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RESOLUTION NUMBER [entered by secretary after approval]

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING FINAL DESIGN REVIEW APPROVAL FOR MODIFICATIONS TO THE PREVIOUSLY APPROVED MARLOW COMMONS PROJECT, A 64-UNIT ATTACHED RESIDENTIAL SUBDIVISION, LOCATED AT 2199 MARLOW ROAD AND 2039, 2041 & 2045 GUERNEVILLE ROAD, ACCESSOR'S PARCEL NUMBERS 036-061-028, -064, -068 AND -069; FILE NUMBER DR19-082

WHEREAS, on June 21, 2018, the Design Review Board of the City of Santa Rosa held a duly noticed public hearing on Marlow Commons, a 64-unit attached residential subdivision to be located at 2199 Marlow Road and 2039, 2041 & 2045 Guerneville Road, also identified as Sonoma County Assessor's Parcel Numbers 036-061-028, -064, -068 and -069, at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, at said hearing, the Design Review Board adopted Resolution No. 18-982 granting Preliminary Design Review, and delegated Final Design Review to staff.

WHEREAS, on November 18, 2019, the Department of Planning and Economic Development received an application requesting modifications to the approved Design Review for the Marlow Commons project, and

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

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans). The site is located in an area designated by the General Plan Land Use Diagram as Medium Density Residential, which is intended for areas where higher density housing is appropriate. Pursuant to General Plan Policy LUL-F-2, the project is designed at a density of 13 units per acre (the midpoint of allowable density). The project site is within the R-3-18 (Multi-family Residential) zoning district, which is consistent with the General Plan land use designation. The project meets development standards pursuant to Zoning Code Section 20-42.140, which discusses small lot subdivisions. The project is consistent with the City's Design Guidelines being supported by several goals and policies applicable to new residential development; and
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review (Design Guidelines, Introduction, Subsection C) in that it provides site layout, landscaping, ecological protection, and circulation considerations appropriate for a residential development and has been determined by the Design Review Board to be of

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“Superior Design” by reflecting thoughtful considerations and responses to parameters outlined in the Framework of Design Review; and

3. The design and layout of the proposed housing development will not interfere with the use and enjoyment of neighboring existing or future developments in that the Project provides setbacks, circulation and design features compatible with the surrounding neighborhood including increased setbacks along shared property lines, reduced building height, and the inclusion of an eight-foot fence around the perimeter of the development site; and
4. The architectural design of the proposed residential development is compatible with the character of the surrounding neighborhood. In addition to the privacy-protecting measures listed in Finding No. 3 (above), the development is designed in compliance with Zoning Code Section 20-42.140, which specifies development standards for small lot subdivisions in terms of setbacks, building height, private open space and parking; and
5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained; and
6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the entire project has been reviewed by City staff, outside agencies, and approval authorities and conditioned to minimize potential impacts; and
7. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project.
8. The Marlow Commons project was found to be in compliance with the California Environmental Quality Act (CEQA) on Design Review Board Resolution No. 18-982. The proposed modifications are within the scope of the previously approved project.

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Final Design Review of Marlow Commons subject to each of the following conditions:

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

GENERAL:

1. Compliance with all conditions as specified by the attached Exhibit "A" dated May 10, 2018, attached hereto and incorporated herein.

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2. Incorporate sound-protection measures on properties along Marlow Road and Guerneville Road, as detailed in the project sound study, prepared by Illingworth & Rodkin, Inc., dated April 12, 2017.
3. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
4. Should housing in-lieu fees be applicable, then this proposal shall be subject to the provisions of Ordinance No. 3526, (requirements for lower-income housing), as the same now exists or may be extended and as its provisions may be amended, revised, or re-enacted in the future.
5. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
6. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architectural design consistent with the building architecture element approved by the Design Review Board or Planning Division.
7. Light sources shall be concealed from public view.
8. All lighting shall be directed toward the subject property and away from adjacent properties.
9. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.
10. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
11. NATURAL RESOURCES:
 - A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
 - B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning & Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted

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subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.

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

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 19th day of December 2019, by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

Approved: _____
 Scott Kincaid, Chair

Attest: _____
 Bill Rose, Executive Secretary