

# DRAFT

RESOLUTION NUMBER [to be entered by Secretary]

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING PRELIMINARY DESIGN REVIEW APPROVAL FOR SANTA ROSA AT&T, A 65-FOOT TALL TELECOMMUNICATIONS FACILITY DESIGNED TO RESEMBLE A EUCALYPTUS TREE, LOCATED AT 440 HEARN AVENUE, ASSESSOR'S PARCEL NO. 043-101-050; FILE NO. PRJ18-085

WHEREAS, on June 20, 2019, the Design Review Board of the City of Santa Rosa considered a 65-foot tall telecommunications facility designed to resemble a eucalyptus tree for the property located at 440 Hearn Avenue, otherwise known as Assessor's Parcel No. 043-101-050; and

WHEREAS, the Design Review Board, at the same time considered written and oral reports of staff, testimony, and other evidence presented by all those who wished to be heard on the matter; and

WHEREAS, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans) in that the proposed telecommunications facility has been designed to look like a faux tree, it is partially screened by other trees onsite, it does not impact any scenic view, and the associated equipment will be contained within an existing enclosure which is also partially screened from public view; and
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review (Design Guidelines, Introduction, Subsection C) in that the tower has been designed to look like a faux tree and will be constructed at the minimum height necessary to achieve the maximum service coverage area for AT&T customers; and
3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the proposed mono-tree will not be a visual nuisance, and will meet criteria required by Federal law and the City of Santa Rosa Zoning Code for Telecommunication Facilities; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed mono-tree is located behind the commercial structures located on the development site, has been designed to resemble a faux tree, and is screened from public view by existing mature trees on the project site; and

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5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained in that the project has been conditioned to require continued maintenance of the mono-tree including the appearance of limbs, trunk, foliage and bark; and
6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the wireless facility has been reviewed in compliance with Federal Communication Commission (FCC) standards and has been found to meet existing requirements. In addition, the project meets the minimum distance required from residential uses outlined in the Zoning Code, and has been reviewed and conditioned by requisite City Departments; and
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
  - Pursuant to CEQA Guidelines Section 15302, the Project qualifies for a Class 2 Categorical Exemption in that it involves the replacement of an existing facility.
  - Pursuant to CEQA Guidelines Section 15303, the Project qualifies for a Class 3 Categorical Exemption in that it involves the construction of a small structure.

No exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines section 15300.2).

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Preliminary Design Review of Santa Rosa AT&T, a Telecommunications Tower designed to resemble a eucalyptus tree, subject to each of the following conditions:

## **PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

### **GENERAL:**

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. All work shall be done according to the final approved plans dated October 11, 2018, stamped received on December 5, 2018.

### **BUILDING DIVISION:**

3. Obtain a demolition permit for the structures to be removed.

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4. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
5. Obtain building permits for the proposed project.

## **ENGINEERING DIVISION:**

6. Compliance with all conditions as specified by the attached Engineering Development Services Exhibit A, prepared by Carol Clark, dated May 17, 2019.

## **PLANNING DIVISION:**

7. The mono-tree shall be maintained in good condition and limbs, trunk, foliage and bark shall maintain a healthy appearance.
8. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
9. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
10. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),
11. All outdoor storage of materials and/or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.
12. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect the existing trees from construction activities. The following conditions and restrictions shall apply:
  - i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
  - ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
  - iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.

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- iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
  - v. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.
- 13. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
- 14. LIGHTING:
  - A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
  - B. Light sources shall be concealed from public view.
  - C. All lighting shall be directed toward the subject property and away from adjacent properties.
  - D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.
- 15. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
- 16. NATURAL RESOURCES:
  - A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
  - B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning & Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.

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- C. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
- D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

## DESIGN REVIEW BOARD

17. add/delete text as needed

18. add/delete text as needed

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 20<sup>th</sup> day of June 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: \_\_\_\_\_  
Scott Kincaid, Chair

Attest: \_\_\_\_\_  
Bill Rose, Executive Secretary

Exhibit A, prepared by Carol Clark, dated May 17, 2019