

RESOLUTION NO. 11026

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE VILLAS PROJECT LOCATED AT 1755 SEBASTOPOL ROAD AND 1700 HAMPTON WAY, ASSESSOR'S PARCEL NUMBER(S) 125-071-014, 125-031-022 & 010-311-028 - FILE NUMBER MJP05-020/REZ05-005

WHEREAS, on June 21, 1994, the Council of the City of Santa Rosa certified a final environmental impact report for the Southwest Santa Rosa Area Plan (Resolution 21805), entitled "Southwest Santa Rosa Area Plan Final Environmental Impact Report," a master environmental impact report; and

WHEREAS, the Southwest Santa Rosa Area Plan Final Environmental Impact Report identified nine unavoidable significant effects attributable to implementation of the Southwest Area Plan; and

WHEREAS, on June 21, 1994, the City Council, as lead agency, adopted a Statement of Overriding Considerations (Resolution 21804) for the significant unavoidable effects attributable to implementation of the Southwest Area Plan; and

WHEREAS, in June 2000 the City reviewed the master EIR for adequacy; and

WHEREAS, the City's Environmental Coordinator conducted an initial study on the possible environmental consequences of the proposed Villas project, including review of project for impacts not within the scope of the Southwest Santa Rosa Area Plan EIR, which study was initially completed December 27, 2005; and

WHEREAS, the study, in its final form, did not identify any significant effects on the environment which would result from the proposed project 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 Villas project have been clearly mitigated by the identified mitigation measures 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 November 9, 2006 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 Villas project will not have no additional 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 Villas project.

BE IT FURTHER RESOLVED that the Planning Commission adopts the Mitigated Negative Declaration with mitigation measures, and the Mitigation Monitoring Program dated December 27, 2005 and directs staff, as therein identified, to implement and complete the program.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 9th day of November 2006, by the following vote:

Ayes: (6) (Cisco, Faber, Gorin, Poulsen, Walsh, Bartley)

Noes: (0)

Abstentions: (0)

Absent: (1) (Arendt)

APPROVED: Sam P. B. Smith

CHAIRMAN

ATTEST

Charles J. Regalado
EXECUTIVE SECRETARY

RESOLUTION NO. 11028

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A ZONING
VARIANCE FOR THE VILLAS PROJECT LOCATED AT 1755 SEBASTOPOL ROAD/1700
HAMPTON WAY - FILE NUMBER MJP05-020/ZV05-020

WHEREAS, an application was filed with the Department of Community Development requesting the approval of a Zoning Variance for The Villas Project, to be located at 1755 Sebastopol Road and 1700 Hampton Way, also identified as Sonoma County Assessor's Parcel Number(s) 125-071-014, 125-031-022 & 010-311-028; 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 project; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, the Planning Commission of the City of Santa Rosa finds and determines:

- A. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this Zoning Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts or creates an unnecessary and nonself created hardship or unreasonable regulation which makes it obviously impractical to require compliance with the applicable development standards in that the site size and shape provides limited opportunities to place buildings and roads to meet city standards and achieve the required density. Furthermore, the site backs up to a nonconforming commercial use with a similar medium residential land use designation and an open space use, which do not justify the need for a larger rear yard setback to be imposed.
- B. A non-self created hardship peculiar to the subject property does exist by reason of the conditions, and that these conditions are not common to all or most of the properties in the immediate area which are also within the identical zoning district in that the owner does not have control over the property dimensions, applicable City development standards and location of the site adjacent to a nonconforming commercial use and open space trail is unique.

- C. Granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity which are within the identical zoning district as the subject property, and that a Variance, if granted, would not constitute a special privilege to the subject property which is not held or enjoyed by neighboring properties within the identical zoning district in that the variance is necessary to enable development that complies with the City's development standards and General Plan land use diagram.
- D. The Variance would not be of substantial detriment to adjacent properties and would not be in conflict with the purposes and intent of this Zoning Code, the General Plan, any applicable specific plan, or the public interest or welfare in that the variance would enable the property to develop with a medium density residential housing project in compliance with the City's development standards and General Plan land use diagram, and would not conflict with the existing or future anticipated medium density residential land uses in the area.
- E. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that a Mitigated Negative Declaration has been prepared for the Villas project and adopted by separate resolution.

BE IT FURTHER RESOLVED that a Zoning Variance for The Villas Project, to be located at 1755 Sebastopol Road and 1700 Hampton Way, is approved subject to each of the following conditions:

DEPARTMENT OF COMMUNITY DEVELOPMENT

GENERAL:

- 1. This Zoning Variance shall allow structures to maintain a minimum 10-foot rear yard setback along the west project boundary, adjacent to 1885 Sebastopol Road and 705 Stony Point Road, and along the Joe Rodota Trail boundary for development of single-family attached units as indicated on related Design Review and Tentative Map approvals submitted as a part of project MJP05-020.

EXPIRATION AND EXTENSION:

- 2. This Zoning Variance 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.

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 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 9th day of November 2006, by the following vote:

Ayes: (6) (Cisco, Faber, Gorin, Poulsen, Walsh, Bartley)

Noes: (0)

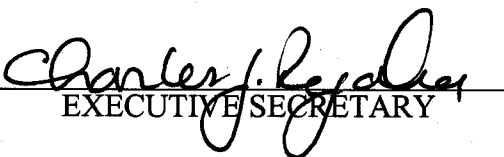
Abstentions: (0)

Absent: (1) (Arendt)

APPROVED:


CHAIRMAN

ATTEST:


EXECUTIVE SECRETARY

RESOLUTION NO. 11029

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING THE VILLAS TENTATIVE MAP LOCATED AT 1755 SEBASTOPOL ROAD
AND 1700 HAMPTON WAY - FILE NUMBER: MJP05-020/MAJ05-008

WHEREAS, an application has been submitted by Vince Rizzo & Associates requesting approval of a tentative map of the Villas project, more particularly described as Assessor's Parcel Number(s) 125-071-014, 125-031-022 & 010-311-028, dated August 18, 2006 and on file in the Office of the Department of Community Development; and

WHEREAS, the applicant had the opportunity to propose 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 14.19 acres into 197 rowhouse lots, 1 commercial parcel, and common parcels 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. The proposed tentative map for the Villas project is consistent with the General Plan and Southwest Area Plan as specified in Government Code Sections 65451 and 66474.5 in that, as designed and further conditioned by the Planning Commission, the proposed lot pattern and resulting mix of single-family attached residential units satisfies the General Plan Medium Density Residential and Retail and Business Services land use designations and applicable policies, and the Southwest Area Plan including General Plan Policies LUL-F-3, UD-C-6, UD-F-3, UD-F-4, Southwest Area Plan Goals H-1, CD-5, CD-6.
- B. 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 in that the project complies with the City housing goals by providing medium density residential development at the mid-point of the General Plan density range, public facilities and services are available to serve the project, and development impact fees will be collected for the projects fair share contribution toward improvements required for development in the Southwest Area, including fees for fire services, water, sewer, stormdrainage, and transportation infrastructure improvements, schools, and parks improvements.

- C. The design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision in that technologies exist that would enable the owners to install solar collection systems on the roofs of the structures. Compliance with Title 24 and implementation of any voluntary Green Building techniques will help satisfy this criteria.
- 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 in that the site will be required to connect to the City's sewer system and adequate capacity exists to serve the project at the densities proposed.
- E. The proposed subdivision, as designed and further conditioned by the Planning Commission, is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design in that the proposed lot pattern, streetscape and proposed open space amenities will enable commercial and single-family attached development to occur in a manner that is consistent with and implements all relevant Design Guidelines criteria, particularly those contained within Sections 1.1, 3.2, and 4.6.

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 of the City of Santa Rosa approves the "The Villas Tentative Map" dated September 28, 2005 on file in the Department of Community Development, subject to the following conditions:

- 1. Compliance with the Development Advisory Committee Report dated October 11, 2006 shall be required.
- 2. That the project Conditions, Covenants, and Restrictions 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.
- 3. The setback requirements that apply to the numbered residential lots pursuant to the R-3-15 District standards at the time of the project approval shall be noted on the tentative map informational sheet 3, including any setback variances approved by the Planning Commission (i.e., ZV05-020).
- 4. 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.

5. 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.
6. The developer shall pay park fees in effect at the time the building permit is issued.
7. The developer shall provide on-site allocated units in compliance with the Housing Allocation Plan or 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. If on-site units are provided the following condition shall apply:
 - A. The developer shall sign an Affordable Housing Contract prior to recordation of the final map in order to assure long term affordability of the allocated unit(s). No occupancy shall be allowed to more than five of the development's non-allocated units for each required allocated unit that is constructed and is available for occupancy. A note of this condition shall be placed on the supplemental information sheet on the final map.
 - B. After rounding, the fractional allocated unit balance shall be discharged through payment of a fee. The fee shall be paid prior to the approval of the final map, or if not previously paid, prior to the issuance of the first building permit for the development. The fee to be paid shall be calculated at the time of payment in accordance with City Code Section 21-02.110.
8. Prior to the approval of any final map, the applicant shall have obtained a rezoning of the subject property which conforms in all respects to the rezoning recommendation(s) of the Planning Commission for REZ05-005.
9. All required zoning reviews and entitlements shall be obtained and compliance with all applicable development and design review standards shall be demonstrated to the satisfaction of the review authority for development of the commercial and residential parcels.
10. Development of the commercial parcel requires approval of separate zoning entitlements in compliance with the zoning code.
11. Prior to recordation of the final parcel map the applicant shall obtain Design Review approval for the single-family attached housing project and incorporate any relevant conditions.
12. **PROJECT DETAILS:** The following shall apply to design review and development of the project and shall be addressed to the satisfaction of the Planning Division prior to recordation of the final map:

- A. Common open space parcels shall include pedestrian amenities as required by the Design Guidelines, subject to review and approval by the Design Review Board.
- B. Development of the single-family attached residential units shall comply with the building code and Design Guidelines and be subject to review and approval by the Design Review Board.
- C. Minor adjustments to property lines shall be permitted and made on the Final Map in order to satisfy building codes and achieve compliance with design review criteria and approvals.
- D. Turnaround space provided in front of adjacent parcels for units on lots 6, 15, 24, 33, and 42 shall be protected with covenants or easements in the CC&R's enforced by the homeowners association, and shown on the tentative map informational sheet 3. The final development plan shall demonstrate that sufficient turnaround space is provided and will be maintained to the satisfaction of the City Engineer.
- E. The sound wall required for the project shall be architecturally designed, landscaped and bunkered behind earthen berms to the extent feasible in compliance with General Plan and Design Guideline criteria, subject to review and approval by the Design Review Board.
- F. A sufficient mix of 2 and 3-story unit types adjacent to Highway 12 shall be provided, subject to review and approval by the Design Review Board.
- G. Any fencing over 3-feet proposed along the numbered residential parcel lines adjacent to the proposed recreation area (s) and Joe Rodota trail shall consist of visually open wrought iron or similar fencing. Fence details shall be reviewed and approved by the Design Review Board.
- H. Development plans submitted for design review approval shall demonstrate that windows, decks, etc. are oriented toward public open space to ensure eyes on the park are achieved.
- I. The project shall provide pedestrian linkages between units and adjacent open space uses, including Joe Rodota Trail, as indicated on the project development plans submitted for review with the tentative map.
- J. Building materials, colors and details shall vary sufficiently between unit clusters to avoid a monotonous design within the development tract, subject to review and approval by the Design Review Board.
- K. Differentiated pavement details shall be specified on improvement plans as indicated on the development plans submitted with the tentative map.
- L. The details for all landscaping and hardscape areas shall be reviewed and approved by the Design Review Board.

M. CC&R's shall specify that the homeowners association shall be responsible for maintenance, repair and replacement of decorative concrete and paving within the project, including decorative paving proposed within the public streets. This shall include paving removal or damage that occurs as a result of City crews completing necessary work on public utilities.

N. 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.

13. The following CEQA Mitigation Measures shall be implemented with development of the project:

Earth:

- A. The project shall be designed using the standards of CBC Seismic Zone 4, including Near-Source Factors for Seismic Source A, as the minimum seismic-resistant design.
- B. Implement Air and Water section mitigation measures to address erosion and dust abatement controls during construction.

Air Quality:

- C. Dust abatement practices as contained in the CEQA Handbook of the Bay Area Air Quality Management District shall be implemented during construction. The specific abatement practices required shall be specified in construction notes on grading and building plans.
- D. SWAP MEIR Mitigation Measures 3.2.4-1 through -4 shall be implemented as required prior to recordation of final maps and during construction. Appropriate construction notes shall be indicated on project improvement plans and grading plans to demonstrate compliance.

Water:

- E. The improvement plans for the project shall incorporate SUSMP measures to the extent feasible to reduce rate and amount of surface runoff and pollution from the site entering stormdrains.
- F. Best Management Practices shall be employed during construction. BMP's shall be specified in the notes and details on grading and construction plans.
- G. Implement SWAP Mitigation Measure 3.2.2-2. (i.e., Water Quality – Grading).

Noise:

- H. Prior to construction of residences, a noise barrier shall be constructed along the northern side of the Hampton Way parcels to mitigate the noise impacts caused by

traffic noise generated along State Route 12. The noise barrier shall be constructed airtight at the face and base, have a surface density of at least 3 pounds per square foot, and be at least 8 feet tall. The barrier shall extend the entire northern boundary of the Hampton Way parcels. Such a barrier would provide about 9 decibels of noise attenuation to ground level units as well as outdoor activity areas.

- I. To reduce the potential of existing older residential uses of experiencing an increase in noise due to reflection, the noise barrier shall be sound absorbing to the extent feasible.
- J. Plans and specifications for the soundwall shall be included on improvement plans submitted with the tentative map, and certified by an acoustical engineer and geotechnical engineer (to verify suitable foundation construction) to ensure sound wall noise attenuation would be achieved and maintained for the duration of the project.
- K. A solid wall, not exceeding 8-feet in height, shall be constructed along the west and south boundary of the Sebastopol Road parcel (i.e., around the two-story townhome parcels).
- L. The ongoing maintenance of exterior noise barriers in sound condition and appearance shall be specified in CC&R's as the responsibility of the Homeowners Association.
- M. Sound insulation features shall be indicated on building plans in the design of the upper levels of some of the Hampton Way units. A detailed analysis of noise exposure that identifies these features for all units shall be conducted before building plans are submitted. The State of California Building Code (enforced by the City for all housing) requires that interior noise levels not exceed 45 L_{dn} in all habitable rooms. In accordance with State Building Code requirements, the acoustical analysis should indicate the noise control treatments necessary to maintain indoor noise levels at or below 45 dB L_{dn} . Appropriate building design would be necessary to maintain indoor noise levels to meet City and State requirements.
- N. All residences shall be provided with forced air mechanical ventilation satisfactory to the City of Santa Rosa so windows may be kept closed at the discretion of the occupants to control noise intrusion.
- O. Sound insulation features shall include Sound Transmission Class (STC) rated windows, with STC ratings that are higher than "standard" units, in upper floors of walls facing or perpendicular to State Route 12.
- P. Building plans and detail specifications shall be certified by a registered acoustical engineer as compliant with applicable standards.
- Q. SWAP EIR Mitigation Measure 3.2.5-1 shall be implemented and included in construction notes on project improvement plans, grading plans and construction plans.

Utilities:

- R. Implement SWAP EIR Mitigation Measure 3.1.6-1. ("Incorporate drought-tolerant landscaping, and low flow plumbing fixtures to minimize water use.") Compliance shall be demonstrated with a signed certification of compliance on landscape and building plans.
- S. Implement SWAP EIR Mitigation Measure 3.2.2-2 (Water Quality-Grading). Required measures shall be indicated in construction notes on improvement plans, grading and construction plans.
- T. Submit all final landscape plan(s), e.g., final Improvement Plan planting, etc., to the City of Santa Rosa Utilities Division to review and approve for compliance with the City Landscape Policy prior to issuance of grading and building permits.

Public Services:

- U. Implement SWAP EIR Mitigation Measure 3.1.7-4 (School Facilities – required City Council findings). The applicant shall provide a response to the required findings prior to project approval by the City Council.
- V. Prior to recordation of a final map the applicant shall meet with the Parks Department to calculate park impact fees required for the subdivision.
- W. Park and landscape improvements and amenities shall be installed by the developer as indicated on project plans. Project CC&R's shall specify that the project's common park and landscape amenities shall maintained by the homeowners association.

Transportation/Circulation:

- X. Minimum parking requirements shall be maintained along the project frontage to meet the City parking standards (i.e., numbers, locations and dimensions). If necessary, adjustments shall be made to reduce the size or number of units, or approval of an appropriate adjustment to the parking standards shall be obtained to maintain compliance.
- Y. Prior to recordation of the final map and acceptance of improvement plans, the applicant shall obtain necessary permits and approvals from City and County Department of Public Works, Transportation and Traffic Divisions for extension of a road from the site to Roseland Avenue.
- Z. To mitigate potential adverse impacts on users of Joe Rodota trail, improvement plans shall specify the appropriate traffic controls at the trail/road intersections during and post construction. This shall include appropriate traffic control signs and traffic control personnel during construction. The Improvement Plans shall be approved by the City of Santa Rosa Engineering Division and County Regional Parks Department.

AA. All traffic signalization improvements proposed along Sebastopol road in conjunction with this project shall be reviewed and approved by the City Department of Public Works, Traffic Division prior to acceptance of final project improvement plans.

BB. Traffic mitigation impact fees shall be paid in accordance with the City Fee Schedule prior to issuance of permits.

Aesthetics:

CC. To the extent feasible, and to the extent allowed or required as a condition of project approval, the applicant shall plant vines to grow along the face of the soundwall adjacent to Hwy 12, and/or pursue an encroachment permit approval from Caltrans to place landscape planting in the right-of-way, or provide similar landscape or architectural treatments provided in the design of the wall as required by the City of Santa Rosa Design Review Board to minimize its appearance.

Recreation:

DD. Prior to recording the final map, the developer shall contact the Department of Parks and Recreation to calculate the project's park fees.

Cultural Resources:

EE. Implementation of SWAP measure 3.1.9-1 is recommended in the event evidence of human remains or artifacts of a prehistoric, cultural or archeological significance are encountered. The county coroner and a qualified archaeological/cultural resource professional shall be contacted to inspect the find and make recommendations prior to proceeding with site work in the area. This requirement shall be included in construction notes on all plans.

FF. Improvement plans for Street B shall be designed to maintain minimum yard areas for properties and residences at 439 Roseland and 377 Roseland Avenue.

Hazards:

GG. In the event hazards are encountered during construction, all work shall halt until the Fire Department and appropriate state regulatory agency has been contacted to evaluate the site and provide its recommendations. This requirement shall be included in construction notes on all site improvement, grading and construction plans.

HH. Orient development to have eyes on parks and trails to minimize potential safety issues. Building windows shall and patios shall orient toward the park and Jo Rodota trail. Patio and property fencing shall be unobstructed and visually open. Small, enclosed private patio areas may be provided next to the residences.

II. The project subdivision map and structures shall be designed to comply with building code standards for rowhouse development. Alternatively, the project

subdivision and structures may be modified and designed as an airspace condominium project or similar development.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 9th day of November, 2006, by the following vote:

Ayes: (6) (Cisco, Faber, Gorin, Poulsen, Walsh, Bartley)

Noes: (0)

Abstentions: (0)

Absent: (1) (Arendt)

APPROVED: _____

CHAIRMAN

ATTEST: _____

EXECUTIVE SECRETARY

DRAFT

DEVELOPMENT ADVISORY COMMITTEE REPORT

Revised
October 11, 2006

THE VILLAS

Project Description

LOCATION.....1755 Sebastopol Road/1700 Hampton Way

APN.....125-071-014, 010-311-028 & 125-0312-022

GENERAL PLAN LAND USE.....Retail and Business Services
Medium Density Residential

ZONE CLASSIFICATION

EXISTINGIG General Industrial

PROPOSED.....R-3-15 & CG

OWNER/APPLICANTRizzo & Associates

ADDRESS.....PO Box 278
Kenwood, CA 95452

ENGINEER/SURVEYORCarlile Macy

ADDRESS.....15 Third Street
Santa Rosa, CA 95401

REPRESENTATIVE.....James Hummer & Associates

ADDRESS.....703 Second Street, Suite 200
Santa Rosa, CA 95404

FILE NUMBER.....MJP05-020

CASE PLANNERJoel Galbraith

PROJECT ENGINEER.....Larry Woods

Background

Request for subdivision of approximately 14.28 acres into one general commercial lot, 198 townhome lots, and 38 common parcels located in southwest Santa Rosa in a Medium Density Residential designated area. The site is predominately vacant and occupied by a golf driving range and single-family residence. The site is bordered by State Highway 12, Joe Rodota trail, commercial and industrial development, and a county island.

Conditions of Approval

- I. This project is for subdivision of approximately 14.28 acres into one general commercial lot, 198 townhome lots, and 38 common parcels.
- II. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated March 1, 2004 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received August 18, 2006:

Planning Conditions

1. The applicant has requested the following Growth Management Allotments:

RESERVE "A"					
RESERVE "B"	75	75	48		
	2006	2007	2008	2009	2010

2. Growth management allotments are not guaranteed and shall be adjusted according to the number of units approved and the availability of allocations in the given year at the time of project approval. Following project approval, staff shall send the applicant a letter indicating the year and number of units allocated to the project.
3. Approval of the Tentative Map as proposed is contingent upon concurrent approval of a variance for exterior yard setbacks. If the variance is not granted, the project shall be revised to comply with the Zoning Code setbacks.

4. A privately owned and maintained common recreational parcel shall be provided for residents and visitors as indicated on the Tentative Map.
5. Prior to recordation of a Final Map, the applicant shall obtain all related approvals required to develop the property as a cluster residential townhouse development as indicated on the Tentative Map and development plans, including rezoning to R-3-15 (or other appropriate district) and CG along Sebastopol Road, variance and design review approvals.
6. Setbacks from exterior property boundaries shall be indicated on a Supplemental Sheet 3 to be recorded with the Final Map.
7. Final Map and improvement plans shall address all applicable CEQA mitigation measures in conformance with an adopted mitigation monitoring and reporting program.
8. The Final Map shall substantially conform to the Tentative Map. Minor adjustments to parcel boundaries shall only be allowed as required to satisfy zoning standards and building code requirements.
9. A soundwall shall be designed and installed as specified by the project acoustical engineer prior to occupancy of any homes on the property.
10. Fencing shall be subject to Design Review and approval. Solid fencing shall not be permitted along parks and open space trail boundaries.
11. Units along Joe Rodota trail shall be designed to integrate with the trail and avoid creating "dead-spaces" between homes and the trail.

Engineering Conditions

Parcel and Easement Dedication

12. A Homeowner's Association shall be formed, responsible for ownership and maintenance of Common Parcels (i.e., Parcels lettered A through W, and Parcels lettered AA through PP). The Homeowners Association shall maintain these parcels together with the planter strip areas on Sebastopol Road and the planter strip areas on both sides of Street "A" and Street "B". The documents creating the Homeowner's Association and the Covenants, Conditions and Restrictions governing the Homeowner's Association shall be submitted to the City Attorney's Office and the Department of Community Development for review.

Public Street Improvements

13. This shall be a Tentative Map with a maximum of two phases in regards to the final map process as provided under City Ordinance and the State Subdivision Map Act.
14. Lettered street names, as shown on the Tentative Map, for this project are not acceptable street names but are used for reference only within this conditional approval. The applicant shall submit revised street names to the Building

Division of Community Development Department as soon possible for review and acceptance by all concerned agencies prior to approval of improvement plans. Contact John Aguirre at 707-543-3249 for assistance.

15. Street "A" shall be dedicated and improved as a Minor Street from Sebastopol Road to Street "B". Half-width street improvements for the west side of the street shall consist of a travel lane, with a parking lane, and a planter strip with a sidewalk. See the Standard Conditions of Approval for dimensions.
16. Half-width street improvements for the east side of the street shall consist of a travel lane only with curb and gutter for the first 160 feet from Sebastopol Road and shall consist of a travel lane and a parking lane with curb and gutter for the remainder of the east side through the Joe Rodota Trail and then shall consist of a travel lane with a parking lane and a planter strip with a sidewalk from the Joe Rodota Trail to Street "B". The area between the curb and the right-of-way from Sebastopol Road to the Joe Rodota Trail shall be landscaped and shall be maintained by the Homeowners Association.
17. Street "B" shall be dedicated and improved as a Minor Street from Street "A" to the easterly subdivision boundary. Half-width street improvements for both sides of the street shall consist of a travel lane with a parking lane and a planter strip with a sidewalk. See the Standard Conditions of Approval for dimensions.
18. Street "B" shall be improved within the existing 50-foot wide right-of-way easement as a Minor Street from the easterly subdivision boundary to Roseland Avenue. Half-width street improvements for the north side of the street shall consist of a travel lane with a parking lane and curb and gutter. Half-width street improvements for the south side of the street shall consist of a 10.5-foot wide travel lane with a 4-foot wide valley gutter.
19. Sebastopol Road shall be dedicated and reconstructed as a Boulevard along the entire project frontage. Half-width street improvements shall consist of removal of the existing contiguous sidewalk and replacement with a planter strip and sidewalk. See the Standard Conditions of Approval for dimensions.
20. Two copies of a Level 1 Assessment are required and shall be provided with the initial improvement plans submittal for review. The report shall address all remediation required.
21. Improvement plans shall include a complete street lighting, signing, and striping plan. Decorative Luminaire Street lighting shall be installed per City Standard 615D for the street lights.
22. Advance street name signs shall be installed on Sebastopol Road.

Traffic

23. Conduit and pull boxes shall be installed per City Standard for future traffic signal interconnect along Sebastopol Road.

Private Street/Driveway Improvements

24. When the distance from garage-face to garage-face is 28 feet, the garage openings shall be no less than 16 feet wide.
25. The common driveways shall be improved to Minor Street structural standards the full length of the driveway. Private driveway improvements shall be no less than 20 feet wide and shall have a concrete valley gutter no less than 2 feet wide at the center of the asphalt driveway.

Utility Department Conditions of Approval

Utilities Department project specific conditions of approval plans dated June 15, 2006 in Community Development:

26. The combined existing credit to be applied to the new project is 18,000 gallons of sewer capacity and 40,000 gallons of water capacity. The applicant may determine how the capacity credits will be applied to the project.
27. The 12-inch water stub from Sebastopol Road must be abandoned at the main per City Standards. The new 12-inch main must make a direct connection to the 12-inch water main in Sebastopol Road. The existing hydrant must be relocated to the corner of Street "A" and Sebastopol Road with the lateral connection to the water main in Street "A".
28. A turnaround per current City Standards must be provided at the end of Parcel F (as shown).
29. Design the water parallel to the sewer. The radius shown on the water mains do not meet the minimum standard radius. The minimum allowable radius of curvature for an 8-inch water main is 250 feet and for a 12-inch, 350 feet. In situation such as streets that have smaller radius curves, the water system will be designed in straight segments parallel to the sewer so that future locating is simplified.
30. Public water main must be extended (looped) through parcel "W" and connected to the exiting water main in Hampton Way. The sewer main in Hampton Way is a South Park Sanitation District main, no connections to the main will be allowed. Obtain an easement or right-of-way for the public water main crossing the Joe Rodota Trail as needed.
31. Sewer mains in the private driveways off of Streets "A" & "B" will be public. Decorative paving is shown on the plans. No reinforced concrete may be placed over public water mains.
32. Access maintenance roads and private driveways that have public sewer mains must be a minimum of 12 feet wide. The design of the access road shall include drainage measures required to prevent damage from water. Refer to XIV of the

Sewer System Design Standards and III.D of the Water Design Standards. No other facility, public or private, may be aligned within 5 feet horizontally of the sewer mains.

33. An easement must be provided over public sewer mains where applicable. The easements must be a minimum of 15-feet wide if containing only sewer. See Section 315 (c) of the Uniform Plumbing Code. Easements must be centered over the facility. Easements must be configured to encompass all publicly maintained appurtenances, sewer laterals, public cleanouts and manholes. No structures may encroach on any public 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 feet of a public sewer main. The City Utilities Department will not be responsible for repairs or replacement of landscaping in public sewer main easements (and shall be so noted on the Final Map).
34. If any gates will cross public water and or sewer mains, no footings shall be installed within 5 feet of the public water or sewer mains. Provide City Utilities Field Maintenance Operations 12 keys to the Knox locks. Access to public utilities including all structures (i.e. manholes, cleanouts, mainline valves etc.) is to be provided at all times. Details must be included on the Improvement Plans.
35. Water services must be provided per Section X of the Water System Design Standards. Each lot must be separately metered. Minimally, residential fire sprinklers are required in all three-story residential units; therefore, structures with residential sprinklers and three-story buildings must have double-check backflow devices installed per City Standard #875. There is limited space for the water laterals, meters, and backflow devices; therefore, the applicant must install multi-service manifolds on the frontages of Street "A" and Street "B" per City Standard #887. Meters and backflow devices must be installed outside of any traffic areas. Any nonstandard water services must be detailed on the Improvement Plans. All laterals and meters must be sized according to the fire flow calculations. Submit the fire flow calculations during the plan check process of the Improvement Plans to allow Utilities to approve size and location of meters and backflow devices. The commercial lot must be metered separately and have its own irrigation meter. If there are any residential units planned for lot #1, the commercial and residential uses must be metered separately. An irrigation service with reduced pressure backflow device per City Standard #863 and #876 must be installed for any common area needing irrigation.
36. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up. Indicate which lots will receive the credit.

37. An Industrial Waste Discharge Permit may be required for the commercial lot depending on the tenant. If required, it may be obtained from the City's Utilities Environmental Services Section. Contact Environmental Services at 543-3369.
38. A fire flow analysis must be provided to indicate that fire flows required can be met. Submit the analysis to both the Utilities and Fire Departments. A fire flow test will be completed at the time of the tie in of the project to the City system. The hydrant which will most likely produce the least flow will be tested. The fee to have the test performed must be paid to the Utilities Department prior to the test being performed. Fire access for three-story buildings must be a minimum of 28 feet; the current design will not meet this condition. The applicant should be aware that the number of fire hydrants being required for the project will necessitate a reduction in parking places.

Fire Conditions

The Fire Department has the following **Specific Conditions** regarding this proposed project:

39. Fire Department access roads shall be provided to within 150 feet path-of-travel distance of all portions of first-floor exterior walls of all structures. Architect shall modify design of proposed nine town home clusters so that access to rear yards is through a 1-hour rated passageway which is readily apparent from the street. If passageway is gated, gates shall have Fire Department approved (Knox) locks.

Applicant is advised that the following Fire Department **General Conditions** also apply to this project:

40. If any part of the site is to be permanently fenced for security purposes, at least one man gate (minimum 3 feet wide) with Fire Department approved lock shall be installed in a location approved by the Fire Department. Permanent fences limiting vehicle access shall be approved by the Fire Department and shall be equipped with strobe-actuated electric operators on both the ingress and egress sides. Egress actuator may be replaced with a magnetic detection loop.
41. All structures in excess of two stories or 35 feet in height and commercial structures in excess of 6,600 square-feet in area shall be provided with automatic fire extinguishing (sprinkler) systems.
42. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

Recreation and Parks Conditions

43. Street trees will be required and planted by the developer. Selection will be made from the city's approved master plan list and approved by the city's Tree Division. Planting shall be done in accordance with the city Standards and Specifications for Planting Parkway Trees. Tree planting locations shall be marked by the city Tree Division personnel. Contact Dan Watts at 543-3422 for tree approval and to mark tree planting locations. Copies of the master street tree plan list and the standards are available at both the Community Development and Parks Division offices. October Glory red maples (*Acer rubrum* 'October Glory') are the street trees specified for Sebastopol Road.
44. Park acquisition and/or park development fees shall be paid at the time of building permit issuance, and the amount shall be determined by the resolution in affect at the time. This project was deemed complete on April 22, 2005.
45. The irrigation for the street trees (*Acer rubrum* 'October Glory') and the maintenance of the planter strips on Sebastopol Road shall be provided by developer and continued in perpetuity by the private homeowners association.

Public Works -Traffic Conditions

The following signs should be included in the improvement plans:

46. No Parking [R26 (CA)] signs on the east side of Street A – Section A
47. Speed Limit 25, [R2-1 (25)] sign on the east side of Street A, north of Sebastopol Road
48. STOP (R1-1) sign on the west side of Street A at Sebastopol Road
49. Bicycle (W11-1) and Pedestrian (W11-2) signs on Street A in advance of the crossings of Joe Rodota Trail. If the crossing is a speed hump or speed table, a SPEED HUMP (W17-1) sign should also be installed in advance of the crossing. Also, if the crossing is a speed hump or speed table, the Fire Department should approve the installation.

Building Division Conditions

50. Obtain a demolition permit for the removal of the existing structures. An Air Quality District J# is required before the demolition permit can be issued.

51. Provide a geotechnical investigation and soils report as required by the Subdivision Map Act. The investigation shall include subsurface exploration and the report shall include grading, paving, and foundation design recommendations.
52. Obtain a building/grading permit for the subdivision improvements and individual lot grading.
53. Obtain building permits for each new structure. Any retaining wall and any fence or sound wall higher than 6 feet requires a building permit.
54. Obtain septic system and well abandonment permits from Sonoma County PRMD.

Transit Conditions

55. A bus stop shall be provided west of Street "A" (plan designation) with a handicap accessible path of travel from the sidewalk provided across the landscape planter strip. Room for provision of a bus shelter on site behind the sidewalk shall be considered in the final site plan.

Police Conditions

56. All residential buildings shall display a street number in a prominent location on the street side in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be of contrasting color to the background to which they are attached.
57. The numerals shall be no less than three to four inches in height and shall be of a contrasting color to the background to which they are attached.
58. The numerals shall be lighted at night.
59. There shall be positioned at each entrance dwelling an illustrated diagrammatic representation of the units which shows unit designations. The illuminated diagrammatic representation shall be protected by the use of vandal-resistant covers.
60. Primary living areas of individual units should be focused for observation of common use areas, adjacent units, recreational areas, common ground areas and outside vehicles parking to provide for self-policing and a sense of community.
61. Child play, teen, and adult areas are encouraged in locations with maximum observation from adjacent units.
62. Recreational areas should be positioned in the complexes to allow observation of the area by adjacent units, while at the same time allow area users to monitor activity around units as well.

63. Each entry and exit door shall be equipped with a light source of sufficient wattage to illuminate the door, porch, and stairway. Area lights, which controlled from inside the residence, are encouraged to illuminate the rear or side yard.
64. Adequate lighting of parking spaces, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with enough lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for all persons, property, and vehicles on site.
65. All lighting devices shall provide a minimum maintained one-foot candle of light during the hours of darkness around all exterior doors, aisles, passageways, walkways, parking lots, carports, storage areas, and recesses within the complex. Lighting shall be protected with vandal and weather resistant covers. Lighting levels shall be shown on project construction drawings.
66. Trees should not be located near lighting devices if they will inhibit the disbursement of light as the tree matures.
67. Wide-angled peepholes should be incorporated into all dwelling front doors and to all solid doors where visual scrutiny to the door from public or private space is compromised.
68. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame. The vertical play shall be taken up to prevent lifting of the movable section to defeat the locking mechanism.
69. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and under vulnerable windows.
70. Landscaping berms, plants, and shrubs should not exceed 2- 3 feet in height throughout the common areas of the complex. This allows a clear view of the grounds and acts as a deterrent from person(s) attempting to hide in the area.
71. "No Trespassing/Loitering" SJMC 10.20.140 (A) and 10.20.140 (D) posted at the entrances of parking areas and located in other appropriate places. Signs must be at least 2 feet by 1 foot in overall size, with white background and black 2-inch lettering.
72. Roof access to the buildings shall be internal only, with locking devices provided. Air-conditioning/heating ducts to the building should be barred to prevent unauthorized access to the building interiors.
73. Decks should be of an open design whenever structurally possible.
74. Exterior architectural and landscape features shall not be designed in a manner that allows access to the roof areas.

75. The project developer, owner, or general contractor shall provide the Police Department Records and Communications Manager a list of at least two persons who will be able to respond to this construction site after normal business or construction hours in the event of an emergency.
76. The construction site and all open storage of materials, supplies, and equipment should be secured by use of fencing and a lockable access gate. Any building or trailer used as storage or as an office should be within the fenced portion of the construction site.
77. Or, the developer should provide on-site security during the hours that construction personnel are not present. This would help eliminate potential thefts of building materials and vandalism of the construction site.
78. A copy of these conditions of approval shall be kept on the premises of the establishment (e.g. construction trailer) and be presented to any peace officer or any authorized official upon request.

The Development Advisory Committee is an administrative committee designed to inform the Planning Commission of technical aspects of various matters which the Commission is to consider. The report of the Committee no way constitutes approval or denial of the item under discussion. Final approval or denial rests with the Planning Commission and/or City Council and may or may not be subject to terms of the report.

Recommendation

___ Approval with conditions as set forth in this report.

___ Denial - Major Reasons:

___ Continuance.

___ Final Action Referred to the Planning Commission.

MARIE MEREDITH
Interim Deputy Director of
Community Development - Planning