

**RESOLUTION NO. ZA-2023-006**

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A SUPPLEMENTAL DENSITY BONUS AND MINOR DESIGN REVIEW FOR THE CONSTRUCTION OF A 36-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT FOR THE PROPERTY LOCATED AT 1650 W STEELE LANE, SANTA ROSA, APN: 041-042-012, FILE NO. PRJ21-010**

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Conditional Use Permit and Minor Design Review applications to allow the proposed use and development for the project described above; and

WHEREAS, the Minor Conditional Use Permit and Minor Design Review approvals to allow the proposed use and development (Project) are based on the project description and official approved exhibit date stamp received December 22, 2022; and

WHEREAS, the General Plan Land Use (GPLU) designation of the project site is Medium Density Residential, which allows for market rate residential development at a density of 18 units per acre;

WHEREAS, the site acreage is .98 acres, which would result in a maximum of 17.6 units being allowed to be developed at the site, which is rounded up to 18 units pursuant to California Government Code 65915;

WHEREAS, pursuant to California Government Code 65915, the Director of Planning and Economic Development (Director) has approved a State Density Bonus granting 35% of units allowed by the base density, an additional six units, be added to the base density due to 15% of the base density units being deed restricted for Very Low-Income households (less than 50% of Area Median Income);

WHEREAS, pursuant to California Government Code 65915, which allows up to three waivers of standard zoning development standards for qualifying projects, the project qualifies for and has been approved by the Director for three waivers: a reduction of required parking from 52 spaces to 36 spaces, an increase of maximum building height from 35 feet to 45 feet, and a reduction of required side yard setback from 10 feet to five feet;

WHEREAS, pursuant to Section 20-31.070 of the City of Santa Rosa Zoning Code, a qualifying project can request a Supplemental Density Bonus of up to 100 percent above the maximum density permitted in the applicable Land Use Designation, by means of Minor Conditional Use Permit application;

WHEREAS, the proposed project site is designated by the General Plan as Medium Density Residential, is within one-half mile of a major transit stop as defined by California Public Resources Code Section 21064.3, and is within one-half mile of a school facility, and therefore qualifies for a Supplemental Density Bonus of up to 100%, inclusive of the approved 35% State Density Bonus, and is requesting a 65% increase beyond the base density (12 units);

WHEREAS, the proposed project includes the designation of four units out of the total of 36 units for Very Low Income households as defined by California Health and Safety Code Section 50105 (income not exceeding 50 percent of area median income), which grants the project 100 eligibility points as established by Section 20-31.070 of the City of Santa Rosa Zoning Code.

WHEREAS, California Government Code Section 65589.5 establishes that housing projects that meet objective general plan and zoning standards and has been reviewed to be in compliance with the California Environmental Quality Act (CEQA), the project must be approved unless the development would cause a specific, adverse impact to public health as defined.

WHEREAS, a Neighborhood Meeting was held for the project on January 15, 2020 pursuant to Section 20-50.050 of the City of Santa Rosa Zoning Code which had approximately 10 attendees who shared concerns related to parking availability for the project and the surrounding area, and increase in residential density.

WHEREAS, the proposed project site is located in the North Station Area Priority Development Area, which reduces the required Design Review approval from Major Design Review to Minor Design Review, with Concept Design Review provided by the Design Review Board;

WHEREAS, the proposed project received Concept Design Review from the Design Review Board on March 5, 2020, and the following comments/recommendations were made by the Design Review Board:

- Provide dynamic materials and color for courtyard facades
- Consider reducing size of courtyard for unloading zone
- Consider Design Guidelines applicable to the North Station Area Specific Plan
- Avoid blank walls in the project
- Consider adding materials to the palette
- Ensure continuity of the accessory buildings with finishes
- Recommend gray color to verticals and on courtyard walls for color variation
- Recommend one parking stall per unit
- Consider vines on courtyard walls
- Consider adding tile returns at the courtyard element walls
- Recommend enhanced landscaping
- Consider screening of equipment at mechanical wells facing West Steele Lane
- Incorporate glazing into top of garage doors
- Encourage preparation of Traffic Study
- Add tile and landscape details to next submittal

WHEREAS, the applicant has submitted their consideration and incorporation of the comments made by the Design Review Board which is included as Attachment 7 of this item packet; and

WHEREAS, the applicant has requested that the item be elevated to a Public Hearing to be noticed and held pursuant to Zoning Code Chapter 20-66, and property owners and occupants within 1,200 feet of the project site received notice of the Public Hearing which exceeds the standard established by Zoning Code Section 20-066.020 of 600 feet.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050 and Section 20-52.030, the Zoning Administrator of the City of Santa Rosa finds and determines that:

MINOR CONDITIONAL USE PERMIT Findings

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code.
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the Medium Density Residential General Plan Land Use Designation envisions residential development at a density of 18 units per acre, in addition to additional units allowed by State Density Bonus and Supplemental Density Bonus; and in that the project is otherwise consistent with the North Station Area Specific Plan.
3. The design, location, size and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity in that the surrounding neighborhood consists of single- and multifamily residential development, in addition to a neighborhood serving shopping center directly adjacent to the east, and a large shopping center (Coddington) less than one-quarter of a mile walking distance from the proposed project site; and the proposed design has received Concept Design Review and has been analyzed to be consistent with the North Station Area Specific Plan design guidelines.
4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints in that the proposed project site is designated for residential development by the General Plan; and the proposed density is supported by the General Plan, Zoning Code, and California State law; and the currently vacant project site would be accessed from Meadowbrook Court, to the west of the project site.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located in that the project site's General Plan Land Use Designation and Zoning District envisioned residential development at the site; and the additional units approved pursuant to State Density Bonus and requested pursuant to Supplemental Density Bonus are also both supported by the General Plan, Zoning Code, State Density Bonus Law; and the project is consistent with the number one goal of the City Council of Santa Rosa which is to "Deliver Housing for All"; and a Traffic Study has been prepared by W-Trans (Attachment 9) that concludes the proposed project would generate 17 trips during peak morning hours, and 20 trips during peak evening hours, which is not anticipated to result in a nuisance or be otherwise detrimental to the convenience of persons in the vicinity; and the proposed number of parking spaces are anticipated to be sufficient to serve the proposed project based on Institute of Transportation Engineers (ITE) standard parking demand rates, which accounts for parking demand reduction measures included in the project's characteristics such as unbundled parking and proximity to public transit, including the Sonoma Marin Area Rapid Transit system.

6. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15162 the project is statutorily exempt from CEQA because the project is consistent with the City of Santa Rosa General Plan and North Station Area Specific Plan for which an Environmental Impact Report (EIR) was prepared, and no conditions as established by Section 15163 that would necessitate the preparation of a new EIR apply to this project. The applicant has prepared an Addendum to this EIR which is supported by technical studies and is included as Attachment 5 of this item packet.

The project also qualifies for a Class 32 categorical exemption for Infill Development pursuant to Section 15183 in that:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; and
  - The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; and
  - The project site has no value as habitat for endangered, rare or threatened species; and
  - Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
  - The site can be adequately served by all required utilities and public services.
7. The proposed project will generate a sufficient number of Eligibility Points by providing at least 60 percent of all required Eligibility Points through affordable housing pursuant to Table 3.3, and that the remaining 40 percent are provided through additional affordable housing pursuant to Table 3.3 as outlined in Section 20-31.070 of the City of Santa Rosa Zoning Code.
  8. The proposed community benefits for the project are significant and clearly beyond what would otherwise be required for the project under applicable code provisions, conditions of approval, and/or environmental review mitigation measures.
  9. The proposed community benefits for the project are acceptable and appropriate for the project, and will provide tangible benefits to the community.

#### MINOR DESIGN REVIEW Findings

1. The design and layout of the proposed development is of superior quality and is consistent with the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements in that the proposed design and layout reflects careful consideration and incorporation of design guidelines from the North Station Area Specific Plan related to Site Development:
  - a. Building Placement: Project structures are proposed to be built to the minimum setback, with an approved concession allowing a reduction of required site

setback abutting a General Commercial (CG) district from 10 feet to five feet; greater than 60% of the project structures' north-facing facades are proposed to be built parallel to the W Steele Lane right of way, and buildings are arranged to define, connect, and activate sidewalks and public spaces by providing a walkable community nearby many goods and services that would serve future residents' daily needs.

- b. Landscaping: Native and drought-tolerant species are proposed with the project to the extent possible, the project would provide a courtyard that is propose to be located in the center of the project's structures which would serve as additional landscaping and open space amenities.
- c. Parking: Two connected, perpendicular alleys are proposed to provide vehicle access from Meadowbrook Court to on-site covered parking spaces, and parking spaces are completely screened by the project's structures from the W Steele Lane perspective.
- d. Parks and Playgrounds: The project proposes to provide a shared courtyard that would serve as a community gathering area, in addition to providing shade trees that would shield residents from the sun.
- e. Urban plazas: The proposed courtyard includes a seat wall at the accessible ramp and at the perimeter wall defining the plaza as well as site furnishings for shaded seating. A vertical element, a semi-circular arbor, is located outside of the required vision triangle. The proposed courtyard includes an adequate area of hardscape and seating to host a range of activities. Landscaping and a central tree planter complement the primarily social function of the space. A shade tree (*Arbutus Marina*) and shaded seating under the arbor and at umbrella tables provide sun protection for residents. The entry plaza is lit with exterior wall sconces, as demonstrated in the Project Plan Set (Attachment 4) photometric plan and sheet A10.1, Colors and Materials, for exterior light fixtures.

The project also integrates recommendations from the Architectural Guidelines for the North Station Area Specific Plan Design Guidelines:

- a. Articulation: A pattern of fenestration and tile panels assist in providing human scale and visual articulation to the three-story elevations of Buildings 1, 2, and 3. The façades of the residential buildings are active and open, engaging the street fronts at W Steele Lane and Meadowbrook Court, and architectural detail enhances the street level pedestrian and vehicular experience.
- b. Multi-Building Complex: The automated parking structure relates to the residential buildings with an upper-level register of ornamental aluminum panels simulating the pattern of the tile panels on the residential buildings.
- c. Building Frontage: The proposed project employs the forecourt entry design as described in Table 4.10.1 of the Design Guidelines, which facilitates a plaza entry that activates the pedestrian experience along W Steele Lane and provides pleasant wayfinding for the project's entry.

- d. Building Entrances: The main building entry would be located at the corner of W Steele Lane and Meadowbrook Court, and is clearly defined by the semi-circular arbor.
  - l. Parking Structures: The upper level of the proposed parking structure that would house the automated parking system would be screened with a laser cut aluminum screen that relates to the pattern of the four-color tile accent panels on the residential buildings and site walls. The metal screen color complements the earth-toned color of the stucco walls of the residential buildings.
  - m. Corner Buildings: The project would provide definition at the corner of W Steele Lane and Meadowbrook Court by means of attractive architecture and entry plaza, in addition to a modest tower feature.
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 in that the design responds to and integrates the natural and built environments as an expression of the design concept; uses form, massing, materials and detailing as an expression of the design concept; appropriately articulates and defines spaces with landscaping; and creates a sense of place by introducing design concepts that are described in Finding #1 above.
  3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the surrounding area consists of single- and multi-family residential development, in addition to commercial uses; and the proposed design and layout of the project is consistent with the existing multi-family residential development in the vicinity; and the approved concession that reduces the required side setback where the project site is adjacent to a commercial zoning district from 10 feet to five feet is consistent with the required setback for the multi-family residential development immediately to the south of the project site, which also abuts a commercial zoning district.
  4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the surrounding area consists of single- and multi-family residential development, in addition to commercial uses, and the proposed architectural design of the project is consistent with the existing multi-family residential development in the vicinity.
  5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained in that the architectural features and building materials are of super quality and would provide a pleasant sense of place for future residents by incorporating a community-oriented central plaza and locating future residents within walking distance of goods and services that satisfy every day human needs, in addition to regional transportation opportunities provided by Sonoma County Transit and SMART.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this

entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

#### Conditions of Approval

1. 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.
2. Obtain building permits for the proposed project.
3. Hours of construction shall be limited to 8:00 am to 6:00 p.m. Monday through Friday; 9:00 a.m. to 5:00 p.m. Saturday; and no construction on Sunday or holidays. Exceptions may be made for large concrete pours or other constructions activities that must begin earlier in the day. In the event that an exception is necessary, the developer shall provide a ten-day notice to all property owners and occupants of properties within 600 feet of the construction site.
4. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
5. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
6. No exterior signs are approved with this permit. A separate sign permit is required.
7. 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.
8. 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.
9. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architecturally design element approved by the Planning Division.
10. 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.
11. 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:

- a. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
  - b. 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.
  - c. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
  - d. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
  - e. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
  - f. 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.
12. 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.
  13. 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."
  14. 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.
  15. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
  16. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.
  17. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
  18. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
  19. 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.
  20. 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.

21. Compliance with the City's Outdoor Lighting Ordinance in Zoning Code Section 20-30-080.
22. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit.
23. Light sources shall be concealed from public view.
24. All lighting shall be directed toward the subject property and away from adjacent properties.
25. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.
26. 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.
27. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning and Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.
28. 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.
29. 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.
30. The following are a list of deferred plan submittal items that will be required by the Fire Department - additional items may be called out based on actual building permit submittal.
  - a. Private Underground Fire Main
  - b. Standpipe System
  - c. Fire Sprinkler System
  - d. Fire Alarm/Fire Sprinkler Monitoring System
  - e. Gates and barricades across fire apparatus access roads

31. Compliance with all conditions contained in Exhibit A: Engineering Development Services Conditions dated December 21, 2022.

This Minor Conditional Use Permit and Minor Design Review are hereby approved on January 19, 2023. If conditions have not been met or if work has not commenced within 24 months from the approval date, these approvals shall automatically expire and be invalid unless an application for extension is filed prior to expiration. These approvals are subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
SUSIE MURRAY, ZONING ADMINISTRATOR

ATTACHMENT:

Exhibit A: Engineering Development Services dated December 21, 2022