

APPLICATION
APPEAL
Please Type or Print

File No. PRJ19-031	Quad.
Related Files	
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GENERAL	LOCATION OF PROJECT (ADDRESS) 1400 BURBANK AVE	Note: This form is for appeals of Department actions only. Appeals of Commission and Board actions are filed in the City Manager's Office.		
	NAME OF PROJECT BURBANK AVE SUBDIVISION			
	APPELLANT NAME MARK PARRISH	DAYTIME PHONE (707) 960-3227	HOME PHONE () -	
	APPELLANT ADDRESS 1806 BURBANK AVE.	CITY SANTA ROSA, CA	STATE CA	ZIP 95407

To the Chairman and Members of the Planning Commission / Design Review Board:

The undersigned: MARK PARRISH does hereby appeal to the Planning Commission /
(Please print or type your name)

Design Review Board the decision of the Department of Community Development made on FEB. 5, 2020
(Date)

which APPROVED the application of SCHELLINGER BROS.
(approved, denied, other) (Name of property owner or developer)

for a USE PERMIT + DESIGN GUIDELINES
(State nature of request made to the Community Development Department)

on property situated at 1400 BURBANK AVE.
(Street address of subject property)

A. The grounds upon which this appeal is filed are: (list all grounds relied upon in making this appeal. Please attach additional sheets if more space is needed.)

- LACK OF PUBLIC INFORMATION FOR PUBLIC REVIEW AT MEETING. (SEE ATTACHMENT #1) OF ZONING
- NO MINUTES TAKEN OR RECORDS OF ZONING ADMINISTRATION DECISION MAKING MEETING OF FEB 5, 2020.

B. The specific action which the undersigned wants the City Planning Commission / Design Review Board to take is:

REVERSE APPROVAL + REDO A PUBLIC MEETING FOR FULL PUBLIC INVOLVEMENT IN THE DECISION MAKING

[Signature]
Appellant's signature

FEB. 18, 2020
Date

DEPT	APPLICATION	RECEIVED BY	DATE	FEE RECEIVED	RECEIPT NUMBER
		<u>Lisa Sevilla</u>	<u>2-18-2020</u>	<u>\$ 529</u>	

City of Santa Rosa

APPEAL

12/10

FEB 18 2020

Feb. 14, 2020

This appeal is based on the lack of information given to the public about a project, known as Burbank Ave. Subdivision. Both before and during the Public Hearing of the Zoning Administrator for the City of Santa Rosa on Weds. Feb. 5, 2020, there was inadequate information available to the public at the meeting. The meeting was held without any of the relevant documents available to the public at the time as the City Planner Adam Ross told the public he had left the plans in his office. Further, the meeting was held without keeping minutes or recording the meeting as was requested by a member of the public in attendance, Mr. Duane De Witt.


The Zoning Administrator, Mr. A. Gustavson stated, "This is a neighborhood in transition" but did not provide any proof to the public as to what will be occurring regarding the building of roads, stormwater infrastructure, and the traffic impacts and cumulative effects on the existing community by such a project. Repeated efforts by myself, Mark Parrish, and others, to obtain information about the project by repeated email communications to the city staff have not brought any useful responses. Regarding the Santa Rosa City Council policy 000-20 (Citizen Participation, dated Aug. 18, 1987) there have been important information withheld from the public. This is an inadequate response by the city and therefore we neighbors feel it is cause for overturning the Zoning Administrators' decision for the project to be approved.

(Please see copies of emails.)

We seek the invalidation and reversal of the Zoning Administrator decision and ask for all of the relevant materials concerning the proposed project be made available to the public in hard copy printed format before, and during, the Zoning Administrator hearing so adequate and informed public comment is a permanent part of the record as the matter goes to the city Planning Commission. Further, we seek to have minutes and recording be kept of the meeting to be accessible to members of our community who do not have the ability to come to city meetings.

Heritage Trees need to be protected and our private roadway must also be protected. We have never been contacted by the developers of this project except when we see them in the city.

FOR APPEAL OF ZONING ADMIN. DECISION,


2/18/2020

City of Santa Rosa
FEB 18 2020
Planning & Economic
Development Department

Mark Henry Parrish

From: Mark Henry Parrish <mhp@hitec4u.com>
Sent: Friday, November 15, 2019 1:22 PM
To: 'ARoss@srcity.org'
Cc: 'Dan Eikenberry'; 'Ramiro Ortiz'; 'jim-jody@att.net'; 'rivermountainphoto@gmail.com'; 'kansasunflower64@yahoo.com'; 'santa_rosa707@hotmail.com'; 'cesar707murillo@yahoo.com'; 'sanfordburress@gmail.com'; 'thomasdarling@comcast.net'
Subject: RE: BURBANK AVENUE SUBDIVISION CONCEPT STUDY
Attachments: Planning 1.jpg; Planning 2.jpg; Planning 3.jpg; Planning 4.jpg; Planning 5.jpg; Planning 6.jpg; Original Concept Layout.jpg; Modified Concept Layout.jpg
Importance: High

11/15/2019

To: Adam Ross, City Planner, ARoss@srcity.org

From: Mark and Bonnie Parrish

RE: BURBANK AVENUE SUBDIVISION CONCEPT STUDY

The Design Review meeting of the Burbank Avenue Concept Study was my first time commenting on a project so I apologize if I am not responding in the correct fashion.

Nevertheless I wanted to share some additional thoughts on the overall project now that I understand it even better and now that I've read most of the Land Use & Housing guidelines for the General Plan use classification for development types along Burbank Avenue (attached) which state:

" Development types along Burbank Avenue are to be "Large -lot detached single-family homes with deep setback, (Low Density Residential land use designation) and Single-family detached and attached homes with deep setback, (Medium-Low Density Residential land use designation)."

In the attached development type imagery provided none of the images show a three story structure for Burbank Avenue, only single story and two story structures. Three and four story structures are only shown for Hearn Avenue and Sebastopol Road.

Furthermore the Burbank Avenue Street Design documentation (attached) states:

" The General Plan designates Burbank Avenue as a scenic road because of its special, scenic qualities. Burbank Avenue has a unique quality characterized by a rural aesthetic, with large trees, deep front yards, and an absence (of) sidewalks and on-street parking."

In the Circulation Plan (attached).

" Goal RN-4 Maintain the rural quality of Burbank Avenue"

City of Santa Rosa

FEB 18 2020

Planning & Economic
Development Department

In the Land Use & Housing section under Goals and Policies for Residential Land Use, (attached):

" Policy R-1.2 Utilize the Santa Rosa Design Guidelines to ensure that new higher-density development along Hearn Avenue, near the Southside Bus Transfer Center, is attractive and compatible with the surrounding neighborhood. "

" Policy R-1.3 Maintain rural residential character along Burbank Avenue as new development occurs."

" Policy R-1.4 Encourage community pride by promoting beautiful and safe neighborhoods and quality of life."

The project seems to be in violation of the medium-Low density land use designation, (which the architect acknowledges in his supporting documents), so I'm not sure why the inclusion of a 3 story apartment complex was not of much concern to most Board Members at the public meeting. The documentation points to Hearn Avenue and Sebastopol Road being appropriate for such high density 3 story housing, not Burbank Avenue. See attached documents specifying three and four story structure for those locations only.

As I stated in my comments at the meeting I recognize that Roseland will be the site of new development to help Santa Rosa with its future housing needs. But the Burbank Avenue subdivision seems to be out of step with the above guidelines as it incorporates a 3 story apartment complex as part of the plan, placed right on Burbank Avenue with no deep setback and abutting existing homes.

The statement made at the meeting that existing properties will be facing "like for like" single family homes should be the goal for all existing properties, not just some. The multifamily Duplexes and the Apartments should all be centrally located as they are not "like for like."

Only single family homes should be on the perimeter facing existing single family homes, not duplexes or apartments. To do otherwise would be affecting the quality of life of those existing rural residential homes on the perimeter of the project.

After the meeting I confirmed that there is no existing 3 story apartment complex within Roseland and that the scale of the 3 story apartment complex in this project is unprecedented for the area so should deserve special attention in terms of placement so as to best meet the development guidelines you have laid out for the community. That is assuming a 3 story apartment building isn't outside the guidelines for this area, which it appears to be.

The most recent development, the Burbank Housing Project, for example, does not have any three story structures. It has, however, most definitely increased crime in the existing neighborhood.

Negative quality of life effects on the community and neighbors include the unprecedented scale of the visual mass of the 3 story complex and its proximity to Burbank, but also perimeter placement maximizes the impact of noise, headlight, auto exhaust, and traffic upon neighbors near the perimeter. This will be even worse when the two dumpster areas placed within the apartment building parking spots are emptied in the early morning at least twice per week based on what is happening at the Burbank Avenue development. If this were a 2 story apartment complex it should be centrally located.

Negative quality of life effects of this southern perimeter placement right next to Burbank Avenue also includes traffic within the project area itself. The majority of cars will now be funneled to the southern entrance to the project rather than flow evenly throughout the project area. The traffic goal within the project should be to try and make equal use of the northern and southern entrances by project residents as easy as possible.

Moving the apartment complex and duplexes to a more central location also means that many of the units will have excellent scenic views of the hills to the East and West of the project. Attached find original concept plan and our rough draft of a modified concept plan.

Please keep us informed as to any future meetings and/or hearings regarding the Project.

We can be reached via phone number (707) 696-3227 or email address mhp@hitec4u.com

Best regards,

Mark and Bonnie Parrish

These are our property addresses and lot numbers.

1. **1806 Burbank Ave. 95407 (125-421-017-000)**
2. **1810 Burbank Ave (125-421-016-000)**
3. **No address but have seen referred to as 1800 Burbank Ave (125-421-015-000)**

Mark Henry Parrish

City of Santa Rosa

FEB 18 2020

From: Mark Henry Parrish [mhp@hitec4u.com]
Sent: Monday, February 03, 2020 5:37 PM
To: 'pcisco@srcity.org'; 'kweeks@srcity.org'; 'ccarter@srcity.org'; 'akalia@srcity.org'; 'vduggan@srcity.org'; 'jokrepie@srcity.org'; 'jpeter@srcity.org'; 'ARoss@srcity.org'; 'agustavson@srcity.org'
Cc: 'kansassunflower64@yahoo.com'; rivermountainphoto@gmail.com; Lorraine Papp (lorrainepapp@comcast.net); Ramiro Ortiz; thomasdarling@comcast.net; sanfordburrese@gmail.com; (eikedan@sbcglobal.net); (jim-jody@att.net); (cesar707murillo@yahoo.com); (santa_rosa707@hotmail.com); Beverly Buras; Erin Rineberg; Janet Lorraine Paul
Subject: Burbank Avenue Subdivision-PRJ19-031, MAJ19-003, DR19-054, CUP19-095
Attachments: Attachment 12 - Roseland Area Sebastopol Road Specific Plan Circulation.pdf; Attachment 13 - Roseland Area Sebastopol Road Specific Plan Land Use and Housing.pdf
Importance: High

Please add the following comments to be heard at the **Zoning Administrator Public Hearing Wednesday February 5, 2020 and Planning Commission Meeting Thursday, February 13, 2020**

I am not against new housing projects as I understand we desperately need housing in our city, however, this project as currently designed is not appropriate for our rural neighborhood. The primary objection is the current plan to install a massive three stories (39.5' tall), 62 unit, multi-family apartment complex fronting Burbank Avenue and abutting my three parcels. This project will also include duplexes and single-family homes all to be built in five different phases with the apartments to be built in the first phase and no guarantee the other phases will ever be built. Also, the fact that the densest part of it is on the perimeter of the project which most affects its current citizens. Ideally, these apartments should be located on Sebastopol road or Hearn avenue NOT in the middle of our rural neighborhood of Burbank Avenue. If they are to be installed they should at least be located in the core of the project where the majority of any visual/noise impact would be centralized within the project and affect the new tenants the most.

- **Initially, the Project was going to enter into an agreement with the City's Housing Authority by designating the multi-family units as available to low-income residents to satisfy the Inclusionary Housing requirement adopted by City Council in October 2019. However, on Tuesday, January 21, 2020, the Applicant team informed Staff that the project will no longer be designating the multi-family units as affordable.** As this project used to have an affordable housing component which was part of the reason they are taking short cuts and avoiding obvious issues such as placing the largest building ever built in the neighborhood right on the fence line with parking noise and garbage pickup noise all purposely faced towards the existing neighborhood rather than towards the developments other tenants. It is clear that the developer is focused on profit first and the neighborhood second. Build-in phases with the highest density being built first with the opportunity to not have to build the rest if they run into "financial difficulties. Build at the lowest cost by placing the largest structure right on the road and on the fence line of existing tenants. Decide not to build affordable housing. Decide that it is best in the interest of profit to put the highest density component on the project in the back yards of existing residents and away from their own single-family lots thus making the new lots more profitable despite the effect of reducing property values for existing neighbors behind said structure.

- **Staff is recommending approval of the project based on compliance with Zoning Code requirements and consistency with the General Plan and Roseland Area/Sebastopol Road Specific Plan policies associated with land use compatibility, range of housing types, and proximity to services and amenities** This, for example, is a lie as Phase 1 and Phase 2 do not meet these criteria and there is no guarantee the other phases will be completed: **General Plan, The project density is rounded up from 9.5 units per acre to 10 units per acre pursuant to the City of Santa Rosa's Density Bonus Ordinance (Zoning Code 20-31.020) and is therefore at the midpoint of the allowed density range.** It most certainly violates this for our neighborhood while they say it does not and have gone to great pains to make sure it doesn't do this to other neighbors but they could do it for the entire community if the apartment building were in the center of the project. The densest parts are to be built first, so if phases 3, 4 and 5 never happen you are left with very high-density housing in an area not designated for that within the scenic corridor of Burbank Avenue having 3 story apartments and duplexes.
- **Urban Design UD-F-3 Encourage creative subdivision design that avoids walling to neighborhoods abutting regional/arterial streets with long monotonous stretches of fencing or walls.** And while they included the summary from the more general "Roseland/Sebastopol Road Specific Plan" in their recommendation the staff did NOT include the information from the Burbank Avenue specific plan. This is a lie when it comes to the apartments and they purposely do NOT mention the Burbank Guidelines the Staff has cherry-picked the guidelines to approve the project as presented but has not mentioned the guidelines specific to the very area within which the project exists.
- **The project design orients units facing inward toward the development. Overall the project site incorporates small lots that include single-family detached and single-family attached units, while the 64 multi-family units further the General Plan and Roseland Area/Sebastopol Road Specific Plan's goals and policies with a variety of housing types.** This is what they did not put in their Staff Report; **Burbank Avenue Street Design** The General Plan designates Burbank Avenue as a scenic road because of its special, scenic qualities. Burbank Avenue has a unique quality characterized by a rural aesthetic, with large trees, deep front yards, and absence sidewalks and on-street parking. **GOAL RN-4 Maintain the rural quality of Burbank Avenue. Policy RN-4.1 Implement the new street design in order to balance new improvements with the existing rural character along Burbank Avenue. Policy RN-4.2 Balance the desire to maintain the rural character with pedestrian and bicycle safety along Burbank Avenue.** Those are found here in attachment 12:
http://legistar.granicus.com/santarosa/meetings/2019/11/2820_A_Design_Review_Board_19-11-07_Regular_Meeting_Agenda_and_Summary_Report.pdf
- Staff failed to refer also to their "visual dictionary" which is the photos in the link below which makes our arguments clear: **KEY CORRIDORS A following table is a visual dictionary of building product type examples typical for each of the General Plan land use classifications where new development is anticipated to occur. Vacant areas and underutilized lots offer the greatest opportunities for new development. These include Sebastopol Road, Burbank Avenue, Hearn Avenue, Dutton Meadow, and**

south of Hearn Avenue east of Dutton Meadow. The pictures are local examples where available; otherwise non-local photos are shown. **Table 3-2: Development Type Imagery**

Development Types along Burbank Avenue Large-lot detached single-family homes with deep setback (Low-Density Residential land use designation) See page 3-6

which shows photos of what Burbank Avenue is supposed to look like and 3-7 and 3-8 which shows where the Apartment Buildings should be and it is NOT Burbank. **GOAL RN-4**

Maintain the rural quality of Burbank Avenue. Policy RN-4.1 Implement the new street design in order to balance new improvements with the existing rural character along Burbank Avenue. Policy RN-4.2 Balance the desire to maintain the rural character with pedestrian and bicycle safety along Burbank Avenue.

[http://legistar.granicus.com/santarosa/meetings/2019/11/2820 A Design Review Board 19-11-07 Regular Meeting Agenda and Summary Report.pdf](http://legistar.granicus.com/santarosa/meetings/2019/11/2820%20A%20Design%20Review%20Board%2019-11-07%20Regular%20Meeting%20Agenda%20and%20Summary%20Report.pdf)

- See attachment-12: The city is planning upgrades to Burbank Avenue to address bicycling and walking: A new roadway design for Burbank Avenue, illustrated in Figure 4-2, provides greater safety for pedestrians and bicyclists while maintaining the rural aesthetic. The new design includes bike lanes, sidewalks, and a tree-lined and landscaped bioswale between sidewalks and travel lanes along both sides of the street. A similar street design was recently constructed in front of Roseland Creek Elementary School and is depicted in the Burbank Avenue Scenic Roadway Guidelines document. This same roadway treatment is proposed across from the school along the planned community park and along the rest of the length of Burbank Avenue to Hearn Avenue. The roadway portions to the north of the school are either urbanized with curb, gutter, and sidewalk or too narrow to accommodate this scenic landscaped bioswale treatment. Therefore, two designs are proposed for the roadway, one to the north of the school and the other from the school to Hearn Avenue. **But, here are their words which again says a three-story structure for this project is inappropriate:** By concentrating housing, civic uses, and shopping along Sebastopol Road and adjacent to the Southside Bus Transfer Center, the Specific Plan is intended to increase transit ridership and reduce dependence on private automobile travel. The 2009 Comprehensive Transportation Plan for Sonoma County (CTP) also includes upgrades to City Bus operations, including implementation of 15-minute bus headways on Sebastopol Road.
- Also, note in Attachment 12 they show the new design for Burbank Avenue with 10' transit lanes. If you go down further in the document you find this: **GOAL T-1 Promote the use, efficiency, safety, reliability, and convenience of public transit in the plan area. Policy T-1.1 Provide 11-foot travel lanes on streets with transit service.** So even the "new" Burbank Avenue will not meet the policy of 11-foot travel lanes and thus is not designated for transit service which is where density should be concentrated as per the 2009 CTP and the Roseland area planning documents. Note that on this map no buses go down Burbank and the new street design with only 10' travel lanes precludes its use in the future as buses need 11' wide travel lanes as per the plan.
<https://srcity.org/DocumentCenter/View/20514/CityBus-System-Map--LARGE> The city is under pressure to produce dense housing and quickly. But are planning to do that in an area without readily available transit options other than cars when clearly the documents show that density is most appropriate in the Roseland area on "Sebastopol Road, the Dutton Avenue extension south of Hearn Avenue and along Hearn Avenue WEST of Burbank Avenue and EAST near Dutton Meadow." Three-story density is not appropriate for this project because, in your words

"the General Plan designates Burbank Avenue as a scenic road because of its special, scenic qualities. Burbank Avenue has a unique quality characterized by a rural aesthetic, with large trees, deep front yards, and an ABSENCE of sidewalks and on-street parking."

More traffic overwhelming two-lane Burbank Avenue which has Southwest Community Park to the south at Hearn Avenue, Burbank housing in the middle, Roseland Creek Elementary School to the north and high traffic Sebastopol Road at the north end. Drivers already use Burbank Avenue as a freeway to avoid Stony Point Road and exceeding Burbanks posted 25 miles per hour limit by more than double. Before this area was annexed into the city, the CHP would monitor and cite traffic violations. Now that we are part of the city, we have yet to see the SRPD perform these same duties which are desperately needed to protect the children as they walk to and from school or the park. Where are the needed city services?

With regards to roads; currently, we have busy Burbank Avenue to the west, my private easement road to the south. These project apartments include a service road along with 32 parking spaces just on the other side of my properties fence line to the north, and then there is a plan for a future road to the east that will cross my private property and easement road connecting this new project to the existing Burbank housing to the south. Thus creating an island by encircling my home and properties with high traffic roads. What will prevent cars from using my private easement road as another access point in and out of these two housing projects?

While I appreciate the attempt by the developers to make changes to the project based on comments heard at the design review meeting; these are superficial in a futile attempt to disguise the location and mass of these apartments.

Best regards,

Mark Henry Parrish
(707) 696-3227
mhp@hitec4u.com

Mark Henry Parrish

From: Mark Henry Parrish [mhp@hitec4u.com]
Sent: Thursday, February 13, 2020 3:28 PM
To: 'pcisco@srcity.org'; 'kweeks@srcity.org'; 'ccarter@srcity.org'; 'akalia@srcity.org'; 'vduggan@srcity.org'; 'jokrepkie@srcity.org'; 'jpeter@srcity.org'; 'ARoss@srcity.org'; 'agustavson@srcity.org'
Cc: 'kansassunflower64@yahoo.com'; rivermountainphoto@gmail.com; Lorraine Papp (lorrainepapp@comcast.net); Ramiro Ortiz; thomasdarling@comcast.net; sanfordburrese@gmail.com; (eikedan@sbcglobal.net); (jim-jody@att.net); (cesar707murillo@yahoo.com); (santa_rosa707@hotmail.com); Beverly Buras; Erin Rineberg; 'Janet Lorraine Paul'; 'dweinzeveg@gmail.com'; 'Duane Dewitt'; 'Brenda Alarcon'
Subject: RE: Burbank Avenue Subdivision-PRJ19-031, MAJ19-003, DR19-054, CUP19-095

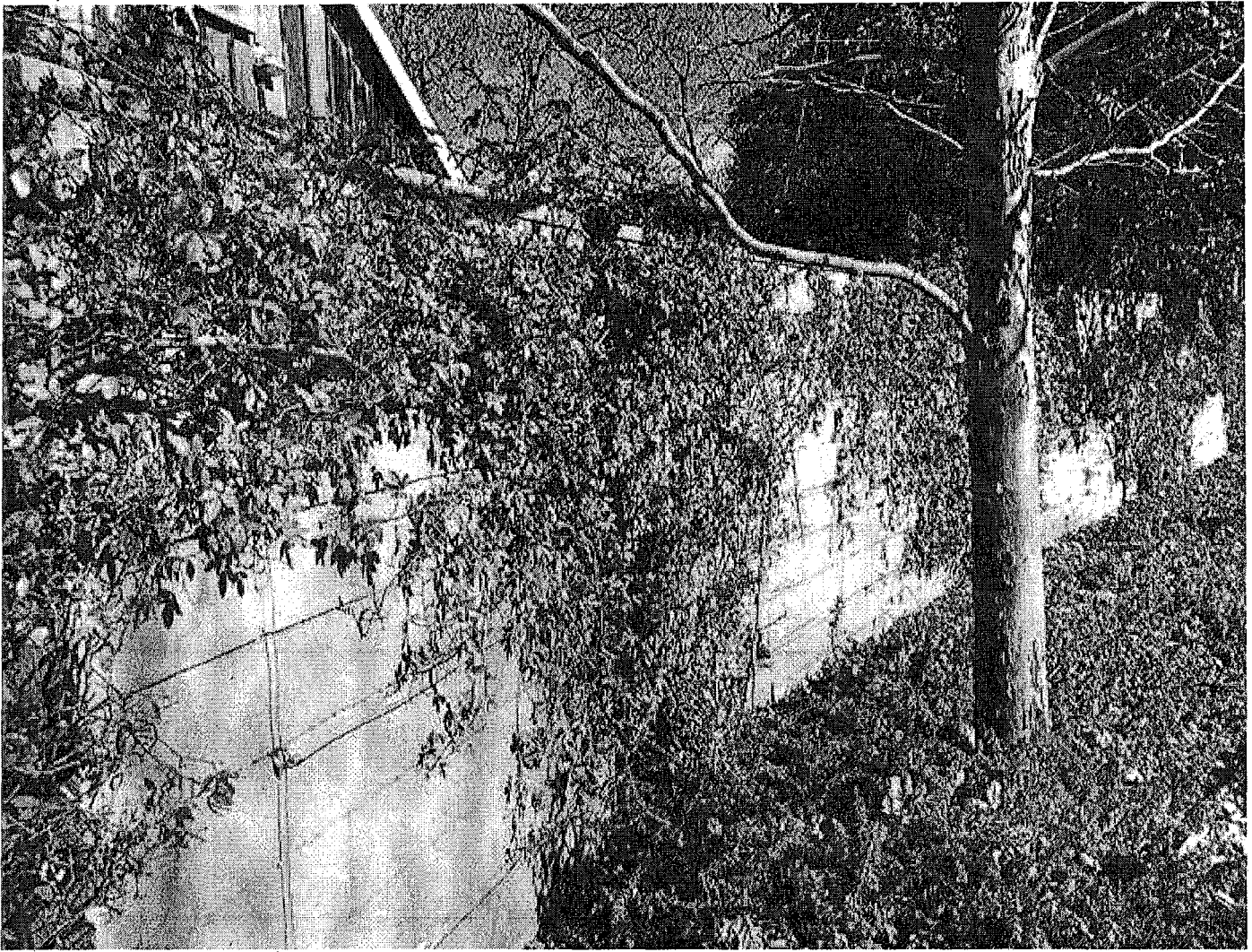
My name is Mark Henry Parrish, I've lived at 1806 Burbank Avenue for 20 years, I work for a local company and my wife works for the County.

I am not against new housing projects as I understand we desperately need housing in our city, however, this project as currently designed is not appropriate for our rural neighborhood. As it maximizes the impact of the largest structure on existing tenants and Burbank Avenue itself by being placed along the fence line of existing neighbors to the South and within feet of Burbank Avenue to the West.

If this subdivision is to move forward without further appeals I recommend the apartments be located within the center of the project. That is the most sensible placement to meet the Policies and Goals laid out very clearly in the planning documents attached to the agenda of this meeting.

Placing the highest density component in the back yards of existing residents right on the fence line with parking and garbage pickup noise at all hours makes no sense. The proposal of a simple "good neighbor" 6-foot tall wooden fence rather than the Masonry Sound Wall required at many developments in the past does nothing to mitigate noise. This one pictured is at 1452 Mendocino Avenue which is where the current Chick-Fil-A is located today but it was required by Planning in 1985 when a Burger King restaurant was built there as the residents demanded it.

City of Santa Rosa
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Planning & Economic
Development Department



Also, if you must approve building on the fence line consider mitigation by facing the parking and access road for garbage trucks on the other side of the apartments away from existing neighbors and facing the center of the total project area.

During the Zone Administrator meeting, there was a mention of the installation of a traffic signal at Burbank & Hearn Avenue. From the documentation I have reviewed it indicates the developer has put funds towards the purchase and installation of this feature but does not cover the entire cost. With the recent addition of the Burbank Housing and Roseland Elementary school on Burbank Avenue, we need this traffic signal now not years after the proposed development has been completed. Where will the remaining money come from and when will this traffic signal be installed?

I encourage each of you planning commissioners to come on down to Burbank Avenue either in the am or pm when parents arrive to drop off or pick up their children at Roseland Elementary school and witness our rural two-lane street come to a complete standstill because the road is inadequate to support the number of cars that arrive school each day. This proposed development will severely impact our rural two-lane road with the potential of hundreds of additional cars each day. Also, note even with road improvements traffic lanes will NOT be wide enough for buses to access this apartment complex.

In addition to hundreds of car movements per day along my fence line, dumpster enclosures will be located directly behind my home which will need to be emptied multiple times per week by refuse vehicles which most likely will have to back up using their loud beepers sounding increasing noise and disrupting our peace along my property line. We respectfully request that additional options for adequate noise buffering, including but not limited to, a masonry wall, or placing said access road on the other side of the building facing internally be considered as mitigation measures.

Where is lighting proposed throughout the site and when can a conceptual lighting plan be provided? Because the proposed service road is just north of our property, we would like to ensure that the area is lit for safety, but in a manner that is unobtrusive to our home and our adjacent properties where we raise our goats and chickens.

While I appreciate the attempt by the developers to make changes to the project based on comments heard at the Design Review Board meeting; these are superficial in a futile attempt to disguise the location of these apartments.

Thank you for your time.

Best regards,

Mark Henry Parrish
(707) 696-3227
mhp@hitec4u.com