

RESOLUTION NUMBER DR21-015

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA GRANTING DESIGN REVIEW APPROVAL FOR STONY OAKS APARTMENTS, A 4-STORY, 142-UNIT MULTI-FAMILY AFFORDABLE HOUSING PROJECT, LOCATED AT 2542 OLD STONY POINT ROAD, SANTA ROSA, APN 125-551-016 (FILE NO. DR21-015)

WHEREAS, on March 18, 2021, an application was submitted for Design Review for Stony Oaks Apartments, a four-story, 142-unit, multi-family affordable housing project located at 2542 Old Stony Point Road, APN 125-551-016 (Project); and

WHEREAS, the project site is located within the Roseland Priority Development Area (PDA), as described in Zoning Code § 20-16.070, Figure 1-1; and

WHEREAS, Design Review applications for multi-family residential developments the Roseland PDA is delegated to the Zoning Administrator, through the Minor Design Review process in accordance with § 20-16.070(A)(1), subject to Conceptual Design Review by the Design Review Board for new development of 10,000 square-feet or more in total floor area and a pre-application Neighborhood Meeting as required by § 20-16.070(A)(2); and

WHEREAS, on February 18, 2021, the Design Review Board conducted the required Concept Design Review, during which time the Design Review Board provided nonbinding comments to the applicant and interested citizens as to how the application may meet the City's development priorities, and those comments were recorded in the minutes of the subject meeting as follows:

- Consider more pedestrian connections from the building to the south sidewalk.
- Consider a right-in right-out only at Hearn Avenue for safety.
- Consider more traffic calming measures for the long drive aisles on north and south sides.
- Depart from neighboring architecture; create more urban architecture, possibly shed roof styles avoiding 1980s and 1990s design.
- Continuing the plush south amenities is more important than breaking up the building.
- Keep amenity variety as currently reflected.
- Make the architecture more vivacious and bold, possibly with use of colors.
- Consider enhancing orchard-style parking with more tree plantings or utilize covered spaces in select areas throughout the project.
- Some darker colors in the insets in amenity spaces are too much; possibly brighten up.
- Look at all elevations, particularly in the cheeks where glazing is lacking, for possibly more glazing to be added.
- Create a much heavier shadow line at 4<sup>th</sup> floor with three-to-four-foot overhangs.
- Consider breaking up the long elevations with colors.
- Use horizontal paneling more where there are currently stucco areas.
- Consider ginkgo trees.
- Provide more interest at the storefront at the west side.
- Consider avoiding haphazard shed roofs “hiccup kick-ups” in contemplating a more urban architectural design; and

WHEREAS, on December 2, 2020, the Planning and Economic Development Department held a required pre-application Neighborhood Meeting to provide the opportunity for early input by the public prior to submittal of the required Planning entitlement application; and

WHEREAS, on May 18, 2021, the Planning and Economic Development Department approved a State Density Bonus application pursuant to Zoning Code § 20-31 for the Project, including a 7.5 percent increase over base density, allowing 10 additional dwelling units for a total of 142-units when 132 are allowed, and one concession for height for a total of 50 feet when 45 feet is allowed pursuant to Zoning Code § 20-22.050, Table 2-5; and

WHEREAS, the Santa Rosa Zoning Administrator has completed its review of the project application for Design Review for the Project, and the Zoning Administrator's review was based upon the project description and official approved exhibit dated received March 18, 2021; and

WHEREAS, the Santa Rosa Zoning Administrator finds as follows:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and the Roseland Area/Sebastopol Road Specific Plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, other applicable City requirements (e.g., City policy statements and development plans), and has received a State Density Bonus of 7.5 percent and one concession for increased height from R-3-30 developments standards, and the matter has been properly noticed in as required by Section 20-52.050(E)(2)(b), and a public hearing has been acted on; 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 the proposed design provides an bold aesthetic style with building height, form, and architectural details, including the use of canted parapet walls, flat roofs, and flat awnings, while the form, massing, materials and detailing express the design concept and building use. The landscape design is appropriate for the proposed use while considering a holistic approach to fast growth shading throughout the site, while the design and outdoor amenity space would reinforce a sense of place in the Roseland/Sebastopol Road Specific Plan area as a place for semi-rural living, and the design promotes sustainability through materials, site location, and use; and
3. 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 design is appropriate for its location in the Roseland/Sebastopol Road Specific Plan area, with its main entrance proposed on Old Stony Point Road while preserving an existing oak grove for continued visual aesthetics along the main entrance, allows for passive enjoyment for future residents. The building is setback from its two entrances on Old Stony Point Road and Hearn Avenue allowing adequate site distance for safe ingress and egress and was included in the Traffic Impact Analysis by W-Trans, dated May

18, 2021, while also contributing to the “fair share” agreement for the traffic signal at Hearn Avenue and Burbank Avenue; and

4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the building is a functional urban design that provides a new statement to the existing neighborhood while employing simple massing by breaking up forms with large canted parapet walls, flat roofs, and flat awnings and the use of mixed temporary and durable materials, while lowering the building height to three- and two-floors as it approaches neighboring properties, and preserving a semi-rural residential streetscape similar to the surrounding area which is achieved by the preserved oak tree grove; and
5. 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 project has been reviewed by City Building, Engineering, and Fire divisions and appropriately conditioned to comply with all local regulations currently in effect; and
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Addendum to the Final Environmental Impact Report (EIR) for the 2016 Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environment Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030) was prepared in compliance with CEQA Guidelines Section 15164 and was reviewed by City Staff and was determined that the project would not cause new significant environmental effects or substantial increases in the severity of significant effects beyond those previously identified as part of the City’s environmental review process. An Addendum to an adopted negative declaration may be prepared if no significant environmental effects will occur and none of the previously identified effects will increase in severity. (CEQA Guidelines section 15164). None of the circumstances under CEQA Guidelines Section 15162 are triggered; therefore, no additional analysis is required. See “Old Dominion Second Addendum” for further analysis.

Per CEQA Guidelines Section 15164(c), an addendum need not be circulated for public review, but can be included in or attached to the final EIR or adopted mitigated negative declaration. Per CEQA Guidelines Section 15164(d), the decision-making body shall consider an addendum with the final EIR or adopted mitigated negative declaration prior to making a decision on the project.

NOW, THEREFORE, BE IT RESOLVED, the Zoning Administrator of the City of Santa Rosa does hereby grant Minor Design Review for the Project subject to each of the following conditions:

## **PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

### **GENERAL:**

1. Compliance with Zoning Administrator Resolution No. XXX adopting the Addendum to the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation Projects Final Environment Impact Report (2016 FEIR) (State Clearinghouse Number 2016012030), and associated Mitigating Monitoring and Reporting Program.
2. 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.
3. All work shall be done according to the final approved plans dated March 18, 2021.
4. The project must comply with City Code Section 21-02, Housing Allocation Plan, through (a) provision of the appropriate number of on-site affordable units, (b) payment of Housing Impact Fees, or (c) an alternative compliance proposed in accordance with City Code Section 21-02.070 and approved by the Director of Planning and Economic Development. For purposes of this condition, the Director of Planning and Economic Development is designated as the review authority for review and acceptance of innovative Housing Allocation Plan compliance strategies under City Code Section 21-02.070(G).
5. 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.

### **BUILDING DIVISION:**

6. 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.
7. Obtain building permits for the proposed project.

### **ENGINEERING DIVISION:**

8. Compliance with all conditions as specified by the attached Exhibit "A" dated June 1, 2021.

### **PLANNING DIVISION:**

9. 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 Zoning Administrator. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.

10. PROJECT DETAILS:

- A. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.
- B. 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 Zoning Administrator or Planning Division.
- C. All outdoor storage of materials and/or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.

11. TREE PRESERVATION:

- A. Pursuant to the Tree Inventory Report prepared by Horticultural Associates, dated March 24, 2021, the total trunk diameter of all trees to be removed is 730 inches. Per the requirements of City Code Chapter 17-24, Trees, a total of 243, 15-gallon trees must be replanted as mitigation for the approved tree removal. Valley Oak native trees represent 724 inches of the total trunk diameter of trees to be removed. At least 241 of the 15-gallon trees must be Valley Oaks or a suitable alternative approved by the Director. Replanting of larger trees may be equivalent to a number of 15-gallon trees as follows:

- i. 24-inch box tree = 3 15-gallon trees
- ii. 36-inch box tree = 4 15-gallon trees
- iii. 48-inch box tree = 6 15-gallon trees

As an alternative, a fee of \$100 per 15-gallon replacement tree may be paid to the City of Santa Rosa Tree Replacement Fund in-lieu of planting replacement trees on-site. A combination of replanting on-site, off-site, and in-lieu fees may be approved by the Director of Planning and Economic Development and the Director of Recreation and Parks.

Applicant shall submit a Tree Mitigation Plan in compliance with City Code Chapter 17-24 to Planning for review and approval prior to issuance of construction building permit.

- B. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
- C. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to

protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:

- i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
  - ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
  - iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
  - iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
  - v. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
  - vi. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.
- D. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work.
- E. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
- F. Irrigation systems, and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
- G. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
- H. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

12. LANDSCAPING:

- A. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.

- C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
13. LIGHTING:
- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
  - B. Compliance with the City's Outdoor Lighting Ordinance in Zoning Code § 20-30.080.
14. PARKING LOT AREA:
- A. The parking lot shall be paved to City standards.
  - B. The parking lot shall be provided with concrete curbing around all planter areas unless specifically approved by the Planning & Economic Development Department in some other fashion.
  - C. The parking lot shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.
  - D. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.
15. SIGNING:
- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application may be required for future signs.
  - B. Applicable sign permit approval shall be obtained prior to application for a building permit.
  - C. Building permits for sign installations shall be separate permits from other building permits issued for construction.
16. 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 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.

### **ZONING ADMINISTRATOR**

This Minor Design Review for Stony Oaks Apartments, a project that includes construction of a one, four-story, 142-unit, multi-family affordable housing project with onsite amenities located at 2542 Old Stony Point Road, is hereby approved on this 15<sup>th</sup> day of June, 2021, provided that a Building Permit for construction approved under the permit is issued and is diligently pursued toward completion on the subject property within two years from approval date unless otherwise extended.

The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: \_\_\_\_\_  
Andy Gustavson, Zoning Administrator

Attachment: Engineering Development Services Exhibit "A" dated June 1, 2021.