

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: PATRICK STREETER, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: APPEAL OF FINAL DESIGN REVIEW FOR THE PROPOSED
OAKMONT OF EMERALD ISLE COMMUNITY CARE FACILITY
LOCATED AT 0 GULLANE DR; ASSESSOR'S PARCEL
NUMBERS 173-670-004 AND 173-670-016; FILE NOS. DR17-027
AND PRJ17-031

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department and the Design Review Board that Council, by resolution, deny the appeal and approve Final Design Review for the proposed Oakmont of Emerald Isle community care facility.

EXECUTIVE SUMMARY

Oakmont Senior Living, LLC., proposes the construction and operation of a new assisted living facility on a hillside parcel northwest of Fountaingrove Lake, colloquially identified as Emerald Isle. The approximately 70,000-square foot facility would provide up to 71 beds in 49 units for assisted living and memory care. The facility would consist of a single, two-story building with outdoor amenities that include a pool, recreation areas, and landscaped paths. Of the 12.5-acre site, approximately 1.5 acres would be landscaped and approximately 8 acres would remain as undisturbed woodland and open space. An Initial Study was prepared for the project, which resulted in a Mitigated Negative Declaration, adopted by the Planning Commission on November 30, 2017. On March 15, 2018, the Design Review Board approved Final Design Review for Oakmont of Emerald Isle project. On March 26, 2018, an appeal of the Design Review Board's action was filed by Ms. Beth Eurotas and Ms. Gloria Eurotas. The grounds for appeal question the Design Review Board's consideration of over-concentration of community care facilities, adequacy of the project's environmental review, and the findings made by the Design Review Board in granting Final Design Review approval.

BACKGROUND

1. Project Description

The project is located on a wooded hillside in the Fountaingrove area of Santa Rosa and includes construction and operation of an assisted living facility. The proposed Oakmont of Emerald Isle facility would be two stories, with a maximum roof height of 27.5 feet. The building footprint would be approximately 48,000 square feet in area and the building floor area would equate to approximately 70,000 square feet. In addition to the main building, site development includes a driveway connecting to Gullane Drive, a swimming pool, outdoor dining areas, walking paths, sport courts, raised garden beds, and a pet park. Parking facilities consist of 75 spaces, including 12 garages. Eight acres of the 12-acre site would remain undisturbed open space and approximately 69% of the existing on-site trees would be preserved and protected.

The development would include 49 units and would be licensed as a Residential Care Facility for the Elderly by the California Department of Social Services. The 49-unit, 71-bed facility would consist of 32 assisted living units and 17 memory care units. There would be approximately 50 employees and the facility would be staffed 24-hours per day with three 8-hour shifts. A town car and/or a small limo-bus will be available to provide transportation for residents.

2. Surrounding Land Uses

North: Golf course; single-family residential development beyond

South: Golf course; Fountaingrove Lake

East: Golf course; single-family residential development beyond

West: Golf course; single-family residential and community care beyond

The project site is surrounded by a golf course operated by the Fountaingrove Golf and Athletic Club. North of the site, beyond the golf course, are single-family residential parcels within the Lake Pointe and Skyfarm Unit 1 subdivisions. A 96-unit multi-family development, Canyon Oaks, is also under construction north of the site. The golf course and Fountaingrove Lake comprise the southern and eastern boundaries of the project parcels, with single-family development beyond along Thomas Lake Harris Drive. The Oakmont of Verenna retirement community, which includes a community care component, is located approximately 1,700 feet southeast of the project site.

The project parcel extends west, as Gullane Drive, to connect to Thomas Lake Harris Drive. Immediately north of Gullane Drive and west of the project site, beyond the golf course, are attached and detached single-family parcels within the Oaks subdivision. South of Gullane Drive is the Fountaingrove Lodge community care facility. The site is located approximately one mile from the Mendocino Avenue ramp of Highway 101.

As a result of the Tubbs Fire in October of 2017, the majority of the single- and multi-family residential structures to the north, east, and west of the project site were destroyed. The Canyon Oaks construction site and the Fountaingrove Lodge facility were not substantially affected. As of the time of this writing, debris removal is largely completed on the parcels surrounding the project site, but construction of replacement residential units has not commenced.

3. Existing Land Use – Project Site

The project site is undeveloped and populated with native oak and fir trees. The site is relatively level in the center and characterized by steep, wooded slopes extending toward the parcel boundaries. There are approximately 917 trees on site. No wetlands or watercourses have been identified on the site and stormwater follows natural overland flow toward the golf course and Fountaingrove Lake. With the exception of damage to trees, the Tubbs Fire does not appear to have significantly affected the conditions of the project site. A post-fire updated tree inventory, protection plan, mitigation plan, and landscape plan were prepared prior to the project going before the Design Review Board.

4. Project History

On February 11, 2016, the Planning Commission approved Resolution No. 11749, granting a Conditional Use Permit for the Canyon Oaks multi-family residential project. A component of Resolution No. 11749 was approval of a density transfer of 18 units of residential density from the Emerald Isle parcels to the Canyon Oaks parcel.

On July 6, 2016, a neighborhood meeting was held to introduce the Emerald Isle project and gather feedback from the public.

On August 18, 2016, the project went before the Design Review Board as a concept item. During the meeting, the board discussed color variety and building articulation as well as site planning and landscaping.

On April 27, 2017, applications for a Conditional Use Permit, Hillside Development Permit, and Design Review were submitted to the Department of Planning and Economic Development. At the time of submittal, the project land use was modified from a single-story skilled nursing facility to a two-story assisted living and memory care facility.

On August 3, 2017, the applicant team met with members of the Santa Rosa Fire Department to resolve outstanding issues with the project.

On September 25, 2017, an Initial Study/Draft Mitigated Negative Declaration (IS/MND) was prepared and circulated for the project. The public review period for the IS/MND began on September 25, 2017, and ended on October 25, 2017.

On October 26, 2017, the public hearing that had been scheduled before the Planning Commission was cancelled so that staff resources could be allocated to disaster recovery. The public hearing was rescheduled to November 30, 2017. The IS/MND comment period was extended to November 30 as well.

On November 30, 2017, the Planning Commission, via Resolution Nos. 11860, 11861, and 11862, adopted a Mitigated Negative Declaration and approved a Conditional Use Permit and a Hillside Development Permit, respectively, for the project.

On January 4, 2018, the Design Review, via Resolution No. 18-972, approved Preliminary Design Review for the Emerald Isle project, with direction that the project return to the Board for consideration of Final Design Review.

On March 15, 2018, the Design Review Board, via Resolution No. 18-977, approved Final Design Review for the Oakmont of Emerald Isle project.

On March 26, 2018, an appeal of the Design Review Board's action was filed with the City Clerk's Office. The grounds for appeal question the Design Review Board's consideration of over-concentration of community care facilities, adequacy of the project's environmental review, and the findings made by the Design Review Board in granting Final Design Review approval.

PRIOR CITY COUNCIL REVIEW

On October 24, 2017, the Council passed Ordinance No. 2017-019, which added the project parcel to the -RC (Resilient City) combining district.

ANALYSIS

1. General Plan

The site is designated Low Density Residential (2.0 to 8.0 units per acre) on the General Plan Land Use Diagram. While the Low Density Residential designation typically relates to detached single-family homes, attached single-family and multi-family residential development is permitted. Residential care facilities may be located within any General Plan land use designation. The following General Plan goals and policies are applicable to the proposed project:

LUL-E-3 Avoid concentration of large community care facilities in any single residential neighborhood.

- LUL-F Maintain a diversity of neighborhoods and varied housing stock to satisfy a wide range of needs.
- LUL-F-3 Maintain a balance of various housing types in each neighborhood and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood.
- UD-A Preserve and enhance Santa Rosa's scenic character, including its natural waterways, hillsides, and distinctive districts.
- UD-F-2 Protect natural topographic features such as hillsides, ridgelines and mature trees and stands of trees. Minimize grading of natural contours in new development.
- UD-H Design hillside development to be sensitive to existing terrain, views, and significant natural landforms or features
- UD-H-1 Minimize the visual prominence of hillside development by taking advantage of existing site features for screening, such as tree clusters, depressions in topography, setback hillside plateau areas, and other natural features.
- UD-H-4 Avoid large areas of flat pads in hillside areas. Instead, building forms should be "stepped" to conform to site topography.
- UD-H-5 Allow creative lot layouts such as clustering, flexible setbacks, or flag lots if such approaches help to preserve contours and other natural features.
- UD-H-6 Minimize vegetation removal in hillside areas, and preserve large trees that partially screen development or help blend new development into views.
- OSC-B-1 Prohibit development on hillsides and ridgelines where structures would interrupt the skyline.
- OSC-B-2 Minimize alteration of the topography, drainage patterns and vegetation of land with slopes of ten percent or more. Prohibit alteration of slopes greater than 25 percent.
- OSC-E Conserve significant vegetation and trees.
- OSC-E-2 Preserve and regenerate native oak trees.

The project implements many General Plan goals and policies in that it proposes a well-designed, residential care use that respects the unique topography and ecology of the space. All required parking will be provided on-site and a town car or small limo-bus will be available for residents' transportation needs. While

other community care facilities are in operation within the same neighborhood, the area of Fountaingrove that includes the project site is developed in a cluster residential fashion and includes a wide variety of housing types in addition to community care such as attached and detached single-family residential and multi-family apartments.

Excepting the access driveway, the entirety of the development has been concentrated onto the portions of the project parcel with the lowest degree of slope. Prior to the October wildfire, 917 on-site trees were identified. A post-fire tree mitigation plan found that 135 of those trees had been killed. Of the 782 remaining trees, approximately 600 are to be preserved and protected. Tree restitution for the trees to be removed is conditioned into project approval pursuant to Title 17 of the City Code; the planting of 77 36-inch box trees and 68 24-inch box trees has been proposed by the applicant team. The project's landscaping and open space areas will preserve oak trees and soften views of the project parcel from surrounding properties and more than 8 acres of the project site will remain undisturbed. The natural features and vegetation will almost entirely screen the developed portions of the site from surrounding roads and residential areas.

On February 11, 2016, the Planning Commission approved Resolution No. 11749, granting a Conditional Use Permit for the Canyon Oaks multi-family residential project at 4611 Thomas Lake Harris Drive. The approval included a density transfer of 18 units of residential density from the Emerald Isle parcels to the Canyon Oaks parcel. Although the Low Density Residential land use designation in the General Plan would permit development of 97 units on the 12.17-acre project parcels, the Canyon Oaks density transfer caps the number of allowable units at 79.

2. Zoning

North:	Fountaingrove Ranch Planned Community
South:	Fountaingrove Ranch Planned Community
East:	Fountaingrove Ranch Planned Community
West:	Fountaingrove Ranch Planned Community

Since 1972, the area surrounding the project site has been zoned Planned Community (PC), and later Planned Development (PD), based on a development plan and policy statement for what was then a 1,970-acre ranch property. The Fountaingrove Ranch Planned Community District (FRPCD) was amended in 1981 to apply to 1,250 acres of the 1,970 acres in the district, and subsequently amended in 1992 to rezone 105 acres from Campus Industrial to Cluster Residential land use. The Policy Statement identifies the project site for Cluster Residential land use (though the project site was not part of the 1992

amendment). The intent of this land use is to create and enhance areas for a range of residential uses. As is discussed in the General Plan analysis section of this report, the Cluster Residential development strategy was invoked when development density was transferred from the project parcels to the Canyon Oaks parcel in 2016.

In the Fountaingrove Ranch Planned Community District, development standards are determined by Use Permit. For projects on sites exceeding 10 percent slope, a Hillside Development Permit is also required to ensure that projects are designed in accordance with the standards set forth in Section 20-32 of the Zoning Code. Parking requirements are determined by Section 20-36 of the Zoning Code. Additionally, Zoning Code Section 20-42.060 provides specific direction for the regulation of community care facilities.

Parking

Table 3-4 of the Zoning Code prescribes a parking requirement of one space per 3 beds for community care facilities. The Emerald Isle project proposes 49 units and up to 71 beds. The project proposes 12 garage spaces and 63 surface parking spaces, for a total of 75 parking spaces. Although more parking is proposed than is required, staff has determined that the additional parking is justified by the isolated nature of the parcel and the absence of on-street parking in the vicinity.

Development Standards

Development standards are determined by Use Permit. The primary building is the tallest structure on the site and will have a roof ridge height of 27.5 feet. All structures and parking areas are set back substantially from property lines and because the golf course surrounds the project site, the proposed facility will not be directly abutting any residential areas.

Hillside Development

The Percent Slope Map, attached to this report, identifies steep slopes along the project parcel boundaries, with a relatively flat portion toward the center of the site. The project proposes to locate all grading and development within the flatter portions of the site and to leave the steeper areas undisturbed. Approximately 78 percent of the site will be maintained as natural open space or landscaped area and 69 percent of the existing trees will be preserved and protected. Visual analysis exhibits provided by the applicant indicate that, because of the existing vegetation on and around the project site, impacts to viewsheds will be minimal. The architectural design of the buildings and treatment of roof lines help integrate the development into the existing hillside. On-site stormwater will be collected and treated via Best Management Practices pursuant to the City of Santa Rosa Low Impact Design Manual.

Over-concentration of Community Care Facilities

Pursuant to Zoning Code Section 20-42.060(C), no two community care facilities may be located within 300 feet of each other, from exterior wall to exterior wall. When two or more community care facilities are within 1000 feet of each other, a condition of over-concentration occurs. Over-concentration may be used as grounds for denial of a Conditional Use Permit by the review authority if it finds that conditions of approval or protocol built into the operation of the use do not mitigate the over-concentration condition to sufficiently preserve “the health, safety and general welfare of the community and the neighborhood where the facility is proposed.”

The proposed Emerald Isle facility will be located approximately 640 feet from the existing Fountaingrove Lodge community care facility. Although an over-concentration condition exists, the Planning Commission, in approving a Conditional Use Permit for the project, found the facility to be compliant with the Zoning Code’s provisions regarding community care facilities and did not invoke overconcentration as grounds for denial.

Resilient Cities Combining District

The project site is within the -RC (Resilient Cities) combining district which was established on October 24, 2017, by the City Council through Urgency Ordinance No. 2017-018. The -RC district does not include any zoning provisions that were applicable to the Design Review Board’s action on the Emerald Isle project.

3. Design Guidelines

The following is a summary of the most appropriate City of Santa Rosa Design Goals and Guidelines which apply to the proposed project:

Neighborhood Design:

- 1.1 I.C To encourage neighborhood design that supports pedestrians, bicyclists, and use of public transit as well as automobile use.

Residential Design:

- 3.2.I.A To develop multiple-family housing that is compatible with existing surrounding homes and other structures and provides “superior design” just as in the case of single family homes already discussed.
- 3.2.I.B To provide a quality living environment.
- 3.2.I.F To enhance the public realm with attractive buildings and landscaping treatment along the City’s streetscape.

Building Design

- 3.2 III A 1 Break up the mass of larger structures with articulation of the form, use of color and the use of multiple materials, including: horizontal wood, cement fiber and composite siding, vertical wood siding, stucco, wood shingles, real and cultured masonry.
- 3.2 III A 4 Avoid dressing up fronts of building with higher quality materials and switching to less expensive siding material on the sides and back. Design all four sides of buildings.
- 3.2 III C 1 Incorporate features such as balconies, cantilevers, dormers, bay windows, patios, entries, accent materials, etc. to provide articulation and interest.
- 3.2 III C 2 Avoid buildings with a massive appearance. Divide buildings into segments that break down the scale.

Landscaping:

- 4.1.II.1 Integrate landscaping into all site development
- 4.1.II.2 Provide special attention to incorporation of trees in all landscape design.
- 4.1.II.8 Utilize planting areas to break up large expanses of paving, to visually separate masses of parked cars, and to provide a shady canopy. These planting areas within paved areas should be a minimum of 5' wide.

Hillside Considerations

- 4.5.2.B.2 Avoid grading to create benched or terraced hillside sites. Grading on sloping terrain for the purpose of accommodating houses designed for flat land conditions will not be a basis for an acceptable hillside site plan.
- 4.5.2.C.2 Place buildings to take advantage of existing vegetation in the foreground and in the background.
- 4.5.2.E.1 Utilize landscaping to screen structures from the downhill direction. This is particularly important when tall pony walls occur on the downhill side.

The project, as designed, is consistent with the City's Design Guidelines for projects in hillside areas. The project proposes an attractive two-story facility surrounded by ample landscaping. The building footprint is articulated around an open courtyard. Dormers, window framing, balconies, and trellises provide variety across each building façade. Preservation of natural features is given priority in the site design while providing an attractive and logical built landscape

for residents, employees, and visitors.

On November 30, 2017, the Planning Commission approved a Hillside Development Permit for the project. In approving Preliminary and Final Design Review for the project, the Design Review Board found the project consistent with the Design Guidelines.

4. Neighborhood Comments

A neighborhood meeting was held on the evening of July 6, 2016. The meeting was well attended by neighbors of the proposed project and questions raised were primarily related to building height, building design, changes to Gullane Drive, parking, and operation of the facility. Most participants of the meeting were satisfied with the visual simulations provided, which showed minimal impacts to the viewshed. It should be noted that the project presented was a single-story, skilled nursing facility, while the project approved by the Planning Commission and Design Review Board is a two-story community care facility. Although the proposed building is now two-stories, the building height will be lower than that of the single-story building presented at the meeting. Attendees of the meeting also expressed a desire to see architecture similar to that of the nearby Fountaingrove Lodge.

Neighborhood comments received in the days leading up to the Planning Commission public hearing, and at the hearing itself, included general concern with approving new projects in Fountaingrove, questions about fire safety, challenges to the adequacy of the environmental review, and requests for consideration of parking and pedestrian activity at the segment of Gullane Drive closest to Thomas Lake Harris Drive.

Two letters were received prior to the January 4, 2018, Design Review Board public hearing requesting that review of the project be postponed until new policies for development in fire-affected areas could be established. No new comments from the public were received before the March 15th meeting of the Design Review Board.

5. Public Improvements/On-Site Improvements

The improvements on Gullane Drive will be extended beyond the existing terminus of the street up to the proposed facility. These improvements include pavement to a minor street standard and a sidewalk. Clear markings and pedestrian path lighting will be installed at the golf cart path crossing. On-site parking and circulation will include 12 garages and 63 parking stalls, 20-foot-wide driveway aisles, and a City standard emergency vehicle turnaround.

6. Appeal Statement and Council Options

Pursuant to Zoning Code Chapter 20-62, appeals of decisions made by the Design Review Board shall be evaluated by the Council. The Council may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for appeal.

With respect to Final Design Review, the Council may:

- Affirm, affirm in part, or reverse the action, the determination, or decision that is the subject of the appeal; or
- Adopt additional conditions of approval, that may address issues or concerns other than the subject of the appeal; or
- If new or difference evidence is presented on appeal, the Council may refer the matter back to the Design Review Board for further consideration.

The appellant has provided the following eight grounds for the appeal; the full appeal statement is provided as an attachment. Staff responses follow each item.

#1. Failure to adequately consider "over-concentration" clause of the Zoning Code

Staff Response

As is detailed in the Zoning section of this report, over-concentration may be used as grounds for denial of a Conditional Use Permit by the review authority if it finds that conditions of approval or protocol built into the operation of the use do not mitigate the over-concentration condition to sufficiently preserve "the health, safety and general welfare of the community and the neighborhood where the facility is proposed." The Planning Commission is the designated review authority for consideration of a Conditional Use Permit. The issue of overconcentration was expressly discussed by the Planning Commission at the November 30, 2017, meeting. In adopting Resolution No. 11861, which approved a Conditional Use Permit for the project, the Planning Commission did not find unmitigable issues arising from the proximity of other community care facilities that would warrant the denial of the Conditional Use Permit, and therefore the Planning Commission did not invoke the over-concentration grounds for denial. Being a land use issue, consideration of the over-concentration clause was outside of the purview of the Design Review Board and would not have played a role in the granting of Final Design Review.

#2. Failure to consider ongoing investigations into the evacuations of other facilities managed by the applicant during the Tubbs Fire

Staff Response

The Design Review Board, as the review authority, conducts its review pursuant to Zoning Code Section 20-52.030(F), which states that “review shall be conducted by comparing the proposed project to the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, consistency of the project with the City’s Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans).” The Design Review Board does not consider the merits of the applicant nor compare the project under review to other facilities. Additionally, operational aspects, including evacuation plans, are land use issues under the purview of the Planning Commission.

#3. Adequacy of the Mitigated Negative Declaration

Staff Response

In approving Final Design Review, the Design Review Board must make a finding that the project has been reviewed in compliance with the California Environmental Quality Act (CEQA), however, state law mandates that adequacy of the environmental review is determined at the time of the first discretionary action. In the case of the Emerald Isle project, the first discretionary action took place on November 30, 2017, at a public hearing before the Planning Commission. Following adoption by the Planning Commission of the Mitigated Negative Declaration (MND), a Notice of Determination was filed with the Sonoma County Clerk’s Office establishing a 30-day statute of limitations for challenges to the MND. Pursuant to City Code Section 20-52.030(J), the CEQA finding made by the Design Review Board was a simple confirmation that environmental review had been conducted, not an evaluation of the adequacy of the MND.

#4. Analysis of the project’s impacts regarding emergency evacuations

Staff Response

The proposed project was reviewed by City staff, including representatives of the Planning and Economic Development Department, Department of Transportation and Public Works, Fire Department, and Police Department. The project has been found consistent with the General Plan, which includes Disaster Preparedness and Wildland Fires chapters in the Noise and Safety Element, as well as the Zoning Code and adopted City policy. Additionally, impacts to evacuation routes are land use issues beyond the scope of Design Review.

#5. Consideration of consistency with the 2016 Santa Rosa Local Hazard Mitigation Plan and 2009 Santa Rosa Wildland-Urban Interface Fire Area Map

Staff Response

The purpose of the Local Hazard Mitigation Plan is to inform City policy. Although individual development projects are not necessarily directly evaluated against the Local Hazard Mitigation Plan, its policies are implemented through the General Plan, Zoning Code, and Design Guidelines, which are included in project analysis. Additionally, as was discussed at the Planning Commission public hearing and the Design Review Board public hearing, the project has been reviewed in accordance with Santa Rosa's Wildland-Urban Interface policy and will be subject to applicable building standards, either existing or in place at the time of building permit application. A representative of the Santa Rosa Fire Department was present at both hearings and confirmed that the Fire Department had reviewed the project and the applicable standards and had no objection to approval of the project.

#6. Review of overall effect on surrounding properties or on the City in general

Staff Response

As noted in the Staff Response for Grounds for Appeal #2, above, Zoning Code Section 20-52.030(F) outlines that the Design Review Board's review (including the review of the overall effect on surrounding properties and the City in general) should be conducted by comparing the proposal to the City's codified documents and policies. The Analysis section of this staff report, as well as the staff reports provided to the Planning Commission and the Design Review Board, detail the project as proposed in comparison with these documents and policies. In adopting resolutions of approval, the Design Review Board and the Planning Commission have found consistency with Santa Rosa's regulatory documents and adopted policies.

#7. Consideration of consistency with the 2016 Santa Rosa Local Hazard Mitigation Plan and 2009 Santa Rosa Wildland-Urban Interface Fire Area Map

Staff Response

Please see the Staff Response to Grounds for Appeal #5, above.

#8. Failure to require a second neighborhood meeting

Staff Response

Zoning Code Section 20-50.050 provides the purpose and procedure for pre-application neighborhood meetings. The stated purpose is to "provide the

opportunity for early input by affected neighbors” and the meeting is to be held prior to submittal of the development proposal application. While the Zoning Code does encourage a post-application follow-up meeting to explain project changes to the neighborhood, there are no provisions for requiring a second meeting. Because the primary topics of discussion at the July 6, 2016, neighborhood meeting related to parking and building height, there was little apparent value in holding another neighborhood meeting after application submittal, since these aspects of the project remained largely unchanged. A Notice of Application was sent out to neighbors after the project application was submitted and an invitation to review and comment on the Initial Study/Mitigated Negative Declaration was mailed and posted once the draft environmental document had been prepared. After the October 2017 wildfire event, two public hearings, one before the Planning Commission and one before the Design Review Board, were noticed. Staff’s determination is that adequate opportunity was provided for participation in the review process by neighbors of the proposed project. Furthermore, the Design Review Board has no authority to require additional neighborhood meetings, therefore the Board’s not doing so should not be considered grounds for denying Final Design Review.

FISCAL IMPACT

Approval or denial of this appeal action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

An Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA) on September 25, 2017. A Notice of Intent to adopt a Mitigated Negative Declaration was posted with the California State Clearinghouse and Sonoma County Clerk’s Office initiating a thirty-day public comment period that began on September 25, 2017, and ended on October 25, 2017. Because the Planning Commission public hearing on the matter was continued to a later date, the public comment period was extended to the date of the continued public hearing: November 30, 2017.

A memorandum, prepared by FirstCarbon Solutions and attached to this report, assessed the adequacy of the Mitigated Negative Declaration in light of the Tubbs Fire. The memorandum concluded that the analysis presented in the IS/MND remained adequate for adoption of a Mitigated Negative Declaration.

Following a public hearing on November 30, 2017, the Planning Commission adopted Resolution No. 11860, which adopted the Mitigated Negative Declaration for the project.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

The project was considered as a concept item before the Design Review Board on August 18, 2016. The Board appreciated the building design and provided direction to

keep a low building profile, to give consideration to mechanical screening, to provide color variety and articulation, and to provide shade for outdoor dining areas. Multiple members of the Board stated that traditional orchard style parking, of one tree between every five spaces, might not be necessary or appropriate for the project site plan.

On November 30, 2017, the project went before the Planning Commission for consideration of a draft Mitigated Negative Declaration, a Conditional Use Permit, and a Hillside Development Permit. At the meeting, members of the Planning Commission discussed the proximity of other community care facilities, the adequacy of the environmental document following the Tubbs Fire, and the City's Wildlands-Urban Interface policy and its applicability to the project. Following the public hearing, the Planning Commission voted (5-0-1-1, five ayes, zero noes, 1 abstaining, and 1 absent) to adopt the Mitigated Negative Declaration and (4-1-1-1) to approve the Conditional Use Permit and Hillside Development Permit for the project.

On January 4, 2018, the Design Review Board, with a vote of (3-1-0-3), approved Preliminary Design Review for the Emerald Isle project, with six conditions to be addressed in the design and direction that the project return to the Board for consideration of Final Design Review. At the March 15, 2018, meeting of the Design Review Board, the Board considered the applicant response to the six conditions of Preliminary Design Review and voted (6-1-0-0) to approve Final Design Review for the project.

NOTIFICATION

The project was noticed as a Public Hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website.

ISSUES

As noted earlier in this report, the project proposal was modified in the time between the pre-application meetings and formal application submittal. Because changes to the building architecture, height, setbacks, and site planning were minor and because the project would be subject to an extended public review process pursuant to CEQA, staff's determination was that the scope of pre-application review was adequate.

Because the project is required to include bicycle parking and none was shown in the materials submitted for review, staff requested an exhibit showing the location of bicycle parking. The exhibit was incorporated into the project plans prior to Final Design Review.

Additionally, staff reassessed the analysis in this report as well as the environmental review of the project in consideration of the Tubbs Fire. No change resulted to staff's conclusions, determinations, or recommendations.

ATTACHMENTS

- Attachment 1 - Disclosure Form
- Attachment 2 - Location Map
- Attachment 3 - General Plan and Zoning Map
- Attachment 4 - Appeal Statement, dated received March 26, 2018
- Attachment 5 - Applicant response to appeal statement with attachments, prepared by Law Offices of Tina Wallis, dated May 9, 2018
- Attachment 6 - Design Review Board Resolution Nos. 18-977 and 18-972, dated March 15, 2018, and January 4, 2018, granting Final and Preliminary Design Review, respectively
- Attachment 7 - Final Design Review Plan Set, dated February 1, 2018
- Attachment 8 - Project Description, dated received April 27, 2017
- Attachment 9 - Design Review Board Minutes, March 15, 2018, January 4, 2018, and August 18, 2016
- Attachment 10 - Fountaingrove Ranch Policy Statement
- Attachment 11 - Initial Study/Mitigated Negative Declaration, September 25, 2017
- Attachment 12 - Mitigation Monitoring and Reporting Program, prepared by FirstCarbon Solutions and dated October 9, 2017
- Attachment 13 - Photo Simulations, prepared by The Digital Realm, dated received April 27, 2017
- Attachment 14 - Bike rack location schematic
- Attachment 15 - Environmental review response memorandum, prepared by FirstCarbon Solutions and dated November 6, 2017
- Attachment 16 - Late correspondence provided to the Planning Commission on November 30, 2017
- Attachment 17 - Planning Commission Minutes, November 30, 2017
- Attachment 18 - Planning Commission Resolution Nos. 11860, 11861, and 1862
- Attachment 19 - Updated Tree Inventory and Mitigation Plan, prepared by LandDesign Group, December 18, 2017
- Attachment 20 - Public comments received prior to the January 4, 2018, Design Review Board public hearing
- Resolution

CONTACT

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