

RESOLUTION NUMBER [to be entered by Secretary]

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING PRELIMINARY DESIGN REVIEW APPROVAL FOR CARITAS VILLAGE, LOCATED AT 431, 437, 439, 465 A STREET AND 506, 512, 516, 520, 600, 608, AND 612 MORGAN STREET—ASSESSOR’S PARCEL NUMBERS 010-041-001, 004, 005, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020 – FILE NUMBER PRJ18-052.

WHEREAS, on August 6, 2020, the Design Review Board of the City of Santa Rosa considered the Preliminary Design Review Permit for the Caritas Village project; and

WHEREAS, the Design Review Board, at the same time considered written and oral reports of staff, testimony, and other evidence presented by all those who wished to be heard on the matter; 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, the Downtown Station Area Specific Plan, TV-M-H-SA Zoning Code standards and requirements, the City’s Design Guidelines, architectural criteria for special areas, and other applicable City requirements; 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 proposed project would provide high-density, affordable housing development within walking distance of the Downtown SMART Station, and proposed project would include active uses on the ground floor that would face the streets and would incorporate plazas and shared mews to encourage pedestrian activity; 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 development consists of the full redevelopment of a City block; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood, in that the residential development adjacent residential neighborhood would provide a visual transition between the existing buildings that are one to two stories tall and the new buildings proposed at the project site that would be four stories tall, fostering harmonious visual transitions between the proposed buildings and single-family homes with stepping down of forms, spacing, and landscaping. Furthermore, the proposed townhomes would face 7th Street and would be designed to incorporate front porches, small front yards, pitched roofs, and similar window proportions so their appearance is compatible with the existing visual character in terms of scale, height, and mass; 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 the proposed buildings would be constructed with a combination of stucco, cement panels, metal panels, and wood materials. The Caritas Homes buildings would also have ground floor residential units facing Morgan and A streets to conceal the internal podium parking from the street frontages of Morgan and A streets. The frontages of Morgan and A streets would be pedestrian-friendly by providing the ground-level units with entry patios. Landscaping elements such as plantings, landscape walls, and sidewalk shade trees would also be provided throughout the project site to provide a pedestrian-friendly frontage throughout the project site.; 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 number of parking spaces approved will be sufficient for the safe, convenient, and efficient operation of the use due to reduced parking demand resulting from enhanced access to multi-modal transportation networks, proximity to employment opportunities, and availability of nearby commercial goods and services; required traffic signalization with pedestrian crossing infrastructure improvements will enhance safety for all users; and a Traffic Impact Study prepared by a licensed professional engineer indicates negligible impacts on existing traffic conditions; and
7. On March 3, 2020, the City Council certified an Environmental Impact Report (EIR) and adopted Findings of Fact related to the California Environmental Quality Act (CEQA) and Statement of Overriding Considerations for the Caritas Village project. Pursuant to State CEQA Guidelines § 15162, no subsequent EIR is required, as there are no major revisions of the previous EIR and there are no new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

WHEREAS, in Caritas Homes Phase 1, it is anticipated that 47.61% of units will be Extremely Low Income, 23.80% of units will be Very Low Income and 28.57% of units will be Lower Income;

WHEREAS, the Project qualifies for three concessions and incentives under the State Density Bonus Law and the City Density Bonus ordinance to ensure the financial feasibility of the Project:

- A. Relief from the development standard requiring a six-foot building step back for levels above the third floor, because the building facades for the Project, as designed, are flat and do not step back on the third or any other floor.
- B. Requests relief from the prohibition on parking within 20 feet of the street frontage.
- C. Requests relief from the requirement that 80% of the street frontage be located on the property line.

WHEREAS, the Project qualifies for a Housing Allocation Plan concession:

- A. The maximum allowable building height in the Historic Combining District is 35 feet; however, in order to build the emergency shelter and very low and low-income housing, Caritas Village’s building heights must exceed 35 feet. This height waiver is necessary to expand an existing emergency shelter and wrap around support services and to build affordable rental units on land that is close to public transit, including three CityBus routes, the SMART Station, and the downtown Transit Mall.

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Preliminary Design Review of Caritas Village project subject to each of the following conditions:

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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 May 27, 2020.
- 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.
- 4. Compliance with all conditions as specified by the attached Exhibit "A" dated [Click **here** and type date].
- 5. Construction and grading activities hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays. No construction is permitted on Sundays or federal holidays.
- 6. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.

PLANNING DIVISION:

- 7. The applicant has requested the following Growth Management Allotments:

RESERVE "A"	63		63		
----------------	----	--	----	--	--

RESERVE "B"					
	2020	2021	2022	2023	2024

8. The applicant shall enter into an Affordability/Density Bonus Agreement with the Housing Authority of the City of Santa Rosa PRIOR to the recording of any final map or issuance of the building permit for the residential development, whichever comes first. The Agreement shall be binding on all future owners and successors of interest of the residential development. The Agreement shall identify the number of units and income levels of the affordable units under Zoning Code Section 21-02.050, for a period of 55 years, and with, among others, the following provisions:
 - A. The type, size and location of each allocated unit;
 - B. The allocated units are to be rented only to households of the identified income group at no more than the identified maximum affordable rent during the term of the Agreement;
 - C. The Agreement shall be recorded by the Sonoma County Recorder against the parcel(s) that the allocated units are located on; and
 - D. The Agreement shall be reviewed and approved by the Executive Director of the City's Housing Authority and the affordability of the allocated units shall be monitored for compliance by the Housing Authority staff. The Housing Authority is expressly authorized to act as the City's agent to enter into the Affordability Agreement for the purpose of enforcing the terms of the agreement.

9. The developer shall provide on-site allocated units in compliance with the Housing Allocation Plan (City Code Chapter 21-02) or shall, in lieu of providing affordable units on site, pay applicable fees at the time of building permit issuance, unless otherwise allowed by City Code.

10. Project shall comply with the Mitigation Monitoring Reporting Program associated with the Caritas Village EIR, dated January 23, 2020. 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 Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.

11. The facility shall be kept free of trash and debris and well maintained at all times. The operator shall monitor the surrounding block area for littering, and dispose of any trash and debris on a weekly basis

12. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10- 17.080).

13. 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.
14. 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.
15. The developer shall pay park fees in effect at the time the building permit is issued.
16. 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.
17. Prior to issuance of a grading or building permits for any clearing, excavation, construction, or other work on the site, an arborist report shall be submitted to the Planning Division outlining the proposed tree removal, replacement tree planting plan, and a tree protection plan.
 - A. For each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Trees shall be appropriately staked and maintained in good health. A planting plan shall be submitted along with the Building Permit application. Replacement trees shall be planted prior to final inspection.

AND/OR

- B. As an alternative, a \$100 fee per tree may be paid to the City's Tree Mitigation Fund prior to the removal of the trees. Make check payable to the City of Santa Rosa Tree Mitigation Fund, IFAS No. 001880-2184. Send check to Planning and Economic Development Department, 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404.

PROJECT DETAILS:

- a) All project details shall be in accordance with the restrictions and limitations of the City Zoning and California Building Codes, as well as the City's Design Review Guidelines.
- b) The design of all fencing, soundwalls, 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 architectural design consistent with the building architecture element approved by the Design Review Board or Planning Division.
- d) 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.

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 LOT AREA:

- A. The parking lot shall be paved to City standards.
- B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Planning & Economic Development Department 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. Sign permit approval shall be obtained prior to application for a building permit.
- C. 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 Planning & Economic 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.

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 6th of August, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____
Scott Kincaid, Chair

Attest: _____
William Rose, Executive Secretary