

RESOLUTION NO. RES-2020-219

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING THE APPEAL AND APPROVING A LANDMARK ALTERATION PERMIT FOR THE FLATS AT 528 B STREET, INVOLVING THE CONSTRUCTION OF A FIVE-STORY MIXED-USE BUILDING, WITHIN THE ST. ROSE PRESERVATION DISTRICT, ASSESSOR'S PARCEL NUMBER 010-035-022; FILE NUMBER PRJ20-005

WHEREAS, on October 2, 2019, at a joint meeting of the Cultural Heritage Board and Design Review Board, the Project was considered as a concept item; and

WHEREAS, on February 25, 2020, Landmark Alteration Permit and Design Review project applications were submitted to Planning and Economic Development; and

WHEREAS, on November, 23, 2020, the Cultural Heritage Board and Design Review Board of the City of Santa Rosa considered the proposed Project to construct a five-story, mixed-use building, with commercial uses on the ground floor and 24-residential units on the second through fifth floors, comprised of one- and two-bedroom units, at 528 B Street; and

WHEREAS, on November 23, 2020, the Cultural Heritage Board of the City of Santa Rosa considered the Landmark Alteration Permit, at which time it received 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 of the City of Santa Rosa, after due consideration, investigation, and study made by itself and on its behalf and due consideration of all evidence and reports offered at said hearing denied the Landmark Alteration Permit; and

WHEREAS, the Cultural Heritage Board and Design Review Board, at the same meeting denied Preliminary Design Review; and

WHEREAS, on December 1, 2020, an Appeal Form was submitted by Peter Stanley/Tom Karsten, applicant (appellant) to the City Clerk's Office; and

WHEREAS, on December 15, 2020, the Council of the City of Santa Rosa considered the proposed Project to construct a five-story, mixed-use building, with commercial uses on the ground floor and 24-residential units on the second through fifth floors, comprised of one- and two-bedroom units, at 528 B Street; and

WHEREAS, the Council, at the same meeting, considered the grounds for appeal of the Cultural Heritage and Design Review Boards' action to deny the Project; and

WHEREAS, the Council, 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 Council, after due consideration of all evidence and reports offered for review, does find and determine the following:

- A. The proposed change is consistent with the original architectural style and details of the building. The existing structure is not identified as a contributor to the St. Rose Preservation District. The Project proposes to demolish the existing structure and construct a new building that has an entirely different architectural style. A Historic Property Survey and CEQA Evaluation, prepared by J. Longfellow Consulting, dated January 5, 2020, concluded that the removal of the existing structure “will not have an adverse effect on cultural resources”; and
- B. The proposed change is compatible with any adjacent or nearby landmark structures or preservation district structures. A Historic Resource Evaluation, prepared by Mark Parry, Artisan-Architecture, dated June 2, 2020 (Parry Report), concluded that “The new building reflects the basic district context and sufficient character-defining elements to be sensitive to and in keeping with the Secretary of the Interior’s Standards.”

The City’s Processing Review Procedures (for owners of historic properties) acknowledges that taller structures are more common to both the Railroad Square and St. Rose Preservation Districts. In compliance with Section G of the Processing Review Procedures, the proposed new construction is contemporary but incorporates several architectural elements, including the cornice, window trim details, balcony guardrails, storefront industrial sash, and gate, that ties the design to the District, but does not mimic existing buildings within the District; and

- C. The proposed colors, textures, materials, fenestration, decorative features and details are consistent and/or compatible with the time period of the building’s construction, and/or adjacent structures. In the above referenced Parry report, Figure 3 details character-defining elements that have been incorporated into the new construction, including the cornice, gate, storefront (industrial sash), guardrails, window details and window trim details, which are in keeping with character-defining architectural features found around the site and within the St. Rose Preservation District; and
- D. The proposed change will not destroy or adversely affect an important architectural feature or features. The existing structure, which is proposed to be demolished, was constructed in the 1970s, which is outside of the period of significance for the St. Rose Preservation District. Because it is not identified as a contributor to the District, it can be assumed that it does not have important architectural features, more commonly referred to as “character-defining features”; and
- E. The project is consistent with the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1983 Revision). The Parry report, referenced above, concludes that “The proposed project generally conforms to the Secretary of the Interior’s Standards for Rehabilitation”; and

- F. The project is consistent with applicable Downtown Commercial zoning district development standards, which allows development up to five stories at this site, and General Plan policies, and the project has been properly noticed; and
- G. The review authority finds that the increased height does not detract from the character of the preservation district or any adjacent contributing properties. The subject property is located on the eastern edge of the St. Rose Preservation District. This section of B Street is where Healdsburg Avenue and B Street converge, and acts as an entryway to the downtown. The proposed mixed-use structure would screen the view of the 7<sup>th</sup> Street parking garage from B Street, offering a transition between residential and larger scale development. The placement of the proposed structure along the southern property line, with an open space area that spans the full length of the Project site along the northern property line that separates the single-story structure at 534/536 B Street effectively minimizes the impact of the difference in height.

The Historic Resource Evaluation, prepared by Mark Parry, dated June 2, 2020, identified several character defining elements found in the St. Rose Preservation District, including the cornice, window trim details, balcony guardrails, storefront industrial sash, and gate, that have been incorporated into the design of the proposed building. While the contemporary design of the building does not mimic historic structures in the District, the addition of those architectural features integrates the Project with the District.

- H. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
- I. The project has been reviewed in compliance with the California Environmental Quality Act (CEQA):
- Pursuant to CEQA Guidelines Section 15182, the project is statutorily exempt from CEQA because it is a mixed-use project; it has a floor area ratio of 3.8 (greater than 0.75); it is within Downtown Commercial zoning district; it is within the Downtown Station Area priority development area; is consistent with the 2007 Downtown Station Area Specific Plan Environmental Impact Report, which was certified by Council Resolution No. 26949, dated October 9, 2007; is consistent with the 2020 Downtown Station Area Specific Plan Subsequent Environmental Impact Report, which was certified by the Council on October 13, 2020; and is consistent with the General Plan land use designation of Retail and Business Services.
  - Pursuant to CEQA Guideline Section 15183, because the project is being developed consistent with the General Plan, for which Council certified an Environmental Impact Report in 2009, the project is eligible for streamlined CEQA processing. No further environmental review is necessary for the Project

as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the project that were not analyzed and addressed in a prior EIR.

- Pursuant to CEQA Guidelines Section 15332, because the project site is less than five acres; is consistent with the General Plan, any applicable specific plan and zoning; is not considered suitable habitat for listed species; is located in area where all services are available; and would not result in a significant impact in air quality, water quality, or traffic, it qualifies for a Class 32 categorical exemption.
- The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.) This determination is based on the infill nature of proposed site, and the previous site development.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa does hereby grant the appeal and approve the Landmark Alteration Permit for The Flats at 528 B Street, involving the construction of a five-story, mixed-use building, Assessor's Parcel Number 010-035-022 subject to the following conditions:

1. Obtain a building permit for the demolishing of the existing structure and the construction of the new building.
2. Plans submitted for a building permit shall be consistent with the plans approved by the Cultural Heritage Board, dated June 5, 2020, unless revised by the Cultural Heritage Board or Design Review Board at the joint public meeting held on November 23, 2020.
3. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturday. No construction is permitted on Sunday or holidays.
4. The developer shall provide on-site allocated units in compliance with the Inclusionary Housing Ordinance (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.
5. Compliance with Engineering Development Services Exhibit A, prepared by Laura Ponce, dated July 23, 2020, attached hereto and incorporated herein.
6. Prior to final inspections of the Building Permit, the building owner or designated representative shall obtain a Master Encroachment Permit for a period of 12 months, for initial building occupancy.

7. The project shall adhere to the general operation of the Trash Removal Plan, prepared by Thomas Karsten Jr., dated August 3, 2020.
8. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
9. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

IN COUNCIL DULY PASSED this 15th day of December, 2020.

AYES: (7) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A – Compliance with Engineering Development Services