

**From:** [Buckheit, Lani](#)  
**To:** [DRB - Design Review Board](#)  
**Cc:** [Murray, Susie](#)  
**Subject:** Late Correspondence Item 8.1 - January 5, 2023  
**Date:** Wednesday, January 4, 2023 4:44:49 PM  
**Attachments:** [Late Correspondence.pdf](#)

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- PLEASE DO NOT REPLY TO ALL -

Dear Chair Weigl and Members of the Design Review Board,

The reason for this email is to provide you with late correspondence for item 8.1, Major Design Review, The Arbors, scheduled for this week's Design Review Board meeting on January 5, 2023. Please see attached. This will also be added to the agenda as an attachment.

Best,

**Lani Buckheit | Administrative Secretary**

Planning & Economic Development Department | 100 Santa Rosa Ave. Rm 3 | Santa Rosa, CA 95404  
Tel. (707) 543-3226 | [lbuckheit@srcity.org](mailto:lbuckheit@srcity.org)

*Due to increased demand, limited resources, and time constraints, delays are expected in the City's permit processing. The Planning Division anticipates returning to standard processing and response times by Fall 2022. Thank you for your patience and understanding as City operations are reestablished following the coronavirus pandemic.*



**From:** [Murray, Susie](#)  
**To:** [Buckheit, Lani](#)  
**Subject:** FW: [EXTERNAL] Re: The Arbors -- Additional Questions -- WHOOPS!  
**Date:** Tuesday, January 3, 2023 2:34:16 PM

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Lani,

Would you please save this as late correspondence for the 1/5 DRB item? I've lost the ability AGAIN to save email as a pdf.

Thanks much.

Susie

Susie Murray | Senior Planner | Staff Liaison to the Cultural Heritage Board  
Planning and Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404  
Tel. (707) 543-4348 | Fax (707) 543-3269 | [SMurray@srcity.org](mailto:SMurray@srcity.org)

-----Original Message-----

From: Murray, Susie  
Sent: Tuesday, January 3, 2023 2:33 PM  
To: [great6@sonic.net](mailto:great6@sonic.net)  
Cc: Jean Kapolchok <[jkapolchok@sbcglobal.net](mailto:jkapolchok@sbcglobal.net)>; Enright, Michael <[MEwright@srcity.org](mailto:MEwright@srcity.org)>; Dugas, Carol <[CDugas@srcity.org](mailto:CDugas@srcity.org)>  
Subject: RE: [EXTERNAL] Re: The Arbors -- Additional Questions -- WHOOPS!

Sonia,

Please see my responses below. As you can see, I'm asking for some help for building permit and engineering-related questions.

Mike,

Will you please respond to question 2, 3 & 7?

Carol,

Will you please respond to 4?

Jean,

Do you have anything to add to my response to 5?

Thanks all, it takes a village.

Susie

Susie Murray | Senior Planner | Staff Liaison to the Cultural Heritage Board Planning and Economic Development  
| 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404 Tel. (707) 543-4348 | Fax (707) 543-3269 |  
[SMurray@srcity.org](mailto:SMurray@srcity.org)

-----Original Message-----

From: Sonia Taylor <great6@sonic.net>

Sent: Tuesday, January 3, 2023 12:19 PM

To: Murray, Susie <SMurray@sreity.org>

Cc: Jean Kapolchok <jkapolchok@sbcglobal.net>

Subject: [EXTERNAL] Re: The Arbors -- Additional Questions -- WHOOPS!

Sorry, somehow managed to send an unfinished email!

Apologies.

I'll resend the email in its entirety when I've finished it. Sigh. I do love computers...

Sonia

Now that I've had an opportunity to review all of the materials for this project, I have a few additional questions (naturally):

1. Can you confirm that before anything can happen on the site, beyond potential approval by the DRB on Thursday, applicant will submit a new arborist's evaluation of the site, a new tree inventory and a new tree replacement plan?

Assuming this is true, when would these items need to be received, who will approve the items, and what will be the order of approvals (beyond whatever happens at the DRB this week)?

I believe the most recent arborist's evaluation is quite old, and even the tree inventory/tree replacement plan is from 2020, so is two years old.

There's no question that things have changed, even in the last two years. Plants and trees have a way of growing....

Staff response: You are correct that the current tree evaluation is old. All other project entitlements were approved based on a tree evaluation dated November 25, 2009, as were the Improvement Plans, which have been approved. While it's likely site grading may be done prior to building permit issuance, the current entitlement has been conditioned to require an updated evaluation coupled with a planting plan in compliance with the City's Tree Ordinance, City Code Chapter 17-24.

2. The construction drawings reference on their face "2016 applicable codes." Although the DRB resolution clearly states that applicant will have to comply with the most current ordinances, etc. adopted by the SR CC, that resolution also states that "all work will be done according to the final approved plans...." which I believe are the plans referencing the 2016 applicable codes.

Can you clarify?

Staff response: Defer to Mike

3. Also on the construction drawings it appears that these units will have gas fireplaces (I haven't dug into the drawings enough to know whether they're proposing gas stoves/ovens, although I'd guess so). In late 2019 the SR CC adopted the reach code which requires all residential buildings under 4 stories to be all electric -- no natural gas.

So, how can they have gas fireplaces?

While this project was approved by the PC in 2010, it's very clear that the "new" reach code is the current ordinance, and I believe this project must comply with same.

Please let me know if this project will be piped for natural gas, or whether it will be all electric.

Staff response: Defer to Mike Enright.

4. I presume there will be a SMARA permit for this project due to the dirt being removed. I also would request that the applicant be required to submit haul routes and the ultimate disposal location for all dirt being removed for approval by SR.

Both Bicentennial and Mendocino are very busy roads, and trucks hauling dirt can be a significant issue for not only immediate neighbors of the property, but for everyone using Bicentennial and Mendocino, so establishing haul routes will at least let everyone know what's going on.

Staff response: Defer to Carol Dugas.

5. What has ever happened to the public trail adjacent to Russell Creek? The materials indicate that it was damaged by landslide activity, and it appears that in 2009 the Department of the Army and the NCRWQ issued permits to allow that slide repair work to take place as part of this project.

Was that slide repair work ever done? Is the trail safe and open to the public now? If not, will this repair work be required as part of this project's approvals?

Staff response: I have no idea what the status of the trail repair is, but I believe that path is actually off the project site. Jean, do you have an update?

6. I believe the evaluation of possible cultural resources will be quite important, given my personal experience in Sonoma County where Native American artifacts are often located in properties near creeks, as this site is.

Staff response: This project is a one-off. Entitlements are typically all approved within a relatively short period of time of each other, typically a couple months, when different review authorities are involved. In this case, and I'm sure largely due to the economic downturn, the Design Review was put off by several years. The project was found in compliance with CEQA, and there are no changes to the plans. The only portion of the project scope within the purview of the Design Review Board are the buildings and some of the site landscaping. Site grading can begin anytime because Improvement Plans have been approved in compliance with the original approvals, and no additional CEQA review is required. Some comfort can be found knowing that if any human remains are discovered during ground disturbing activities, State law requires that the activity to cease until the coroner can weigh in. Mike, feel free to chime in.

7. I couldn't find a Geotechnical Report for this location, and am concerned about the conclusion there will be less than significant impacts regarding soil movement, landslides, etc. First, the public path was subject to a landslide, and is quite close to the property location. Second, this is very close to the Moving Mountain property (where Home Depot is, on Mendocino, for those of you who haven't been around for long), and given that everything on that property is still moving, I am concerned.

If there is a Geotechnical Report for this project, how old is it? Has the geotech been updated?

Staff response: Defer to Mike

On 12/22/2022 12:43 PM, Murray, Susie wrote:

> Hi Sonia,

>

> Thanks for taking me call and not sending me to v-mail. To recap our chat:

>

> - The Arbors Design Review application was treated like a new project.

> The Fire Department, Traffic Engineering, Engineering Development

> Services, Building Division and Planning all reviewed the materials

> and updated development standards were necessary. The project

> Improvement Plans have been approved and signed by the City Engineer,

> and the plans for building permits have been submitted. Both the  
> Improvement Plan and building construction plans will be uploaded as  
> attachments to the staff report late next week. The meeting is  
> scheduled on 1/5/23.  
>  
> - The project has been kept alive through a series of State-mandated  
> and City-approved time extension outlined below:  
>  
> On April 8, 2010, the Planning Commission approved The Arbors project  
> including a Mitigated Negative Declaration, a Hillside Development  
> Permit, a Conditional Use Permit, and a Tentative Map.  
>  
> Through a series of State-mandated time extensions, Assembly Bills 208  
> and 116, the life of the project was extended to April 8, 2016.  
>  
> On September 22, 2016, the Planning Commission approved a one-year  
> time extension extending the expiration date to April 8, 2017.  
>  
> On February 22, 2018, the Planning Commission approved two consecutive  
> one-year time extensions, extending the expiration date to April 8, 2019.  
>  
> The Council approved two 12-month automatic time extensions for active  
> projects that involved tentative maps. The Arbors was eligible for  
> both, extending the expiration date to April 8, 2021.  
>  
> On September 28, 2020, the Assembly Bill 1561 was approved extending  
> the life of residential projects for 18 months, extending the  
> expiration for the project until October 8, 2023.  
>  
> On December 4, 2020, the application for Design Review was submitted  
> to Planning and Economic Development.  
>  
> On January 8, 2021, the Improvement Plans for the project were signed  
> by the City Engineer.  
>  
> Thanks for the neighborhood watch. Community involvement is so necessary.  
>  
> Take care, happy holidays, and I'll see you next year.  
>  
> Susie  
>  
> Please note that I will be on vacation from December 22nd to January 3rd.  
>  
> Susie Murray | Senior Planner | Staff Liaison to the Cultural Heritage  
> Board Planning and Economic Development | 100 Santa Rosa Avenue, Room 3  
> | Santa Rosa, CA 95404 Tel. (707) 543-4348 | Fax (707) 543-3269 |  
> SMurray@srcity.org  
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>  
> -----Original Message-----  
> From: Sonia Taylor <great6@sonic.net>  
> Sent: Wednesday, December 21, 2022 8:47 PM  
> To: Murray, Susie <SMurray@srcity.org>  
> Subject: [EXTERNAL] Re: The Arbors  
>  
> I know this is a terrible week to ask any questions, but I'm just

> curious about this project. DRB notification says that the  
> entitlements were granted by the PC in 2010, and DRB is all that's  
> left. Since those will be 13 +/- year old approvals by the time this  
> is heard, I'm just curious what, if anything, has been done in the  
> meantime to keep those approvals alive.  
>  
> Has anyone reviewed the 2010 approvals with regard to current  
> laws/regulations, and, in particular, with regard to the fire and  
> evacuation dangers we're all so deeply aware of now?  
>  
> Thanks for your time, and if calling is easier, feel free to call me!  
>  
> Sonia  
>  
> Sonia Taylor  
> 707-579-8875  
> great6@sonic.net  
>