

RESOLUTION NO. ZA-2022-017

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR AN EIGHT-FOOT METAL BLACK FENCE ON THE SOUTH SIDE OF THE PROPERTY WITH LOW-VOLTAGE LANDSCAPE LIGHTING IN TREES AND ON THE FENCE POSTS TO OFFER SECURITY FOR THE PROPERTY LOCATED AT 170 RAILROAD STREET, SANTA ROSA, APN: 010-760-006, FILE NO. DR21-067

WHEREAS, the Santa Rosa Zoning Administrator has completed review of your Minor Design Review application to allow the proposed project described above; and

WHEREAS, the Minor Design Review approval to allow the proposed fence based on the project description and official approved exhibit date stamp received March 15, 2022 as amended by conditions and approval; and

WHEREAS, on January 27, 2022, the Waterways Advisory Committee (WAC) conducted a meeting to review the proposed project and provide comments. However, parts of the project plans were unclear, and there were questions related to the original private/public partnership, existing maintenance agreements, and public art. The WAC requested the applicant to address the questions and provide clear plans and bring the project back for review; and

WHEREAS, on February 24, 2022, a second WAC meeting was held to review and provide comments on the revised project plans and research completed. During the meeting, Committee members provided comments related to the following issues:

- Concerns regarding ownership and public access to the art pieces on the site,
- WAC members expressed preference of six-foot fence height,
- Concerns with non-native invasive plants near the creek,
- Questions related to the Design Review Process the potential to elevate the permit to Design Review Board for decision because they felt WAC did not have the expertise,
- The need for clarification on who is to perform maintenance of the new landscaping as part of the project,
- WAC members expressed a request to change the color of the fence to green,
- Expressed the need for Specific Plan consistency by creating a clear vision between the hotel and the creek to maintain “eyes on the creek” to increase safety, and

WHEREAS, the matter has been properly noticed as required by Section 20-52.030.H.2.a and no request for a public hearing has been received; and

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.030.I, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the proposed fence is of superior quality, and is consistent with the General Plan, and Downtown Station Area 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 proposed fence provides eyes on the creek and includes gates to access to the trail, increases safety for the visitors, which are some of the goals of the Downtown Station Area Specific Plan; and

2. The fence design is appropriate for the use and location as it achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review, in that the fence is transparent and is similar height to the existing arbors and walls on the project site, and would be placed well outside of the 50-foot creek setback; and
3. The design and layout of the proposed fence will not interfere with the use and enjoyment of neighboring existing or future developments in that the proposed fence would provide security for the outdoor hotel area and would be open transparent, providing “eyes on the creek” creating visibility for the public along the Prince Memorial Greenway; and
4. The architectural design of the proposed fence is compatible with the character of the surrounding neighborhood in that fence materials, lights, and landscape complement the existing hotel and Prince Memorial Greenway trail; and
5. The design of the proposed fence and landscaping 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 the fence would increase security for the hotel and its visitors. At the same time, the landscaping and lighting will improve the outdoor area for the hotel and the Prince Memorial Greenway trail; 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 proposed project consists of minor changes to existing landscape and new fences for an existing hotel; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under Section 15303 in that the proposed fence and lighting consist of accessory structures.

This entitlement 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, this entitlement 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

1. A building permit is required for the proposed fence.

2. Any proposed fencing that crosses an exit access pathway shall have compliant exit hardware for the occupant load.
3. 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.
4. No signs are approved as part of the Project. Signs will require separate Planning and Building permits.
5. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
6. The project shall comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
7. The project shall comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
8. The project shall comply with Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as Exhibit "A", dated March 29, 2022.
9. The property owners shall maintain all landscaping and no vegetation planted along the fence line shall obstruct the view from the Hyatt property to the Prince Memorial Greenway, maintaining "eyes on the creek" Consistent with the Downtown Station Area Specific Plan.
10. The fence height cannot exceed 8 feet, measured from the natural grade.
11. All landscape areas to the north of Prince Memorial Greenway (PMG) pathway paving, and outside the City of Santa Rosa maintained easement area associated with PMG improvements, are to be privately maintained by the property owner. All approved planting and landscape features within these areas are to be installed and maintained by the property owner.
12. Consider revising the layout to organize in groups or drifts rather than the linear scheme represented in the design plans.
13. Provide clarity on which symbols are Ceonothus vs. Carpenteria, and where the extents of the Rose and Honeysuckle are proposed.

This Minor Design Review is hereby approved on April 7, 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

ATTACHMENT 1 – EXHIBIT A DATED MARCH 29, 2022