

RESOLUTION NO. 11654

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
APPROVING THE ELM TREE STATION TENTATIVE MAP LOCATED AT 874 NORTH  
WRIGHT ROAD - FILE NUMBER MJP12-005

WHEREAS, an application has been submitted by Jean Kapolchok, J. Kapolchok & Associates, requesting approval of a tentative map of Elm Tree Station, more particularly described as Assessor's Parcel Number(s) 035-063-001, dated July 2013, to subdivide the property into two parcels; 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.).

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of two lots 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.
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That the proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring Program dated August 26, 2013, as conditions in to this approval, 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 Elm Tree Station Tentative Map dated July 2013, and stamped received by the City of Santa Rosa on August 5, 2013, and on file in the Department of Community Development, subject to the following conditions:

1. Compliance with all conditions as specified by the attached Exhibit "A" dated August 22, 2013, and amended October 24, 2013.
2. Project shall comply with the Mitigation Monitoring and Reporting Program dated August 26, 2013.
3. Compliance with all conditions as specified by the Elm Tree Station Conditional Use Permit Resolution Number 11655.
4. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
5. That the developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.
6. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
7. The developer shall pay park fees in effect at the time the building permit is issued.
8. 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, 2013, by the following vote:

AYES: (5) Chair Cisco, Vice Chair Stanley, Commissioners Byrd, Karsten and Minton

NOES: (1) Commissioner Duggan

ABSTAIN: (0)

ABSENT: (1) Commissioner Groninga

APPROVED:



CHAIR

ATTEST:

  
EXECUTIVE SECRETARY

TRANSPORTATION and PUBLIC WORKS DEPARTMENT  
ENGINEERING DEVELOPMENT SERVICES

EXHIBIT "A"  
(August 22, 2013)  
Amended October 24, 2013

874 Wright Rd  
ELM TREE STATION  
Minor Subdivision

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. **Developer's engineer shall comply with all requirements of the current Municipal Separate Storm Sewer System (MS4) and City Standard Urban Storm Water Mitigation Plan Low Impact Development Guidelines. 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 tentative map shows wetlands which will likely require a permit from the North Coast Water Quality Control Board. Mitigation measures required by the Board may not be consistent with the approval of this map, which would require a re-application of the tentative map for approval with the new configuration. It is recommended that the applicant work closely with the Board and the City to achieve a mutually acceptable project.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received June 25, 2013:

**PARCEL MAP AND EASEMENT DEDICATION**

1. A minimum 10 foot wide public bicycle pathway easement centered on the alignment of the proposed pathway connecting the Joe Rodota Trail with Wright Road over Lots 1 and 2 shall be dedicated to the City of Santa Rosa. Maintenance of the pathway shall be the responsibility of the property owners and included in the Joint Maintenance Agreement between Lots 1 and 2 to be recorded with the Map.
2. A 7.5 foot Public Utility Easement is to be dedicated to the City along Wright Road.
3. The private utility services from N.Wright Road to Lot 2 over Lot 1 shall be contained within Private Sewer and Private Water Easements from lot 1 in favor of Lot 2. The paved area except for the fueling island and recharging station locations on Lot 1

shall be covered with a Floating Access Easement in favor of Lot 2.

4. The private fire hydrant, private fire main, and double detector check valve on Lot 1 are to be contained in a "Private Fire Main Easement" in favor of Lot 2 with a joint maintenance, access, and use agreement between Lots 1 and 2.
5. 2 copies of the Phase 1 Environmental Site Assessment are required with the submittal of the first plan check. 1 copy is to 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 Public Works, 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.

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

6. The common pavement shall be built to City minor street structural standards and bordered with concrete curb and gutter. Access from North Wright Road is to be through City Standard 250A Driveway Curb cuts, 35 foot wide for the southerly driveway and 24 foot for the northerly driveway. The paved area covered by the floating access easement is to be contained in a private joint maintenance agreement between Lots 1 and 2 recorded with the map.
7. The Bicycle Path shall be asphalt paved and built to City Standard 216. The bicycle path is to connect to the County Path, Joe Rodota Trail, conforming to existing grades and with 10 foot radius pavement returns.

#### **STORM DRAINAGE**

8. 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 SUSMP 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 SUSMP 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) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.

- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner'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 Department of Community Development for review.
- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 9. All off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated through the LID BMP's. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.
- 10. A public storm drain is to be extended from Wright Road to the easterly project boundary, designed at minimum grade and sized to provide capacity for future extension with development per General Plan Density of the adjacent property. The pipe is to end at the easterly property line with a City Standard Field inlet with side openings and bolt down top. The public storm drain is to be constructed with a City Standard 216 maintenance access road contained within a 15 foot Public Storm Drain easement and provided with either hammerhead turn around or secondary access easement over site to Public Right of Way. The Public Bicycle Path Access Easement is to be over the maintenance access road connecting Wright Road to the Joe Rodota Trail.
- 11. Project shall accept all historic flows from offsite with no alteration to flow patterns except at the property line.

#### UTILITY

- 12. An Encroachment Permit must be obtained from TPW Engineering Development Services prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements. A Revocable license agreement shall be obtained from Sonoma County PRMD prior to beginning any work in County Right-of-Way.

EXHIBIT A

PAGE 4

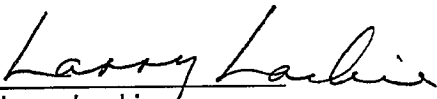
13. Applicant must install a combination service per City Standard #870 for private fire main, domestic and irrigation meters on N Wright Road. The combination service lateral and meters shall be sized to meet domestic, irrigation and fire protection uses. Reduced pressure back flow devices per City Standard 876 will be required on the water and irrigation services for Lots 1 and 2. The private fire main will require a City Standard 880 double detector check valve. The flow calculations shall be submitted to the Utilities Department during the plan check phase of the Improvement Plans or Encroachment Permit to determine adequate sizing. Provide meters per Section X of the Water System Design Standards. The Double Detector Check Valve is to be contained within a Public Water Easement up to the first valve location.
14. Backflow prevention devices required behind all meters shall be designed and installed in accordance with current City Standards, State Health code Title 17, and as required by the Director of Utilities for Lots 1 and 2.
15. A private fire hydrant is required on Lot 1 along the northerly driveway access in the landscape finger and in accordance with City Fire Department Requirements to coincide with fire tactics and equipment. The hydrant location shall be within 150 feet of commercial buildings and a minimum 40 feet from structures. Fire hydrant type and installation shall comply with City Water Standard 857. For specific fire hydrant locations and flow requirements see Section XII of the Water System Design Standards.
16. The use of the private fire main, hydrant, and all appurtenant improvements for the fire main extension from N.Wright Road on Lot 1 by Lot 2 is to be addressed in a "Declaration of Easements, Covenants, and Restrictions" document. The document is to be reviewed and approved by the Fire Department to be recorded prior to issuance of any permit to construct the private Underground Fire Main.
17. If separate domestic service for Lot 2 cannot meet the required fire sprinkle flow demands a separate fire main with double detector check valve will be required.
18. Any existing water or sewer services that will not be used must be abandoned at the main per City Standards under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Utilities Engineering at 543-3950 to arrange pick up.
19. Separate sewer and water laterals shall be installed for each lot. Sewer and water lateral for Lot 2 is to be contained in a private sewer and water easement over Lot 1.
20. The storm drain from the trash bin area is to be connected to the sewer lateral through a grease interceptor unless the trash bin is covered with roof drainage being connected to the private site drainage/SUSMP LID BMP's system. An Industrial Waste Discharge Permit must be obtained from the City's Utilities Environmental Services Section. Contact Environmental Services at 543-3369.
21. Water Supply - Applicants shall provide Fire flow calculations for projects indicating

EXHIBIT A

PAGE 5

compliance with CFC Appendix III-A. The minimum adjusted fire flow available shall provide 1500 gpm in residential and commercial developments and 2500 gpm for industrial developments.

22. Demand fees and meter sizes are to be determined after review of building plans. Submit details of plumbing fixtures, including the amount of fixtures and the size of service lines (3/4", 1/2" etc.) to Utilities Engineering for review.
23. Provide a separate irrigation service. See Section X. O. of the Water System Design Standards.
24. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes should be listed on the information sheet of the Final Map.
25. The Utilities Department recommends that the irrigation system be metered separately from domestic use to reduce sewer usage charges.
26. Where LID BMP's systems are required, meter boxes, cleanouts, fire hydrants, etc. must be located without conflict with the swales. Locations of infrastructure will be reviewed during plan check.
27. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B).
28. This property is subject to paying any remaining portion of the Southwest Development Impact Fee, SWDIF, required for this property in addition to standard demand fees. The local agency informational sheet of the Final Map must be annotated with this information.

  
Larry Lackie  
Project Engineer