

RESOLUTION NUMBER DR21-019

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA GRANTING DESIGN REVIEW APPROVAL FOR ACME FAMILY APARTMENTS, A MULTI-FAMILY AFFORDABLE HOUSING PROJECT, COMPRISED OF 77-UNITS WITHIN FOUR, THREE-STORY BUILDINGS AND A ONE-STORY COMMUNITY BUILDING, LOCATED AT 1885 AND 1905 SEBASTOPOL ROAD, SANTA ROSA, APN 125-071-015, AND -016 (FILE NO. DR21-019)

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, applications for Design Review for multi-family residential development for projects within the Roseland PDA is delegated to the Zoning Administrator, through the Minor Design Review process in accordance with § 20-16.070(A), 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 June 3, 2020, the Planning and Economic Development Department held a 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 February 4, 2021, the Design Review Board conducted a Conceptual Design Review, during which time the Design Review Board provided nonbinding comments to the applicant and the public as to how the application may meet the regulations, and those comments were recorded within the minutes of the subject meeting; and

WHEREAS, on April 7, 2021, an application was submitted for Design Review of Acme Family Apartments, a three-story, 77-unit, multi-family affordable housing project located at 1885 and 1905 Sebastopol Road, APNs 125-071-015 and -016 (the “Project”); and

WHEREAS, on May 6, 2021, the Planning and Economic Development Department approved a State Density Bonus application pursuant to Zoning Code § 20-31 for the Project, including a 35 percent increase over base density, allowing 21 additional dwelling units for a total of 77-units when 56 are allowed; and

WHEREAS, the Project site is dually designated Medium Density Residential and Retail and Business Services in the Santa Rosa General Plan 2035 (General Plan); and

WHEREAS, the General Plan Goal and Policy LUL-E-6 encourages residential development in the Retail and Business Services designation; 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 25, 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, and other applicable City requirements (e.g., City policy statements and development plans), and the matter has been properly noticed as required by Section 20-52.050.E.2.a, and a request for a public hearing has been acted upon; 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 a vibrant, visual anchor with building height, form, and architectural details, the form, massing, materials and detailing express the design concept and building use. In addition the site landscape design is appropriate for the proposed use, as the community building at the front of the lot will engage and provide visual interest with the passing public, 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 because its main entrance will be on Sebastopol Road, adheres to setback limits, and includes tuck-under and surface parking; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the building design employs simple, strong massing and forms, with large sloped roof forms facing the streets, lowering the building height, and creating an intimate residential. Each unit has either a private balcony or porch, as well as tuck-under, covered parking; 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. Pursuant to CEQA Guidelines Section 15183, the Project was determined to be exempt from further review pursuant to CEQA Guidelines section 15183, in that:
 - a. The Project is consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified. The Project will implement residential uses at the intensity called for by the Roseland Area/Sebastopol Road Specific Plan.
 - b. There are no project specific effects which are peculiar to the Project or its site, and which the General Plan or Specific Plan EIRs failed to analyze as significant effects. The project site is located in an area developed with commercial, institutional, and residential uses. The property does not support any peculiar

environmental features, and the Project would not result in any peculiar effects.

- c. There are no potentially significant off-site and/or cumulative impacts which the General Plan and Specific Plan EIRs failed to evaluate. The proposed Project is consistent with the density and use characteristics of the development considered by the General Plan and Specific Plan EIRs and would represent a small part of the growth that was forecast for build-out of the General Plan. The General Plan and Specific Plan EIRs considered the incremental impacts of the future development, such as the Project and planned Roseland Village project, and no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.
- d. There is no substantial new information which results in more severe impacts than anticipated by the General Plan or the Roseland/Sebastopol Road Specific Plan EIRs. No new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the General Plan or Specific Plan EIRs.
- e. The project will undertake feasible mitigation measures specified in the General Plan or Specific Plan EIRs. The mitigation measures will be undertaken through Project design, compliance with regulations and ordinances, or through the Project's conditions of approval.

Pursuant to CEQA Guidelines Section 15182, the density, design, and infrastructure planned under the proposed Project is consistent with the adopted Specific Plan in that the level and intensity of the proposed developments and the locations of the developments are consistent with the Specific Plan. No special circumstances or potential new impacts related to the Project has been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the Specific Plan EIR (SCH #2016012030). The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property.

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:

1. Compliance with all conditions as specified by the attached Exhibit "A" dated September 1, 2021.
2. Obtain a demolition permit for structures to be removed.
3. 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.
4. Obtain building permits for the proposed project.

5. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
6. 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.
7. 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.
8. The applicant shall enter into an Affordability Agreement with the Housing Authority of the City of Santa Rosa PRIOR to the issuance of the building permit for the residential development. The affordability agreement shall be binding on all future owners and successors of interest of the residential development. The Affordability Agreement shall identify a minimum of households earning less than the median income as affordable units under Zoning Code 20-31.110 (Density Bonus) and Section 21-02.050 (Inclusionary Housing), for a period of 55 years, and with, among others, the following provisions:
 - a. The type, size and location of each allocated unit;
 - b. The allocated units are to be rented only to households of the identified income group at no more than the identified maximum affordable rent during the term of the Agreement;
 - c. The Agreement shall be recorded by the Sonoma County Recorder against the parcel(s) that the allocated units are located on; and
 - d. The Agreement shall be reviewed and approved by the Executive Director of the City's Housing Authority and the affordability of the allocated units shall be monitored for compliance by the Housing Authority staff. The Housing Authority is expressly authorized to act as the City's agent to enter into the Affordability Agreement for the purpose of enforcing the terms of the agreement.
9. If applicable, the developer shall comply with the City Public Art Ordinance (City Code Chapter 21-08) as applied to the non-residential portions of the project.
10. 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.
11. 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.

ZONING ADMINISTRATOR

This Minor Design Review for Acme Family Apartments, a project that includes demolition of existing structures and construction of a three-story, 77-unit, multi-family affordable housing project located at 1885 and 1905 Sebastopol Road, is hereby approved on this 7th day of September, 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.

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

APPROVED: _____
ANDY GUSTAVSON, Zoning Administrator

Attachment: Exhibit "A"