

RESOLUTION NO. 11987

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA ADOPTING A SUBSEQUENT MITIGATED NEGATIVE DECLARATION, INCLUDING A MITIGATION MONITORING AND REPORTING PROGRAM, FOR EMERALD ISLE CONDOMINIUMS, AN 82-UNIT CONDOMINIUM DEVELOPMENT FOR RESIDENTS AGED 55 AND OLDER - LOCATED AT 0 THOMAS LAKE HARRIS DRIVE, APN 173-670-016 AND 173-670-004 - FILE NUMBER PRJ19-014

WHEREAS, in 2016, Oakmont Senior Living, LLC, filed an application with the City of Santa Rosa to develop an assisted living/memory care facility on a 12.57-acre site in the Fountaingrove area of the City of Santa Rosa (Emerald Isle Assisted Living Facility Project); and

WHEREAS, the 68,144-square-foot facility would have provided 71 beds within 49 units on 4.14 acres with the remaining 8.03 acres retained as natural open space, and primary vehicular access would have been taken from a driveway connecting to the end of Gullane Drive; and

WHEREAS, in September 2017, the City of Santa Rosa issued a Mitigated Negative Declaration (State Clearinghouse No. 201709207) for the Emerald Isle Assisted Living Facility Project (2017 MND) and the Santa Rosa Planning Commission adopted the Mitigated Negative Declaration and approved the project entitlements on November 30, 2017; and

WHEREAS, subsequent to adoption of the 2017 MND and project entitlements, Oakmont Senior Living withdrew the application; and

WHEREAS, the 2017 MND was never challenged and, therefore, pursuant to CEQA Guidelines Section 15096(e), it is presumed to be legally adequate; and

WHEREAS, in accordance with the Environmental Quality Act (CEQA) a draft Initial Study was prepared for the proposed Emerald Isle Condominium Project; and

WHEREAS, the draft Initial Study determined that, with incorporation of mitigation measures, the project would not have a significant effect on the environment and that a Subsequent Mitigated Negative Declaration for the project be prepared; and

WHEREAS, the Initial Study/Draft Subsequent Mitigated Negative Declaration was prepared and circulated for a 30-day public review period commencing on September 9, 2019; and

WHEREAS, as required under CEQA, the Mitigation Monitoring and Reporting Program prepared for the project identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels; and

WHEREAS, the project applicant has agreed to all mitigation measures set forth in the Subsequent Mitigated Negative Declaration that are required to be implemented pursuant to CEQA to reduce potentially significant impacts resulting from the project; and

WHEREAS, the Subsequent Mitigated Negative Declaration and related project and environmental documents are available for review at the City of Santa Rosa Planning and Economic Development Department, during normal business hours. The custodian of the documents and other materials which constitute the record of proceedings for the proposed project is Andrew Trippel, City Planner, Planning and Economic Development, 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404; 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 Subsequent 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 October 24, 2019, 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 as follows:

1. That the Subsequent Mitigated Negative Declaration, which consists of the Initial Study/Subsequent Draft Mitigated Negative Declaration (including the Mitigation Monitoring and Reporting Program as Appendix H), attached as Exhibit A, has been completed in accordance with CEQA and the CEQA Guidelines.
2. That the Planning Commission has reviewed and considered the information contained within the Subsequent Mitigated Negative Declaration prior to acting on the proposed Project, and the Subsequent Mitigated Negative Declaration reflects the independent judgment and analysis of the City.

3. That the monitoring and reporting of CEQA mitigation measures in connection with the Project will be conducted in accordance with the attached Mitigation Monitoring and Reporting Program, incorporated into the Conditions of Approval for the Project.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 24th day of October, 2019, by the following vote:


AYES: (6) Chair Cisco, Vice Chair Weeks, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie and Commissioner Peterson.

NOES: (0)

ABSTAIN: (0)

ABSENT: (1) Commissioner Carter

APPROVED:

  
Patti Cisco (Nov 14, 2019)

PATTI CISCO, CHAIR

ATTEST:



CLARE HARTMAN, EXECUTIVE SECRETARY

RESOLUTION NO. 11988

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR EMERALD ISLE  
CONDOMINIUMS, AN 82-UNIT CONDOMINIUM DEVELOPMENT FOR RESIDENTS  
AGED 55 AND OLDER - LOCATED AT 0 THOMAS LAKE HARRIS DRIVE; ASSESSOR'S  
PARCEL NUMBERS (APNS) 173-670-016 AND 173-670-004 – FILE NUMBER HDP19-003

WHEREAS, the Planning Commission of the City of Santa Rosa has duly considered the above referenced Hillside Development Permit for the Emerald Isle Condominium Project located at 0 Thomas Lake Harris Drive (Project); and

WHEREAS, the Planning Commission finds that the approval of the Hillside Development Permit for the Project meets the requirements of the Santa Rosa Zoning Code, including Chapter 20-32, which specifically addresses hillside development.

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

- A. Site planning minimizes the visual prominence of hillside development associated with the proposed Project by taking advantage of existing site features for screening, including tree clusters, depressions in topography, setback hillside plateau areas, and other natural features in that residential and accessory structures proposed for the Project are clustered closer to the center of the site, with taller, more prominent buildings generally oriented parallel to the contours of the site and situated such that nearly 46 percent of the site remains undisturbed and approximately 54 percent of the existing trees will be preserved and protected.
- B. Site development minimizes alteration of topography, drainage patterns, and vegetation on land with slopes of 10 percent or more in that much of the proposed Project is located on the flattest portion of the site and surrounding residential building placement, as well as private and EVA roads, conforms to site contours.
- 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) in that, to the extent feasible, all ground disturbance avoids areas with high slope and no ground disturbance is proposed for areas considered visually prominent or containing significant natural features.
- D. Project grading respects natural features and visually blends with adjacent properties in that the proposed Project structures will be constructed at similar elevations to adjacent single-family and multi-family homes and community care facilities and much of the site will remain either undisturbed or thoughtfully landscaped.
- E. Building pad location, design, and construction for the Project avoids large areas of flat

pads, and building forms will be stepped to conform to site topography in that recreation and community amenities areas and most site circulation and parking are located on the flattest portion of the site with residential buildings located in relationship to site topography and stepped down to conform to the topography of individual building locations.

- F. The proposed Project complies with the City's Design Guidelines in the use of native landscaping and compatible colors, forms, and materials in that existing tree cover will be supplemented with planting of 236 36-inch box native tree species and 11% of the developed site will be landscaped with native plants and materials. Materials and color selections reflect surroundings and are designed to blend development into the backdrop of existing development and natural areas.
- G. The proposed Project complies with the requirements of Chapter 20-32 and all other applicable provisions of this Zoning Code in that the proposed Project has applied for a Hillside Development Permit as required and complies with all other applicable provisions of the Zoning Code and of PD 72-001.
- H. The proposed Project is consistent with the General Plan in that the proposed Project site is designated Low Density Residential by the General Plan, which allows residential multifamily development at a density of 2-8 dwelling units per acre. The proposed Project density is 6 units per gross acre, which is consistent with the General Plan. The proposed Project site is not located within any specific plan boundary.
- 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 in that the proposed Project has been reviewed by City departments and outside agencies and conditioned to avoid significant impacts, and an Initial Study was prepared, which resulted in the adoption of a Subsequent Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Project. The proposed Project is located within an area zoned for residential uses and through working with neighbors and staff, the applicant has revised the proposed Project to minimize impacts to its proposed tenants as well as surrounding businesses and residences. An Emergency Preparedness and Evacuation Plan would provide emergency contact information to residents, collect emergency contact information from residents, establish protocols for communication in the event of an emergency, and includes roadway emergency evacuation routes to locations outside the Fountaingrove area has been submitted, and the Project has been conditioned to require installation of an emergency generator to provide sufficient power to the recreation center for at least 12 hours.

BE IT FURTHER RESOLVED, that a Hillside Development Permit for the Emerald Isle Condominium Project located at 0 Thomas Lake Harris Drive is approved subject to the following conditions:

1. Compliance with Planning Commission Resolution No. 11989.

2. The Project is must receive Design Review approval prior to the issuance of building permits.

BE IT FURTHER RESOLVED, that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring and Reporting Program dated September 8, 2019, and directs staff, as therein identified, to implement and complete the program as part of the approved Project.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 24<sup>th</sup> day of October, 2019, by the following vote:


AYES: (6) Chair Cisco, Vice Chair Weeks, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie and Commissioner Peterson.

NOES: (0)

ABSTAIN: (0)

ABSENT: (1) Commissioner Carter

APPROVED:

  
Patti Cisco (Nov 14, 2019)

PATTI CISCO, CHAIR

ATTEST:



CLARE HARTMAN, EXECUTIVE SECRETARY

RESOLUTION NO. 11989

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
APPROVING THE EMERALD ISLE TENTATIVE AIRSPACE CONDOMINIUM MAP  
LOCATED AT 0 THOMAS LAKE HARRIS DRIVE, APN 173-670-016 and 173-670-004 -  
FILE NUMBER MAJ19-001

WHEREAS, an application has been submitted by OSL Santa Rosa Projects, LLC, et al., requesting approval of a tentative map of Emerald Isle, more particularly described as Assessor's Parcel Numbers 173-670-004 and 173-670-016, dated February 28, 2019, and on file in the Office of Planning & Economic 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 82 airspace condominium lots with associated common space 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 66473.5 in that the project site is designated Low Density Residential by the General Plan, which allows residential multifamily development at a density of 2-8 dwelling units per acre. The proposed project density is 6 units per gross acre, which is consistent with the General Plan. The project site is not located within any specific plan boundary.
- B. That the proposed airspace condominium 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 airspace condominium subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision in that all structures have been designed with sufficient windows to allow the inflow of sunlight for natural heating and airflow for natural cooling. Numerous larger tree species would be retained throughout the site, with more than 280 new trees proposed, to provide shade and cooling opportunities. The project site is surrounded by open spaces and is adjacent to Fountaingrove Lake, both of which may contribute to

natural cooling of surrounding ambient air.

- D. That the proposed airspace condominium 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 project has been reviewed by City Staff and was found to be in compliance with all City Utilities and Infrastructure. The project is required to implement permanent storm water Best Management Practices (BMP) in accordance with the City's Low Impact Development Technical Design Manual. Implementation of BMPs ensures compliance with the North Coast Regional Water Quality Control Board's NPDES Municipal Separate Storm Sewer Systems (MS4) Permit requiring Governing Agencies to implement a myriad of programs to prevent pollution, improve and protect storm water quality, reduce storm water runoff, and enhance the ecologic vitality of local creeks and waterways.
- E. That the proposed airspace condominium subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was prepared, which resulted in the adoption of a Subsequent Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the project.

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 and Reporting Plan dated September 8, 2019, 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 Emerald Isle Tentative Airspace Condominium Map dated received by the City on July 1, 2019, and on file in the Department of Planning & Economic Development, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated October 7, 2019, and Mitigation Monitoring and Reporting Plan dated September 8, 2019.
2. Conditions, Covenants, and Restrictions (CC&R's) 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 Planning & Economic 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. 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.
  - 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 no 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.

8. 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 24<sup>th</sup> day of October, 2019, by the following vote:


AYES: (6) Chair Cisco, Vice Chair Weeks, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie and Commissioner Peterson.

NOES: (0)

ABSTAIN: (0)

ABSENT: (1) Commissioner Carter

APPROVED:

  
Patti Cisco (Nov 14, 2019)

PATTI CISCO, CHAIR

ATTEST:



CLARE HARTMAN, EXECUTIVE SECRETARY

Exhibit A and B: DAC and MMRP

DEVELOPMENT ADVISORY COMMITTEE  
October 7, 2019

EMERALD ISLE CONDOMINIUM PROJECT

**Project Description**

Emerald Isle Condominium Project is an 82-unit multi-family residential condominium development for persons aged 55 years and older with one common ownership parcel. Dwelling units would be allocated among seven residential buildings and the second level of a recreation center. The project would additionally consist of recreational amenities, common areas, 210 parking spaces including 95 covered (garage) spaces, and on-site and off-site infrastructure improvements. Approximately 57 percent of the 12.57-acre site would be retained as natural open space (46%) or landscaped (11%) area.

LOCATION.....0 Gullane Dr.

APN.....173-670-004  
.....173-670-016

GENERAL PLAN LAND USE.....Low Density Residential

ZONE CLASSIFICATION

EXISTING .....PD72-001-RC  
PROPOSED.....No change

OWNER/APPLICANT .....OSL Santa Rosa Projects LLC Et Al  
ADDRESS.....9240 Old Redwood Hwy., Ste 200  
Santa Rosa, CA 95492

ENGINEER/SURVEYOR .....Brelje & Race  
ADDRESS.....476 Aviation Blvd., Ste 120  
Santa Rosa, CA 95403

REPRESENTATIVE.....Steve McCullagh  
ADDRESS.....9240 Old Redwood Hwy., Ste 200  
Santa Rosa, CA 95492

FILE NUMBER.....PRJ19-014

CASE PLANNER .....Andrew Trippel

PROJECT ENGINEER.....Carol Dugas

## **Background**

In 2016, Oakmont Senior Living, LLC, filed an application with the City of Santa Rosa to develop an assisted living/memory care facility on a 12.57-acre site in the Fountaingrove area of the City of Santa Rosa (Emerald Isle Assisted Living Facility Project). The 68,144-square-foot facility would have provided 71 beds within 49 units on 4.14 acres. The remaining 8.03 acres was to be retained as natural open space. Primary vehicular access would have been taken from a driveway connecting to the end of Gullane Drive. A gated Emergency Vehicle Access (EVA) would have provided a connection to Thomas Lake Harris Drive. Subsequent to adoption of the MND and Conditional Use Permit and Hillside Development Permit project entitlements, Oakmont Senior Living withdrew the application in response to an appeal of a decision by the Design Review Board to approve Preliminary Design Review.

In Fall 2018, Oakmont Senior Living, LLC, met with staff to discuss an 82-unit multi-family residential development for persons aged 55 years and older to be owned and managed by Oakmont Senior Living LLC.

- |                   |   |
|-------------------|---|
| January 9, 2019   | A Neighborhood Meeting was hosted by City Planning staff to introduce neighbors to the project and gather feedback from the public. Approximately 20 people attended the meeting.   |
| February 28, 2019 | Project applications for a Tentative Map, Conditional Use Permit, Hillside Development Permit, and Design Review were submitted for the 82-unit Emerald Isle Condominiums.  |
| March 26, 2019    | A Notice of Incomplete Application was prepared and issued to the applicant.  |
| March 27, 2019    | A Notice of Application was distributed to owners of properties located within 400 feet of the proposed project to inform them of the project applications and to gather feedback.  |
| April 30, 2019    | A Notice of Complete Application was prepared and issued.   |
| June 7, 2019      | A Notification of Project Issues was prepared and issued.   |
| August 18, 2019   | The applicant's response to the Notification of Project Issues was received. During the resubmittal meeting, City staff consulted with the applicant regarding the provision of on-site affordable housing. Pursuant to Ordinance No. 3526, the applicant has opted to pay fees to the City in lieu of providing on-site affordable units.  |
| September 9, 2019 | A Notice of Intent to Adopt a Subsequent Mitigated Negative Declaration and Notice of Public Hearing was distributed to current occupants and absentee property owners located within 600 feet of the proposed project. The public review period for the Initial Study/Draft Subsequent Mitigated Negative Declaration (IS/Subsequent MND) began on September 9, 2019, and ends on October 8, 2019. |

### **Conditions of Approval**

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on stamped received July 1, 2019.

- 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 as they relate to this application unless specifically waived or altered by these conditions or by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Manual. 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. The project is located in a fire hazard area on Very High Fire Severity Zone Map on file at the City Clerk's Office.
- IV. The project is located on a Hillside with slopes greater than 10% to 50% with an average slope of 18.08%.

### ***Planning Conditions***

1. 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 Planning Commission. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
2. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines.
3. The applicant has requested the following Growth Management Allotments:

RESERVE "A"				82	
RESERVE "B"					
	2017	2018	2019	2020	2021

4. The project will comply with Noise Ordinance, City Code Chapter 17-16.
5. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080) is required.
6. The following note shall be printed under the heading of "General Notes" on all plan sets submitted for grading/building permits: Hours of construction shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00

p.m. on Saturdays. No noise generating construction activities shall occur on Sundays or holidays.

7. During periods of construction, a sign shall be installed that provides a contact name and number for all construction-related inquiries and/or complaints.
8. The following BMPs, as recommended by the BAAQMD, shall be included in the project design and implemented during construction:
  - a. All active construction areas shall be watered at least two times per day.
  - b. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least three times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
  - c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
  - d. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
  - f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, California Code of Regulations, Title 13, Section 2485). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
  - h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - i. The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact at the BAAQMD regarding dust complaints. BAAQMD and the construction contractor shall take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
9. During construction activities, the developer or project applicant shall ensure all off-road equipment in excess of 50 horsepower used on-site by the developer or contractors is equipped with engines meeting the EPA Tier IV Final off-road engine emission standards. The construction contractor shall maintain a log of equipment use at the construction site with make, model, serial number, and certification level of each piece of construction equipment that will be available for review by City building inspection staff.

10. Prior to any vegetation removal or ground-disturbing activities, focused botanical surveys shall be conducted to determine the presence of various special-status plant species including Napa false indigo, Bent-flowered fiddleneck, Narrow-anthered brodiaea, Hollyleaf ceanothus, Colusa layia, and Baker's nararretia. Surveys shall be conducted in accordance with Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (CDFG 2009). These guidelines require plant surveys to be conducted at the proper time of year when the species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found within the project site, then the project will not have any impacts to the species and no additional mitigation measures are necessary.

1. If focused surveys indicate that special-status plant species are present within the project site, the project applicant shall evaluate the feasibility of reconfiguring the project design in order to avoid or minimize impacts to special-status plant species. In addition to avoiding direct impacts to special-status plant species, potential indirect, project construction, and operation impacts, shall be minimized to the maximum extent feasible through means that include but are not limited to the installation of protective fencing and environmentally sensitive area signage. Additionally, a Worker Environmental Awareness Program shall be implemented to educate construction workers about the presence of special-status species or other sensitive resources, including special-status plant species in and near the project site, and to instruct them on proper avoidance, and required measures and practices for protecting biological resources and contacts and procedures in case species are injured or encountered during construction.
2. If special-status plant species are found on-site and cannot be avoided, the applicant shall coordinate with the USFWS and/or CDFW, as applicable, to determine feasible impact minimization and mitigation measures for rare plants, which may include but are not limited to the following:
  - Habitat restoration to mitigate for unavoidable temporary construction impacts to special-status plant species habitat on-site.
  - Incorporating project features designed to reduce ongoing impacts from project operation, including controlling public access to avoided special-status plant species habitat remaining on-site.
  - In conjunction with academic institutions and/or regional native plant nurseries, a propagation program shall be developed for the salvage and transfer of special-status plant species populations from the project site before the initiation of construction activities. Permits may be required from the USFWS or CDFW that will ensure that certified biologists are involved in the propagation and transport of rare, threatened, or endangered plant species. (Note that propagation methods for the salvaged plant population must be developed on MM-BIO-a case-by-case basis and must include the involvement of local conservation easements,

preserves, and open space, where applicable.) The propagation of individual plant species must be performed at the correct time of year and successfully completed before the project's construction activities eliminate or disturb the plants and habitats of concern.

- Efforts shall be made to salvage portions of the habitat or plant populations that would be lost as a result of implementation of the proposed project. In addition to salvaging special-status plant species themselves, salvage efforts shall include soil and seed-banks surrounding impacted plants, if doing so would not contribute to the spread of invasive or noxious plant species.
- Appropriate off-site conservation opportunities shall be identified and, if feasible, protected in perpetuity through the purchase of conservation easements and/or mitigation bank credits. The habitat value of off-site conservation areas shall be enhanced where feasible through means such as reducing grazing intensity and restricting off-road vehicle access. At a minimum, the acreage of off-site habitat conserved shall exceed a 1:1 ratio of impacted rare plant habitat within the project site. The ratio shall increase depending on the rarity of the affected rare plant species, and the abundance of the rare plant habitat impacted.

11. Implementation of the following avoidance and minimization measures would avoid or minimize potential effects to migratory birds and habitat in and adjacent to the project site. These measures shall be implemented for construction work during the nesting season (February 15 through August 31):

1. If construction or tree removal is proposed during the breeding/nesting season for migratory birds, a qualified biologist shall conduct pre-construction surveys for Cooper's hawk, white-tailed kite, and other migratory birds within the construction area, including a 300-foot survey buffer, no more than 7 days prior to the start of ground disturbing activities in the construction area.
2. If an active nest is located during pre-construction surveys, the USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.
3. A qualified biologist shall delineate the buffer using nest buffer signs, Environmentally Sensitive Area (ESA) fencing, pin flags, and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.

12. To minimize impacts to existing trees to be preserved, the project applicant shall implement the following during the clearing, grading, and construction phases:



1. No parking, storage of materials, disposal of any waste materials, or unnecessary operation of equipment shall occur within the driplines of trees to remain.
2. If pruning for clearance is required on any trees to remain, it shall be conducted by trained, qualified tree workers according to International Society of Arboriculture and American National Standards Institute's Pruning Guidelines. Pruning shall be the minimum necessary for hazard reduction, (e.g., the removal of deadwood 2 inches and larger), and clearance. The project arborist shall meet with tree service contractor prior to work to discuss limits and goals of pruning.
3. Care shall be taken to avoid damaging trunks or branches of protected trees by creating a tree protection zone that includes a fenced enclosure at the dripline of trees or as established by the project arborist in which no soil disturbance is permitted and activities are restricted. Where necessary, trunks shall be wrapped with thick layers of burlap or straw wattle for protection.
4. The project arborist shall be notified a minimum of 24 hours in advance to be present on-site during rough grading or trenching within the Tree Protection Zones of trees to be preserved, as designated on the plans. Tree protection fencing shall be installed and maintained in place throughout construction.
5. If any roots larger than 1 inch are encountered that cannot be preserved, they shall be cut cleanly across the face of the root with a sharp saw. No treatment of the cut end is necessary. Backfill of the exposed cut roots shall be done as quickly as possible to prevent desiccation.
6. In areas where soil compaction within root zones of protected trees has occurred, loosening of soil surface shall be completed prior to final walkthrough of each area. Consult the project manager or project arborist for recommendations of technique.
7. Where practical, arbor mulch (chipped wood bark and foliage, 2-inch layer minimum) shall be spread and retained under protected trees to serve as a permanent top dressing and mulch.
8. Replacement/replanting of a minimum of 250 36-inch box trees within the project site or other City-approved location or as approved. Tree mitigation locations for any removed trees that are located on golf course property are at the discretion of Fountaingrove Golf Course management.
13. A property line fence shall be installed between golf course holes #11 and #12 at a location to be mutually agreed upon by applicant and Fountaingrove Golf Course. Fence and location subject to approval by Planning staff.
14. All ground disturbance taking place during the initial project grubbing and grading phases shall be monitored by an archaeologist and/or a tribal monitor from an appropriately affiliated tribe in order to check for the inadvertent exposure of cultural materials. The archaeologist must meet the Secretary of Interior's Professional Qualification Standards for archaeology. Upon completion of the grading and grubbing phases, the archaeologist and/or tribal monitor will make a recommendation to the City of Santa Rosa as to whether additional monitoring is

warranted. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until the archaeologist and tribal monitor have evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist and appropriately affiliated tribe(s) shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with the CEQA Guidelines and tribal tradition. Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Santa Rosa, the Northwest Information Center, and the State Historic Preservation Office, if required.

15. Design of proposed structures on the site shall be done in conformance with the seismic provisions of the latest adopted edition of the California Building Standards Code and the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers dated September 21, 2016, including the parameters developed pursuant to a Risk-Targeted Maximum Considered Earthquake (MCfa) Ground Motion Hazard Analysis per ASCE 7-10 Section 21.2. A qualified geotechnical engineer shall review the final foundation and building plans to ensure conformance with the recommendations.
16. Prior to the issuance of a building permit and during the foundation phases of construction, the project applicant shall consult with a geotechnical consultant to reduce potential risks of buildings planned closer than 70 feet to top of the steep slope.
17. Design and construction of fills, cuts, foundations, retaining walls and slabs shall recognize the presence of creep-affected soils and be done in compliance with the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers, dated September 21, 2016. Grading measures such as over-excavation of creep-affected soil and replacement as properly keyed, benched and compacted fill shall be implemented and foundations and retaining walls shall be designed to resist lateral creep soil loads. Prior to issuance of a grading permit, a qualified geotechnical engineer shall review the final grading and foundation plans to ensure conformance with the recommendations.
18. Prior to the issuance of construction and grading permits, the applicant shall adhere to the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers, dated September 21, 2016, regarding weak, porous soils and expansive soils on-site. Expansive soils encountered within building envelopes shall be removed for their full depth or

covered with a moisture confining and protecting blanket of approved on-site or imported materials of low expansion potential prior to erection of structures. Expansive soils can undergo significant strength and volume changes with seasonal variations in moisture content and can heave and distress lightly loaded footings and slabs. Additionally, for slab-on-grade support, the applicant shall verify that expansive soils have not dried and cracked. The applicant shall document completion of these actions and submit verification to the City.

19. Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:

- The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.
- The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.
- The construction contractor shall ensure that all on-site demolition and construction activities, including deliveries and engine warm-up, shall be restricted to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. No such activities shall be permitted on Sundays or holidays.

20. Prior to issuance of the first certificate of occupancy, the applicant shall add edge line striping on Thomas Lake Harris Drive for a distance of approximately 300 feet to the north and south of Gullane Drive. This would reduce speeds on Thomas Lake Harris Drive and ensure provision of adequate sight distance at Gullane Drive. The City of Santa Rosa shall review and approve the striping plan.

21. Install an emergency generator to provide sufficient power to light the Recreation Center for up to 12 hours.

### ***Building Division Conditions***

22. 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.

23. Obtain building permits for the proposed project.

## ***Engineering Conditions***

The following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received July 1, 2019:

### **PARCEL AND EASEMENT DEDICATION**

24. A Final Map as defined by the applicable provisions of the State of California Subdivision Map Act shall be required for this 82-unit airspace ownership condominium subdivision with 1 common ownership parcel which shall be maintained by the Home Owners Association (HOA) including the private driveways, parking lots, landscaping areas and open space. A Condominium Plan which defines the privately-owned airspace units is required and shall be prepared as a separate document and submitted for review and approval by the City Engineer per the Subdivision Map Act.
25. The applicant shall advise the City Engineer in advance and in writing if this is a phased tentative map with regards to the final map process as provided under City Ordinance and the State Subdivision Map Act (SMA). If map phases are planned, with each phase identified on the tentative map as containing certain future lots in the subdivision. If separate final maps are filed, a Final Map as defined by the SMA shall be filed for each phase of the subdivision and the lots within each such phase shall be consecutively numbered beginning with Lot 1 on each final map. Each proposed separate final map phase shall stand on its own with regard to availability of necessary infrastructure to serve it. If necessary, street and utility improvements outside of the proposed phase shall be required to be installed along with the phase to provide such necessary infrastructure and access.
26. This is a Major Subdivision creating 82 Air Space Condominiums on 1 common ownership parcel that includes the driveways, private streets, parking lots, landscape and open space areas. The formation of a Homeowner's Association, responsible for ownership and maintenance of common area and common site improvements, is required for this subdivision. The documents creating the Association and the Covenants, Conditions and Restrictions (CCRs) governing the Association shall be submitted to the City Attorney's Office and the Planning & Economic Development Department for review. The approved CC&R's shall be recorded contemporaneously with the Final Map.
27. Any changes made to the CCRs for Emerald Isle Airspace Condominium Subdivision governing the Home Owners and Home Owners Association shall be reviewed and approved by the City of Santa Rosa City Engineer and City Attorneys' Office in keeping with these conditions of approval. The information sheet of the Final Map shall be noted to say that any changes the CCRs implemented without City approval shall not be valid.
28. This is a common interest subdivision and private improvements shall be reviewed and approved by the City Engineer together with public improvements. Recording of the Final Map will be subject to bonding for public and common

improvements and the execution of a Subdivision Improvement Agreement with the City.

29. One common ownership area shall be shown on the Final Map and noted to be owned and maintained by the Emerald Isle Home Owners Association on the information sheet of the Final Map. Maintenance of Landscape Parcels may be done by others upon approval by the City Engineer with ownership retained by the Home Owners Association or commercial property owner for responsibility of slope stability areas.
30. The Developer shall provide a means acceptable to the City to fund the maintenance of the common parcel(s) into perpetuity through a special tax district, CC&R's, property owners association(s), and/or other acceptable method. Landscape parcels 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 shall 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 City Engineer and in place prior to approval of the final map. The improvement plans and standards for maintenance shall be subject to approval by the Department of Recreation and Parks and the Building Department.
31. No parcels shall be dedicated to the City of Santa Rosa in fee title.
32. If applicable, a public easement shall be dedicated for public water and sewer mains located outside of the public right of way and shall be dedicated to the City of Santa Rosa and recorded prior to building permit issuance. The width of the easement shall be 15-feet wide for a single utility and 20-feet wide for a double utility and shall be centered over the facility and configured to include all publicly maintained appurtenances and structures. No surface structure, including but not limited to, roof eaves, decks or pools shall encroach into the PUE easement. Trees shall not be planted within 10-feet of a public sewer main. The Santa Rosa Water, City Utilities Department shall not be responsible for repairs or replacement of private street pavement or landscaping in public utility easements and it shall be so noted on the Final Map.
33. Existing easements of record between the golf course and the development that are not used during this development may be quit claimed.
34. All water meters shall be located within public right of way or water easements and multiple meters shall be clustered where possible. Water easements shall be dedicated over the first valve of the Double detector check valve, public water meters and public fire hydrants and other public utilities. Easements shall be determined during first plan check to the approval of the City Engineer.
35. All the onsite utilities to the development shall be privately owned mains and service connections. No private utilities such as water service laterals, sewer

service laterals or fire mains are permitted to run parallel in a public utility easement (PUE) joint trench areas.

### **PUBLIC STREET IMPROVEMENTS**

36. An Encroachment Permit shall be obtained from Planning and Economic Development, Department of Engineering Development Services in Room 5, prior to beginning any work within the public Right-of-Way or for any work on public utilities located within public easements.
37. Two copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. One copy shall be submitted directly to the Fire Department, 2373 Circadian Way, and review fee paid, a copy of the receipt shall be submitted with the remaining copy to the Planning and Economic Development Department, Engineering Development Services Department, Room 5 City Hall. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
38. Public Improvement plans shall be submitted to the City for review and approval by the City Engineer of all public improvements in the Public Right of Way or within Public Utility easements prior to Building permit issuance. The EVA private street shall have a City standard driveway apron aprons shall be constructed per City Standard 250D. There shall be a driveway apron constructed at the end of Gullane Drive (Private street) extension per City Standard 250D and the sidewalk shall have a level crossing behind the driveway apron. The private sidewalk along Gullane Drive shall maintain a continuous ADA accessible surface where possible. The public Improvement plans may be submitted for review via the encroachment permit process.

### **PRIVATE STREET / DRIVEWAY IMPROVEMENTS**

39. 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 Planning and Economic Development Department as soon possible for review and acceptance by all concerned agencies prior to approval of improvement plans. Contact the Permit Intake Manager at (707)543-3249 for assistance.
40. Gullane Drive shall be a private street and shall be extended to the project site and improved to the full street width to consist of two 12-feet wide travel lanes when no parking lanes are installed, with a 5-feet wide contiguous sidewalk constructed on one side. The private street shall be extended from the existing Gullane Drive improvements and built to City hillside street structural standards per Standard No, 200L and bordered with city standard concrete curb and gutter or other edge treatments as approved by the City Engineer. A sidewalk shall be extended to the residences on one side of the street and contiguous to the curb. Any sidewalk not extended shall be terminated with a City Standard 236 sidewalk barricade. Curb ramps per Caltrans Standard RSP A88A shall be installed for sidewalks at all marked driveway crossings. Sidewalk shall maintain a clear 4-foot width around all obstructions including but not limited to streetlights, fire

hydrants, tree wells and mailboxes using 5-feet reverse curve transitions to clear any obstructions.

41. The Emergency Vehicular Access (EVA) road shall be a private street and exclusively maintained by the project's Home Owner's Association. The EVA shall extend from the project site to Thomas Lake Harris with an alignment and width that is in general conformance with the design shown on the tentative map. The EVA's connection to Thomas Lake Harris shall align with the existing Canyon Oaks commercial Driveway. The installation of The EVA shall be built to the structural standards shown under City standard No. 200L. Alternative edge treatments may be reviewed and approved by the City Engineer during plan check in order to reduce grading impacts to the Hillside.
42. Private Drives, not including the EVA, shall be built to Minor Street structural standards No, 200E with cross sections sloped to fall away from 6-inch-high curb on upslope of street section to curb and gutter on downslope side of street. Parking bays developed perpendicular to the street section shall be graded to fall away from a raised curb line sloping to a 4-foot valley gutter in line with gutter flow line. Garage access shall be over a rolled curb line with 2-foot taper from a 6-inch-high curb. Contiguous garage access may be separated along the garage driveways by raised curb islands extended from the building face to valley gutter with a 2-foot curb return radius adjacent to the flow line of the gutter. Sidewalks shall have a 6-inch vertical grade separation from travel ways behind a concrete curb line. Minimum street improvements shall be a minimum of 24-feet wide, allowing for two-way traffic and shall provide for 2 travel lanes, 10-feet wide with 2- 2 feet wide shoulders, with 8-feet wide parking lane or a minimum of a 12-feet wide travel lane without a parking lane, and contiguous sidewalk.
43. Private streets and drives that are required to provide 26-feet unobstructed Fire Department access shall be signed to restrict parking to marked parking bays or defined parking areas.
44. Turn around capability on the common driveways shall be provided with clear backup of 46-feet from garage face to opposing face of curb and with a continuation of the common driveway 5-feet beyond the last driveway access point. If there is no parking in front of the garage, the 46-feet clear backup space can be reduced to 26-feet.
45. All intersections between private streets and drives shall be designed using the City Standard 243 Valley Gutters with a minimum of 20-foot radius curb returns. Fire lanes shall be designed using a minimum 20-foot inside and 40-feet outside turning radii for fire access.
46. Gullane Drive and EVA Street both intersect Thomas Lake Harris Drive and shall maintain a clear traffic "vision triangle" at the intersections that is free of any obstructions as determined by the Project Traffic Engineer. Vegetation within the vision triangle shall be restricted to a 3-feet maximum height.

47. No parking shall be allowed on Gullane Drive or the EVA Road adjacent to the Fountaingrove Golf Course. The turnouts proposed on the EVA Road shall at no point be utilized to provide additional parking.
48. A City Standard Emergency Vehicle Turnaround per City Standard 206 shall be constructed at the end of the private street/drive and where directed by the Fire Department. The turnaround shall be signed "No Parking – Fire Lane" per current Fire Department standards and the pavement cross-hatched and delineated "No Parking" and "Turnaround Area" with thermoplastic striping material.
49. Fountaingrove Golf Course cart path crossings, cross both Gullane Drive and the EVA Street and the crossing shall be marked as a travel way/crosswalk with warning signs for vehicles on Gullane Drive/EVA Street and "Yield" signs on either side of the street facing those golf carts approaching the street crossing. The cart path street crossing shall be bordered with pedestrian path lighting at the curb.
50. Street lights on private streets/drives shall be owned and maintained by the Home Owners Association or commercial property owner. Street lights are not required but if installed shall be per public street standards as recommended by the Emerald Isle Traffic Consultant. As applicable, private lighting shall be shown onsite on the plans, along the private street/driveways and in the parking lot areas to City standards and reviewed at first review of the subdivision plans
51. Installation and Maintenance of red curbing, fire lane signage, striping and all other fire lane markings or designators required by the Fire Department on Private property and private streets or driveways shall be the responsibility of the property owner or Homeowner's association (HOA). Fire lanes shall be designated with signs, red curbs and or pavement striping and marked per Fire Department Standards for all fire apparatus access roads.

#### **TRAFFIC**

52. No Parking (R26 (CA)) signs and red curb shall be installed along all streets without 20-foot clear minimum widths for emergency vehicular access.
53. Speed Limit 25, (R2-1 (25)) sign shall be installed on Gullane Drive.
54. Install a STOP (R1-1) sign on the north side of the emergency access road at Thomas Lake Harris Drive/Canyon Oaks commercial Driveway intersection.
55. Advance street name signs shall be installed on Thomas Lake Harris Road for Gullane Drive if they do not exist.
56. Install a "No Thru Traffic" or "Dead end" sign at the entry to the project on Gullane Drive.
57. Install edge striping along Thomas Lake Harris Drive at Gullane Drive for a distance of approximately 300-feet to the north and south of Gullane Drive intersection; the striping dimensions shall be as specified and approved by the City of Santa Rosa Public Works Department on the Public Improvement Plans.



58. In order to tow vehicles parked in fire lanes, private owners including Home owners Associations shall install signs in addition to standard fire lane markings, in plain view at all entrances to the property, pursuant to California Vehicular code section 22658.

## **GRADING**

59. Grading offsite with the removal and replacement of any private improvements shall be subject to a right of entry agreement with the Fountaingrove Golf Course. An Executed Agreement shall be submitted with the Building Permit application. Any additional construction easements required to build the project presented shall be the sole financial responsibility of the applicant.
60. All fills shall be buttressed and keyed into native material with subdrains daylighting to a private drainage system in conformance to the Site Engineering and geotechnical report and all other recommendations as prepared by Reese and Associates Consulting Geotechnical Engineers of Santa Rosa, CA. (707) 528-3078. "Job no. 202.5.13, Emerald Isle, Santa Rosa, CA."
61. Walls and retaining walls shall have footing profiles shown on the construction drawings, with finish grades and top of wall elevations, and engineered calculations submitted for review and approval by the Building Department prior to construction. The subdrains outfalls shall be located clearly on the grade plans. Combined fence and retaining wall designs shall be subject to a full structural review to be constructed under the Subdivision Grading Permit issued by the City.
62. Road grades shall not exceed 15%. Roads 12% to 15% shall be installed with non-skid asphalt or concrete surface as specified in the Cal Fire Standards, specifications and drawings or as approved by the City of Santa Rosa Fire Department.
63. Lot to lot drainage is not permitted unless contained within a minimum 15-feet wide private drainage easement or an appropriate width as approved by the City Engineer, in favor of the uphill property owner or owners. If applicable, walls and wall heights shall be shown in the plan cross sections. Wood retaining walls shall not be allowed.

## **STORM DRAINAGE**

64. Hydrology and Hydraulic design of the storm drain system shall conform to Sonoma County Water Agency (SCWA) criteria and City of Santa Rosa Design and Construction Standards.
65. Private storm drain pipe systems and BMPs are the responsibility of the HOA or commercial property owner to maintain for perpetuity.
66. Proposed drainage patterns shall follow the existing regional master plan drainage patterns for the area as provided by Sonoma County Water Agency (SCWA) or City of Santa Rosa. Changes/diversions to the contributory drainage areas for regional water sheds are not permitted. The project area drains to two

separate water sheds of Mark West Creek and Piner Creek. Supporting documentation of drainage designs shall conform to SCWA standards and/or City standards as selected and applied by the City Engineer, for Flood Control design conformance to the existing hydrology/hydraulic studies of the existing receiving storm water facilities in Thomas Lake Harris Drive and Gullane Drive. Submit an engineered grading and drainage report at first review to the City of Santa Rosa. Submit a copy of SCWA's approval letter and or the City's designated review agency's approval for the project hydrology and hydraulics with 2 copies of the final approved storm drainage design report for City records.

67. If flows exceed street capacity, flows shall be conducted via an underground drainage system (with minimum 15" diameter and maximum 72" diameter pipe sizes) to the nearest approved downstream facility possessing adequate capacity to accept the runoff, per the City's design requirements. Such runoff systems shall be placed within public street right-of-way wherever possible.
68. Private drainage systems are to be connected to a public system from a private field inlet located behind the sidewalk and through a minimum 15-inch storm drain pipe through the public right-of-way to a public drainage structure. No blind connections are permitted into the public storm drain system. Install a 4-foot manhole, manhole ring and cover per City Standard #400 at all connections points to pipe that does not have a junction structure at the connection point.
69. Drainage from landscape areas shall not cross over curb or sidewalk and are to outlet to a street through City Standard detail thru-curb drains.
70. The Final Map shall show a private storm drainage easement over the alignment of the private storm drain system if any system runs through a portion of adjacent property. The easement on each lot shall be in favor of all upstream lots served by the system. Many existing storm drainage easements exist through the golf course property. Additional easements, if needed for any phase of the development, shall be obtained at the sole cost of the applicant.
71. All concentrated drainage flows from onsite shall be intercepted at the property line and conveyed through a private system to discharge into the public right of way unless a storm drainage easement is recorded in the upstream lots' favor over the drainage way or a lot to lot reciprocal drainage easement is recorded.
72. The applicant may be required to extend the public storm drainage system and or install a private onsite storm drain system, catch basin inlets along the private streets/drives or other drainage devices as approved by the City Building official and or City Engineer in order to prevent downhill flooding and erosion.

## **STORM WATER COMPLIANCE**

73. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all Storm water low impact design (SWLID) Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance

agreement or comparable document to assure continuous maintenance in perpetuity of the SWLID BMP's and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a. A Homeowner's Association or by the Owner. If perpetual maintenance of these BMP's is through a Homeowner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Planning & Economic Development Department for review.
- b. A special tax district for public BMP facilities.
- c. An alternate means acceptable to the City of Santa Rosa.

74. Perpetual maintenance of SWLID Best Management Practices (BMP's) shall be the responsibility of the Home Owners Association or as designated by the CCRs and shall be responsible for performing and documenting an annual inspection of the BMP's on their respective property. The annual report shall be retained by the private HOA for a period of the latest five years and shall be made available to the City upon request.
75. After the SWLID BMP improvements have been constructed, the developers Civil Engineer shall prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SWLID BMP's shall be received by the City prior to acceptance of subdivision improvements.
76. A SUSMP "Declaration of Maintenance" document shall be recorded prior to the building permit issuance as applicable.
77. All onsite and offsite storm drain inlets shall be labeled with the sign "DRAINS TO CREEK" per City Standard 409 or an approved equal.
78. The landscape and civil plans shall be updated to reflect the final BMP locations, shapes, sizes and construction dimensions to insure the BMP features are installed per the approved final SWLID report. BMPs shall be preserved and not filled in with landscape material or removed.
79. The Civil Engineering plans shall show sufficient construction details and dimensions of each BMP device on the drawings, so the BMP may be replaced in the future. Landscape plans and civil plans shall be coordinated with the approved SUSMP report and show the BMP locations clearly to prevent them from being filled in with landscape materials.
80. Show revised roof drain outfalls on the contributory area drainage maps and indicate which BMP treatment facility is responsible to treat the roof water. Indicate outfalls of all under pavement subdrains due to Type C or D soils, if applicable.
81. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during

construction. As applicable, this project shall comply with all current State Water Board General Construction Permit Requirements.

82. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter or be placed where it shall be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.
83. Where bio swales or BMP facilities are located in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check.

## **WATER AND WASTEWATER**

84. Demand fees and meter sizes are to be determined based on use and area in conjunction with review of building plans. The information sheet of the Final Map shall be annotated as follows: Water and sewer demand fees and processing fees are based on the number and type of units to be built on each lot. Water and sewer demand, processing and meter installation fees shall be paid prior to the issuance of a Building Permit for the respective lot. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes shall be listed on the information sheet of the Final Map.
85. Water laterals and meters shall be sized to meet domestic uses. All connections to the public main shall require reduced Pressure Backflow Devices per City Standard 876 on the domestic services and Double Detector check valves Backflow Assemblies per City Standard 880 on the fire line services. The flow calculations shall be submitted to the Santa Rosa Water Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing.
86. Water services shall be provided per Section X of the Water System Design Standards. For Multifamily developments of 4-99 units, a minimum of two domestic water meters served off of individually valved sections of water main shall be required. Each condo/unit shall be separately sub-metered. It is recommended that individual meters be required for each building cluster. Meters may be located in dedicated water easements along a private street to the City of Santa Rosa. Meters and backflow devices shall be installed outside of any traffic areas. Any non-standard water services shall be detailed on the Improvement Plans. All laterals and meters shall be sized according to the 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. An irrigation service with reduced pressure backflow device per City Standard #863 & #876 shall be installed for all common areas needing irrigation.

87. Access roads and private streets/driveways that have private fire, water and private sewer mains shall be a minimum of 24-foot width of pavement. 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, shall be aligned within 5' horizontally of the water or sewer mains.
88. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Ordinance 4051, on October 27, 2015. Plans shall be submitted with the Building Permit application. Submit the following with the above-mentioned plans: Maximum Applied Water Allowance form, Hydrozone Table form, and Certificate of Completion form.
89. An Encroachment Permit shall be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements.
90. Provide a separate irrigation service to each common area. See Section X. O. of the Water System Design Standards.
91. Applicant shall install one combination water service(s) at each side of the private water line and or fire line loop connection point per City Standard #870 for fire sprinkler, public fire hydrant, domestic and irrigation meters, for a total of two.
92. Applicant shall provide Fire flow calculations for project indicating compliance with CFC Appendix III-A. Due to the limited access to the site, increased fire protection shall be required for Fire Department approval above the minimum adjusted fire flow available to provide 1500 gpm in residential and commercial developments or as approved by the Fire Department.
93. A looped private fire main water system to Thomas Lake Harris Drive shall be installed by the applicant as required by the Fire Department to provide necessary secondary fire flow connections to a private main. The flow calculations shall be submitted to Santa Rosa Water Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing.
94. Santa Rosa Water Department provides mapping of private onsite water mains and fire hydrants for the Fire Department and processes the fee collection and meter installation for the fireline. Provide two copies of the approved onsite plans showing private fire lines and private fire hydrant locations to the Santa Rosa Water Department prior to requesting meter sets and commencing service. Refer to section XI.A of the Water System Design Standards for submittal of plans for private fire systems.
95. Fire hydrants shall be provided on Fire Department access roads per City Standards. Fire hydrant type and installation shall comply with City Water Standard 857. As applicable, a public fire hydrant may be located within 50-feet of the Fire Department Connections for the fire sprinkler and standpipe

systems and design shall be determined at Plan check. Private fire hydrants are required on the looped fire line throughout the site. The fire sprinkler system and fire department connection are to be connected to the fire line. The proposed connection for the private fire main to the public main shall be located in Gullane Drive at the existing stub out that is located east of Lahinch Lane on the public water main "T" connection. The fire main shall connect through the development to continue down the EVA Road to provide fire flows from a looped private main connected back into the city main at the Thomas Lake Harris Drive at Canyon Oaks commercial Driveway. A minimum 5-foot separation shall be maintained between sewer and water laterals.

96. City Operational Locks shall be placed on all gates that are to be locked.
97. If any gates shall cross public water and or sewer mains, then 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.) shall be provided at all times. Details shall be included on the Improvement Plans.
98. Proposed retaining, fence or sound wall fence crossing public storm drain, water and sewer mains shall have no footings installed within 5-feet of the utility mains. Fences and or structures are not permitted to be built within the public utility easements (PUE). Access to public utilities including all structures, i.e. manholes, cleanouts, mainline valves etc., shall be provided at all times.
99. As applicable, public maintenance access in private driveways with public fire hydrants, water meters, public DDCV or other readable utility meter devices shall be provided to all structures with a turnaround per City Standard 206 when the backup distance for any maintenance vehicle exceeds 100'. 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.
100. If there is a public water main extension, then a fire flow test shall be completed at the time of the tie in of the project to the City system. The hydrant which shall most likely produce the least flow shall be tested. In the case of a project that has multiple dead-end systems such as cul de sacs, a fire flow test shall be completed at the hydrant on each separate cul de sac or dead-end system. The fire flow shall meet the requirement for the project before the project is accepted. The City shall perform the fire flow test. The fee to have the test performed shall be paid to the Utilities Department prior to the test being performed.
101. The trash enclosure shall be covered to prevent any storm water contact with waste trash bins and receptacles. Any floor drains shall be plumbed direct to a grease interceptor and have no direct connection to City sanitary sewer or storm drain systems.

102. Private water, fire, sewer and storm drain mains shall not be permitted within the joint trench PUE. Public water meters or backcheck devices shall not be located under private asphalt, sidewalks and driveways.
103. The water service connections for the private water mains shall be from the public water main located at the end of Gullane Drive. The design and locations for the service lateral connections to the main shall be reviewed and approved during the Subdivision Improvement Plan review process.
104. As applicable, sewer and water laterals and main extensions not being used shall be abandoned at the main in the street. Abandonment of public water mains into the project site shall be performed per City Standards. Public sewer mains shall become private mains if no other upstream property owners are connected.
105. Private sewer mains shall adhere to City Design Standards providing gravity flows with minimum 2-FPS velocity and shall be no larger than the public main in the street. Private sewer mains shall be connected to the public system at manhole structures from private manhole locations behind the right of way. Private sewer mains shall be noted on the Subdivision Improvement Plans as private up to the connection to the public manhole. Changes in size, grade, or alignment in the private sewer main shall be done through manhole structures. The minimum pipe size for sanitary sewer shall be 8-inch. Separate sewer laterals of a minimum size of 4-inch pipe shall be installed for each condo unit or 6" pipe minimum for each building with a maintenance agreement.
106. This project has mapped seismic fault traces onsite. The water system design within fault line setbacks shall be as determined by, and in conformance to, the Site Engineering and geotechnical report and all other recommendations as prepared by Reese and Associates Consulting Geotechnical Engineers of Santa Rosa, CA. (707) 528-3078. "Job no. 202.5.13, Emerald Isle, Santa Rosa, CA." Geotechnical Report. The utilities shall be designed for seismic conditions when crossing the fault line or in the fault setback area. Refer to section XVI of the Water Design Standards.
107. The private domestic water and fire mains shall have isolation valves for each building site to maintain domestic and fire flows in the system while allowing for service shut down for maintenance of that individual building.
108. Lift stations shall not be allowed where an acceptable alternative gravity route exists. All lift stations shall be privately owned and maintained by the property owner.
109. Ductile iron epoxy lined pipe shall be used for sanitary sewer mains from manhole to manhole when outside of roadways. Maximum pipe slopes are 15%. See the City Sanitary Sewer Standard specifications.

#### **FIRE DEPARTMENT**

110. Project is located in the Wildland-Urban Interface (WUI) Fire Area. A Vegetation Management Plan for the site, extending to 100 feet from the

exterior walls of the building, shall be provided to the Fire Dept for review and approval prior to occupancy.

111. 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.
112. Required Fire Department access roads shall be signed "No Parking – Fire Lane" per current Fire Department standards & CA Vehicle Code.
113. Traffic calming measures (bollards, speed bumps, humps, undulations, etc.) are not approved as a part of this review and require specific approval from the Fire Department.
114. A Fire Flow Analysis including proposed building areas, type of construction, and calculated available fire flow at the new fire hydrants shall be provided to the Fire Department for review and approval concurrent with submittal of Improvement plans. Some locations of fire hydrants as shown shall require modification. See the fire department for approved fire hydrant locations as part of the encroachment permit process.
115. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.
116. Provide an automatic fire sprinkler system.
117. Site address signage per current Fire Dept Standards shall be established and maintained during and after any combustible construction or intensification of site use. Twelve inch illuminated characters shall be provided where private roadway joins public roadway.
118. Two copies of a Phase 1 Environmental Site Assessment shall be included with submittal of the first Engineering plan check. One 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 approved the Phase 1 study.
119. Deferred Fire Department permits: Construction; Underground fire main system (from the backside of the detector check), Automatic Fire Sprinkler System, Fire Alarm System, fixed (kitchen) extinguishing system(s), and Generator fuel storage. Operation; Bi-Directional Radio Repeater System, Hazardous Materials Storage.
120. Provide a fire department key box (Knox box) on the building.
121. The building shall comply with the "In Building Public Safety Radio System" requirement of CFC 18-44.510.1. A post construction performance test is an option. If sufficient signal strength exists, then no system required. If deficient, a system is required.
122. Storage or use of any hazardous materials at the site will require a Hazardous Materials Business Plan to be submitted to the CA Environmental Reporting System on-line reporting program.



## **RECREATION AND PARKS**

123. This project does not have any street frontage therefore there are no street trees required.
124. 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.
125. All landscaping shall be privately maintained and irrigated. Commercial Property owners and/or homeowners' association (HOA) shall be responsible for the irrigation and maintenance of the common areas, street trees and maintenance of the planter strips in front of and alongside of their buildings.
126. The Homeowner's Association or Commercial Property owner shall maintain any trees, shrubs and soil of Open Space area adjacent to Gullane Drive in a non-dangerous condition that the trees, shrubs, soil, and other landscape shall not interfere with the public convenience of safety in the use of the street sidewalk.
127. The 5.82 Acres of Natural Open Space shall be the maintenance responsibility of the Homeowner's Association or Commercial Property Owner and shall not be dedicated to the City.
128. The developer shall provide a means acceptable to the City to fund the maintenance of the common and or one ownership landscaped areas into perpetuity through a special tax district, CC&R's, property owners association(s), and/or other acceptable method. The Natural Open space or landscape areas or easement shall be owned and maintained for perpetuity by the HOA or commercial property owner. Landscaped areas or parcel(s) shall not be 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 shall 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 approval by the City Attorney and the Director of the 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.
129. Public and/or common area landscaping improvements, required as part of a subdivision, shall be bonded as approved by the City Engineer. All such landscaping, walkways, irrigations, street trees, and fencing improvements shall be installed prior to final City acceptance of all projects.

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 in no way constitutes

approval or denial of the item under decision. Final approval or denial rests with the Planning Commission and/or City Council and may or may not be subject to terms of this report.

**Recommendation**

☒ Approval with conditions as set forth in this report

☐ Continuance

☐ Denial – Reasons:

☐ Final action referred to the Planning Commission



CLARE HARTMAN  
Deputy Director - Planning  
Planning and Economic Development

## **Appendix H: Mitigation Monitoring and Reporting Program**

THIS PAGE INTENTIONALLY LEFT BLANK

**Mitigation Monitoring and Reporting Program  
for the  
Emerald Isle Condominium Project  
(formerly known as the Emerald Isle Assisted Living Facility Project)  
Draft Subsequent Mitigated Negative Declaration  
City of Santa Rosa, Sonoma County, California**

Prepared for:  
**City of Santa Rosa**  
Planning and Economic Development Department  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404  
707.543.3223

Contact: Andrew Trippel, City Planner

Prepared by:  
**FirstCarbon Solutions**  
1350 Treat Boulevard, Suite 380  
Walnut Creek, CA 94597  
925.357.2562

Contact: Mary Bean, Project Director  
Liza Baskir, Project Manager

Report Date: September 9, 2019

THIS PAGE INTENTIONALLY LEFT BLANK

Table 1: Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3. Air Quality					
<p><b>MM AIR-1:</b> The following BMPs, as recommended by the BAAQMD, shall be included in the project design and implemented during construction:</p> <p>a. All active construction areas shall be watered at least two times per day.</p> <p>b. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least three times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.</p> <p>c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.</p> <p>d. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</p> <p>f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, California Code of Regulations, Title 13, Section 2485). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.</p>	<p>Incorporation into project construction documents; the City of Santa Rosa Planning and Economic Development Department: Building Division shall inspect the worksite regularly to ensure the construction mitigation measures are implemented</p>	<p>Prior to issuance of building permit</p>	<p>City of Santa Rosa Planning and Economic Development Department: Building Division</p>		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>i. The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact at the BAAQMD regarding dust complaints. BAAQMD and the construction contractor shall take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>					
<p><b>MM AIR-2:</b> During construction activities, the developer or project applicant shall ensure all off-road equipment in excess of 50 horsepower used on-site by the developer or contractors is equipped with engines meeting the EPA Tier IV Final off-road engine emission standards. The construction contractor shall maintain a log of equipment use at the construction site with make, model, serial number, and certification level of each piece of construction equipment that will be available for review by City building inspection staff.</p>	<p>Incorporation into bid documents</p> <p>On-site inspection; submittal of logs</p>	<p>Prior to issuance of building permit</p> <p>Prior to any fuel powered grading or construction activities</p>	<p>City of Santa Rosa Planning and Economic Development Department: Building Division</p>		
<b>4. Biological Resources</b>					
<p><b>MM BIO-1a:</b> Prior to any vegetation removal or ground-disturbing activities, focused botanical surveys shall be conducted to determine the presence of various special-status plant species including Napa false indigo, Bent-flowered fiddleneck, Narrow-anthered brodiaea, Hollyleaf ceanothus, Colusa layla, and Baker's nararretia. Surveys shall be conducted in accordance with Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (CDFG 2009). These guidelines require plant</p>	<p>Qualified biologist's on-site survey results and submittal of survey documents; periodic on-site inspection/monitoring</p>	<p>Prior to commencement of construction during blooming periods</p>	<p>City of Santa Rosa Planning and Economic Development Department: Building Division; USFWS and/or California Department of Fish and Wildlife (as</p>		



Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>surveys to be conducted at the proper time of year when the species are both “evident” and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found within the project site, then the project will not have any impacts to the species and no additional mitigation measures are necessary.</p> <p>1. If focused surveys indicate that special-status plant species are present within the project site, the project applicant shall evaluate the feasibility of reconfiguring the project design in order to avoid or minimize impacts to special-status plant species. In addition to avoiding direct impacts to special-status plant species, potential indirect, project construction, and operation impacts, shall be minimized to the maximum extent feasible through means that include but are not limited to the installation of protective fencing and environmentally sensitive area signage. Additionally, a Worker Environmental Awareness Program shall be implemented to educate construction workers about the presence of special-status species or other sensitive resources, including special-status plant species in and near the project site, and to instruct them on proper avoidance, and required measures and practices for protecting biological resources and contacts and procedures in case species are injured or encountered during construction.</p> <p>2. If special-status plant species are found on-site and cannot be avoided, the applicant shall coordinate with the USFWS and/or CDFW, as applicable, to determine feasible impact minimization and mitigation measures for rare plants, which may include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>Habitat restoration to mitigate for unavoidable temporary construction impacts to special-status plant species habitat on-site.</li> </ul>			applicable)		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> <li>Incorporating project features designed to reduce ongoing impacts from project operation, including controlling public access to avoided special-status plant species habitat remaining on-site.</li> <li>In conjunction with academic institutions and/or regional native plant nurseries, a propagation program shall be developed for the salvage and transfer of special-status plant species populations from the project site before the initiation of construction activities. Permits may be required from the USFWS or CDFW that will ensure that certified biologists are involved in the propagation and transport of rare, threatened, or endangered plant species. (Note that propagation methods for the salvaged plant population must be developed on a case-by-case basis and must include the involvement of local conservation easements, preserves, and open space, where applicable.) The propagation of individual plant species must be performed at the correct time of year and successfully completed before the project's construction activities eliminate or disturb the plants and habitats of concern.</li> <li>Efforts shall be made to salvage portions of the habitat or plant populations that would be lost as a result of implementation of the proposed project. In addition to salvaging special-status plant species themselves, salvage efforts shall include soil and seed-banks surrounding impacted plants, if doing so would not contribute to the spread of invasive or noxious plant species.</li> <li>Appropriate off-site conservation opportunities shall be identified and, if feasible, protected in perpetuity through the purchase of conservation easements and/or mitigation bank credits. The habitat value of off-site conservation areas shall be enhanced where feasible through means such as reducing grazing intensity and restricting off-road vehicle</li> </ul>					

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
access. At a minimum, the acreage of off-site habitat conserved shall exceed a 1:1 ratio of impacted rare plant habitat within the project site. The ratio shall increase depending on the rarity of the affected rare plant species, and the abundance of the rare plant habitat impacted.					
<p><b>MM BIO-1b:</b> Implementation of the following avoidance and minimization measures would avoid or minimize potential effects to migratory birds and habitat in and adjacent to the project site. These measures shall be implemented for construction work during the nesting season (February 15 through August 31):</p> <p>If construction or tree removal is proposed during the breeding/nesting season for migratory birds, a qualified biologist shall conduct pre-construction surveys for Cooper's hawk, white-tailed kite, and other migratory birds within the construction area, including a 300-foot survey buffer, no more than 7 days prior to the start of ground disturbing activities in the construction area.</p> <p>If an active nest is located during pre-construction surveys, the USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.</p> <p>A qualified biologist shall delineate the buffer using nest buffer signs, Environmentally Sensitive Area (ESA) fencing, pin flags,</p>	Qualified biologist's pre-construction survey results and submittal of survey documents; periodic on-site inspection/monitoring	Prior to tree removal and during nesting season (February 15 through August 31)	City of Santa Rosa Planning and Economic Development Department: Building Division; USFWS and/or CDFW (as applicable)		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.					
<p><b>MM BIO-2:</b> To minimize impacts to existing trees to be preserved, the project applicant shall implement the following during the clearing, grading, and construction phases:</p> <ol style="list-style-type: none"> <li>1. No parking, storage of materials, disposal of any waste materials, or unnecessary operation of equipment shall occur within the driplines of trees to remain.</li> <li>2. If pruning for clearance is required on any trees to remain, it shall be conducted by trained, qualified tree workers according to International Society of Arboriculture and American National Standards Institute's Pruning Guidelines. Pruning shall be the minimum necessary for hazard reduction, (e.g., the removal of deadwood 2 inches and larger), and clearance. The project arborist shall meet with tree service contractor prior to work to discuss limits and goals of pruning.</li> <li>3. Care shall be taken to avoid damaging trunks or branches of protected trees by creating a tree protection zone that includes a fenced enclosure at the dripline of trees or as established by the project arborist in which no soil disturbance is permitted and activities are restricted. Where necessary, trunks shall be wrapped with thick layers of burlap or straw wattle for protection.</li> <li>4. The project arborist shall be notified a minimum of 24 hours in advance to be present on-site during rough grading or trenching within the Tree Protection Zones of trees to be preserved, as designated on the plans. Tree protection fencing shall be installed and maintained in place throughout construction.</li> <li>5. If any roots larger than 1 inch are encountered that cannot be preserved, they shall be cut cleanly across the face of</li> </ol>	Incorporation into project design and construction documents; on-site inspection of construction site by project arborist	Prior to tree pruning and grading and during clearing, grading, and construction	City of Santa Rosa Planning and Economic Development Department: Building Division		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>the root with a sharp saw. No treatment of the cut end is necessary. Backfill of the exposed cut roots shall be done as quickly as possible to prevent desiccation.</p> <p>6. In areas where soil compaction within root zones of protected trees has occurred, loosening of soil surface shall be completed prior to final walkthrough of each area. Consult the project manager or project arborist for recommendations of technique.</p> <p>7. Where practical, arbor mulch (chipped wood bark and foliage, 2-Inch layer minimum) shall be spread and retained under protected trees to serve as a permanent top dressing and mulch.</p> <p>8. Replacement/replanting of a minimum of 250 36-Inch box trees within the project site or other City-approved location or as approved.</p>					
<b>5. Cultural Resources and Tribal Cultural Resources</b>					
<p><b>MM CUL-1:</b> All ground disturbance taking place during the initial project grubbing and grading phases shall be monitored by an archaeologist and/or a tribal monitor from an appropriately affiliated tribe in order to check for the inadvertent exposure of cultural materials. The archaeologist must meet the Secretary of Interior's Professional Qualification Standards for archaeology. Upon completion of the grading and grubbing phases, the archaeologist and/or tribal monitor will make a recommendation to the City of Santa Rosa as to whether additional monitoring is warranted. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until the archaeologist and tribal monitor have evaluated the situation. The applicant shall include a standard Inadvertent discovery clause in every</p>	<p>Qualified archaeologist's/tribal monitor's on-site inspection; provision of Section 15064.5 permit(s); copy of DPR 523 forms; submittal of findings and documentation</p>	<p>During initial grading/construction and in the event resources are found</p>	<p>City of Santa Rosa Planning and Economic Development Department: Building Division</p>		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist and appropriately affiliated tribe(s) shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with the CEQA Guidelines and tribal tradition. Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Santa Rosa, the Northwest Information Center, and the State Historic Preservation Office, if required.					
<b>7. Geology and Soils</b>					
<b>MM GEO-1:</b> Design of proposed structures on the site shall be done in conformance with the seismic provisions of the latest adopted edition of the California Building Standards Code and the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers dated September 21, 2016, including the parameters developed pursuant to a Risk-Targeted Maximum Considered Earthquake (MCfa) Ground Motion Hazard Analysis per ASCE 7-10 Section 21.2. A qualified geotechnical engineer shall review the final foundation and building plans to ensure conformance with the recommendations.	Approval of final grading and foundation plans by a qualified engineer	Prior to issuance of grading and building permits	City of Santa Rosa Planning and Economic Development Department: Building Division; qualified engineer		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<b>MM GEO-2:</b> Prior to the issuance of a building permit and during the foundation phases of construction, the project applicant shall consult with a geotechnical consultant to reduce potential risks of buildings planned closer than 70 feet to top of the steep slope.	Approval of final grading and foundation plans by a qualified engineer; on-site inspection	Prior to issuance of building permit and during construction	City of Santa Rosa Planning and Economic Development Department: Building Division; qualified engineer		
<b>MM GEO-3:</b> Design and construction of fills, cuts, foundations, retaining walls and slabs shall recognize the presence of creep-affected soils and be done in compliance with the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers, dated September 21, 2016. Grading measures such as over-excavation of creep-affected soil and replacement as properly keyed, benched and compacted fill shall be implemented and foundations and retaining walls shall be designed to resist lateral creep soil loads. Prior to issuance of a grading permit, a qualified geotechnical engineer shall review the final grading and foundation plans to ensure conformance with the recommendations.	Approval of final grading and foundation plans by a qualified engineer	Prior to Issuance of grading and building permits	City of Santa Rosa Planning and Economic Development Department: Building Division; qualified engineer		
<b>MM GEO-4:</b> Prior to the issuance of construction and grading permits, the applicant shall adhere to the recommendations of the Geotechnical Investigation report by Reese & Associates Consulting Geotechnical Engineers, dated September 21, 2016, regarding weak, porous soils and expansive soils on-site. Expansive soils encountered within building envelopes shall be removed for their full depth or covered with a moisture confining and protecting blanket of approved on-site or imported materials of low expansion potential prior to erection of structures. Expansive soils can undergo significant strength and volume changes with seasonal variations in moisture content and can heave and distress lightly loaded	Submittal of records documenting completion	Prior to Issuance of construction, grading, and building permits	City of Santa Rosa Planning and Economic Development Department: Building Division; qualified engineer		

Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
footings and slabs. Additionally, for slab-on-grade support, the applicant shall verify that expansive soils have not dried and cracked. The applicant shall document completion of these actions and submit verification to the City.					
<b>13. Noise</b>					
<b>MM NOI-1:</b> Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts: <ul style="list-style-type: none"> <li>The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.</li> <li>The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.</li> <li>The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.</li> <li>At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences.</li> <li>The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.</li> <li>The construction contractor shall ensure that all on-site demolition and construction activities, including deliveries and engine warm-up, shall be restricted to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. No such activities shall be permitted on Sundays or holidays.</li> </ul>	Recordation in contract specifications  Periodic on-site inspection/monitoring and submittal of on-site inspection monitoring reports	Prior to issuance of grading and building permits  Prior to and during construction	City of Santa Rosa Planning and Economic Development Department: Building Division		



Table 1 (cont.): Emerald Isle Condominium Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
17. Transportation					
MM TRANS-1: Prior to Issuance of the first certificate of occupancy, the applicant shall add edge line striping on Thomas Lake Harris Drive for a distance of approximately 300 feet to the north and south of Gullane Drive. This would reduce speeds on Thomas Lake Harris Drive and ensure provision of adequate sight distance at Guilane Drive. The City of Santa Rosa shall review and approve the striping plan.	Identification on-site circulation plans and site plan review and approval; site inspection	Prior to final site plan approval; prior to Issuance of the certificate of occupancy	City of Santa Rosa Transportation and Public Works Department		

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. 11990

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A MINOR  
CONDITIONAL USE PERMIT FOR EMERALD ISLE CONDOMINIUMS, AN 82-UNIT  
CONDOMINIUM DEVELOPMENT FOR RESIDENTS AGED 55 AND OLDER - LOCATED  
AT 0 THOMAS LAKE HARRIS DRIVE, APN 173-670-016 AND 173-670-004 - FILE  
NUMBER CUP19-019

WHEREAS, the Fountaingrove Ranch Planned Community District Policy Statement, PD 72-001, adopted per Ordinance No. 2196, September, 1981, and as amended per Ordinance No. 1546 dated January 25, 1972, and as amended per Ordinance No. 2955 dated May 26, 1992, requires Use Permit approval by Community Development staff for all proposed uses on parcels which are subject to PD 72-001; and

WHEREAS, an application was submitted requesting the approval of a Minor Conditional Use Permit for Emerald Isle Condominiums, an 82-unit condominium development for residents aged 55 and older, to be located at 0 Thomas Lake Harris Drive, also identified as Sonoma County Assessor's Parcel Numbers 173-670-004 and 173-670-016;

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, approved, and adopted a Subsequent 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 in that the proposed use, multi-family residential at a density of 6.5 units per acre, is allowed within the PC-CR (Planned Community-Cluster Residential) district, which allows densities up to 8 units per acre, as regulated by Fountaingrove Ranch Planned Community Policy Statement and Development Plan PD72-001 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 in

that the site is designated Low Density Residential (2.0 to 8.0 units per acre) and the project proposed density is 6.5 dwelling units/acre. The project as designed would maintain neighborhood diversity and varied housing stock to satisfy a wide range of needs (Goal LUL-F), as well as maintain a balance of various housing types and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood (Policy LUL-F-3) and providing a variety of housing types throughout the City (Policy H-A-1), and the project would further the goals and policies of the General Plan by designing hillside development to be sensitive to existing terrain and views (Goal UD-H) and minimizing vegetation removal in hillside areas and preserve large trees that partially screen development or help blend new development into views, and conserving significant vegetation and trees (Goal OSC-E);

- 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 in that the proposed project is consistent with the Fountaingrove Ranch Planned Community District Development Plan PD 72-001 which envisions cluster residential development in this area which would include single-family attached and detached units on small lots, as well as multi-family dwellings, and project approval is subject to the City's hillside development and design standards;
- 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 in that the project complies with General Plan objective criteria for land use and density, as well as all site development and use standards contained in applicable Planned Development and Zoning Code regulations. It is located in a developed area with access to City services and has been reviewed by City staff and conditioned to include improvements as necessary to support the project and its associated uses. The project design incorporates a dedicated Emergency Vehicle Access roadway that would provide an alternative route to Thomas Lake Harris Drive in the event of an emergency, and the project would implement a Defensible Space Plan consisting of four zones in which vegetation would be modified to prevent the rapid transmission of fire(s) from wildland to structures or from structures to wildland;
- 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 in that the proposed project is located within an area zoned for residential uses and through working with neighbors and staff, the applicant has revised the proposed project to minimize impacts to its proposed tenants as well as surrounding businesses and residences. An Emergency Preparedness and Evacuation Plan that would provide emergency contact information to residents, collect emergency contact information from residents, establish protocols for communication in the event of an emergency, and includes roadway emergency evacuation routes to locations outside the Fountaingrove area has been submitted, and the project has been conditioned to require installation of an emergency generator to provide sufficient power to light the recreation center for at least 12 hours; and

- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was prepared, which resulted in the adoption of a Subsequent Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the project.

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 Emerald Isle Condominiums, to be located at 0 Thomas Lake Harris Drive, is approved subject to each of the following conditions:

**DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT**

1. Compliance with Planning Commission Resolution No. 11989.
2. 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.
3. 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.

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 24th day of October, 2019, by the following vote:


AYES: (6) Chair Cisco, Vice Chair Weeks, Commissioner Duggan, Commissioner Kalia, Commissioner Okrepkie and Commissioner Peterson.

NOES: (0)

ABSTAIN: (0)

ABSENT: (1) Commissioner Carter

APPROVED:

  
Patti Cisco (Nov 14, 2019)

PATTI CISCO, CHAIR

ATTEST:



CLARE HARTMAN, EXECUTIVE SECRETARY