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RESOLUTION NUMBER [to be entered by Secretary]

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING PRELIMINARY AND FINAL DESIGN REVIEW APPROVAL FOR EMERALD ALLIANCE, A MEDICAL CANNABIS CULTIVATION FACILITY - LOCATED AT 2875 SEBASTOPOL ROAD; ASSESSOR'S PARCEL NUMBER 035-251-037; FILE NUMBER PRJ16-007

WHEREAS, on April 18, 2016, applications were submitted requesting the approval of a Conditional Use Permit and Design Review for Emerald Alliance to construct and operate a 25,000 square foot medical cannabis cultivation facility to be located 2875 Sebastopol Road, also identified as Sonoma County Assessor's Parcel Number 035-251-037 (Project); and

WHEREAS, on February 23, 2017, the Planning Commission of the City of Santa Rosa approved a Conditional Use Permit for the Project; and

WHEREAS, on March 2, 2017, the Design Review Board of the City of Santa Rosa considered Preliminary Design Review for the Project; and

WHEREAS, following a discussion of the Project, the Design Review Board provided direction and voted to continue the meeting to a date uncertain; and

WHEREAS, on May 4, 2017, the Design Review Board held the continued public hearing for Preliminary Design Review of the Project; 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 Plan, and 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 project is a permitted use within the Light Industrial zoning district and the Light Industry General Plan designation area; 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) in that it provides site layout, landscaping, ecological protection, and circulation considerations appropriate for an infill, industrial development and has been determined by the Design Review Board to

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be of “Superior Design” by reflecting thoughtful considerations and responses to parameters outlined in the Framework of Design Review; 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 the Project includes setbacks, circulation and design features that address concerns such as noise or odor, compatible with existing development and accommodating to future development of adjacent parcels; and
  4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the project site is designed to be consistent with the surrounding mix of light industrial, commercial, and residential uses; and
  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; 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 use and design has been reviewed by City staff, outside agencies, and approval authorities and conditioned to minimize potential impacts; and
- A. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is statutorily exempt from the provisions of CEQA under Guidelines Section 15183, in that the project is consistent with existing zoning and the Santa Rosa General Plan 2035, for which an environmental impact report was certified and there are no project-specific impacts which are peculiar to the project or its site. Additionally, the project qualifies for a Class 32 exemption, per Section 15332, as it involves an infill development on a site of less than five acres, within City limits, substantially surrounded by urban uses, with no value as habitat for endangered, rare or threatened species, adequately served by necessary utilities and public services, and the project has no foreseeable significant adverse impacts.

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Preliminary and Final Design Review of the Emerald Alliance medical cannabis cultivation facility subject to each of the following conditions:

## **PLANNING & 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.

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2. All work shall be done according to the final approved plans dated received April 5, 2017.
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. Comply with all conditions of approval listed in Planning Commission Resolution No. 11817, which was approved on February 23, 2017.

## **BUILDING DIVISION:**

5. A building permit is required for all interior and exterior changes or for any change of occupancy from one building code group to another.

## **PLANNING DIVISION:**

6. 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 Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
7. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),

## **8. PROJECT DETAILS:**

- A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and California 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 Planning Division prior to issuance of a building permit.
- C. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architectural design consistent with the building architecture element approved by the Design Review Board or Planning Division.
- D. All outdoor storage of materials and/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.

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## 9. TREE PRESERVATION:

- A. 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.
- B. 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.
- C. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.

## 10. 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.

## 11. 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.

## 12. PARKING LOT AREA:

- A. The parking lot shall be paved to City standards.
- B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Planning & Economic Development Department 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.

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- 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.
13. SIGNING:
- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
  - B. Sign permit approval shall be obtained prior to application for a building permit.
  - C. Building permits for sign installations shall be separate permits from other building permits issued for construction.
14. 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 Planning & 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.
  - 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.
  - 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.

## DESIGN REVIEW BOARD

- 15. add/delete text as needed
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DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 4th day of May, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: \_\_\_\_\_

Michael Burch, Chair

Attest: \_\_\_\_\_

Bill Rose, Executive Secretary