

# DRAFT

RESOLUTION NUMBER [to be entered by Secretary]

RESOLUTION OF THE CULTURAL HERITAGE AND DESIGN REVIEW BOARDS OF THE CITY OF SANTA ROSA GRANTING PRELIMINARY DESIGN REVIEW APPROVAL FOR DETURK WINERY VILLAGE, LOCATED AT 806 DONAHUE STREET AND 8 W. 9<sup>TH</sup> STREET, ASSESSOR'S PARCEL NUMBERS 010-091-001 AND 010-091-007, FILE NUMBER PRJ18-087

WHEREAS, on December 6, 2018, the DeTurk Winery Village project applications were submitted to Planning and Economic Development; and

WHEREAS, on January 17, 2019, the Cultural Heritage and Design Review Boards conducted a Joint Concept Design Review meeting; and

WHEREAS, on May 9, 2017, the City Council adopted Resolution No. RES-2017-070 for the Vacation of Public Right-of-way for a 18,725 square foot area along the east side of Donahue Street, between W. 8<sup>th</sup> Street and W. 9<sup>th</sup> Street; and

WHEREAS, pursuant to Zoning Code Section 20-58.060(C)(3)(b), Preliminary Design Review for a project greater than 5,000 square feet within a Historic Combing District will be conducted in a joint meeting of the Design Review Board and Cultural Heritage Board.

WHEREAS, on June 20, 2019, the Cultural Heritage Board and Design Review Board of the City of Santa Rosa considered the DeTurk Winery Village Project; and

WHEREAS, a Project Density Bonus and Concessions were authorized by the Zoning Administrator through Zoning Clearance No. \_\_\_\_\_ dated, \_\_\_\_\_ for 185-units and two Concessions for increased height and exemption from the Dispersion requirement; and

WHEREAS, the Cultural Heritage Board and 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 Cultural Heritage Board and 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, 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 design incorporates a transit oriented development, provides a stepped back design for the third and fourth floors, provides a mixed-use element, and incorporates a modern industrial design into the brick building; 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). The site plan provides a layout that shows required development standards have been met. The project includes a Density Bonus application and will offer 15 units designated for very-low

# DRAFT

income occupants. These units represent eleven percent (11%) of the maximum allowable density, which entitles the applicant to two concessions. The applicant has requested one concession for building height to construct a four-story structure at 46 feet and an exemption from the dispersion requirement for the location of the affordable units; and

3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments. The site is located within one-half mile of the SMART Station and is designated by the General Plan land use diagram as Transit Village Medium (25-40 units per acre), an area targeted for high density residential development. The project is compatible with adjacent proposed high density residential development and is buffered from lower density housing by the DeTurk Round Barn and DeTurk Park; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood. In response to comments from both the Cultural Heritage Board and Design Review Board at a Joint Concept Design Review meeting held on January 17, 2019, the proposed project incorporates a more robust landscape plan. In a Historic Evaluation prepared by Susan Clark, M.A., Architectural Historian, dated 2016 and a supplemented Historic Evaluation considering the new project by Diana Painter, PhD, Architectural Historian, dated 2019, the DeTurk Round Barn and neighborhood park provide an adequate buffer between the predominately single-family residential West End Preservation District's neighborhood and the subject site, making it possible for the proximity of these two types of development; 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 project is designed to provide private open space, be located near public transportation, and provide landscaping for areas that can adequately provide space for residents. The site utilizes industrial materials that contrast with the existing brick buildings and enhances the site by providing an upgraded pedestrian right-of-way; 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 project was reviewed by requisite City staff and conditioned appropriately; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The project is statutorily exempt from CEQA pursuant to Government Code Section 65457 in that the project would develop a residential land use that is undertaken to implement, and is consistent with, the Downtown Station Area Specific Plan. The EIR prepared for the Specific Plan was certified by the City Council on October 9, 2007 (Resolution No. 26949) and no events subsequent to certification have required a supplemental EIR pursuant to Public Resources Code section 21166.

Pursuant to Section 15332, the project is exempt from CEQA as an In-fill Development.

# DRAFT

- a. It is consistent with the General Plan land use designation of Transit Village Medium (25-40 units per acre) and complies with the TV-R-H-SA (Transit Village Residential within the Historic and Station Area combining districts) zoning district requirements.
- b. It occurs on a site less than five acres within City limits, surrounded by urban uses.
- c. The site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality that weren't previously considered in the scope of review of the Downtown Station Area Specific Plan Environmental Impact Report, certified by City Council Resolution No. 26949, dated October 9, 2007.
- e. The site can be adequately served by all required utilities and public services.

Pursuant to Section 15330, the project is exempt from CEQA in that it involves a minor cleanup effort to eliminate the threat of release of known contamination along Donahue Street through excavation and offsite disposal of contaminated soils.

Pursuant to Section 15331, the project is exempt from CEQA as maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources, in that it involves restoration efforts removing stucco from the exterior brick walls, opening up arched windows and doors, and replacing in kind of extensively deteriorated or missing features on the historic structures. In a historic evaluation, prepared by Susan Clark, these restoration efforts are recommended and have been found to be consistent with the Secretary of Interior's Standards.

NOW, THEREFORE, BE IT RESOLVED, the Cultural Heritage Board and Design Review Board of the City of Santa Rosa do hereby grant Preliminary Design Review of DeTurk Winery Village mixed use development subject to each of the following conditions:

## **PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

### **GENERAL:**

1. 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.
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.

# DRAFT

3. The developer shall pay fees at the time of building permit issuance, including but not limited to Housing Impact Fees, unless a later time is otherwise allowed by City Code.
4. All work shall be done according to the final approved plans stamped received on June 7, 2019.
5. Site addressing shall be shown on plans submitted for building permits and approved by the Fire Department.

## **ENGINEERING DIVISION:**

6. Compliance with all conditions as specified by the attached Exhibit "A" dated May 23, 2019 attached hereto and incorporated herein.

## **PLANNING DIVISION:**

7. Residential parking spaces shall be unbundled from residential units. Unbundled parking, as defined by the Zoning Chapter 20-70, are spaces that are separated from the cost of housing, meaning that residents with no vehicles would realize a cost savings by not leasing a parking space.
8. The applicant shall enter into an agreement with the Santa Rosa Housing Authority to provide the number of affordable units required under Zoning Code Section 20-31.100(B), with the units at affordability levels as specified in the Code, for a period of 55 years, and with the following provisions.
9. The density bonus units shall be:
  - a. Constructed at the same time as the market-rate units;
  - b. Reasonably dispersed throughout the development;
  - c. Similar in unit type and size as the market-rate units;
  - d. Reasonably compatible with the design or use of the remaining units in terms of appearance, materials, amenities, and quality finish; and
  - e. Remain substantially the same through repairs and improvements for the entire 55-year period in which these units are designated for low- or very low-income households.
10. A qualified archaeologist and tribal monitor shall be on-site to monitor initial ground disturbing activities. This condition should be printed on all plans submitted for permits.
11. Noise generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday. Non-noise generating construction activities are permitted on Saturday from 8:00 a.m. to 5:00 p.m. No construction is permitted on Sundays and holidays. Construction hours shall be noted on all pages of plans submitted for grading and building permits.

# DRAFT

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 Cultural Heritage and Design Review Boards, stamped received on June 7, 2019.
13. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),
14. 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.
15. 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 Cultural Heritage and Design Review Boards.
16. All refuse bins and bin storage areas shall be maintained in good condition, and kept out of public view.
17. LANDSCAPING:
  - a. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
  - b. 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.
18. LIGHTING:
  - a. All outdoor lighting on private property shall comply with Section 20-30.080 of the Zoning Code.
19. 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. Building permits for sign installations shall be separate permits from other building permits issued for construction.
20. 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.

# DRAFT

## FIRE DEPARTMENT

21. All bedrooms below the fifth floor shall have an emergency egress window which opens upon a Yard or Court with access to the public way for the purpose of evacuating occupants via a Fire Department ladder. Alternatively, project may be built as CBC Type II-A, III-A, or IV construction and fully sprinklered per NFPA 13.
22. Per local amendment to CA Fire Code, standpipes are required in all buildings three stories or more in height. Due to the extended configuration of this building, additional hose outlets connected to the standpipe system are required at the podium level and may be required at some 4<sup>th</sup> Floor bridges. Class 1 standpipes shall be located per CA Fire Code and designed and installed per NFPA 14.
23. Remediation requirements for residential projects are stricter than those for industrial/commercial uses, so on-site redevelopment for residential use may require additional site mitigation. The applicant shall provide an analysis that indicates the level of contamination is below the threshold allowable for residential uses. If the applicant is not able to produce the required analysis, a plan will be required to be reviewed and approved by Santa Rosa Fire Department and the North Coast Regional Water Quality Control Board to address the clean-up objective.
24. Reports indicate that there is still underground piping and contaminated soil in or adjacent to the site, along Donahue Street, between W. 8th Street and W. 9th Street, associated with this property. As detailed in a letter authored by Scott Moon, Fire Marshall, dated April 9, 2013, attached, the developer shall follow the Remedial Objectives that are outlined on Page 20 and the Recommendation on Page 32 of the "Revised Feasibility Study/Corrective Action Plan."

Alternatively, the applicant may provide a more current report that focuses on the development boundary and propose a new Corrective Action Plan to be reviewed and approved by the Santa Rosa Fire Department and the Regional Water Quality Control Board.

Prior to work commencing at the site, a permit shall be obtained from the Santa Rosa Fire Department.

## POLICE DEPARTMENT

25. Install a security camera or similar recording device at the entrances and exits to the complex, including parking garages;
26. Fencing along the railroad tracks should be constructed from cut-resistant material and should exceed 6 feet in height where feasible; and
27. The eastern elevation of the building shall be finished with an anti-graffiti coating where possible.

## CULTURAL HERITAGE BOARD

28. add/delete text as needed

# DRAFT

## DESIGN REVIEW BOARD

29. add/delete text as needed

DULY AND REGULARLY ADOPTED by the Cultural Heritage Board of the City of Santa Rosa on this 20<sup>th</sup> day of June, 2019, by the following vote:

AYES:           ()

NOES:           ()

ABSTAIN:       ()

ABSENT:        ()

APPROVED: \_\_\_\_\_

Casey Edmondson, Chair

ATTEST: \_\_\_\_\_

Kristinae Toomians, Secretary

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 20<sup>th</sup> day of June, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_

Warren Hedgepeth, Vice Chair

ATTEST: \_\_\_\_\_

Bill Rose, Executive Secretary