

**CITY OF SANTA ROSA PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, APRIL 8, 2010**

5. CALL TO ORDER AND ROLL CALL

Chair Duggan called the meeting to order at 4:03 p.m.

Commissioners present: Commissioners Bañuelos, Bartley, Cisco, Poulsen, and Chair Duggan.

Commissioners absent: Commissioner Caston

6. APPROVAL OF MINUTES

The Minutes of March 11, 2010 were approved as presented.

7. PUBLIC APPEARANCES

- Duane DeWitt, Roseland area – asked the commission to not be too exuberant as the economy is still difficult; he also commented that fiscal oversight was needed on some upcoming decisions regarding housing and a proposed development in Roseland.
- Wayne Clark, spoke against the proposed Food and Wine Center (Sonoma Market) at the Fairgrounds.

8. REPORT IF ANY ON SITE VISIT

Chair Duggan reported on the site visit to the Arbors project site and commented that it was informative and interesting.

9. DEPARTMENT REPORT

10. PLANNING COMMISSIONER'S REPORT

11. STATEMENTS OF ABSTENTION BY COMMISSIONERS

12. CONSENT AGENDA

None

- 13. PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, DENSITY BONUS, AND CONCESSIONS – KAWANA SPRINGS FAMILY APARTMENTS – 766/786 KAWANA SPRINGS ROAD AND 2607 PETALUMA HILL ROAD – Density Bonus and concessions for a 42-unit affordable multi-family residential project on a 2.04 acre site – File Number MNP10-001**

Ex-Parte Disclosures:

All commissioners visited the site.

City Planner Erin Morris gave the staff report.

Applicant representative Renee Sanders gave a presentation.

Public Hearing:

- Joaquin Mijares, 2669 Petaluma Hill Road - commented on traffic issues and the close proximity of their home to the development.
- Adrian Mijares, brother of former speaker – also commented on the traffic issues and the location of the driveway.

Public Hearing closed

Commissioner Bartley commented that the project would be going to Design Review.

Applicant representative responded briefly to the Public Hearing

Commissioner Bartley made a motion and Commissioner Poulsen seconded to approve **Resolution 11516: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO THE CITY COUNCIL APPROVAL AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED KAWANA SPRINGS FAMILY APARTMENTS PROJECT DENSITY BONUS AND CONCESSIONS LOCATED AT 766 KAWANA SPRINGS ROAD, 786 KAWANA SPRINGS ROAD, AND 2607 PETALUMA HILL ROAD – ASSESSOR'S PARCEL NUMBER 044-041-087 – FILE NUMBER MNP10-001**

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

Commissioner Bartley made a motion and Commissioner Poulsen seconded to approve *(with revised language)* **Resolution 11517: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO CITY COUNCIL APPROVAL OF A DENSITY BONUS AND CONCESSIONS FOR KAWANA SPRINGS FAMILY APARTMENTS LOCATED AT 766 KAWANA SPRINGS ROAD, 786 KAWANA SPRINGS ROAD, AND 2607 PETALUMA HILL ROAD – FILE NUMBER MNP10-001**

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

- 14 PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, TENTATIVE MAP, HILLSIDE DEVELOPMENT PERMIT, AND CONDITIONAL USE PERMIT – THE ARBORS – 3500 LAKE PARK DRIVE – Subdivision of 5.69 acres into 37 lots and one parcel, construction of 37 single family attached residences, and associated tree removal and site improvements – File Number MJP07-016

Ex-Parte Disclosures:
All visited the site

City Planner Erin Morris gave the staff report.

Bruce Aspinall, Applicant Representative gave a presentation.
Jack Stark, also one of the Applicant Representatives gave a presentation.
Ralph Osterling, the forester for the project gave a presentation on the trees.
Mark Rose, Project Architect gave a presentation.
Jack Stark also commented on the landscaping for the project.

Public Hearing:
No speakers

Commissioners discussion ensued:

Commissioner Bartley – Commented that the project was very well done and supports the applications.

Commissioner Poulsen – also favors the project, likes the traffic calming and the pathway.

Commissioner Cisco – also stated the project was very well done and supports the project.

Commissioner Bañuelos – favors the project and stated her appreciation for the site visit.

Chair Duggan – favors the project, also stated the site visit was very helpful.

Commissioner Poulsen made a motion and Commissioner Cisco seconded to approve
Resolution 11518: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE ARBOR'S PROJECT LOCATED AT 3500 LAKE PARK DRIVE –ASSESSOR'S PARCEL NUMBER 173-270-005 – FILE NUMBER MJP07-016.

The motion carried with the following vote:

AYES:	(5)	(Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES:	(0)	
ABSTENTIONS	(0)	
ABSENT:	(1)	(Caston)

Commissioner Poulsen made a motion and Commissioner Cisco seconded to approve
Resolution 11519: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR THE ARBORS LOCATED AT 3500 LAKE PARK DRIVE – ASSESSOR'S PARCEL NUMBER 173-270-005 – FILE NUMBER HDP07-014.

The motion carried with the following vote:

AYES:	(5)	(Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES:	(0)	
ABSTENTIONS	(0)	
ABSENT:	(1)	(Caston)

Commissioner Poulsen made a motion and Commissioner Cisco seconded to approve

Resolution 11520: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR THE ARBORS LOCATED AT 3500 LAKE PARK DRIVE – FILE NUMBER CUP07-057.

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

Commissioner Poulsen made a motion and Commissioner Caston seconded to approve
Resolution 11521: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING THE ARBORS TENTATIVE MAP LOCATED AT 3500 LAKE PARK DRIVE – FILE NUMBER MAJ07-009.

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

Break

15. PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, HILLSIDE DEVELOPMENT PERMIT, AND CONDITIONAL USE PERMIT – FIRE STATION NUMBER 5 – 2201 NEWGATE COURT – Application to allow the development of a 5400 sq ft fire station on a 1.11 acre parcel to accommodate the relocation of the existing fire station on Parker Hill Road and improve emergency response times in Northeast Santa Rosa – File Number MNP09-020

Ex-Parte Disclosures:

All commissioners visited the site

City Planner, Noah Housh gave the staff report.

Mitch Conner, architect for the project gave a presentation.

David Vandever, Public Works Engineer gave a presentation.

Mark McCormick from the Fire Department gave a presentation.

Commissioner Cisco asked what the plans for the Parker Hill site were once the fire station is relocated. Mark McCormick responding that it will be sold.

Commissioner Bañuelos asked about approximately when it would be built. Mark McCormick responded that it depended on grant money that was applied for from Measure O.

Commissioner Poulsen asked about the Parker Hill site and what their average calls are per

day. Mark McCormick stated that due to the brown out of two fire stations the numbers are a little skewed.

Commissioner Bartley asked about how they will reach other outlying areas that Santa Rosa has developed. Mark McCormick stated that they work with other adjoining fire districts.

Public Hearing:

- William St. Pierre, 2225 Newgate Court – concerned of sound wall not protecting upper levels
- Steve Lohrer, 2104 Wedgewood Way - concerned whether or not Wedgewood will be used as cut-through.
- Bob Forsythe, 2166 Wedgewood Way – concerned of narrowness of road and the possible use of Wedgewood Way.
- Rochelle Warfield, 2219 Newgate Court - has issues with the easement and the excess vehicles and extra noise.
- Linda Barr, 2160 Wedgewood Way – is concerned of the use of Wedgewood Way,
- Herbert Steiner, 2210 Newgate Court. – opposed stating the site is too small for a fire station and doesn't like the tall tree being removed or that it's in a residential neighborhood.
- Joe White, 2168 Wedgewood Way – commented on alternate locations and concerns of sound impacts.
- Margaret White, 2168 Wedgewood Way – would like other sites to be considered.
- Scot Stegeman – stated that the old resolutions only state that there was to be a station built and doesn't designate this site. Stated there was no traffic analysis done on Wedgewood.
- Don Ransom, 2128 Wedgewood Way – concerned of traffic and safety on Wedgewood.
- Hugh Steimle, 4788 Parker Hill Road – concerned of noise, opposed to this location. Would prefer that it be located on Stagecoach.
- Corrine Coburn spoke about sound wall near her property.

Public Hearing closed

There was discussion between the commissioners, staff and applicant as to whether or not Wedgewood was going to be used as a cut through. Mark McCormick reiterated that it would not be used unless they were responding to emergencies on Wedgewood or off from Wedgewood. There was also discussion about issues of the ridgelines with staff responding that the project would preserve the ridgelines.

Commissioners discussion ensued:

All commissioners expressed their support for the project.

Commissioner Bartley made a motion and Commissioner Poulsen seconded to approve **Resolution 11522: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE FIRE STATION NUMBER 5 PROJECT LOCATED AT 2201 NEWGATE COURT, ASSESSOR'S PARCEL NUMBER 173-500-005 – FILE NUMBER MNP09-020.**

RESOLUTION NO. 11518

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE ARBORS PROJECT
LOCATED AT 3500 LAKE PARK DRIVE - ASSESSOR'S PARCEL NUMBER(S) 173-270-
005 - FILE NUMBER MJP07-016

WHEREAS, the Environmental Coordinator has conducted an initial study on the possible environmental consequences of the proposed Arbors project, which study was initially completed July 10, 2009 and last revised March 29, 2010; and

WHEREAS, the study, in its final form, did not identify any significant effects on the environment which would result from the proposed use permit provided certain mitigation measures therein identified and listed were adopted and implemented; and

WHEREAS, the Environmental Coordinator, based on the Initial Study, determined that any potential environmental effects of the proposed Arbors project have been clearly mitigated by the identified mitigation measure to the point where no significant environmental effects would occur and the Environmental Coordinator, based upon this determination, prepared a Negative Declaration, subject to mitigating requirements, with respect to the environmental consequences of the subject project; and

WHEREAS, a notice of Mitigated Negative Declaration was thereafter duly posted and an opportunity for comments from the public was given; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the environmental study, the findings and determinations of the Environmental Coordinator, the proposed Mitigated Negative Declaration, the staff reports, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearing held on April 8, 2010, and all comments and materials submitted prior thereto; and

WHEREAS, the Planning Commission has before it all of the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Santa Rosa, based upon the findings and the records and files herein, and the findings above made, hereby determines that the proposed Arbors project will not have a significant effect upon the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration are implemented prior to development of the subject property, and hereby approves and adopts the Mitigated Negative Declaration for the Arbors project.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 8th day of April, 2010, by the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

APPROVED: Wendy Pizzin
CHAIR

ATTEST: Charles J. Zales
EXECUTIVE SECRETARY

RESOLUTION NO. 11519

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR THE ARBORS LOCATED AT
3500 LAKE PARK DRIVE - ASSESSORS'S PARCEL NUMBER(S) 173-270-005 FILE NO.
HDP07-014

WHEREAS, the Planning Commission of the City of Santa Rosa has duly considered the above referenced Hillside Development Permit for the Arbors; and

WHEREAS, the Planning Commission finds that the approval of the Hillside Development Permit meets the requirements of the Santa Rosa Zoning Code.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds that the proposed plan is consistent the required findings for a Hillside Development permit and is consistent with the General Plan and the design guidelines for hillside development in that:

- A. Site planning minimizes the visual prominence of hillside development by taking advantage of existing site features for screening, including tree clusters, depressions in topography, setback hillside plateau areas, and other natural features.
- B. Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more.
- C. Site development does not alter slopes of 25% or more, except in compliance with Section 20-32.020.B (Applicability-Limitations on hillside development),
- D. Project grading respects natural features and visually blends with adjacent properties.
- E. Building pad location, design, and construction avoids large areas of flat pads, and building forms will be stepped to conform to site topography.
- F. The proposed project complies with the City's Design Guidelines.
- G. The proposed project complies with the requirements of this Article and all other applicable provisions of this Zoning Code.
- H. The proposed project is consistent with the General Plan.
- I. The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the public health, safety or general welfare.

BE IT FURTHER RESOLVED that a Hillside Development Permit for the Arbors located at 3500 Lake Park Drive is approved subject to the following conditions:

1. Preliminary and Final Design Review approval by the Design Review Board is required prior to issuance of building permits.
2. The project developer shall provide informational brochures to all homeowners detailing property and tree maintenance requirements to comply with the Fire Code.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 8th day of April, 2010, by the following vote:

AYES:	(5)	(Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES:	(0)	
ABSTENTIONS	(0)	
ABSENT:	(1)	(Caston)

APPROVED: _____

CHAIR

ATTEST: _____

EXECUTIVE SECRETARY

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

Commissioner Bartley made a motion and Commissioner Poulsen seconded to approve
Resolution 11523: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR FIRE STATION NUMBER 5 LOCATED AT 2201 NEWGATE COURT, ASSESSOR'S PARCEL NUMBER 173-500-055 – FILE NUMBER MNP09-020.

The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

Commissioner Bartley made a motion and Commissioner Poulsen seconded to approve
Resolution 11524: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR THE FIRE STATION NUMBER 5 LOCATED AT 2201 NEWGATE COURT – FILE NUMBER MNP09-020.


The motion carried with the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

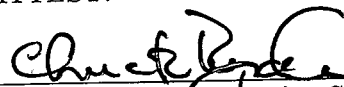
14. ADJOURNMENT

Chair Duggan adjourned the meeting at 7:16 p.m. to the regular Planning Commission Meeting to be held at 4:00 p.m. in the City Council Chamber at Santa Rosa City Hall on Thursday, May 13, 2010.

PREPARED BY:


Anette Niewald, Recording Secretary

ATTEST:


Chuck Regalia, Executive Secretary

APPROVED:


Vicki Duggan, Chair

RESOLUTION NO. 11520

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR THE ARBORS - LOCATED AT 3500 LAKE PARK DRIVE - FILE
NUMBER CUP07-057

WHEREAS, an application was filed with the Department of Community Development requesting the approval of a Conditional Use Permit for The Arbors, to be located at 3500 Lake Park Drive, also identified as Sonoma County Assessor's Parcel Number(s) 173-270-005; and

WHEREAS, 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

WHEREAS, the Planning Commission 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; and

WHEREAS, the Planning Commission has considered the approved and adopted Mitigated Negative Declaration for this use and project; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. 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;
- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- E. 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; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring Program dated July 10, 2009, and directs staff, as therein identified, to implement and complete the program.

BE IT FURTHER RESOLVED that the Policy Amendment dated April 8, 2010 is hereby approved;

BE IT FURTHER RESOLVED that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for The Arbors, to be located at 3500 Lake Park Drive, is approved subject to each of the following conditions:

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. Preliminary and Final Design Review by the Design Review Board is required. All work shall be done according to the final approved plans date stamped September 30, 2008 and in accordance with final Design Review approval.
3. 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.
4. 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.
5. Compliance with all conditions as specified by the Arbors Tentative Map Resolution Number 11521.
6. The final building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be reviewed and approved by the Design Review Board as part of Final Design Review.
7. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Final Design Review approval. All light sources shall be concealed from public view, and all lighting shall be directed toward the subject property and away from adjacent properties.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines 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 entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 8th day of April 2010, by the following vote:

AYES: (5) (Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Caston)

APPROVED: W. Duggan
CHAIR

ATTEST: Charles Paul
EXECUTIVE SECRETARY

RESOLUTION NO. 11521

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING THE ARBORS TENTATIVE MAP LOCATED AT 3500 LAKE PARK DRIVE -
FILE NUMBER MAJ07-009

WHEREAS, an application has been submitted by Chamberlain Lake Park LLC requesting approval of a tentative map of The Arbors, more particularly described as Assessor's Parcel Number(s) 173-270-005, dated November 2009, and on file in the Office of the Department of Community Development; and

WHEREAS, the applicant was presented with the opportunity and did not prepare proposed findings supported by evidence that said subdivision complies with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code) and the Subdivision Map Act (Government Code Section 66410, et seq.); and

WHEREAS, the Planning Commission heard the evidence and reviewed the proposed findings, if any, submitted by the applicant.

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of 37 lots and one common parcel and no more is in compliance with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) based upon the following findings:

- A. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66474.5.
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That the proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved 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 are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring Program dated July 2009, and directs staff, as therein identified, to implement and complete the program.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Arbors Tentative Map dated November 2009, and on file in the Department of Community Development, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated August 5, 2009, as amended by the Public Works – Engineering Development Services Exhibit A dated March 29, 2010.
2. Conditions, Covenants, and Restrictions (CC&R's) in a form approved by The Neighborhood Revitalization Program, shall be recorded on each lot. The CC&R's are intended to create a framework by which investor owner properties and common areas are managed and maintained. At a minimum, the CC&R's shall contain the following provisions:
 - A. Residential occupancy standards;
 - B. Maintenance and habitability requirements;
 - C. Prohibition of nuisances and offensive activities including: graffiti, illegal drugs, violent acts and criminal gang behavior;
 - D. Resident and guest parking system;
 - E. Tenant screening and house rules for rentals including: credit, reference and criminal history checks, as well as verification of employment and prior residence.
3. That the project Conditions, Covenants, and Restrictions (CC&R's) shall be reviewed and approved by the City Attorney and the Department of Community Development prior to recordation of the final map and that the City of Santa Rosa has the right, but not the duty, to enforce the CC&R's pertaining to the conditions stated herein.
4. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
5. That the developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or

construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.

6. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
7. The developer shall pay park fees in effect at the time the building permit is issued.
8. The developer shall, in lieu of providing one or more affordable units on site, and if the application is in compliance with Section 21-02.060 "A" and "B" of the Housing Allocation Plan, pay fees at the time of building permit issuance.
9. 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.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 8th day of April, 2010, by the following vote:

AYES:	(5)	(Bartley, Bañuelos, Cisco, Duggan, Poulsen)
NOES:	(0)	
ABSTENTIONS	(0)	
ABSENT:	(1)	(Caston)

APPROVED: Wm. Duggan
CHAIR

ATTEST: Charles J. Zed
EXECUTIVE SECRETARY

DEPARTMENT OF COMMUNITY DEVELOPMENT
ENGINEERING DIVISION

EXHIBIT "A"
March 29, 2010

The Arbors
3500 Lake Park Drive
Major Subdivision

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines dated June 2, 2005. Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received November 19, 2009:

MAPPING / PARCEL AND EASEMENT DEDICATION

1. This project is proposed as a phased development. The common parcel is to be labeled as Parcel "A" on the final map and is to include all areas and improvements not contained within the individual property lines.
2. Vehicular access rights shall be dedicated to the City along the Lake Park Drive frontage 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.
3. This project is a common interest subdivision and will require a Home Owners Association to own and maintain all private improvements. Conditions Covenants and Restrictions are required to be included with the first plan check submittal for review and clearance by the City Attorney.
4. The required 5 foot setback from property line to structures for Building Code Compliance is to be provided, where necessary, by granting to the Home Owners Association a 5 foot no build easement within the common area adjacent to the property lines where a distance of 5 feet cannot be provided on the individual lot.

Reference to “structure” does not refer to those facilities which would normally be allowed within the 5 foot setback to a property line. This information shall be noted on the Supplemental Map Sheet and further state that this is an Application for Alternative Materials, Design and Methods of Construction to be approved by the Chief Building Official with the Building Permit application.

5. A Public Utility Easement, Public Water Easement, and Public Sewer Easement are to be dedicated to the City as one easement contained within the curb lines of Arbor Circle with an additional 10 foot wide Public Utility Easement dedicated to the City behind the curb lines.
6. Fill Slope easements for Lake Park Drive established by the Final Map of Nielsen Ranch, recorded in Bk 558 Pg 21, on Lot 5 are to be modified and quit claimed on “the Arbors” map to avoid encroachments by the new structure locations on Lots 1, 36 and 37.
7. This is a Phased Map, all easements required to complete the improvements such that each phase can be developed independently of the other are required to be included on the Final Map presented to the City for review and approval.

PUBLIC STREET IMPROVEMENTS

8. All public street and utility improvements are to be constructed with the first phase of development.
9. Improvements to Lake Park Drive shall consist of the removal and replacement to City Standards of sidewalk sections which have separated and heaved adjacent to the curb together with curb sections that have separated from the edge of pavement due to expansive material. New sidewalk and curb sections shall be constructed with a city standard moisture barrier behind the curb.
10. Traffic calming improvements are to be constructed on Lake Park Drive. The improvements shall consist of but not limited to a raised median at the westerly driveway connection of Arbor Circle and Lake Park Drive, and raised medians for the traffic circle and lane transitions together with necessary curb outs at Bell Vista Way. No traffic calming neck downs are to be installed east of Lots 36 and 37 as proposed on the tentative map. Effective traffic calming measures installed on Lake Park Drive will reduce the stopping sight distance requirements to a 25 miles-per-hour speed, 275 feet, for west bound traffic east of Bella Vista Way at the traffic circle of Arbor Circle east, and the driveway for Lots 36 and 37. Layout design of traffic circle and lane transitions are to be per the FHWA publication “Roundabouts: Informational Guide” and as recommended by the City Traffic Engineer. All traffic calming improvements are to be constructed with the first phase of development.
11. The westerly intersection of Arbor Circle and Lake Park Drive is to be signed and posted as right turn only with a one way R6-1(right arrow) sign placed in the

median opposite the driveway. A raised median is to be constructed to prohibit left turn movements onto Lake Park Drive. The raised median is to include a left turn pocket with a 2 car length stacking bay for access to Lot 7 of the Bicentennial Estates Subdivision. The median is to be designed with 15:1 tapers from to the centerline of Lake Park Drive reducing the travel lanes to 14 feet approximately from station 3+50 to 4+75. The medians and approach flares are to be filled and covered with a stamped concrete, or stamped asphalt pavement. The approach flares are to have a 3 foot radius curb return with City Standard 212, Traffic Markings Median Island Treatment.

12. Access to Lake Park Drive from the subdivision is to be through City Standard 250D (Alternate B) curb return driveways with a 25 foot curb return radius. Sidewalks are to transition through 20 foot radius reverse curves from contiguous to behind the driveway ramp then back to contiguous.

GRADING

13. This is a phased development. Design and construction of private and public improvements including sewer, water and storm drain improvements are required for the individual phases to be developed as stand alone projects independent of the other but to be extended for full build out. Public and private utility and drainage improvements to be extended with future phases are to be capped and temporary field inlets installed at phase lines. All offsite SUSMP best management practices improvements are to be constructed with the first phase.
14. 2 copies of the Phase 1 Environmental Site Assessment shall be included with the submittal of the first plan check. 1 copy is to be submitted directly to the Fire Department and review fee paid, a copy of the receipt shall be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
15. Fill slope areas identified as being heterogeneous fill in the Soils Report and which are being constructed upon will be required to be removed per the recommendations of the Soils Engineer and replaced with engineered fill or retaining walls when used for structural support of new fills, structures, slabs, and pavement as shown occurring on Lots 1, 36 and 37. The construction of new engineered fills are to protect and maintain existing subdrains not being removed for the new fill construction and incorporate them into the subdrain system. Fill slope easements for Lake Park Drive may be reduced with the reconstruction of heterogeneous fill slopes for the roadway reducing the slope area and construction of retaining walls to replace need for engineered earthen roadway fills. Reduced public slope easements are to include the keyways of slopes or retaining walls when used in lieu of slope construction. The slope easement through Lots 36 and 37 may be abandoned within the limits of the engineered fill and retaining wall construction for the pads and driveway. Keyways of all engineered slopes are to include subdrains discharging to daylight and provided with cleanouts. No sliver fills are allowed. Record plans are to show cleanout locations located by survey.

16. Soil Creep areas identified on the tentative map and referenced in the stamped and signed RGH Soils Report dated May 18, 2005, and update letter of March 29, 2010, are to be repaired as recommended upon additional site investigation by the Soils Engineer with the First Phase of development. Prior to approval of plans for any slope repair work offsite, a letter of permission is to be obtained from the affected offsite property owner.
17. The fill slopes for Lake Park Drive are to be regraded and buttressed as necessary for the development of Lots 1, 36, and 37. All subdrains are to be relocated and cleanout locations adjusted to new grades and as recommended by the Soils Engineer. Fill slopes for Lake Park Drive are not to be landscaped.
18. No sliver fills are allowed. Fill slopes are to be keyed into hillside with subdrains outletting to daylight. Subdrains are to be surveyed in for placing on the record grading plans together with the location of all clean outs. Clean outs are to be "Y" connections or a variation that provides a sweep connection for future cleaning. No 90 degree bends are allowed for clean out access. The Final Soils Report is to be submitted to the City detailing the remedial work done and recommended maintenance program and use restrictions to protect against future slope failure. Maintenance and use restrictions will be the responsibility of the Home Owners Association to monitor and police
19. Retaining walls that are required for the common rough grading of the subdivision are to be owned and maintained by the Home Owners Association. Retaining walls crossing from common area over individual property lines are to remain common and are to be contained in maintenance and access easements that include but not be limited to the wall, foundation, and subdrain being granted to the Home Owners Association.
20. Retaining walls necessary for grading between individual properties in constrained areas where standard graded slopes are not practical are to be contained in a Maintenance and Access easement common to those properties. The easement is to contain but not be limited to the wall, foundation, subdrain system, and subdrain outlets. Retaining walls necessary for the establishment of graded pad areas for construction of common access and utilities serving 2 or more lots are to be owned and maintained by the Home Owners Association. Common retaining walls where contained on individual lots are to be in an easement containing the foundation and subdrain system granted to the Homeowners Association. The retaining walls running between Lots 2 and 3, and Lots 4 and 5 are owned in common and covered with lot specific maintenance and access easement that includes the foundation, subdrain system, and subdrain outlets.
21. A Final Storm Water Mitigation Plan (SWMP) using Low Impact Development (LID) Best Management Practices (BMP) is to be included with the Improvement Plans and Final Map submitted for the First Plan Check. All SWMP details and improvements are to be included in the Subdivision Improvement Plans.

22. After the SUSMP LID BMP improvements have been completed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation and is to be received by the City prior to final acceptance of subdivision improvements. The maintenance schedule and the Final SUMP are to be included as part of the Home Owners Association Bylaws and in the C.C. & R's.
23. The Preliminary Storm Water Mitigation Plan stamped received November 10, 2008 calls for use of bio-retention/filtration areas, vegetated filters, and media filters in catch basins as needed to treat street areas. Bio-retention/filtration areas are to be lined and under drained with drainage pipes connected to the piped storm drain system to prevent water infiltration to the soils on the slope and as recommended by the Soils Engineer. Vegetation filter stripes may be used where bio-retention basins are not applicable. Site runoff from the project will be designed so that it will not exceed the 2 year 24-hour pre-development flow rate. Detention or retention of the treated storm runoff will be handled in underground systems as determined in the Final Storm Water Mitigation Plan submitted with the subdivision improvement plans.
24. Pipe trenching and backfill in slope areas and near retaining walls are to be as recommended and construction supervised by the Soils Engineer.
25. An outfall is to be constructed to discharge from Arbor Circle into the drainage swale from Lake Park Drive. The outfall is to be privately owned and maintained by the Home Owners Association and built to Sonoma County Water Agency Design Standard outlet with loose rock collar earth cover to fill rock voids for slope protection and rip rap erosion protection extending from the outfall invert to the Austin Creek channel. Prior to issuance of any grading permit by the City for this subdivision all necessary permits from other agencies with jurisdiction for work in creeks and waters of the state are to be obtained and copies provided to the City.
26. No new stream outfalls or alterations to the streambed are expected but if needed they will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
27. A Homeowners Association is required for this subdivision and will be responsible to own and maintain the common parcel and improvements together with the SUSMP LID BMPs. Private SUSMP LID BMP improvements required by the Final SWMP to be contained on the individual properties are to be owned and maintained by the property owners and are to be inspected on an annual basis by the Home Owners Association. The Developer shall establish a backup alternative to provide the means acceptable to the City in the event the property owners by an election or other means of termination abrogate their maintenance responsibility. The backup alternative is to insure funding for the

maintenance of the Common parcel, and SUSMP LID BMPs, into perpetuity and which is capable of automatically assuming the maintenance funding obligation in the event the primary method is no longer available. The documents creating the method for permanent maintenance and any necessary backup alternative(s) shall be subject to and have been approved by the City Attorney and the City Engineer and in place prior to approval of the final map and be noted on the information sheet of the Final Map.

TRAFFIC

28. Arbor Circle will be a private street. As such, there will be no maintenance or operations support provided by the Public Works Department. Signs indicating PRIVATE STREET are to be installed on both entrances to Arbor Circle. Enforcement of parking violations will be accomplished by the homeowners association addressed in the CC&R's and stipulate that violators will be towed. Signs that advise motorists of the tow away enforcement with a phone number to call to recover towed vehicles are to be installed on Arbor Circle. Arbor Circle will meet the definition of a residence district in California Vehicle Code section 515. Speed Limit 25 miles per hour signs should be installed at both entrances to Arbor Circle.
29. The City recently installed a double yellow centerline (Detail 23) on Lake Park Drive, east of Bella Vista Way. The double yellow centerline should be extended from Bella Vista Way traffic circle to the left turn island at Arbor Circle West.
30. Corner sight distance (7.5-second criteria) for 35 miles per hour is to be provided looking west for the westerly driveway connection onto Lake Park Drive regardless of any posted speed limit.
31. Lake Park Drive is to be posted for no parking on both sides along the project frontage for the parking circle and roadway width transition areas leading up to the traffic circle and in the area of the raised left turn median adjacent to the westerly driveway of Arbor Circle to Lake Park Drive. Signs calling out "slow reduced roadway" and "end of reduced roadway" are to be installed at the beginning of the lane reduction and at the end of the lane reduction.
32. Signing for the traffic circle on Lake Park Drive shall consist of City Standard 721 Traffic Marking Median with one way arrow in the traffic circle median facing oncoming traffic and W2-6 Circle Arrows with W16-12P Traffic Circle Placard installed 150 feet from the traffic circle facing oncoming traffic in all directions.
33. Arbor Circle west intersection with Lake Park Drive shall be signed as a controlled stop prior to crossing the sidewalk with a right turn only sign, Lake Park Drive shall be a free through at the intersection.
34. Prior to removing and salvaging any existing street lights and signal equipment the contractor shall contact Steve Kroeck, 543-3891, Street Maintenance

Superintendent to identify that equipment to be salvaged and delivered to the Maintenance Yard Storage Area.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

35. Arbor Circle is to be a private street improved to minor street standards. Street improvements shall consist of 2 travel lanes, with a parking lane on one side, a planter strip on one side with a sidewalk behind the planter strip on the northerly side of the centerline, and a contiguous sidewalk on the southerly side maintaining a minimum 4 foot clearance around all obstacles and driveway locations. The roadway and sidewalk are to be contained in the common parcel owned and maintained by a Home Owners Association. See the Standard Conditions of Approval for dimensions.
36. The intersections of Lake Park Drive and Arbor Circle shall be graded to provide clear vision triangles in both directions. Embankments are to be graded to maintain a maximum height of 3 feet within the vision triangle.
37. Driveways for the individual residential clusters are to be contained in a 27 foot wide Public Utility Easement dedicated to the City. The driveways shall be a minimum of 20 feet wide with a uniform 2% cross slope from a concrete curb to curb and gutter and shall be covered by joint access and utility easements. The common drives shall access Arbor Circle through City Standard 250B driveway curb cuts, 24 foot wide cuts and then taper to 20 foot 20 feet past the sidewalk.

UTILITIES

38. For purposes of leak detection and maintenance access, no reinforced concrete may be designed over publicly maintained water or sewer facilities. Unreinforced concrete will be allowed under special circumstances such as crosswalks. Water system valves must be located outside of the concrete area. (The entrances to Arbor Circle)
39. The addition of a traffic circle to the intersection creates issues for Utilities. No public water or sewer mains shall be under the circle island. The public water main shall be relocated out from under the island and curb and gutter.
40. A manhole on the private main serving lots 14- 21 is required to separate the public and private sewer systems, or if a public sewer main a turn around is required.
41. There is an existing water service shown off the main in Lake Park Drive near lot 18 and 35. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an encroachment permit.

42. Where bio swales are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check.
43. An Air and vacuum release valve is required at the high point of the water line in Arbor Circle if there is not a water service at this point.
44. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes should be listed on the information sheet of the Final Map.
45. An easement must be provided over public water and/or sewer mains where applicable (Arbor Circle is shown as private). The easement must be 20' wide if containing both water and sewer, or 15' wide if containing only water or sewer; or the width must be equal to twice the depth of the mains, whichever is greater. See Section 313.3 (c) of the Uniform Plumbing Code. Easements must be centered over the facility. Easements must be configured to encompass all publicly maintained appurtenances, such as water services, fire hydrants and sewer laterals. No structures may encroach on any Public water or sewer easement on, above, or below the surface of the ground. This includes footings of foundations or eaves from the roof of any adjacent structure. Trees may not be planted within 10' of a public sewer main. The City Utilities Department will not be responsible for repairs or replacement of landscaping in public sewer main easement (and shall be so noted on the Final Map).
46. Sewer relief valves will be required for any lots where the flood level rims of any house fixtures are below the elevation of the next upstream manhole cover. Refer to UPC, section 409a. The Final Map must be annotated with the lots required to have sewer relief valves.
47. Residential fire sprinklers are required with the development. The water lateral and meter must be sized to meet fire flow requirements.
48. The Improvement Plans must clearly identify all lots requiring pressure regulating valves (more than 80 psi static pressure at meter). The Final Map information sheet must also be annotated with this information.
49. Submit landscape and irrigation plans in conformance with the Single Family Residential Landscape Policy adopted by the Santa Rosa City Council, Resolution No. 26690, on October 17, 2006. Submit Peak Month Water Use Estimate (Appendix A) and Certificate of Conformance (Appendix B). On landscape and irrigation plans, include the total planned square footage of planted areas for high water use plants (i.e.- turf, annuals and container plants); moderate water use plants (i.e. - ornamental trees, shrubs ground covers, and perennials primarily irrigated by sprinklers); and low water use plants (i.e. - drought tolerant plants irrigated primarily through drip emitters). The planting plan must include specific plant names that fit in each category per the Water Use Classification of Landscape Species (WUCOLS-UC Extension).

FIRE

50. Site address signage per current Fire Department Standards shall be established and maintained during and after any combustible construction or intensification of site use. See SRFD Information Bulletin 015 for details.
51. Traffic control devices and permanent fences or gates limiting vehicle access shall be approved by the Fire Department.
52. Required Fire Department access roads shall be signed "No Parking – Fire Lane" per current Fire Department standards.
53. The City of Santa Rosa has adopted a local ordinance which requires automatic fire sprinkler systems in virtually all new construction. Sprinkler systems for single-family residences typically require 1-1/2" service laterals, 1" water meters and 1" backflow devices.
54. Landscaping shall comply with the Defensible Space and Vegetation Management standards described in Fire Department Information Bulletin 052.
55. The Homeowners/Condominium Association shall be responsible for maintaining all fire protection appliances and roadways to current applicable standards.
56. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

PARKS AND RECREATION

57. The Developer shall provide a means acceptable to the City to fund the maintenance of the landscaped parcels into perpetuity through a special tax district, CC&R's, property owners association, and/or other acceptable method. Parcel "A" shall not be conveyed or dedicated to the City. In the event the developer chooses a method of assuring perpetual maintenance which is subject to revocation by the property owners by an election or other means of termination, Developers shall establish a backup alternative which will be capable of automatically assuming the maintenance funding obligation in the event the primary method is no longer available. The documents creating the method for permanent maintenance and any necessary backup alternative(s) shall be subject to and have been approved by the City Attorney and The Director of Recreation and Parks and in place prior to approval of the final map. The landscaping improvement plans and standards for maintenance shall be subject to approval by the Department of Recreation and Parks.
58. The property owners and/or homeowners association shall be responsible for the irrigation and maintenance existing trees, new landscape improvements, bioretention areas and common areas.

59. Street trees will be required and planted by the developer. Selection will be made from the city's approved master plan list and inspected by the Parks Division. Planting shall be done in accordance with the city *Standards and Specifications for Planting Parkway Trees*. Tree planting location shall be marked by Parks Division Tree Section personnel; contact (707) 543-3422. Copies of the master street tree list and the standards are available at the Parks Division Office (707) 543-3770. This declaration shall be added to the General Notes of the improvement plans.
60. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance. The fee amount shall be determined by the resolution in effect at the time.

Larry Lackie
PROJECT ENGINEER