

**RESOLUTION NO. PRJ19-038 (DR19-071 & DB19-010)**

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR DESIGN REVIEW APPLICATION FOR EXTERIOR MODIFICATIONS TO TWO EXISTING COMMERCIAL BUILDINGS THAT WILL BE CONVERTED TO RESIDENTIAL USE FOR THE PROPERTY LOCATED AT 2900 AND 2934 MCBRIDE LANE, SANTA ROSA, APNS: 015-492-017 & 015-492-019**

The Santa Rosa Zoning Administrator has completed its review of your application. Please be advised that your Design Review to repurpose two commercial buildings to residential development by making exterior changes and additions of fence with gate, carports, and storage areas has been granted based on your project description and official approved exhibit dated August 11, 2020. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The design and layout of the proposed development is of superior quality and is consistent with the General Plan and the City's Design Guidelines and the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received in that the proposed use is consistent with the General Plan Land Use, which is Medium Density Residential. Additionally, it complies with Assembly Bill 3194, which limits local governments' authority to reject or restrict housing development projects that comply with applicable objective General Plan, zoning, and subdivision standards. Also, a Notice of Density Bonus Eligibility issued on August 24, 2020 confirming that the project is eligible for a 32% Density Bonus pursuant to Zoning Code Sections 20-31.050-060, and is entitled to a maximum of two incentives or concessions in accordance with Zoning Code Sections 20-31.060(B), 20-31.090(A) and (B), and 20-31.100(G); one of the concessions is for parking reduction and one is for reduction in number of required covered parking spaces and;
- 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 in that the site is within an established neighborhood and proposed project provides site layout, landscaping, and circulation considerations appropriate for a multifamily development and exterior modifications and additions offer identifiable and meaningful expressions of the proposed residential use of the property;
- The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the site plan, exterior changes, fence, carport, and semi-public area create a suitable living environment and strengthen the sense of place and provides superior residential design;
- The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the design is sympathetic to both

commercial and residential uses and the proposed project design creates a strong relationship with surrounding built environments;

- The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained in that the fence and gate will provide security for the proposed residential use and semi-public spaces would encourage to engage in socialization and interaction with neighbors;
- 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 residential use is a permitted use and the project's approval is subject to, and consistent with, the City's planning, engineering, and design standards. Also, the City's Traffic Engineering Department has determined that the trip generation is less with the proposed project than with the existing commercial use;
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under Section 15303 in that proposed project consist of construction and location of limited number of small structures such as carports and fences with minor exterior changes to two existing buildings. Also, the proposal qualifies for Class 32 exemption Section 15332 in that:
  - a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
  - (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
  - (c) The project site has no value as habitat for endangered, rare or threatened species.
  - (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
  - (e) The site can be adequately served by all required utilities and public services.

This entitlement would not be granted 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 is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

#### **Building Conditions**

1. Obtain a demolition permit for structures to be removed.
2. 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.

3. Obtain building permits for the proposed project.

#### **Planning Conditions**

4. A Lot Merger is required for both lots (APN: 015-492-017 & APN:015-492-019) prior to issuance of any Building Permit.
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 Planning Division. Any future additions, expansions, remodeling, etc. will be subject to review and approval of the Planning Division.
6. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead or dying plants shall be replaced with healthy specimens.
7. All lighting shall be directed toward the subject property and away from adjacent properties. Light sources shall be concealed from public view.

#### **Engineering and Fire Conditions**

8. Comply with Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as Exhibit "A", dated August 25, 2020.

#### **General Conditions**

9. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
10. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
11. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
12. No exterior signs are approved with this permit.

#### **Housing Conditions**

13. The Density Bonus application dated November 4, 2019, was determined complete on August 24, 2020, in that it included information required by the City's Density Bonus Zoning Regulation (Zoning Code Chapter 20-31).
14. The one Very Low-Income affordable housing unit included in the proposed housing development, as described by the applicant dated February 4, 2020, qualifies for the requested 32% Density Bonus, consistent with State Density Bonus Law (Government Code 65915) and the City's Density Bonus Zoning Regulation (Zoning Code Section 20-31.060, State Density Bonus).
15. Density Bonus Agreements must be signed and recorded prior to issuance of building permit.
16. The applicant shall enter into an agreement with the Housing Authority of the City of Santa Rosa to provide one very low-income affordable unit required under Zoning Code

Section 20-31.100(B), with the unit at affordability levels as specified in the Code, for a period of 55 years, and with the following provisions.

17. The density bonus units shall be:

- a. Constructed at the same time as the market-rate units;
- b. Reasonably dispersed throughout the development;
- c. Similar in unit type and size as the market-rate units;
- d. Reasonably compatible with the design or use of the remaining units in terms of appearance, materials, amenities, and quality finish; and
- e. Remain substantially the same through repairs and improvements for the entire 55-year period in which these units are designated for low- or very low-income households.

This Design Review for exterior changes to existing commercial buildings is hereby approved on this 3<sup>rd</sup> day of September 2020. If conditions have not been met or if work has not commenced within two years from approval date, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
ANDY GUSTAVSON, ZONING ADMINISTRATOR