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## RESOLUTION NUMBER

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING DESIGN REVIEW APPROVAL FOR GOOD ONWARD, INC. CANNABIS FACILITY LOCATED AT 3192 JUNIPER AVENUE, APN: 134-072-004 FILE NO. DR18-072

WHEREAS, on February 18, 2021, the Design Review Board of the City of Santa Rosa considered the Good Onward, Inc. Cannabis Facility, a commercial cannabis facility with onsite uses including *Cannabis - Manufacturing Level 1 (non-volatile)* and *Manufacturing Level 2 (volatile)* (9,836 sq ft), *Commercial cultivation (5,001 sq ft or greater)* (12,434 sq ft) , and *Distribution* (3,644 sq ft); and

WHEREAS, the Design Review Board, at the same time considered written and oral reports of staff, testimony, and other evidence presented by all those who wished to be heard on the matter; and

WHEREAS, the 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 Industry General Plan Land Use Designation, and applicable IG (General Industrial) 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 proposal includes the operation of an approximately 26,000 square foot cannabis facility which is supported by the General Plan and received the required Major Conditional Use Permit approval to operate such a facility in the IG zoning district, while implementing General Plan Goals and Policies including but not limited to LUL-A, LUL-K, EV-B, and EV-D. The Project meets all development standards outlines in Table 2-5 of [Zoning Code Section 20-22.050](#). The project incorporates City Design Guidelines for Streets and Public Ways, Streetscapes, Business & Light Industrial Parks and Buildings, Landscaping and Off-Street Parking; 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) including the Natural and Built Environment, Architecture, Landscaping, Placemaking/Livability, and Sustainability, in that the project incorporates the natural and built environment as it has been designed to integrate into the existing neighborhood by using designs, materials, and colors that are typical of industrial development in the area.

The newly constructed warehouse has been articulated to emphasize compatibility with nearby industrial uses. Windows and awnings have been included on the warehouse design to provide visual relief on the western, northern, and eastern elevations. Design composition includes horizontal color variation to further soften aesthetic impacts.

Landscape design integrates trees, plants, and the built environment throughout the site to provide a cohesive outdoor environment for employees. The project frontage along Juniper Avenue would consist of landscaped areas including accent shrubs, vines, and trees behind an existing approximately eight-foot concrete masonry unit (CMU) wall. The proposed drought tolerant landscaping would provide a natural screening for on-site operational activities and improve the working environment for project employees. The Project has also been designed to incorporate elements of the City's Climate Action Plan included in the Project's analysis, including

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compliance with CALGreen Tier 1 Standards, installation of real-time energy monitors to track energy use, construction of bicycle parking, and installation of new sidewalks and paving with high solar reflectivity materials. The project also incorporates water efficient landscaping; and

3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that site involves the operation of existing industrial buildings and the construction of a new warehouse. A Focused Traffic Study was included and indicated the condition to widen Juniper Avenue with the first phase of project construction. The site screens most of the proposed parking with existing industrial buildings and CMU wall along the Juniper Avenue project frontage, and proposed landscaping so not to impact the visual characteristics of the existing neighborhood; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that architecture incorporates street-oriented placement of new industrial warehouse that is similar in design and aesthetic character to other existing industrial land uses in the neighborhood. The proposed warehouse in the back of the parcel would be located near the existing residential uses adjacent to the south of and across Juniper Avenue from the project site but would not inhibit the continued use and enjoyment of these parcels. The building design, materials, and colors have been selected to maintain conformity with the surrounding industrial uses; and
5. The design of the proposed development will provide a desirable environment for its employees and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained in that the materials used incorporate existing neighborhood elements including but not limited to building design, windows, sunshades, and material colors. The color incorporates the existing industrial character of the neighborhood, and the building orientation activates the street frontage but does not dominate the neighborhood because the project places the proposed warehouse setback from the street behind an existing CMU wall. All onsite amenities will be privately maintained; 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 and found compliant with applicable Building and Fire Code requirements for access and separation and has been conditioned by appropriate City Staff to provide safe and convenient access to and from the site including the widening of Juniper Avenue; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study/Mitigated Negative Declaration was prepared which indicated the proposed project would result in potentially significant impacts to: Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Hydrology and Water Quality, Noise, and Transportation. These impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures contained in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, which identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels, or through compliance with existing Municipal Code requirements or City standards .

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NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Preliminary Design Review of College Creek Apartments subject to each of the following conditions:

## PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

### GENERAL:

1. 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.
2. All work shall be done according to the final approved plans dated January 7, 2020.
3. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.
4. The applicant shall comply with the Inclusionary Housing Ordinance requirements in Section 21.02 of the Santa Rosa Municipal Code ("Code") regarding commercial linkage fees in effect at the time the building permit is issued. The project land use classification is Industrial for the purpose of fee calculation.

### EXPIRATION AND EXTENSION:

5. 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.
6. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

### BUILDING DIVISION:

7. Obtain a demolition permit for any structures to be removed.
8. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving, and foundation design recommendations.
9. Obtain building permits for the proposed project.

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## ENGINEERING DIVISION:

10. Compliance with all conditions outlined in the attached “Exhibit A” prepared by Engineering Development Services Division, dated September 17, 2020.

## PLANNING DIVISION:

11. Comply with all mitigation measures listed in Mitigation Monitoring and Reporting Plan included as Appendix A in the Mitigated Negative Declaration adopted for the project.
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 Planning Commission. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
13. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),
14. PROJECT DETAILS:
  - A. 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.
  - B. 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 Design Review Board prior to issuance of a building permit.
  - C. 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.
  - D. 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.
  - E. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
  - F. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.

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## 15. TREE PRESERVATION AND TREE REMOVAL MITIGATION:

- A. Pursuant to the requirements of City Code Chapter 17-24, Trees, mitigation of approved tree removal(s) must be completed by replanting for each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, on the project site. Replanting of larger trees may be equivalent to a number of 15-gallon trees as follows:
- i. 24-inch box tree = 3 15-gallon trees
  - ii. 36-inch box tree = 4 15-gallon trees
  - iii. 48-inch box tree = 6 15-gallon trees

As an alternative, a fee of \$100 per 15-gallon replacement tree may be paid to the City of Santa Rosa Tree Replacement Fund in-lieu of planting replacement trees onsite.

Applicant shall submit a Tree Mitigation Plan to Planning for review and approval prior to issuance of construction building permit. Consultation with Planning staff during development of the required Tree Mitigation Plan is encouraged.

- B. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
- C. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:
- i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
  - ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
  - iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
  - iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
  - v. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.

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- vi. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.
- D. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work.
- E. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
- F. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
- G. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
- H. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

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## 16. LANDSCAPING:

- A. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
- C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.

## 17. LIGHTING:

- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
- B. Light sources shall be concealed from public view.
- C. All lighting shall be directed toward the subject property and away from adjacent properties.
- D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

## 18. NOISE

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

## 19. PARKING:

- A. The parking lot shall be constructed to City standards.
- B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Department of Community Development in some other fashion.
- C. The parking lot shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.
- D. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.

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## 20. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit.
- B. A planning sign permit application is required for signs as required by Chapter 20-38 Signs.
- C. Sign permit approval shall be obtained prior to application for a building permit for sign installation.
- D. Building permits for sign installations shall be separate permits from other building permits issued for construction.

## 21. CANNABIS GENERAL OPERATING REQUIREMENTS

- A. In accordance with Zoning Code Section 20-46.050 (H), Cannabis Businesses shall incorporate and maintain adequate odor control measures such that the odors of Cannabis cannot be detected from outside of the structure in which the Business operates.

## 22. NATURAL RESOURCES:

- A. **Advisement.** The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
- B. **Mitigation requirement.** The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Community Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.
- C. **Power to stop work if violation occurs.** Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.



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- D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

## **FIRE DEPARTMENT**

- 23. Compliance with all conditions outlined in the attached “Exhibit A” prepared by Engineering Development Services Division, dated September 17, 2020.

## **RECREATION AND PARKS DEPARTMENT**

- 24. Compliance with all conditions outlined in the attached “Exhibit A” prepared by Engineering Development Services Division, dated September 17, 2020.

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 19<sup>th</sup> day of November 2019, by the following vote:

AYES: (0)  
NOES: (0)  
ABSTAIN: (0)  
ABSENT: (0)

Approved: \_\_\_\_\_  
Scott Kincaid, Chair

Attest: \_\_\_\_\_  
William Rose, Executive Secretary