

## **RESOLUTION NO. ZA-2023-064**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR A NEW STEEL FRAME CANOPY AND ABOVEGROUND FUEL STORAGE TANK FOR THE PROPERTY LOCATED AT 3965 OCCIDENTAL ROAD SANTA ROSA, APN: 035-062-003, FILE NO. DR23-032**

WHEREAS, the Santa Rosa Zoning Administrator has completed review of your Minor Design Review application to allow a new 26' x 37' steel framed canopy with a height of 19'-6" to the top of the canopy fascia over the fueling area, install a new aboveground fuel storage tank, new fuel dispensing piping equipment, and dispenser units; and

WHEREAS, the Minor Design Review approval to allow the proposed project is based on the project description and official approved exhibit date stamp received September 8, 2023; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.030.H.2.a and no request for a public hearing has been received;

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

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 (e.g., City policy statements and development plans) in that the proposed project is for an existing commercial use and it is designed to match the existing building. The proposed changes are intended to enhance the functionality of the existing use while maintaining a consistent look with the surrounding structures on the site;
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 proposed canopy will be constructed in an area that is already being used for fuel and contains underground fuel tank for the existing use on the site. The canopy will provide coverage for the upgraded fuel dispensers and the relevant equipment;
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 proposed canopy will be installed in a location with an existing fuel island and its equipment and will not be visible from any public right-of-way;
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed canopy is similar to other accessory structures on the site and will be painted to match the color of the existing adjacent building. The proposed canopy and fuel equipment are not visible

from public streets. Additionally, the entire site is fenced and screened from adjacent neighboring properties;

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 fuel equipment will be upgraded, and a canopy will be installed to provide coverage, creating a more desirable environment for employees who use the fuel island;
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 proposed project will upgrade the fuel island and related equipment and cover them with a new canopy. Additionally, the City's Fire Department has reviewed and provided conditions to make sure the proposed project complies with all safety regulations;
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for Class 1 and Class 3 exemptions under Sections 15301 and 15303 in that the project consists of minor alteration to an existing facility and construction of small structures.

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 intent 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. Obtain a Building Permit for the proposed project.
2. Construction hours shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. No signs are approved as part of the Project. Signs will require separate Planning and Building permits.
4. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
5. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
6. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
7. Compliance with all conditions as specified by the attached Exhibit "A" dated December 5, 2023.

This Minor Design Review is hereby approved on December 21, 2023. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

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

Attachment A – EDS Exhibit A, dated December 5, 2023