

RESOLUTION NUMBER

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING MINOR DESIGN REVIEW APPROVAL FOR STONY POINT FLATS APARTMENTS, A 2-AND 3-STORY, 50-UNIT, MULTI-FAMILY AFFORDABLE HOUSING PROJECT, LOCATED AT 2268 STONY POINT ROAD, SANTA ROSA, APN 125-521-008 (FILE NUMBER DR21-023; PRJ21-012)

WHEREAS, on April 29, 2021, an application was submitted for Minor Design Review for Stony Point Flats Apartments, 50-unit, 100% affordable, Multi-family rental housing project consisting of one-, two-, and three-bedroom units in three two- or three-story buildings, located at 2268 Stony Point Road, APN 125-521-008 (proposed Project); and

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

WHEREAS, Design Review for multi-family residential developments the Roseland PDA is delegated to the Zoning Administrator, through the Minor Design Review process in accordance with § 20-16.070(A)(1), subject to a pre-application Neighborhood Meeting and Conceptual Design Review by the Design Review Board as required by § 20-16.070(A)(2);

WHEREAS, on May 3, 2021, the Planning and Economic Development Department held a required pre-application Neighborhood Meeting to provide the opportunity for early input by the public prior to submittal of the required Planning entitlement application; and

WHEREAS, on June 3, 2021, the Design Review Board conducted the required Concept Design Review, during which time the Design Review Board provided nonbinding comments to the applicant and interested community members as to how the application may meet the City's development priorities, and those comments were recorded in the minutes of the subject meeting as follows:

- Explore brighter colors overall
- Explore less rural design
- Consider adding green element to leasing building
- Explore color scheme overall
- Explore more pop-outs, perhaps with balconies
- Consider adding buffer for headlights at night
- Explore tree diversity
- Explore plant diversity
- Consider improving design of pool/leasing buildings
- Consider metal roof for pool/leasing buildings
- Consider adding contrast between stair tower and brown color on building
- Consider implementing gray color to pool/leasing buildings
- Consider covered parking to reduce heat island effect
- Consider permeable paving to improve drainage
- Consider alternate tree species for pool area

- Consider re-visiting fencing design; and

WHEREAS, on June 1, 2021, the Director of the Planning and Economic Development Department acted to elevate required Minor Design Review from the Zoning Administrator to the Design Review Board. On June 1, 2021, the applicant was advised that to facilitate a more comprehensive review of the proposed Stony Point Flats application (DR21-023), the Planning Director acted to elevate discretionary review of DR21-023 from Zoning Administrator to Design Review Board at a public hearing. This decision to elevate was based upon authority granted to the Planning Director by [Section 20-60.080](#). Additionally, prior to this notification, the applicant had requested that the required public meeting be elevated to a public hearing, which is an option available to all projects reviewed by the Zoning Administrator for which a public meeting is otherwise required; and

WHEREAS, on July 19, 2021, the Planning and Economic Development Department approved a State Density Bonus application pursuant to Zoning Code § 20-31 for the Project, including a two percent increase over base density, allowing one additional dwelling unit for a total of 50 units when 49 are allowed; and

WHEREAS, on September 2, 2021, the Design Review Board of the City of Santa Rosa considered the Stony Point Flats 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, on September 2, 2021, the Design Review Board adopted the Stony Point Flats EIR Addendum dated August 2021, which complies with the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Santa Rosa Design Review Board has completed its review of the project application for Minor Design Review for the Project, and the Design Review Board's review was based upon the project description and official approved exhibit dated received July 28, 2021; and

WHEREAS, the Santa Rosa Design Review Board finds as follows:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and the Roseland Area/Sebastopol Road Specific Plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, other applicable City requirements (e.g., City policy statements and development plans), and has received a State Density Bonus of two percent, and the matter has been properly noticed in as required by Section 20-52.050(E)(2)(b), and a public hearing has been acted on; 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 (Design Guidelines, Introduction, Subsection C) in that

- the proposed design provides a blend of contemporary and rural features in building height, form, and architectural details, while the form, massing, materials and detailing express the design concept and building use. The landscape design is appropriate for the proposed use while considering a holistic approach to fast growth shading and light shielding throughout the site, while the design and outdoor amenity space would reinforce a sense of place in the Roseland/Sebastopol Road Specific Plan area as a place for semi-rural living, and the design promotes sustainability through materials, site location, and use; 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 design is appropriate for its location in the Roseland/Sebastopol Road Specific Plan area, with its main entrance proposed on Stony Point. The building is set back from its entrance on Stony Point Road allowing adequate site distance for safe ingress and egress and was included in the Traffic Analysis Technical Memorandum by Dudek, dated August 6, 2021, and revised August 26, 2021; and
 4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the building is a functional urban design that provides a new statement to the existing neighborhood while employing simple massing by breaking up forms with windows, the use of mixed contemporary and rural style, employing a combination of pitched and flat roof areas to accommodate solar and other mechanical equipment while breaking up the massing of the buildings on a narrow parcel, and incorporating a combination of stucco and cementitious siding with muted earth tones; and
 5. 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 has been reviewed by City Building, Engineering, and Fire divisions and appropriately conditioned to comply with all local regulations currently in effect; and
 6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Addendum to the Environmental Impact Report (EIR) for the 2016 Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environment Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030) was prepared in compliance with CEQA Guidelines Section 15164. The Stony Point Flats EIR Addendum was reviewed by City Staff and adopted by the Design Review Board after determining that the project would not cause new significant environmental effects or substantial increases in the severity of significant effects beyond those previously identified as part of the 2016 FEIR. An Addendum to a Certified Environmental Impact Report may be prepared if no significant environmental effects will occur and none of the previously identified effects will increase in severity. (CEQA Guidelines Section 15164).

None of the circumstances under CEQA Guidelines Section 15162 are triggered; therefore, no additional analysis is required. See “Stony Point Flats EIR Addendum” dated August 2021 for further analysis.

Per CEQA Guidelines Section 15164(c), an addendum need not be circulated for public review, but can be included in or attached to the final EIR or adopted mitigated negative declaration. Per CEQA Guidelines Section 15164(d), the decision-making body shall consider an addendum with the final EIR or adopted mitigated negative declaration prior to making a decision on the project.

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Minor Design Review for the Project subject to each of the following conditions:

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL:

1. Compliance with each of the mitigation measures identified in the adopted Stony Point Flats EIR Addendum to the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environment Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030) is required.
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. All work shall be done according to the final approved plans dated July 28, 2021.
4. The applicant shall enter into an Affordability Agreement with the Housing Authority of the City of Santa Rosa PRIOR to the issuance of the building permit for the residential development. The affordability agreement shall be binding on all future owners and successors of interest of the residential development. The Affordability Agreement shall identify a minimum of 49 households earning less than 80% of area median income as affordable units under Zoning Code 20-31.110 (Density Bonus) and Section 21-02.050 (Inclusionary Housing), 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.

5. 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.

BUILDING DIVISION:

6. Obtain demolition permits for the buildings/structures to be removed.
7. 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.
8. Obtain building permits for the proposed project.

ENGINEERING DIVISION:

9. Compliance with all conditions as specified by the attached Exhibit "A" dated August 23, 2021.
10. Consider installation of a u-turn median on southbound Stony Point Road at Pearblossom Drive to facilitate access to project from southbound Stony Point Road.
11. Install "right-turn only" signage and road markings as described in the Traffic Analysis Memo dated August 6, 2021, and revised August 26, 2021.

PLANNING DIVISION:

12. 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.
13. **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.
 - 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 Design Review Board 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.

14. TREE PRESERVATION:

A. Pursuant to the Tree Inventory Report prepared by JJH Landscape Architects, dated received August 12, 2021, the total trunk diameter of all trees to be removed is 267 inches. Per the requirements of City Code Chapter 17-24, Trees, a total of 40, 15-gallon trees must be replanted as mitigation for the approved tree removal. Heritage trees represent 40 inches of the total trunk diameter of trees to be removed. At least six of the 15-gallon trees must be Heritage tree species as recommended by an arborist and approved by the Director. Replanting of larger trees may be equivalent to a number of 15-gallon trees as follows:

- i. 24-inch box tree = 3 15-gallon trees
- ii. 36-inch box tree = 4 15-gallon trees
- iii. 48-inch box tree = 6 15-gallon trees

As an alternative, a fee of \$100 per 15-gallon replacement tree may be paid to the City of Santa Rosa Tree Replacement Fund in-lieu of planting replacement trees on-site. A combination of replanting on-site, off-site, and in-lieu fees may be approved by the Director of Planning and Economic Development and the Director of Recreation and Parks.

Applicant shall submit a final Tree Mitigation Plan in compliance with City Code Chapter 17-24 to Planning for review and approval prior to issuance of construction building permit.

B. 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.

C. 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.
- D. 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.
 - E. 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."
 - F. 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.
 - G. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
 - H. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.
15. 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.
16. 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. Compliance with the City's Outdoor Lighting Ordinance in Zoning Code § 20-30.080 is required.

17. NOISE:

- A. Compliance with the City's Noise Ordinance in City Code Chapter 17-16 is required.

18. 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, at a minimum, 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.

19. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application may be required for future signs.
- B. Applicable 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.

20. 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.

DESIGN REVIEW BOARD

21. Conditions of approval as necessary.

This Minor Design Review for Stony Point Flats, a project that includes construction of a 50-unit, multi-family affordable housing project with onsite amenities located at 2268 Stony Point Road, is hereby approved on this 2nd day of September, 2021, provided that a Building Permit for construction approved under the permit is issued and is diligently pursued toward completion on the subject property within two years from approval date unless otherwise extended.

The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
Drew Weigl, Chair

ATTEST: _____
Amy Nicholson, Executive Secretary

Attachment: Engineering Development Services Exhibit "A" dated August 23, 2021