

Attachment 2

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 9, 2001
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

2:30 P.M. (MAYOR'S CONFERENCE ROOM)

1. CALL TO ORDER AND ROLL CALL

Mayor Martini called the meeting to order at 2:30 p.m. in the Mayor's Conference Room. Present: Mayor Martini, Vice Mayor Wright, Councilmembers Bender, Condrón, Evans, Rabinowitsh and Vas Dupre.

2. STUDY SESSION(S) – None

3. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION(S)

3.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: APN 009-081-053 (105 Brookwood)
Property: APN 009-211-082 (125 Brookwood Avenue)
Property: APN 009-171-029 (983 Sonoma Avenue)
Agency Negotiator: Josh Maresca, City's Right-of-Way Agent
Negotiating Parties: Brookwood L.L.C.
Under Negotiation: Price and terms of payment

3.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) and subsections (1) and (3)(C) of section 54956.9: Claim filed (Wittwer). One potential case.

3.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

3.4 PUBLIC EMPLOYMENT

Title: City Attorney

3.5 CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Mayor Mike Martini
Unrepresented Employee: City Attorney

3.6 ADJOURN AND RECONVENE TO OPEN SESSION IN CITY COUNCIL CHAMBERS

4:06 P.M. (CITY COUNCIL CHAMBER)

4. ANNOUNCEMENT OF ROLL CALL

Mayor Martini reconvened the meeting at 4:06 p.m. in the Council Chamber. Mayor Martini announced Roll Call as indicated previously in the minutes. Councilmember Vas Dupre left the meeting at 7:35 p.m.

5. REPORT ON STUDY SESSION(S) AND CLOSED SESSION(S)

City Attorney Rene Chouteau reported the City Council met in Closed Session at 3:30 p.m. regarding the items listed in 3.1 Conference with Real Property Negotiator; 3.2 Conference with Legal Counsel - Anticipated Litigation; 3.3 Public Employee Performance Evaluation; 3.4 Public Employment; and 3.5 Conference with Labor Negotiator. There were no announcements to be made following the Closed Session.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION – WOMEN'S HISTORY

Mayor Martini read aloud the proclamation, which was accepted by Grace Eva Howard and Susan Moore. Ms. Moore thanked the Council for honoring the women who worked to gain the vote. Ms. Howard, founder of the 19th Amendment Women's History Project, commented on the State of California's leadership in gaining the vote for women nationally.

6.2 PROCLAMATION – FIRE PREVENTION WEEK

Mayor Martini read aloud the proclamation, which was accepted by Fire Marshal Cliff Vaniman. Fire Marshal Vaniman thanked the Council for their continued support and commitment on behalf of the Santa Rosa Fire Department.

7. CITIZEN PUBLIC APPEARANCES

Ken Hart, Dignity of Man, spoke about the cosmos.

Devin Van Dyke commented that the proposed shelter did not provide adequate space for each person. He stated he could be a high functioning member of the community

if his needs were met through better services for the homeless, and that if the City were not behind in constructing affordable housing units he could have a home. He also stated the police are abusive to the homeless.

Michelle Salinas Pick, 6095 Dubarry Ct., invited the Council to the premiere opening of the movie, "Bandits," which was filmed, in part, in Santa Rosa last November. She thanked those businesses that had been involved.

Terry Hilton, Southwest Area Business Association, extended congratulations to Rene Chouteau on his appointment to the Superior Court bench. He invited the Council members to the Association meeting this week. He also commented on the homeless issue and complimented the Council for their initiative and effort.

Morrie Rives asked why Sonoma County can't build a homeless shelter equal in size and with the same goods and services as the jail. He also asked about resources available to the homeless.

8. APPROVAL OF MINUTES - August 28, 2001
Regular City Council Meeting

MOVED by Vice Mayor Wright, seconded by Councilmember Vas Dupre, carried unanimously, to approve the minutes of August 28, 2001 Regular City Council Meeting.

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

Mayor Martini stated he would abstain from voting on items 10.4 and 10.5 since he had not been present upon introduction of those ordinances.

10. CONSENT ITEMS

Councilmember Evans asked including more specific information in the resolution in item 10.5, Rackerby Rezoning. General discussion ensued regarding suggested conditions. It was the Council's consensus to determine conditions upon receipt of a modified application.

MOVED by Vice Mayor Wright, seconded by Councilmember Condron, carried unanimously, to adopt and waive the reading of the text of the resolutions in Items 10.1 through 10.3 as follows:

10.1 RESOLUTION - ANNUAL ADOPTION OF CITY COUNCIL STATEMENT OF INVESTMENT POLICY & DELEGATION OF AUTHORITY

RESOLUTION NO. 24994 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING AND APPROVING A STATEMENT OF INVESTMENT POLICY REGARDING THE INVESTMENT OF CITY FUNDS AND DELEGATING INVESTMENT AUTHORITY TO THE CHIEF FINANCIAL OFFICER/TREASURER

10.2 RESOLUTION - CONTRACT EXTENSION - JANITORIAL SERVICES FOR VARIOUS CITY FACILITIES

RESOLUTION NO. 24995 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 8 TO CONTRACT NO. 00-5757 WITH UNIVERSAL BUILDING SERVICES FOR JANITORIAL SERVICES AT VARIOUS CITY FACILITIES

10.3 RESOLUTION - APPOINTMENT TO THE HOUSING AUTHORITY AND REDEVELOPMENT AGENCY BOARD OF DIRECTORS

RESOLUTION NO. 24996 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING AN APPOINTMENT TO THE REDEVELOPMENT AGENCY/HOUSING AUTHORITY (JAMES BEYERS)

MOVED by Vice Mayor Wright, seconded by Councilmember Condron, carried 6-0-1 (Mayor Martini abstaining), to adopt and waive the reading of the text of the ordinance in Item 10.4 as follows:

10.4 ORDINANCE ADOPTION - WASEM REZONING - 2905 SANTA ROSA AVENUE

ORDINANCE NO. 3541 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CHAPTER 20 OF THE SANTA ROSA CITY CODE - RECLASSIFICATION OF PROPERTY LOCATED AT 2905 SANTA ROSA AVENUE (WASEM REZONING) - FILE NUMBER REZ01-001

MOVED by Vice Mayor Wright, seconded by Councilmember Rabinowitsh, carried 6-0-1 (Mayor Martini abstaining), to adopt and waive the reading of the text of the resolution in Item 10.5 as follows:

10.5 RESOLUTION – DENIAL OF RACKERBY REZONING – 3200 CHANATE ROAD

RESOLUTION NO. 24997 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING, WITHOUT PREJUDICE TO ALLOW FOR MODIFICATIONS, AN APPLICATION FOR REZONING OF PROPERTY LOCATED AT 3200 CHANATE ROAD (RACKERBY SUBDIVISION) - FILE NUMBER REZ00-025

11. SCHEDULED ITEMS

11.1 REPORT – AGREEMENT FOR ENGINEERING SERVICES FOR PRINCE MEMORIAL GREENWAY BETWEEN “A” STREET AND SANTA ROSA AVENUE

Rick Moshier, Deputy Director – Public Works, presented the staff report. In response to a question by Councilmember Rabinowitsh, Mr. Moshier indicated the funding had already been appropriated through the Prince Greenway project budget.

MOVED by Councilmember Rabinowitsh, seconded by Councilmember Condrón, carried unanimously, to adopt and waive the reading of the text of the resolution in Item 11.1 as follows:

RESOLUTION NO. 24998 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT WITH CARLILE-MACY FOR ENGINEERING SERVICES FOR PRINCE MEMORIAL GREENWAY (“A” STREET TO SANTA ROSA AVENUE)

11.2 REPORT – AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT FOR LAGUNA SUBREGIONAL RECLAMATION SYSTEM ENERGY EFFICIENCY IMPROVEMENTS

Dan Carlson, Capital Projects Coordinator – Utilities, presented the staff report. He noted the amendment will allow necessary work to continue, that there have been cost savings, and that there has been good success with the contractor.

MOVED by Councilmember Bender, seconded by Vice Mayor Wright, carried unanimously, to adopt and waive the reading of the text of the resolution in Item 11.2 as follows:

RESOLUTION NO. 24999 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 3 TO THE CONTRACT WITH PROVIMETRICS, INC., OF SANTA

ROSA, CALIFORNIA TO PROVIDE PROFESSIONAL SERVICES IN ASSOCIATION WITH THE LAGUNA SUBREGIONAL RECLAMATION SYSTEM ENERGY EFFICIENCY IMPROVEMENTS

11.3 REPORT – INCREMENTAL RECYCLED WATER PROGRAM - APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR ECONOMIC BENEFIT ANALYSIS

Dan Carlson gave the staff presentation. He explained the need for an economics consultant to perform economic analyses of the project and outlined the selection process used to make the recommendation.

MOVED by Councilmember Vas Dupre, seconded by Councilmember Evans, carried unanimously, to adopt and waive the reading of the text of the resolution in Item 11.3 as follows:

RESOLUTION NO. 25000 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HILTON, FARNKOPF AND HOBSON, LLC TO PERFORM A NET ECONOMIC BENEFIT ANALYSIS FOR THE INCREMENTAL RECYCLED PROGRAM

At this point, Mayor Martini called for a five minute recess from 4:55 to 5:00 p.m.

11.4 PUBLIC HEARING – THE LAKES AT FOUNTAIN GROVE APARTMENTS

Joel Galbraith, City Planner, presented the staff report. He displayed a plat map of the subject property. As a result of a settlement agreement resulting from a prior lawsuit, the developer has agreed to conditions concerning signalization and the circulation plan. The applicant has received a two-year extension which extends through 2001 and is currently seeking a second two-year extension. The time extension for a previously approved apartment project is the subject of this hearing. He stated neighbors have indicated the project is too dense and not compatible with existing single family homes in the area. The Planning Commission and staff recommend approval.

PUBLIC HEARING

Mayor Martini opened the public hearing and called for appellant comments.

Victoria Hogan, appellant, stated this is a sensitive site and the proposed use is unacceptable to neighbors but as part of settlement agreement neighbors agreed not to oppose the project. She stated there are another 60

neighbors in addition to her that are opposed. She stated she objects to the visual impacts on the neighborhood and City, that she wants to preserve more oak trees and is concerned about sudden oak death syndrome, and that the use won't create affordable housing. She also stated there is a seismic risk, that the use will generate unmitigated noise pollution and it also presents a maintenance problem for the Homeowners Association. She showed a picture of the hilltop view from the subject property, and stated that 50 trees will be cut to develop the project. She noted the buildings will be very tall and be highly visible, and will cause the removal of trees that will further expose hillside homes and the apartments. She stated the plan will create 124 market rate apartments, but if it were developed as condominiums the project would generate over \$1 million in in-lieu fees. She noted the project's close proximity to her home and stated concern about negative impacts to their trees and landscaping.

Bill and Linda Edelman, 3458 Baldwin Way, stated that since filing this appeal, they have formed a group and are representing that larger group. Mr. Baldwin stated the purpose of their appeal is to assure traffic mitigation measures are taken by means of keeping the barricade at the top of Baldwin Way and Nelson Road. He stated traffic conditions and the steep slope of the street contribute to traffic dangers in the residential neighborhood. Mr. Edelman requested the conditions be modified to prevent traffic from cutting through at the south and east end onto Baldwin Way.

Jim Hubbard, applicant, responded to concerns about sudden oak death syndrome with a letter from an arborist stating there is no disease risk resulting from the project and no disease currently exists in the area. Regarding visual sensitivity, he stated the site was subject to a separate environmental impact report, the project has been twice approved in the past, and a portion of the parcel will remain in open space. 455 trees are to be planted on the site as mitigation and approximately 60 will be removed during development. He stated that the traffic and noise issues were addressed in the settlement agreement. He showed the location of the traffic signal which is in place and outlined traffic circulation in the area. He stated a cul-de-sac would be built to prevent traffic impacts on Chanate and that he had met with neighbors to address concerns.

Tom Jones stated he is with an engineering firm representing the developers of the proposed Mountain View IV project to the south. He stated that in developing the plan they did comply with the conditions of the previous lawsuit settlement and do not object to leaving the bollards as long as when they eventually come through they be allowed to construct a cul-de-sac as the terrain is not suitable for construction of a 90 foot diameter

cul-de-sac bulb. To do so could decrease the number of units to below what is required.

Raymond Goldsby, 3594 Kelsey Knolls, stated that the residents have no problem with development, but that Baldwin Way is very steep and there are safety concerns associated with opening Kelsey Way. He noted the grade on Baldwin Way obstructs the line of sight due to a crest in the road and there are often children playing on the street. They have had to call the police for dangerous drivers several times. He stated that traffic risks have been built into Kelsey Knolls and Baldwin Way so traffic on those streets should be kept to a minimum, and he felt that Kelsey Knolls should be kept closed.

Laura Roney, 3959 Skyfarm, spoke in opposition to the proposed use based upon negative impacts to the quality of life they moved here for. She stated growth will adversely affect tourism and contribute to the loss of Santa Rosa's character and charm. She also noted there is question about whether the development will be apartments or condos and requested that be clarified in order to be clear on the benefits to the community. She requested that visual impacts be mitigated and the character of Santa Rosa be maintained.

Karen Erickson, 1975 Bent Tree Place, stated concerns regarding building on or near a known earthquake fault. She stated this is an unfair burden to be placed on the Homeowners Association and requested that either the City or developers assume liability. She stated this use will not contribute to affordable housing as these will be luxury apartments and they are currently exempt from the in lieu fees. She stated that apartments, by definition, do not fit the association assessment requirements. She also stated that she has been denied information and records by the Homeowners Association and suspected unfair influence by the developer. She requested information on how the assessments would be paid per month to the Homeowners Association.

Glenn McElderry, 3430 Baldwin Way, stated he is a police officer with several years of traffic enforcement experience and feels it would be unsafe to build on Baldwin Way due to the grade and the presence of children playing. He noted the present danger posed by construction trucks that must get a run at Baldwin Way to climb the hill. He felt the dangers outweigh the necessity to open the street, and recommended it be used for emergency access only.

Adrienne Borders, 3418 Baldwin Way, stated she is nine years old and lives on Baldwin Way, and that she and her friends sometimes ride bikes in the street which has lots of curves. She stated sometimes they can't see when cars are coming and the cars don't slow down.

Art Elwanger, 3467 Baldwin Way, stated he lives on the corner of Kelsey Knolls and Baldwin Way. He stated that due to the dangers posed by backing out of his driveway onto a steep slope he has increased his insurance coverage. He expressed concern about adding traffic to the street and requested that Kelsey Knolls not be opened.

Joan Englehart, 1972 Fountain View Circle, requested that Baldwin Way be opened as Altruria will be heavily impacted by this use. She stated the traffic signal is not enough traffic control and requested installation of a traffic signal at Kelsey Knolls and Altruria.

Unidentified, stated in response to comments about Homeowners Association records being withheld that the Lakes was lawfully approved and there never was and never will be collusion between developer and the Fountain Grove Ranch Association, and that no one has ever been denied access to records.

Steven Mayer, 3124 Baldwin Way, stated the area that is being set aside by the developer for open space is so steep as to preclude any development and the other open area is a riparian area.

Richard Day, 847 Fifth Street, representing Concerned Citizens of Santa Rosa, wanted to remind the Council that this is the last opportunity to impose conditions on this project. He stated that if the A and B unit designation is eliminated in lieu fees or onsite affordable housing development requirements can be imposed. He stated the environmental impact report for this project that was done in 1991 identified problems that could not be mitigated, particularly traffic problems. He recommended reviewing the environmental impact report again to determine whether there are overriding considerations.

Hearing no further comments, Mayor Martini closed the public hearing at 6:00 p.m.

Gene Benton, City traffic engineer, stated the street is a local street, not a connector. He noted the need for emergency access and egress due to the lack of connection to Chanate. By not making connections, it makes the Baldwin/Kelsey Knolls area a large cul-de-sac with only one access point. He felt the primary issue was whether the Council wanted only one access to this area, and recommended that if that is acceptable that bikes and pedestrian access be allowed. He recommended having as many connections as possible.

Mayor Martini noted the streets are steep but not unsafe as they were built to local street standards, and that his observation was that traffic generally uses Altruria.

Councilmember Condron asked if a cul-de-sac would be required if the road were to be closed except for emergency access. Mr. Benton said in some cases turnarounds have been used.

Mayor Martini asked about underground drainage, faults, and who bears the responsibility for that as it relates to the Homeowners Association. Mr. Galbraith responded that water and adequate drainage plans are the responsibility of the developers.

In response to a question by Councilmember Evans regarding collection of lieu fees, City Attorney Chouteau stated that a condition has been added that once fees are determined they will be assessed if applicable. He noted these will be rental units, which are always A units.

Councilmember Vas Dupre commented that these units will be market rate and above and will not address the need for affordable housing. She requested that the descriptor "affordable" multi family housing be a condition of approval and requested that degradation of the land be addressed and mitigated.

In response to a question by Councilmember Condron concerning collection of in lieu fees if an inclusionary element is included in the ordinance, Mr. Chouteau stated that the condition in the resolution relates only to the fees and not to the inclusionary element.

Councilmember Rabinowitsh expressed concerns on the visual impacts and wanted to assure the project has an affordability component. He indicated support of the access modification.

Councilmember Bender commented that the arborist who submitted information on the oaks is a reliable expert and recommended that of the 455 trees the developer is planting that a variety of oaks be planted. She also indicated support of the access modification on Baldwin to prevent through traffic. She also supports the rental housing.

Vice Mayor Wright commented on the environmental and groundwater impacts and the need for a diversity of housing including rental housing in the area.

Councilmember Evans stated support for blocking access to Kelsey Knolls.

Councilmember Vas Dupre stated her concerns about visual impacts, that the project won't provide affordable housing, and the safety and seismic risks. She indicated she would support the appeal and she supports the bollards.

Councilmember Condron indicated support for allowing all levels of apartments in the community and for allowing for emergency access to Kelsey Knolls.

It was the Council's consensus to amend the resolution to include a sixth condition that would state the existing gate on Kelsey Knolls shall not be removed, but emergency vehicles, pedestrian and bicycle access would be allowed.

MOVED by Councilmember Condron, seconded by Vice Mayor Wright, carried 6-1-0 (Councilmember Vas Dupre voting NO), to adopt and waive the reading of the text of the resolution in Item 11.4 as follows, and to modify the resolution to retain the existing gate on Kelsey Knolls Drive to allow only emergency, bicycle and pedestrian access:

RESOLUTION NO. 25001 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS UPHOLDING A DECISION OF THE PLANNING COMMISSION AND APPROVING ON APPEAL A TWO YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR THE LAKES AT FOUNTAIN GROVE APARTMENTS - LOCATED AT 900 AND 950 ALTRURIA DRIVE - FILE NUMBER CUP98-063

At this time, Mayor Martini called for a brief recess.

11.5 PUBLIC HEARING – CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A TEMPORARY HOMELESS SHELTER AT 105 BROOKWOOD AVENUE

11.6 PUBLIC HEARING– CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A TEMPORARY HOMELESS SHELTER AT 4 E STREET

11.7 PUBLIC HEARING – CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A TEMPORARY HOMELESS SHELTER AT 983 SONOMA AVENUE

Mr. Kolin explained that this portion of the agenda was advertised and agendized as three separate public hearings. Staff suggested the public hearings be merged to take comments simultaneously on any one or all three sites, and if a member of the audience is making comments specific to a single site they so state.

Marie Meredith, Senior Planner, presented the staff reports, reviewed the process to date and displayed maps and photos of each of the proposed sites. She stated that staff recommends eliminating further consideration of the E Street site described in item 11.6 as the finding of surplus parking must be made before the site can be

approved. Staff does not believe this finding can be made.

PUBLIC HEARING

Mayor Martini opened the public hearing at 6:54 p.m.

Carol Dean, 332 Decker Street, stated the facility should be open 24 hours a day to provide a safe place during the day, particularly in winter months. She stated the staff should be paid staff, not from other shelters, and the facility should provide food. She also stated code enforcement could be an issue and that all shelters should be inspected.

Stuart Kiehl, 4193 Concord Avenue, stated he is a Board member of the Wright Area Action Group and agrees with previous speaker. He requested that participants be required to participate in programs and that the advisory panel be involving in decision making. He requested that the facility offer more than an overnight place to stay.

Georgiana McLean, 883 Sonoma Avenue, stated she represents a group of homeowners who live close to 983 Sonoma. She stated support for the City's efforts and the location, but urged the Council to include the neighbors in the decision making process. She also was concerned about the hours of operation and putting people out on the street too early in the morning. She concluded by urging the Council's support of the project.

Derek Simmons, attorney representing some property owners on Brookwood and Second Street, stated concerns about neighborhood compatibility. He stated there are CEQA issues relative to 105 Brookwood. He didn't see a basis for excluding the E Street property from consideration and does not see this as an emergency. He stressed the need for emergency response by police personnel rather than security guards, stating that many of the homeless are not obeying the laws or behaving as good citizens. He stated residents of the community have the right not to be impacted and that the burden should be on the city to demonstrate success. He stated that 105 Brookwood has legal as well as onsite problems and recommended the Sonoma Avenue site as a short term solution.

Jim Caddick, 858 W. Sexton Road, Sebastopol, commended the Mayor, Council and the neighbors who want to make this work. He encouraged recognition of the dignity of every person and spoke of the need for low income housing. He suggested the Council consider use of city-owned property on Mendocino Avenue (APN 180-02-14) for development of single residential housing for those transitioning out of homelessness.

RESOLUTION NO. 25001

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS UPHOLDING A DECISION OF THE PLANNING COMMISSION AND APPROVING ON APPEAL A TWO YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR THE LAKES AT FOUNTAINGROVE APARTMENTS - LOCATED AT 900 AND 950 ALTRURIA DRIVE - FILE NUMBER CUP98-063

WHEREAS, on June 11, 1998 the Planning Commission considered and approved a Statement of Overriding Considerations and Mitigated Negative Declaration for this use and project. As explained in detail herein, the environmental circumstances have not changed to require additional documentation under CEQA, so that the previous environmental determinations may be used for the extension of time; and

WHEREAS, an application was filed with the Department of Community Development requesting the approval of a Two Year Extension of Time for a previously approved Conditional Use Permit for The Lakes at Fountaingrove Development of an 11.8-acre site with 124 apartments, to be located at 900 & 950 Altruria Drive, also identified as Sonoma County Assessor's Parcel(s) Numbered 173-020-026; and 027; and

WHEREAS, on August 9, 2001, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials, and approved a two year conditional use permit time extension; and

WHEREAS, on August 23, 2001, Victoria and Ron Hogan, and Linda and Bill Edelman filed appeals requesting that the Council overturn the decision of the Planning Commission and deny the conditional use permit time extension; and

WHEREAS, on October 9, 2001, the City Council held a noticed hearing on the appeal and the two year extension of the conditional use permit as approved by the Planning Commission; and

WHEREAS, the Council has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, the Council of the City of Santa Rosa finds and determines:

1. That the proposed use is consistent with the General Plan in that density transfers are provided for in the Fountaingrove Ranch Policy Statement which has been determined to be consistent with the General Plan. Detailed findings relating to General Plan consistency are set forth in the City Council's Resolution No. 23687 passed September 8, 1998, and relating to the original approval of the project.

2. That the proposed use, as conditioned, is in conformity with the requirements and intent of the Zoning Code in that the Fountaingrove Ranch Policy Statement sets the regulations for development and with which the project is consistent. Detailed findings relating to conformity with the requirements and intent of the Zoning Code and Fountaingrove Ranch Policy Statement are set forth in Resolution No. 23687 passed September 8, 1998, and relating to the original approval of the project.
3. That the proposed use and project, as conditioned, will not constitute a nuisance or be injurious or detrimental to the public health, safety or welfare, or to persons or property in the vicinity of the proposed use and project. More detailed findings relating to the project's consistency with the City's general welfare standard are set forth in Resolution No. 23687. As was the case with the original approval, no technical information has been submitted by appellants which suggest that there will be a safety or public health problem associated with the project.
4. The primary points raised by appellants on appeal relate to contentions that the previously adopted 1998 negative declaration, utilized in conjunction with the prior Fountaingrove Supplemental EIR certified on December 3, 1991, ("Supplemental EIR") (State Clearinghouse No. 90-300-91, is no longer adequate and that an additional environmental document, either in the form of a supplemental EIR or subsequent negative declaration, should be prepared. The Council rejects these grounds of appeal for the following reasons:
 - a. Initially, the Council notes that the determination of whether a subsequent environmental document is required is based on this Council's factual evaluation of the relevant factors in Public Resources Code Section 21166 and CEQA Regulation Section 15162. In considering applications for extensions of projects, the Council's determination is subject only to the subsequent review standards of Public Resources Code Section 21166. Specifically, if the appellants have failed to provide substantial evidence which would compel the preparation of a subsequent environmental document or, in the alternative, the record contains, after due consideration of the facts, substantial evidence to the contrary that satisfies the Council that no subsequent environmental document is required, then the Council's determination on this issue should stand.
 - b. In making its determination on the relevant issues, the Council notes that no further environmental review may be required by the City unless one of the specified triggering events set forth in Public Resources Code Section 21166 and its corresponding Regulation Section 15162, occur. As noted in the CEB Practice Book, Practice Under the California Environmental Quality Act, at Section 19.37, page 745,

"A public agency's discretion to require a subsequent or

supplemental EIR is very limited once an EIR or a negative declaration has been prepared for a project. The statute is phrased in prohibitory language: An agency shall not require a supplemental or subsequent EIR unless one of the statutory exceptions exists. Public Resources Code Section 21166. The policy behind the statute is to avoid repeating the CEQA process once environmental review has been completed and the time for challenging that process has expired.”

c. The Council further notes that “argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.” (Public Resources Code Section 21082.2).

d. The project which is proposed for extension is the same as that approved in 1998 by the Council. In approving the extension, the Council directed that one minor modification be made. That modification was to leave in place the existing vehicle barrier across the present terminus of Kelsey Knolls at the eastern edge of the project boundary so that Kelsey Knolls would not be extended as a through street from Altruria Drive to Baldwin Way for regular vehicular traffic. Kelsey Knolls, which is currently improved as an emergency vehicular access along the project’s southerly boundary, would continue to serve as an emergency vehicular access for properties situated easterly of the existing barrier, would be open along its entire length for pedestrian and bicycle traffic, and would become a public street from Altruria Drive to the existing barrier with this project. The Council determines that this change is not substantial for purposes of CEQA Regulation section 15162(a)(1) and Public Resources Code section 21166(a). Kelsey Knolls is a local, as opposed to collector, street located in an area where two northerly circulation connections already exist. Since the project traffic would most certainly exit directly onto Altruria Drive and not through Baldwin Way, the determination not to open Kelsey Knolls to through vehicular traffic would not affect the circulation of traffic generated by the project. The number of residences east of the project site which might otherwise use Kelsey Knolls to access Altruria Drive is minor. While not necessary to reduce previously identified impacts to an insignificant level, the determination not to open Kelsey Knolls to through regular vehicular traffic would respond to concerns raised by a number of speakers at the time of the public hearing on the extension. This minor change did not require major revisions of the previously adopted negative declaration because any local circulation impacts would not be significant, nor would they increase the severity of

previously identified traffic effects associated with the project.

- e. No subsequent environmental document is required by virtue of Public Resources Code Section 21166(b) or its corresponding regulation 15162(a)(2). The text of CEQA Regulation Section 15162(a)(2), in which Section 21166(b) is subsumed, states as follows:

“When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR should be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following: . . . (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; . . .”

In light of the foregoing standard, no subsequent environmental document is required for the following reasons:

- i. Appellants raised issues with respect to traffic and safety concerns regarding the extension of Kelsey Knolls through the project and onto Baldwin Way. Appellants' concerns do not trigger a requirement for a subsequent environmental document for a number of reasons. First, the extension of Kelsey Knolls through the project and onto Baldwin Way, which was part of the 1998 approval and was considered in 1998, has been eliminated by a condition added by the City Council. Second, the evidence presented by appellants is anecdotal in nature. No report has been submitted by a traffic engineer or other expert competent to render an opinion regarding enhanced safety or circulation impacts arising since the adoption of the 1998 negative declaration. City staff has not indicated that there would be enhanced safety or circulation impacts as a result of the granting of this extension. Third, although additional residential construction has occurred in the area, such construction has been consistent with development specifically anticipated by the supplemental EIR accompanying the amendments to the policy statement for the Alturia Drive area from PC-Campus Industrial to PC-Cluster Residential. As stated earlier, the negative declaration certified in 1998 was used in tandem with the analysis and projections contained in the 1991 EIR. Since the regulatory framework anticipated subsequent development which has occurred in intervening years, such development, consistent with adopted plans, should not be characterized as “substantial

changes,” with respect to the circumstances under which the project is undertaken. Even if subsequent and specifically anticipated development could be characterized as “substantial changes” the evidence in the record does not demonstrate that the previously adopted negative declaration would require major revisions due to a substantial increase in the severity of previously identified traffic impacts.

- ii. Appellants next contend that Sudden Oak Death Syndrome (“SODS”) would require a subsequent environmental document due to the potential for future death of oak trees on the site. The Council rejects this contention for a number of reasons. First, appellants have not submitted any reports from a certified arborist or other professional who is qualified to render an expert opinion regarding whether there is, in fact, SODS on the site and, if so, whether the incidence of such oak disease would result in any particular mortality rate. Anecdotal statements regarding SODS do not rise to the level of substantial evidence in the absence of some analytic treatment of the issue. Second, the initial study prepared in connection with the 1998 negative declaration noted that the project would remove 66 trees from the site. This is precisely the number proposed for removal as reflected on page 2 of the staff report now presented to the Council. No additional trees will be removed as a result of the extension. Third, no substantial evidence, in the form of expert opinion or otherwise, has been introduced to challenge the previously prepared arborists’ report considered in connection with the 1998 approval or documenting the fact that “substantial changes”, in the form of oak mortality, have taken place since the 1998 approval, which would substantially increase the severity of previously identified biotic impacts. Fourth, mitigation required in connection with 1998 approval, and still required, will result in the planting of 455 fifteen gallon replacement trees to mitigate the loss of the 66 trees proposed for removal in connection with the project. This mitigation was specifically intended to address biotic and visual impacts associated with the project. Fifth, City staff has not indicated that there would be substantial changes occurring as a result of SODS or that any such change would substantially increase the severity of previously identified biotic or visual impacts.
- iii. Appellants also expressed concerns regarding the stability of the hillside and alleged underground water which would effect development of the site and area. The Council rejects these grounds of appeal for the following reasons. First, anecdotal

statements regarding hillside stability or alleged underground hydrologic impacts, not accompanied by an expert report, do not rise to the level of substantial evidence. Second, evidence has not been submitted which would indicate that any geologic or hydrologic conditions have changed since adoption of 1998 negative declaration. Third, the initial study prepared in connection with the 1998 approval specifically noted that a geotechnical report was prepared in July of 1997 analyzing stability issues, including moisture content issues. The initial study also notes that the 1991 supplemental EIR analyzed the hydrology conditions of the site. The record does not reflect that, in the intervening three years, substantial changes have either occurred or, even in the event that they had occurred, would substantially increase the severity of previously identified hydrologic and geologic impacts considered in 1998. Fourth, City staff has not indicated that there have been substantial geologic or hydrologic changes in the area or that any changes have occurred which would substantially increase the severity of previously identified and analyzed hydrologic and geologic impacts.

- f. The Council concludes that a subsequent environmental document is not required by virtue of Public Resources Code Section 21166(c) or its corresponding Regulation Section 15162(a)(3). CEQA Regulation Section 15162(a)(3), subsuming the language of Section 21166(c), provides, in pertinent part, as follows:

“When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following: . . . (3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following: (A) the project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project

proponents decline to adopt the mitigation measure or alternative.”

The Council rejects the need for a subsequent environmental document based on the foregoing standard for the following reasons:

- i. The Council finds that the ostensible “new information” advanced by appellants is not of substantial importance to the project for the reasons set forth in Section f above. Arguably, the only “new information” presented was the reference to SODS which has occurred in Sonoma, Marin and other northern California coastal counties recently. However, as stated above, while the identification of SODS may have occurred subsequent to the approval of the 1998 negative declaration, the record lacks substantial evidence that the occurrence of SODS is of substantial importance to the project.
- ii. The Council finds that any arguably “new information,” with the exception of SODS, was either known or could have been known when the previously negative declaration was adopted. As indicated in Section f, traffic, hydrologic, geologic, biotic and visual impacts were all analyzed and considered in connection with the approval of the 1998 project. While there may be more traffic in the area due to intervening residential build out, the volumes of such traffic were either known or could have been computed by a competent traffic engineer at the time of the 1998 approval. Similarly, any geologic or hydrologic conditions affecting the site and surrounding area were either known and analyzed in reports prepared or considered in connection with the 1998 project approval or, with the exercise of reasonable diligence, could have been known by preparation of an expert report at that time.
- iii. While the Council finds that the record does not reflect that “new information” has become available which is of substantial importance to the project and which was not known or could not have been known at the time the negative declaration was adopted, even if such information were part of the record, the record supports a finding that none of the conditions set forth in Section 15162(a)(3)(A) - (D) are present. Traffic, biotic, visual, hydrologic and geologic impacts were all considered as part of the 1998 project approval (15162(a)(3)(A)). For the reasons set forth in Section f and this section, none of such identified effects will be substantially more severe than shown in the previously adopted negative declaration. (15162(a)(3)(B)).

The Council last finds that the record does not contain “new

information” of substantial importance to the project which was not known and could not have been known when the previous negative declaration was adopted which would demonstrate that mitigation measures or alternatives considerably different from those analyzed in the negative declaration or supplemental EIR would substantially reduce one or more previously identified air quality or traffic impacts. To reiterate, the barricading of Kelsey Knolls is not necessary to substantially reduce a previously identified unmitigated significant effect. (Section 15162(a)(3)(D)).

5. As noted in more detail in Resolution No. 23687, it is important that the City have, as part of its housing stock, a variety of housing other than traditional single family dwellings which have been historically predominant in the City. Construction of attached housing is necessary, fulfills broad community goals and provides significant community benefit by responding to identified housing concerns which have recently been highlighted in the press and community forums. Notwithstanding the concerns of appellants, the project is appropriate and necessary.
6. The Council has considered the 1991 Supplemental EIR, the accompanying Statement of Overriding Considerations and the 1998 negative declaration which was previously adopted in connection with the approval of the project. Upon consideration of those documents, the points advanced by appellants and evidence contained elsewhere in the record, the Council determines that no subsequent environmental document is required in connection with this Council’s action to deny the appeal and approve the requested project extension.
7. The location and custodian of the documents and other material which constitute the record of the proceedings upon which the Council’s decision is based is as follows:

Director of Community Development
Department of Community Development
City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-02.259 (Revocation).

BE IT FURTHER RESOLVED that a two-year extension of the Conditional Use Permit for The Lakes at Fountaingrove project located at 900 and 950 Altruria Drive is hereby approved and granted subject to each of the following conditions and previously approved mitigation monitoring plan:

DEPARTMENT OF COMMUNITY DEVELOPMENT

GENERAL:

1. Compliance with all conditions as specified by the attached Exhibit "A" dated March 30, 1998.
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. Construction hours shall be limited to 8 a.m. to 6:00 p.m. on non-holiday weekdays.
4. This Conditional Use Permit shall be valid for a two year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
5. Should housing impact fees be applicable, then this proposal shall be subject to the provisions of Ordinance No. 3526, (requirements for lower-income housing), as the same now exists or may be extended and as its provisions may be amended, revised, or re-enacted in the future.
6. The existing east gate on Kelsey Knolls shall not be removed. Emergency access, pedestrian and bicycle access shall be allowed.

BUILDING DIVISION:

7. The project is located within the earthquake fault zone. Show limits of zone on map. Complete geological studies in compliance with the Alquest-Priolo Earthquake Fault Zoning Act.
8. Soils report required. Report must address the stability of existing steep slopes (up to 50 Percent) along the easterly portion of the project, and the stability of the existing drainage way.
9. All grading, drainage and setbacks from slope must comply with Chapter 18 and Appendix Chapter 30 of the U.B.C.
10. Show existing lot lines and merge/adjust any lot line conflicting with project development.
11. Buildings are located in Seismic Zone X, City Building Ordinance. Design of structures and portion of structures shall be those forces as determined by the U.B.C. multiplied by a factor of 1.4.

12. Fence pool area in compliance with Building Ordinance. The need to fence lake area will be reviewed with site improvement permits.
13. Walks as shown do not meet Disabled Access Requirements. Need plan showing compliance with Disabled Access Requirement.
14. Comply with U.B.C. Section 310.2.2 - one-hour construction requirements.
15. Comply with all Federal, State and local codes, disabled access included.
16. Building is required to be fire sprinklered.
17. Building exterior walls must have fire resistance and opening protection as required by Section 503 of the Uniform Building Code.
18. Provide a maximum allowable floor area analysis showing compliance with Sections 504 and 505 of the U.B.C. Also justify height and number of stories in compliance with Section 506 of the U.B.C.
19. Provide an exiting analysis plan showing compliance with Chapter 10 of the U.B.C.
20. Roof drainage and parking lot drainage flows are not allowed over sidewalk areas; conduct to an approved storm drain system or through the face of curb per City Standard No. 407.
21. Drainage improvements must be reviewed and approved by Sonoma County Water Agency prior to issuance of the building permit
22. Provide easements and maintenance agreements for cross lot uses.
23. An Erosion Control Plan is required prior to issuance of building permit or grading permit.
24. Construction projects disturbing five or more acres are required to file a notice of intent to comply with the terms of the general permit to discharge storm water associated with construction activity with the State Water Resources Control Board prior to the issuance of any grading permit.

ENGINEERING DIVISION:

25. Compliance with all conditions as specified by the attached Exhibit "A" dated March 30, 1998.

PLANNING DIVISION:

26. That prior to the initiation of the use, the applicant shall have obtained final design review which conforms in all respects to the design review guidelines.
27. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines.
28. 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.
29. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architecturally design element approved by the Design Review Board or Planning Division.
30. All outdoor storage of materials 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.
31. A detailed Open Space Management Plan for the common open space and open space easement areas of each new development phase shall be prepared by the project sponsor and submitted to the City of Santa Rosa Department of Community Development for approval in conjunction with the improvement plans. This Open Space Management Plan shall include the following:
 - A) Details of any proposed modifications of the open space areas from their existing state to be accomplished in conjunction with development including any grading, removal of vegetation, planting, trail construction, or other such actions.
 - B) A Management Program prescribing appropriate actions to be taken to maintain the open space areas in the development phase based upon the vegetation management, fire management, wildlife management, and erosion control guidelines contained the Open Space Management Plan for Fountaingrove Ranch as well as those contained in the Fountaingrove Ranch Drainageway Maintenance Guidelines.
32. Review and approve haul routes for the export of soils prior to grading permit issuance.
33. Prior to any grading activity, a licensed arborist shall be on site to insure tree

protection and preservation.

34. A shale pathway shall be constructed along the south side of Kelsey Knolls.
35. Prior to any building permit issuance, the developer shall obtain approval of the design from the Fountaingrove Ranch Master Architectural Review Committee.
36. The setback along the easterly boundary of the Parcel "A" is 5 feet.
37. A final geotechnical investigation shall be conducted prior to the issuance of any building permit.
38. Prepare an Erosion Control Plan in conformance with the City of Santa Rosa and SCWA.
39. Daily street cleaning and sweep up is required to reduce particulate matter.
40. Drainage facilities (trash racks, catch basins) shall be installed at the outlet of site or individual lot drainage systems.
41. A steamed alteration agreement is required prior to the issuance of the first building permit for the project.
42. With the exception of necessary drainage improvements, no construction is allowed within the designated open space area.
43. Project construction is limited to the hours between 8:00 A.M. and 6:00 P.M. Monday through Saturday.
44. Residential units may require noise attenuation. Prior to building permit issuance, an acoustical engineer shall review, design, and/or mitigate for noise from helicopters.
45. Prior to Improvement Plan sign off, an avigation easement shall be recorded over lots 6 and 7.
46. Develop a Landscape Plan which augments the character of the area and includes a dense tree screen along Kelsey Knolls. Using native species, trees to be removed shall be replaced according to the City's tree Replacement Program.

LANDSCAPING:

47. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's design Review Guidelines.

48. 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.
49. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
50. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
51. 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.
52. 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.

LIGHTING:

53. 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.
54. All lighting shall be directed toward the subject property and away from adjacent properties.

PARKING LOT AREA:

55. The parking lot shall be paved to City Standards.

SIGNING:

56. Building Permits for sign installations shall be separate permits from other building permits issued for construction

FIRE DEPARTMENT:

57. Water mains serving the project shall be sized in accordance with Utilities Department Policy and of sufficient size to provide the required fire flow. Dead end mains shall be not less than 12 inch unless hydraulic analysis demonstrates a smaller size will provide fire flow.

58. Fire hydrants shall be installed so that no point on Fire Department access driveways are in excess of 150 feet from a hydrant. Hydrants shall not be installed at the end of dead end mains.
59. All buildings shall have automatic sprinklers as required by the Building Code.
60. The Fire Department access between the entry circle and the parking area to the north shall be paved.

PARKS AND RECREATION:

61. The applicant shall pay park fees in effect at the time the building permit is issued.
62. Street tree planting along "Proposed Road" shall conform to City Standards. The proposed planter strip is five feet wide, which is too small for the London Plan Tree called for on the plans. Approved street trees for five foot planter strips are: Acer Pseudoplatanus (Sycamore Maple), Celtis Occidentalis (Common Hackberry), Fraxinus Holotricha 'Moraine' (Moraine Ash), Fraxinus Ornus 'Flowering Ash' (Flowering Ash), Quercus Phellos (Willow Oak).
63. The landscape design Preliminary Plant List calls out Betula Pendula. This tree is not recommended for use in this county due to the Bronze Birch Borer insect problem, which causes limb die back and premature death.
64. 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.

BE IT FURTHER RESOLVED that this Conditional Use Permit extension shall automatically terminate two years from the date of its approval unless the use is commenced within this period or unless a written application for an extension of time in which to commence the use is filed prior to end of the period and such application is subsequently approved.

BE IT FURTHER RESOLVED that the Council finds and determines this extension of this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this extension of entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the appeals of Victoria and Ron Hogan and Linda and Bill Edelman are denied.


IN COUNCIL DULY PASSED this 9th day of October, 2001.

AYES: (6) Mayor Martini; Councilmember Wright, Condron, Bender, Evans
Rabinowitsh

NOES: (1) Councilmember Vas Dupre

ABSENT: (0)

ABSTAIN: (0)

ATTEST: 
Assistant City Clerk

APPROVED: 
Mayor

APPROVED AS TO FORM:


City Attorney

DEPARTMENT OF COMMUNITY DEVELOPMENT
ENGINEERING DIVISION

EXHIBIT "A"
March 30, 1998

900 ALTRURIA DRIVE
THE LAKES AT FOUNTAINGROVE

CONDITIONAL USE PERMIT

- I. Prior to approval of any building permit the site plan shall be revised to move structures a minimum of 10 feet from property line or a lot merger of the properties shall be recorded.
- II This project is an apartment complex and all private improvements on site and open space areas shall be owned and maintained by the property owner.
- III. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated January 21, 1992 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received March 18, 1998:

PARCEL AND EASEMENT DEDICATION

1. VEHICULAR ACCESS RIGHTS SHALL BE DEDICATED TO THE CITY OF SANTA ROSA ALONG THE KELSEY KNOLLS FRONTAGE OF THE SITE EXCEPT AT THE PLANNED STREET ENTRANCES TO THE PROJECT AND ANY EMERGENCY ACCESS POINTS THAT MAY BE REQUIRED BUT DO NOT APPEAR ON THE PRESENT PLAN.
2. ACCESS RIGHTS TO ALTRURIA DRIVE, FOUNTAINGROVE PARKWAY AND BICENTENNIAL WAY SHALL BE DEDICATED TO THE CITY. ACCESS TO PUBLIC RIGHT OF WAY SHALL BE LIMITED TO APPROVED INTERSECTION LOCATIONS.
3. ALL DEDICATION COSTS SHALL BE BORNE BY THE PROPERTY OWNER, INCLUDING PREPARATION OF ANY LEGAL DESCRIPTIONS, PLATS, TITLE REPORTS, AND DEEDS NECESSARY. CIVIL IMPROVEMENT PLANS SHALL BE PREPARED BY A REGISTERED CIVIL ENGINEER LICENSED TO PRACTICE IN THE STATE OF CALIFORNIA FOR APPROVAL BY THE CITY

ENGINEER.

4. AN UNIMPROVED LANDSCAPE PARCEL AS SHOWN AS PARCEL 'A' ON THE SITE PLAN SHALL BE DEDICATED TO THE CITY OF SANTA ROSA IN FEE TITLE THAT INCLUDES THE NATURAL DRAINAGE WAY, CREEK EMBANKMENTS AND TREE LINE ALONG ALTRURIA DRIVE AS SHOWN ON THE SITE PLAN AS PARCEL "A".

PUBLIC STREET IMPROVEMENTS

5. ALL WORK IN PUBLIC RIGHT OF WAY OR PROPOSED PUBLIC IMPROVEMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ENGINEER. ALL WORK OUTSIDE OF PUBLIC RIGHT OF WAY AND PRIVATE IMPROVEMENTS SHALL BE SHOWN ON THE BUILDING PERMIT PLAN FOR REVIEW AND APPROVAL BY THE CHIEF BUILDING OFFICIAL.
6. KELSEY KNOLLS DRIVE SHALL BE DEDICATED AND IMPROVED TO MINOR STREET STANDARDS ALONG THE ENTIRE PROJECT FRONTAGE. RIGHT-OF-WAY FOR A HALF STREET SECTION SHALL BE 23 FEET FROM CENTERLINE TO PROPERTY LINE WITH A 5 FOOT SIDEWALK EASEMENT CONTAINED WITHIN A 13 FOOT PUBLIC UTILITY EASEMENT BEHIND THE PROPERTY LINE. HALF WIDTH STREET IMPROVEMENTS SHALL CONSIST OF A 18 FOOT WIDE STRUCTURAL PAVEMENT SECTION FROM CENTERLINE TO CURB FACE, TO ACCOMMODATE A 10 FOOT TRAVELWAY, WITH A 8 FOOT PARKING LANE. KELSEY KNOLLS DRIVE SHALL BE IMPROVED ON THE OPPOSITE SIDE OF THE CENTERLINE WITH A 12 FOOT TRAVELWAY BORDERED WITH A REDWOOD HEADER, 2 FOOT ROCK SHOULDER ADJACENT TO A ROCK LINED DITCH.
7. THE SIDEWALK ON KELSEY KNOLLS DRIVE SHALL BE CONTIGUOUS FROM THE INTERSECTION WITH ALTRURIA DRIVE TO THE EASTERLY CULVERT CROSSING RIP RAP SLOPE WHERE IT WILL THEN TRANSITION TO PROVIDE A 5 FOOT SIDEWALK BEHIND A 5 FOOT PLANTER STRIP ENDING AT THE PEDESTRIAN RAMP FOR THE DRIVEWAY. A 4 FOOT WIDE SHALE PATHWAY SHALL BE CONSTRUCTED ON THE UNIMPROVED SIDE OF KELSEY KNOLLS DRIVE, STARTING FROM OPPOSITE THE PEDESTRIAN RAMP AT THE DRIVEWAY AND ENDING WITH AN ASPHALT RAMP TO THE CONCRETE SIDEWALK ON THE NIELSEN RANCH SUBDIVISION.
8. KELSEY KNOLLS DRIVE SHALL TRANSITION FROM THE FULL 36 FEET AT THE INTERSECTION TO A 30 FOOT PAVEMENT WIDTH PER CITY STANDARD 212 WITH A 15 TO 1 TAPER. THE TAPER SHALL BE ON THE UNDEVELOPED SIDE OF KELSEY KNOLLS DRIVE STARTING AT THE CURB

RETURN OF THE INTERSECTION.

9. CURB RETURN RADII SHALL BE 25 FEET AT THE INTERSECTION OF KELSEY KNOLLS DRIVE AND ALTRURIA DRIVE. RIGHT-OF-WAY SHALL BE DEDICATED SO THAT A CITY STANDARD 232A HANDICAP RAMP AND THE 4 FOOT SIDEWALK LANDING ARE CONTAINED WITHIN 6 INCHES OF THE RIGHT-OF-WAY AT CURB RETURNS.
10. PARKING SHALL BE ALLOWED ON THE NORTHERLY SIDE OF KELSEY KNOLLS ONLY AND POSTED FOR NO PARKING ON THE OPPOSITE SIDE.
11. ALTRURIA DRIVE SHALL BE IMPROVED TO PROVIDE A 6 FOOT WIDE CONTIGUOUS SIDEWALK WITH A CITY STANDARD 232A PEDESTRIAN RAMP AT THE INTERSECTION OF KELSEY KNOLLS DRIVE. THE SIDEWALK SHALL MAINTAIN 4 FOOT CLEARANCE AROUND ALL OBSTRUCTIONS. THE STREET LIGHTS SHALL BE CONNECTED TO A PERMANENT SERVICE POINT AND ENERGIZED BY THIS PROJECT, IF NOT ALREADY DONE SO.
12. ANY BROKEN CURB, GUTTER AND/OR SIDEWALK SHALL BE REPLACED PER CURRENT CITY STANDARDS.
13. THE MINIMUM AND MAXIMUM CROSS-SLOPE FOR ALL STREETS SHALL BE 2% AND 5% RESPECTIVELY. MINIMUM GUTTER SLOPE FOR ALL STREETS SHALL BE 0.5%.
14. ALTRURIA DRIVE WHERE CUT FOR NEW SERVICES WILL REQUIRE EDGE GRINDING PER STD 209 AND AN A.C. OVERLAY FROM CURB FACE TO CURB FACE OR THROUGH THE INTERSECTION TO THE OPPOSITE CURB RETURN AND SHALL BE A MINIMUM OF 20 FEET WIDE. THE EDGES OF THE OVERLAY SHALL BE OBLIQUE TO THE DIRECTION OF TRAFFIC .
15. RETAINING WALL SHOWN ALONG KELSEY KNOLLS DRIVE SHALL BE PLACED BEHIND PUBLIC RIGHT OF WAY AND SHALL BE PRIVATELY OWNED AND MAINTAINED. THE AREA BETWEEN THE WALL AND CURB FACE SHALL BE FINISHED WITH LOW TO NO MAINTENANCE LANDSCAPE MATERIAL AND STREET TREES FROM THE MINOR STREET TREE LIST. RETAINING WALL SYSTEM DESIGN ALONG KELSEY KNOLLS DRIVE SHALL BE INCLUDED AS PART OF THE STREET IMPROVEMENT PACKAGE.

TRAFFIC

16. IMPROVEMENT PLANS SHALL INCLUDE A COMPLETE STREET LIGHTING, SIGNING AND STRIPING PLAN.

17. ADVANCE STREET NAME SIGNS SHALL BE INSTALLED ON ALTRURIA DRIVE FOR KELSEY KNOLLS.
18. AN ENCROACHMENT PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY OR FOR ANY WORK ON UTILITIES LOCATED WITHIN PUBLIC EASEMENTS.

PRIVATE DRIVEWAY IMPROVEMENTS

19. THE COMMON DRIVEWAYS FOR THE LOTS SHALL BE 24 FEET WIDE AND SHALL BE COVERED BY JOINT ACCESS AND UTILITY EASEMENTS. (NOTE: THE CALIFORNIA DEPARTMENT OF REAL ESTATE MAY REQUIRE THE FORMATION OF A HOMEOWNERS ASSOCIATION FOR MAINTENANCE OF COMMON FACILITIES.) THE DRIVEWAY SHALL BE BUILT TO CITY MINOR STREET STRUCTURAL STANDARDS AND BORDERED WITH CONCRETE CURB AND GUTTER. THE DRIVEWAY ONTO ALTRURIA DRIVE SHALL ACCESS THROUGH A CITY STANDARD 250A CURB CUT WITH A 32 FOOT WIDTH AS MEASURED AT BACK OF WALK WITH 2- 14 FOOT TRAVELWAYS DIVIDED BY A 4 FOOT RAISED PLANTER STRIP TRANSITIONING TO THE 26 FOOT WIDE AISLE WIDTH 20 FEET BACK FROM THE BACK OF SIDEWALK. THE DRIVEWAY ONTO KELSEY KNOLLS DRIVE SHALL CONTAIN 2 -14 FOOT TRAVELWAYS AS ON ALTRURIA DRIVE AND THE RAISED PLANTER SEPARATION SHALL BE NO MORE THAN 10 FEET WIDE. THE PLANTERS SHALL NOT ENCROACH INTO PUBLIC RIGHT OF WAY AND SHALL MAINTAIN A 4 FOOT CLEARANCE BETWEEN PLANTER CURB AND DRIVEWAY RAMP.
20. TURN AROUND CAPABILITY ON THE COMMON DRIVEWAYS SHALL BE PROVIDED WITH CLEAR BACKUP OF 46 FEET FROM GARAGE FACE TO OPPOSING FACE OF CURB AND WITH A CONTINUATION OF THE COMMON DRIVEWAY 10 FEET BEYOND THE LAST DRIVEWAY ACCESS POINT. FIRE DEPARTMENT ACCESS MAY REQUIRE AN EVA CONNECTION TO PUBLIC RIGHT OF WAY AND WILL BE REVIEWED DURING THE BUILDING PERMIT REVIEW PROCESS.
21. PRIVATE DRIVEWAYS SHALL NOT BE GREATER THAN 15% GRADE AND SHALL PROVIDE TURNOUTS THAT MEET FIRE DEPARTMENT REQUIREMENTS.
22. PRIVATE STREETS AND DRIVEWAYS SHALL BE CONSTRUCTED UNDER CONTINUOUS INSPECTION BY THE PROJECT SOILS ENGINEER IN COMPLIANCE WITH CITY DESIGN AND CONSTRUCTION STANDARDS.

PROGRESS AND FINAL REPORTS SHALL BE FURNISHED TO THE CITY IN COMPLIANCE WITH U.B.C. SPECIAL INSPECTION REQUIREMENTS. ALL COSTS RELATED TO SUCH INSPECTION SHALL BE BORNE BY THE OWNER/DEVELOPER.

23. THE IMPROVEMENT PLAN SUBMITTAL SHALL BE ACCOMPANIED BY FINAL IRRIGATION AND LANDSCAPE PLANS, EXTERIOR SITE LIGHTING PLANS, AND PLANS FOR ALL COMMON AREA SITE IMPROVEMENTS.
24. COMMON DRIVEWAY DRAINAGE AND UTILITY IMPROVEMENTS SHALL BE COVERED BY A JOINT MAINTENANCE AND ACCESS AGREEMENT UNLESS THE TWO LOTS HAVE BEEN MERGED. BUILDING PERMITS SHALL NOT BE ISSUED UNTIL A MAINTENANCE AGREEMENT HAS BEEN RECORDED OR THE LOTS HAVE BEEN MERGED.

STORM DRAIN (PUBLIC)

25. HYDRAULIC DESIGN SHALL CONFORM TO SONOMA COUNTY WATER AGENCY CRITERIA. ALL STORM WATER RUN-OFF SHALL BE COLLECTED VIA AN UNDERGROUND DRAINAGE SYSTEM AND DISCHARGED TO THE NEAREST PUBLIC DOWNSTREAM FACILITY POSSESSING ADEQUATE CAPACITY TO ACCEPT THE RUN-OFF. FLOWS TO THE OPEN SWALE ADJACENT TO ALTRURIA DRIVE SHALL BE MAINTAINED. TOPS OF BASINS ON SITE AND CURB INLETS ON THE STREET SHALL BE STENCILED WITH THE "CREEK" LOGO, THE CONTRACTOR SHALL COORDINATE WITH THE PUBLIC WORKS DEPARTMENT TO OBTAIN STENCIL BY CONTACTING COLLEEN FERGUSON AT 543 3852.
26. PROPOSED DEVELOPMENT MUST CONFORM TO 40 CFR (CODE OF FEDERAL REGULATIONS) PARTS 122, 123 AND 124, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT APPLICATIONS FOR STORM WATER DISCHARGE. PROJECT MUST ALSO CONFORM WITH ANY DESIGN AND CONSTRUCTION POLICIES ADOPTED BY THE CITY TO CONFORM WITH THESE REGULATIONS.

UNDER 40 CFR, CONSTRUCTION ACTIVITY INCLUDING CLEARING, GRADING, AND EXCAVATION ACTIVITIES IS REQUIRED TO OBTAIN AN NPDES PERMIT FROM THE STATE WATER RESOURCES CONTROL BOARD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITY.

27. ACCESS TO ALL PUBLIC STORM DRAIN SYSTEMS AND STRUCTURES SHALL BE OVER A MINIMUM 12 FOOT WIDE ALL WEATHER ACCESS ROAD OF COMPACTED SHALE UP TO A 10% ROADWAY GRADE AND ASPHALT PAVEMENT WHEN ROADWAY GRADE EXCEEDS 10%. THE ACCESS ROAD

SHALL BE CONTAINED WITHIN A 20 FOOT PUBLIC STORM DRAIN MAINTENANCE AND ACCESS EASEMENT.

28. RUNOFF FROM IMPROVED SURFACES SHALL BE BROUGHT TO THE STREET THROUGH A PIPED SYSTEM TO DISCHARGE TO THE GUTTER.
29. THE EXISTING CULVERT CROSSING IN THE OPEN SWALE ON KELSEY KNOLL DRIVE SHALL BE MODIFIED AS NECESSARY FOR THE WIDENING OF THE STREET AND CONTIGUOUS SIDEWALK. THE CULVERT CROSSING SHALL HAVE A CONCRETE HEAD WALL WITH ROCK RIP RAPPED SIDE SLOPES ON BOTH THE UPSTREAM AND DOWNSTREAM SIDE OF THE CROSSING AS REQUIRED BY THE SONOMA COUNTY WATER AGENCY. A 4 FOOT HIGH HANDRAIL SHALL BE INSTALLED AT BACK OF SIDEWALK TO THE LIMITS OF THE CONCRETE HEADWALL PER A DESIGN AS APPROVED BY THE CITY ENGINEER DURING THE IMPROVEMENT PLAN REVIEW PROCESS.
30. THE HYDRAULIC CAPACITY OF THE CULVERTS SHALL BE DESIGNED BASED ON THE HUNDRED YEAR DESIGN STORM.
31. PRIOR TO APPROVAL OF IMPROVEMENT PLANS, AN APPROVAL LETTER SHALL BE OBTAINED FROM THE SONOMA COUNTY WATER AGENCY FOR STORM DRAINAGE REVIEW.

ON-SITE DRAINAGE/EROSION CONTROL

32. GRADING SHALL OCCUR ONLY BETWEEN APRIL 15 AND OCTOBER 15 UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER OR CHIEF BUILDING OFFICIAL IN CONJUNCTION WITH AN APPROVED EROSION AND SEDIMENTATION CONTROL PLAN.
33. DISTURBED SLOPES SHALL BE STABILIZED AND REPLANTED WITH NATIVE VEGETATION.
34. AN EROSION CONTROL PLAN SHALL BE INCLUDED AS PART OF THE PROJECT IMPROVEMENT PLANS. OFFSITE PROPERTIES AND EXISTING DRAINAGE SYSTEMS SHALL BE PROTECTED FROM SILTATION COMING FROM THE SITE.
35. PROVIDE STORM DRAIN AND EASEMENTS FOR ANY LOT TO LOT DRAINAGE. LOTS SHALL BE DRAINED IN A MANNER SO AS NOT TO ADVERSELY AFFECT THE ADJACENT LOT. NO LOT-TO-LOT OVERLAND DRAINAGE IS PERMITTED. LOT DRAINAGE AND PRIVATE STORM DRAIN FACILITIES SHALL BE APPROVED BY THE CHIEF BUILDING OFFICIAL'S

DESIGNATED REPRESENTATIVE. PRIVATE DRAINAGE INLETS AND LINES SHALL BE REQUIRED AND SHALL BE PRIVATELY OWNED AND MAINTAINED.

36. ALL DRAINAGE FLOWS FROM OFFSITE SHALL BE INTERCEPTED AT THE PROPERTY LINE AND CONVEYED THROUGH A PRIVATE SYSTEM TO DISCHARGE INTO THE PUBLIC RIGHT OF WAY OR PUBLIC DRAINAGE SYSTEM. HISTORIC FLOWS TO THE SWALE ADJACENT TO ALTRURIA DRIVE SHALL BE MAINTAINED.
37. PRIOR TO APPROVAL OF IMPROVEMENT PLANS, A STREAMBED ALTERATION AGREEMENT SHALL BE OBTAINED FROM THE STATE DEPARTMENT OF FISH AND GAME FOR ALL PROPOSED WORK IN THE CREEK SETBACK AREA.

GRADING

38. A LEVEL 1 ASSESSMENT SHALL BE MADE ON THE SITE AND ADDRESSED IN THE SOILS REPORT PRIOR TO APPROVAL OF THE IMPROVEMENT PLANS AND SHALL ADDRESS ALL REMEDIATION REQUIRED.
39. A SOILS AND GEOLOGIC REPORT IS REQUIRED AND SHALL BE PROVIDED WITH THE IMPROVEMENT PLANS SUBMITTED FOR REVIEW. THE REPORT SHALL EXAMINE THE SITE FOR BACKFILL AREAS AND STATE WHAT WILL BE REQUIRED TO BRING BACKFILL UP TO CHAPTER 18, APPENDIX 33 OF THE 1994 U.B.C. STANDARDS.
40. EXCESS AND UNSUITABLE MATERIAL SHALL BE REMOVED TO A SITE APPROVED BY THE CITY BUILDING DIVISION AND THE CITY FIRE DEPARTMENT. APPROVALS MUST BE OBTAINED IN WRITING PRIOR TO REMOVALS.
41. FILLING IS RESTRICTED TO 1 FOOT MAXIMUM ABOVE EXISTING GROUND ADJACENT TO EXISTING RESIDENTIAL LOTS.
42. WORK WITHIN THE DRIPLINES OF TREES TO BE SAVED SHALL BE DONE UNDER THE SUPERVISION AND APPROVAL OF AN ARBORIST. A NOTE SHALL BE INCLUDED IN THE GRADING PLANS STATING THAT A CONSTRUCTION FENCE SHALL BE INSTALLED AROUND THE DRIPLINES OF ALL TREES TO REMAIN PRIOR TO COMMENCING WITH ANY GRADING WORK.
43. DRIPLINES OF TREES OVERHANGING THE PROPERTY LINE SHALL BE AFFORDED THE SAME LEVEL OF PROTECTION AS TREES ON SITE THAT

ARE TO REMAIN.

44. APPROVED ACCESS MUST BE SHOWN TO THE REAR OF THE STRUCTURES PROPERTIES AS REQUIRED BY FIRE DEPARTMENT.
45. RETAINING WALL SYSTEMS ON SITE SHALL BE DESIGNED BY A REGISTERED CIVIL ENGINEER PER THE RECOMMENDATIONS INCLUDED IN THE SOILS REPORT BY THE SOILS ENGINEER AND INCLUDED AS PART OF THE PRIVATE ON SITE BUILDING PERMIT APPLICATION SUBMITTED FOR REVIEW AND APPROVAL BY THE BUILDING OFFICIAL.

OVERHEAD UTILITY LINES

46. NEW SERVICES (ELECTRICAL, TELEPHONE, CABLE OR CONDUIT) TO NEW STRUCTURES SHALL BE UNDERGROUND.
47. DEVELOPER SHALL COORDINATE, AND WHERE NECESSARY, PAY FOR THE RELOCATION OF ANY POWER POLES OR OTHER EXISTING PUBLIC UTILITIES, AS NECESSARY TO AVOID PUBLIC AND PRIVATE IMPROVEMENTS.

GENERAL UNDERGROUND UTILITIES

48. THE ENGINEER MUST PROVIDE A DETAILED UTILITY PLAN SHOWING ONSITE AND OFFSITE SEWER, WATER AND FIRE PROTECTION SYSTEMS, AND THEIR CONNECTIONS TO EXISTING SEWER AND WATER FACILITIES. THE PLAN MUST ALSO SHOW ANY WELLS EXISTING OR TO BE ABANDONED, AND SEPTIC SYSTEMS TO BE ABANDONED. A SEPARATE IRRIGATION METER(S) IS REQUIRED. SUBMIT ABOVE PLANS WITH APPLICATION FOR ENCROACHMENT PERMIT FOR UTILITIES DEPARTMENT REVIEW.
49. DOMESTIC, IRRIGATION WATER AND SEWER DEMAND FEES AND METER SIZES ARE TO BE DETERMINED AFTER REVIEW OF BUILDING PLANS. SUBMIT DETAILS OF PLUMBING FIXTURES, INCLUDING THE AMOUNT OF FIXTURES AND THE SIZE OF SERVICE LINES (3/4", 1/2" ETC.) TO UTILITIES ENGINEERING FOR REVIEW.
50. NON-PARTICIPATION WATER MAIN AND SEWER MAIN REIMBURSEMENT FEES MAY BE REQUIRED IN ADDITION TO STANDARD DEMAND FEES.
51. ANY EXISTING WATER OR SEWER SERVICES THAT WILL NOT BE USED MUST BE ABANDONED AT THE MAIN PER CITY STANDARDS #850 AND

#507, UNDER AN ENCROACHMENT PERMIT.

52. SEPARATE WATER AND SEWER SERVICES MUST BE PROVIDED FOR EACH LOT. WATER AND SEWER SERVICES MUST BE INSTALLED PER CURRENT CITY STANDARDS. WATER AND SEWER LATERALS MUST BE A MINIMUM OF 5' APART. (IF LOTS ARE NOT MERGED TOGETHER)
53. SINCE THE APARTMENTS ARE ALL ON ONE LOT, ALL WATER AND SEWER SHOWN ONSITE SHALL BE PRIVATE, NOT PUBLIC AS SHOWN.
54. AN EXTENSION AGREEMENT PREPARED BY THE UTILITIES DEPARTMENT MUST BE SIGNED BY THE APPLICANT IF PUBLIC MAINS ARE EXTENDED.

WATER

55. THE DEVELOPER MUST DEMONSTRATE FIRE PROTECTION CAN BE ATTAINED; 2500GPM FOR FIRE PROTECTION FOR THE ENTIRE PROJECT. THE DEVELOPER MAY CHOOSE TO LOOP THE PRIVATE FIRE MAIN THROUGH THE PROJECT CONNECTING TO THE 12" MAIN IN KELSEY KNOLLS AND THE 8" MAIN IN ALTRURIA DRIVE. IF THE FIRE LINE IS LOOPED FROM ALTRURIA TO KELSEY KNOLLS IT CANNOT CONNECT TO THE LOWER PRESSURE 8" MAIN.
56. THE APARTMENTS MUST BE MASTER METERED OR EACH BUILDING CAN BE METERED SEPARATELY.
57. IF WELLS EXIST ON THE PROPERTY ONE OF THE FOLLOWING CONDITIONS APPLY:
 - A. WELLS MAY NOT SERVE MORE THAN ONE PARCEL, AND ANY LINES FROM EXISTING WELLS THAT CROSS LOT LINES MUST BE SEVERED.
 - B. RETENTION OF WELLS MUST COMPLY WITH CITY AND COUNTY CODES. RETENTION OF WELLS MUST BE APPROVED BY THE SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT. AN APPROVED BACKFLOW PREVENTION DEVICE MUST BE INSTALLED ON ANY CONNECTION TO THE CITY WATER SYSTEM.
 - C. ABANDONMENT OF WELLS REQUIRES A PERMIT FROM THE SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT.

58. THE APPLICANT MUST INSTALL A SEPARATE IRRIGATION SERVICE(S) WITH A REDUCED PRESSURE PRINCIPLE BACKFLOW DEVICE(S) PER CURRENT CITY STANDARD #876. METER SIZE IS DEPENDENT ON PEAK DEMAND AND WILL BE DETERMINED UPON REVIEW OF IRRIGATION PLANS. PLANS SHALL SHOW MAXIMUM GALLONS PER MINUTE PER VALVE AND TOTAL PEAK MONTHLY USAGE. THE POOL SHOULD BE OFF THE IRRIGATION METER TO REDUCE SEWER USAGE FEES. IRRIGATION DEMAND, PROCESSING AND METER FEES MUST BE PAID PRIOR TO ISSUANCE OF PERMITS.
59. APPLICANT MUST INSTALL A COMBINATION SERVICE PER CITY STANDARD #870 FOR FIRE SPRINKLER, DOMESTIC AND IRRIGATION METERS.

SEWER

60. ANY SEPTIC SYSTEMS WITHIN THE PROJECT BOUNDARIES MUST BE ABANDONED PER SONOMA COUNTY ENVIRONMENTAL HEALTH STANDARDS AND CITY OF SANTA ROSA BUILDING DIVISION REQUIREMENTS.
61. THE SEWER SHOWN ONSITE IS A PRIVATE LATERAL NOT A SEWER MAIN AS SHOWN. THE MAIN ENDS AT THE MANHOLE IN ALTRURIA DRIVE. A PRIVATE EASEMENT WILL BE NEEDED FOR THE PRIVATE SEWER MAIN CROSSING PARCEL A.
62. THIS PROJECT IS IN EXCESS OF THE 50 UNIT THRESHOLD AND WOULD NORMALLY REQUIRE A COLLECTOR/TRUNK SEWER ANALYSIS MODEL (SAM). DUE TO INCREASED SEWER DEMANDS FOR THIS PROJECT OVER THE ORIGINAL ALLOTMENTS ASSIGNED TO THESE PARCELS, OVERALL ENTITLEMENT MUST BE REVIEWED AND THE EXCESS DEMANDS MUST BE REALLOCATED FROM EXISTING EXCESS ALLOTMENTS IN FOUNTAINGROVE. HOWEVER, IF TOTAL DEMANDS FOR THE PROJECT FALL WITHIN FOUNTAINGROVE ASSESSMENT DISTRICT ALLOCATIONS, NO STUDY WILL BE REQUIRED.
63. NO REINFORCED CONCRETE MAY BE USED IN DECORATIVE STREET SURFACING PLACED OVER PUBLICLY MAINTAINED WATER AND/OR SEWER FACILITIES. WATER MAIN VALVES MUST BE LOCATED OUTSIDE OF THE DECORATIVE AREA. STREET ISLAND MAY NOT BE OVER PUBLIC WATER OR SEWER MAINS.
64. ANY EXISTING WATER OR SEWER SERVICES THAT WILL NOT BE USED MUST BE ABANDONED AT THE MAIN PER CITY STANDARDS 850 AND 507,

UNDER AN ENCROACHMENT PERMIT. THERE ARE EXISTING SERVICES OFF ALTRURIA DRIVE.

65. THE EXISTING 6 INCH SEWER STUB FROM ALTRURIA DRIVE SHALL BE REMOVED AND REPLACED WITH AN 8 INCH PIPE AND THE EXISTING MANHOLE BASE SHALL BE MODIFIED AS REQUIRED DURING THE IMPROVEMENT PLAN REVIEW PROCESS.
66. THIS PROJECT IS IN THE ALQUIST-PRIOLO SPECIAL STUDIES ZONE AND THEREFORE REQUIRES SPECIAL WATER MAIN DESIGN TREATMENT PER CITY WATER SYSTEM DESIGN STANDARDS - SECTION 12B.

FIRE

67. SITE-SPECIFIC IMPROVEMENTS RECOMMENDED FOR THIS APPLICATION:
 - A. THERE SHALL BE AT LEAST TWO MEANS OF ACCESS FOR FIRE DEPARTMENT RESPONSE AS WELL AS EVACUATION OF THE AREA DUE TO THE NUMBER OF UNITS AND THE LOCATION WITHIN THE "VERY HIGH FIRE SEVERITY ZONE."
 - B. ALL FULL STREETS IN DEVELOPMENTS WITHIN THE "VERY HIGH FIRE SEVERITY ZONE" MUST BE MINIMUM 36 FEET IN WIDTH.
 - C. WATER MAINS MUST BE SIZED TO DELIVER A FIRE FLOW OF NOT LESS THAN 2500 GPM.
68. IN GENERAL, FIRE HYDRANT LOCATIONS ARE APPROVED BY THE FIRE DEPARTMENT. DURING PLAN CHECK, UTILITIES WILL APPROVE EXACT HYDRANT PLACEMENT BASED ON ENGINEERING AND MAINTENANCE CONSIDERATIONS.


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