

- B. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architectural design consistent with the building architecture element approved by the Zoning Administrator or Planning Division.
- C. All outdoor storage of materials and/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.

20. LANDSCAPING:

- A. All 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. Pursuant to City Code [Section 17-24.050](#), any tree removal required for development is subject to replacement. This requirement shall be fulfilled by planting replacement trees on-site which shall be shown on the landscape plans submitted for the Building Permit.

21. LIGHTING:

- A. Prior to issuance of the Building Permit, the developer shall provide a detailed lighting plan in compliance with Section 20-30.080. All exterior lighting shall be shown and specified on the plans submitted for issuance of a Building Permit and be in compliance with the City's Outdoor Lighting Ordinance in Zoning Code Section 20-30.080.

ZONING ADMINISTRATOR

This Minor Hillside Development Permit and Minor Design Review is hereby approved on June 13, 2022. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
AMY NICHOLSON, ZONING ADMINISTRATOR

Attachments:

Exhibit A - Engineering Development Services Exhibit "A" dated June 8, 2022

Exhibit B - Environmental Conditions of Approval dated June 2022

Exhibit C – Fountaingrove Apartments Project Environmental Checklist for Streamlined Review,
dated June 2022