

RESOLUTION NO. 11322

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR ART HOUSE - LOCATED AT 620 7TH STREET - FILE NUMBER
MJP07-043

WHEREAS, an application was filed with the Department of Community Development requesting the approval of a Conditional Use Permit for Art House, to be located at 620 7th Street, also identified as Sonoma County Assessor's Parcel Number(s) 009-025-011; and

WHEREAS, the proposed Conditional Use Permit would allow a mixed-use building in the CD Downtown Commercial zoning district including 21 residential units and two commercial units, live/work uses within the residential units, and certain non-exempt home occupations; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

WHEREAS, the project has been reviewed in accordance with the California Environmental Quality Act and has been found to be consistent with Article 19, Categorical Exemption, Class 15332, in that the project meets the conditions described in this section as follows:

- (a) The project is consistent with the General Plan and applicable General Plan policies as well as the zoning code and other regulations.
- (b) The project occurs within city limits on a site of no more than five acres surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare, or threatened species.
- (d) Approval of the project, as conditioned, 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.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;

- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for Art House, to be located at 620 7th Street, is approved subject to each of the following conditions:

DEPARTMENT OF COMMUNITY DEVELOPMENT

1. Compliance with all conditions as specified by the Art House Tentative Map Resolution Number 11323.
2. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
3. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.
4. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
5. Tree Removal. The removal of three Liquidambar trees on the adjacent property to the south is hereby approved as part of this Conditional Use Permit. Tree replacement, in the form of two 24-inch box size medium canopy trees, shall occur on the site from which the trees are to be removed, planted in the vicinity of the removed trees. Responsibility for irrigating the trees for a period of two years following installation shall be the responsibility of the property owner of 620 7th Street. The trees shall be installed prior to final inspection.

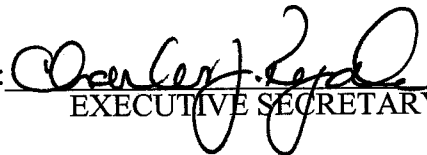
6. Home Occupations. Home occupations utilizing the services of no more than two nonresident employees or independent contractors shall be allowed within the residential units. No additional on-site parking is required to accommodate customers, clients, or employees related to the home occupations, and customers, client, and/or employees shall park off-site. All home occupations shall comply with the provisions of Title 20-42.070(D) of the Zoning Code, as amended.
7. Live/Work Units. All residential units may be utilized as residential units or as live/work units. Live/work units shall be occupied by business owners who live in the same residential unit as the commercial activity. Conversion from residential unit to live/work unit and from live/work unit to residential unit shall not require Use Permit approval provided that the live/work use is allowed by this Conditional Use Permit.
8. Live/Work Uses. The following live/work uses are allowed within any live/work unit: artisan shop with customers by appointment only; personal services including barber and beauty shop and tailor uses only with customers by appointment only; studio – art, dance, martial arts, music.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 12th day of June 2008, by the following vote:

AYES: (6) (Bartley, Caston, Cisco, Karsten, Poulsen, Walsh)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Duggan)

APPROVED: 
CHAIRMAN

ATTEST: 
EXECUTIVE SECRETARY

RESOLUTION NO. 11323

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
APPROVING THE ART HOUSE TENTATIVE MAP LOCATED AT 620 7TH STREET - FILE
NUMBER MJP07-043

WHEREAS, an application has been submitted by Hugh Futrell Corporation requesting approval of a tentative map of Art House, more particularly described as Assessor's Parcel Number(s) 009-025-011, dated December 2007, and on file in the Office of the Department of Community Development; and

WHEREAS, the applicant was presented with the opportunity and did not prepare proposed findings supported by evidence that said subdivision complies with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code) and the Subdivision Map Act (Government Code Section 66410, et seq.); and

WHEREAS, the Planning Commission heard the evidence and reviewed the proposed findings, if any, submitted by the applicant.

NOW BE IT RESOLVED, the Planning Commission does hereby determine that said subdivision of one lot condominium including 21 residential units, two commercial units, and common area and no more is in compliance with the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) based upon the following findings:

- A. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66474.5.
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That the proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines said tentative map would not be approved 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

are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Art House, Tentative Map dated December 2007, and on file in the Department of Community Development, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated May 7, 2008.
2. Conditions, Covenants, and Restrictions (CC&R's) in a form approved by The Neighborhood Revitalization Program, shall be recorded on each lot. The CC&R's are intended to create a framework by which investor owner properties and common areas are managed and maintained. At a minimum, the CC&R's shall contain the following provisions:
 - A. Residential occupancy standards;
 - B. Maintenance and habitability requirements;
 - C. Prohibition of nuisances and offensive activities including: graffiti, illegal drugs, violent acts and criminal gang behavior;
 - D. Resident and guest parking system;
 - E. Tenant screening and house rules for rentals including: credit, reference and criminal history checks, as well as verification of employment and prior residence.
3. That the project Conditions, Covenants, and Restrictions (CC&R's) shall be reviewed and approved by the City Attorney and the Department of Community Development prior to recordation of the final map and that the City of Santa Rosa has the right, but not the duty, to enforce the CC&R's pertaining to the conditions stated herein.
4. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
5. That 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.
6. 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.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 12th day of June, 2008, by the following vote:

AYES: (6) (Bartley, Caston, Cisco, Karsten, Poulsen, Walsh)
NOES: (0)
ABSTENTIONS (0)
ABSENT: (1) (Duggan)

APPROVED: _____

CHAIRMAN

ATTEST: _____

EXECUTIVE SECRETARY

FINAL

DEVELOPMENT ADVISORY COMMITTEE REPORT

May 7, 2008

ART HOUSE SUBDIVISION

Project Description

Major Subdivision, Conditional Use Permit, and Design Review for a mixed-use building with 21 single family attached residential units and two commercial condominium units comprising 2000 square feet of commercial uses with a ground-floor parking garage. The project involves a Vesting Tentative Map. In addition to on-site improvements, the project also involves frontage improvements to Seventh Street and Riley Street.

LOCATION620 7th Street

APN 009-025-011

GENERAL PLAN LAND USERetail & Business Services

ZONE CLASSIFICATION

EXISTING..... CD-5

PROPOSED No change

APPLICANT..... Hugh Futrell Corporation

ADDRESS 200 Fourth Street #250
Santa Rosa, CA 95401

OWNER..... 620 Seventh Street LLC

ADDRESS 200 Fourth Street #250
Santa Rosa, CA 95401

FILE NUMBER..... MJP07-043

PROJECT PLANNER..... Erin Morris 

PROJECT ENGINEER..... Larry Lackie 

Background

On August 24, 2007, Major Subdivision (Vesting Tentative Map), Conditional Use Permit, and Design Review applications were filed. The project was deemed complete on September 22, 2007. The project proposes to subdivide a 0.20 gross acre site into a one lot condominium subdivision including 21 residential condominium units and two commercial condominium units comprising approximately 2,040 square feet of commercial uses.

The proposed four-story mixed use building includes a ground-floor parking garage, providing secure parking for future residents of the building, two ground floor commercial units, six studio units and 15 two-bedroom units.

The site is located within the Central Services Facilities District. Therefore, the project is not required to provide parking for commercial uses. However, the Zoning Code requires that one parking space be provided for each residential unit. The project has been conditioned to comply with the parking requirements of the Zoning Code. The project incorporates parking for bicycles in the garage and along the 7th Street frontage. Given concerns raised by nearby residents, the project has also been conditioned to specifically not allow future owners, occupants, and tenants of the project to participate in the Residential Parking Permit program.

The site is impacted by noise; ambient noise exceeds 60 dBA DNL. Future exterior noise levels are projected to be 66 dBA DNL along 7th Street and 63 dBA DNL along Riley Street. The project has been conditioned to implement the recommendations of an acoustical study titled "Art House Residential Project, Santa Rosa, CA – Environmental Noise Assessment," prepared by Illingworth and Rodkin and dated December 10, 2007 to attenuate interior noise levels in compliance with the Building Code and City policy.

Construction of the project will require removal of three Liquidambar trees on the adjoining commercial property to the south. The project has been conditioned to require submittal and approval of a Tree Removal Permit for the adjacent property prior to commencement of tree removal. Prior to scheduling the project for Planning Commission, the developer will provide written confirmation from the adjacent owner indicating their consent to this requirement.

In addition to on-site improvements, the project also involves frontage improvements to Seventh Street and Riley Street that would result in the elimination of on-street parking. Street trees are required on Seventh Street and are proposed as depicted on the Vesting Tentative Map Improvement Plan. Street trees are not required for Riley Street at this time due to Fire Department access requirements but may be considered at a future time.

Conditions of Approval

- I. Developer's engineer shall obtain the current city Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated March 1, 2004 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines dated June 3, 2005. Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.
- III. Prior to scheduling the project for Planning Commission, the developer shall provide written confirmation from the adjacent property owner to the south indicating their consent to submittal of a Tree Removal Permit to remove three trees from their property and tree replacement requirements.
- IV. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on plans stamped received February 20, 2008.

Planning Conditions

1. The applicant has requested the following Growth Management Allotments:

RESERVE "A"				21	
RESERVE "B"					
	2006	2007	2008	2009	2010

2. The Public Improvement Plans and Building Plans shall contain the following note: "In the event that any remains of prehistoric or historic human activities are encountered during project-related activities, work in the immediate vicinity of the finds shall halt and the contractor shall immediately notify the project superintendent and the City of Santa Rosa liaison. Work shall not resume until a qualified archaeologist or historic archaeologist, as appropriate, approved by the City of Santa Rosa, has evaluated the situation and made recommendations for treatment of the resource, which recommendations are carried out. If human burials are encountered, the contractor must also contact the County Coroner."

3. The project shall comply with the adopted ordinances, resolutions, policies, and fees adopted by the City Council and in effect at the time the Vesting Tentative Map was deemed complete: September 22, 2007. All applicable fees, including but not limited to: Parks, Capital Facilities, Housing Allocation, Schools and Utility Connection/Demand must be paid prior to issuance of a building permit.
4. Any new development shall obtain all applicable approvals and/or permits.
5. Construction hours shall be limited from 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays or holidays. Construction equipment should be turned off when not in use and maintained in good operating condition. Construction staging areas should be located as far as practical from existing residential uses.
6. The project shall comply with the Zoning Ordinance and provide all required residential parking on-site. One on-site, designated parking space shall be deeded to each residential unit. Parking may take the form of conventional parking stalls within the open garage, parking lifts, or in a combination of both.
7. Future owners, occupants, and residents of Art House shall not be eligible to participate in the Cherry Street Residential Permit Parking Program.
8. The project shall be designed to implement the recommendations of the acoustical study titled "Art House Residential Project, Santa Rosa, CA – Environmental Noise Assessment," prepared by Illingworth and Rodkin and dated December 10, 2007 pertaining to attenuation of interior noise to acceptable levels.
9. Prior to removal of trees on adjacent property and prior to issuance of a grading permit, submit and obtain approval of a Tree Removal Permit.
10. Prior to Final Design Review, revise the architectural plans to include an ADA-compliant pedestrian warning device that will alert pedestrians on Riley Street when vehicles are exiting the project's garage.

Engineering Conditions

PARCEL AND EASEMENT DEDICATION

11. Vehicular access rights shall be dedicated to the City along the 7th Street frontage of the site except at the planned street entrances to the project and any emergency access points that may be required but do not appear on the present plan.

12. This is a Major Subdivision creating 21 residential units, 2 commercial units and 1 common area on 1 Lot. A homeowners /Business owners Association will be required to own and maintain Lot 1 and the common area. Covenants, Conditions and Restrictions will be required to be submitted with the First plan check for review by the City Attorney.

PUBLIC STREET IMPROVEMENTS

13. 7th Street shall be dedicated and improved as a Main Street along the entire project frontage. Half width street improvements shall consist of a travel lane, with a bike lane, and contiguous sidewalk maintaining a minimum 4 foot clearance around all obstacles and driveway locations. Improvements to 7th Street shall consist of the removal and replacement to City Standards of driveway curb cut with new curb gutter and sidewalk together with installing new tree wells and street trees. See the Standard Conditions of Approval for dimensions.
14. Riley Street shall be dedicated and improved as a Main Street along the entire project frontage. Street improvements shall consist of providing a 22 foot travel lane with no parking, with a minimum 10 foot wide contiguous sidewalk maintaining a minimum 4 foot clearance around all obstacles and driveway locations. The street section is not to have a choke down at the curb return. Sidewalk is to be designed and built to meet the structural roadway pavement requirement for Fire Department Emergency Vehicle loads. The street layout design and improvements are to be coordinated with the Fire Department to maintain clear 28 foot wide passage between 5th and 7th Streets and is to use a mountable curb in lieu of the City Standard raised curb. The transition from mountable curb to City Standard vertical curb is to be at the curb return of the intersection and curb inlet location. The curb, gutter and sidewalk design improvements are to intercept and maintain existing gutter flow capacity. Transitions in curb line are to be through 20 foot radius reverse curves typical of those used for a City Standard parking Bay. To provide differentiation between sidewalk and vehicle travelway the sidewalk is to have a 1 foot wide scored band along the curb line running parallel to the street. The scoring pattern shall match that required on City Standard curb ramps. Use of a Caltrans Type E curb will require a variance from the City Engineer. See the Standard Conditions of Approval for minimum dimensions.
15. The existing curb return of Riley Street and 7th Street Curb is to be removed and replaced with new curb and gutter at 25 foot radius together with a City Standard 232A curb ramp maintaining a 4 foot sidewalk clearance to all obstructions. The existing curb ramps on both east and west curb sides of Riley Street are to be removed and replaced with new City Standard 232A curb ramps maintaining 4 foot sidewalk clearances to

all obstructions. The existing Riley Street crosswalk location is to be removed and replaced per City Standards with an alignment adjusted as necessary to match the new curb ramp locations.

16. Curbside parking on the 7th Street frontage is to be posted as a loading zone.
17. This subdivision will be required to underground the overhead utilities on the 7th Street and Riley Street frontages.
18. This project is required to extend a public storm drain into Riley Street from a new manhole downstream of the existing public storm drain manhole in 7th Street. The existing curb inlet on Riley Street is to be removed and replaced with a City Standard type II curb inlet with load bearing top at the new curb face location connected to the new storm drain manhole in 7th Street. The transition of the rolled curb to vertical curb is to be the storm drain inlet at the curb return. An alternative to a separate manhole connection point is to connect to the existing manhole in 7th Street through a 300 foot radius curve to the east from the inlet to the manhole. The existing storm drain lateral from the manhole to the removed curb inlet is to be also removed and pipe connection sealed at the manhole in 7th Street. The pipe within the street may be abandoned in place by slurry backfill as allowed by the City Engineer.
19. The new public storm drain pipe in Riley Street is to be a minimum grade ending with a new Storm Drain manhole at the southerly limit of the project boundary. A City Standard curb drain inlet is to be installed at the south end of the Riley Street neck down and connected to the new manhole on the end of the extension through a 15 inch lateral.

GRADING

20. 2 copies of the Phase 1 Environmental Site Assessment shall be included with the submittal of the first plan check and will be forwarded to the Fire Department Hazardous Materials Manager for review. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and cleared the Phase 1 Study.
21. Site drainage is to be to the street through curb drains.

TRAFFIC

22. The direction of the existing one way traffic flow on Riley Street is to be reversed to go from 7th Street to 5th Street. All existing direction arrows, street signage, and markings on 7th Street, 5th Street, and Riley Street, adjacent to and offsite of the project site, are to be removed and replaced to reflect the revised direction of flow.
23. Parking meters are to be removed on both sides of Riley Street adjacent to the project site. The Developer is to coordinate with Transit and Parking for the removal and salvage of the Parking meters prior to signature of the improvement plans and provide that information to Community Development.
24. Conduit and pull boxes shall be installed per City Standard for future traffic signal interconnect along the 7th Street frontage.
25. City Standard 615D, Ornamental Street lights are to be installed on Riley Street and 7th Street.
26. Prior to removing and salvaging any existing street lights and signal equipment the contractor shall contact Steve Kroeck, 707-543-3891, Street Maintenance Superintendent to identify that equipment to be salvaged and delivered to the Maintenance Yard Storage Area.

PRIVATE STREET/DRIVEWAY IMPROVEMENTS

27. The garage access is to be from Riley Street through a City Standard 250A commercial curb cut 24 feet wide.

UTILITIES

28. The existing 6 inch water main in 7th Street, between Mendocino Avenue and Riley Street, has been determined by the City to be insufficient to meet current fire flow requirements. This section of water main shall be upsized to 12 inch (minimum size for commercial and multi-family residential areas) in order to meet fire flow requirements and provide adequate flow for domestic and irrigation purposes. The upsize of the water main shall extend into the Riley Street intersection, with new 12" x12" x12" tees reduced down to connect to the existing 8" water mains. The existing 8 inch mains in Riley Street and the existing 8 inch main in 7th Street shall be lowered to meet the alignment of the new 12 inch water main. The construction and connection of the new 12 inch main will

likely need to be completed in phases to minimize loss of service to existing hydrants and service connections. Details shall be worked out during review of the improvement plans.

29. Curb and gutter will not be allowed over any publicly maintained sewer facilities. The existing sewer main in Riley Street is shown under the proposed gutter. The issue shall be resolved by either relocating the sewer main in Riley Street to the west or redesigning the curb and gutter to avoid the existing main.
30. The design engineer shall submit fire sprinkler calculations or a letter from the fire sprinkler contractor verifying the water service size prior to approval of the improvement plans or issuance of the Building Permit. The hydraulic calculations for laterals serving private fire systems must be based on the required fire flow or the fire sprinkler demand, whichever is greater, combined with peak domestic and irrigation flows. The maximum velocity in the water service lateral from the main to the meter is 15 feet per second.
31. Based on the amount of landscaping being proposed (five trees), a dedicated irrigation meter will not be required for the project. The irrigation system may be connected to one of the commercial domestic meters. Since commercial accounts are not given a sewer cap, choosing this configuration will result in sewer charges being applied to all exterior water usage. If the irrigation meter is installed, the backflow prevention device shall be a reduced pressure device per City Standard 876 and must be located above ground.
32. Any existing sewer and water laterals that will not be used shall be abandoned at the main per current City Design and Construction Standards.
33. Sewer and water demand fees and meter fees will be determined after review of the building plans. Demand fees for the commercial portion of the project will be based on the square footage and use of each space. Residential demand fees will be calculated at the Multi-Family rate. Irrigation demand fees will also be due, but can not be calculated until the project is in compliance with the Water Efficient Landscape Policy.
34. Submit irrigation plans in conformance with the Water Efficient Landscape Policy adopted by the Santa Rosa City Council, Resolution No. 21142, December 22 1992.
35. Submit a Preliminary Landscape Statement, Certificate of Conformance and Certificate of Completion (Water Efficient Landscape Policy).

36. On landscape and irrigation plans, include a table with the following: the total planned square footage of planted areas for high water use plants (i.e. - turf, annuals and container plants); moderate water use plants (i.e. - ornamental trees, shrubs ground covers, and perennials primarily irrigated by sprinklers); and low water use plants (i.e. - drought tolerant plants irrigated primarily through drip emitters). The planting plan must include specific plant names that fit in each category.

Fire Department Conditions

37. As a Vesting Tentative Map, this project shall be evaluated under the 2001 CA Fire Code and SFRD Standards in effect on September 22, 2007 (the date the Vesting Tentative Map application was deemed complete).
38. Per an agreement between Fire Marshal Mark McCormick and Developer Hugh Futrell recorded in an e-mail dated November 2, 2007 by Project Architect Paul Gilger, the "balconettes" of the six east-facing studio units shall project 36" into the sideyard setback and shall be constructed of non-combustible materials. These conditions shall fulfill Fire Department requirements regarding emergency egress openings per 2001 CA Building Code 310.4 and Santa Rosa Fire Department standards requiring ladder access to required emergency egress openings above the first floor.
39. The Typical Street Section along the Riley Street frontage for this project that is detailed in a sketch dated March 5, 2008 as a "Modification of Source Sheet C-1" shall be accepted as proposed for the purposes of entitling this project (including removal of parking from both sides of Riley Street for the full frontage of this project), except that the soil and base below the sidewalk immediately adjacent to the proposed new building shall be built to the same structural section as the soil and base beneath the designated vehicle traffic lane. The intent is for the new sidewalk to support fire Department equipment as necessary to provide aerial apparatus access to structures on the west side of Riley Street, consistent with 2007 CA Fire Code requirements. If and when the west frontage of Riley Street adjacent to this project is redeveloped, Fire Department requires soil, base, and surface improvements to mirror the conditions being installed on the east side of Riley Street with this project.
40. Live/work occupancies shall be protected throughout with a sprinkler system designed and installed per NFPA 13 or as otherwise authorized by the Fire Marshall.
41. Two copies of a Phase 1 Environmental Site Assessment shall be included with submittal of the first Engineering plan check. One copy is to be submitted directly to the Fire Department and review fee paid; a copy of the receipt shall be submitted with the remaining copy to the

Engineering Department. Grading, demolition or construction permits shall not be issued until the Fire Department has reviewed and approved the Phase 1 study.

42. The Homeowners/Condominium Association shall be responsible for maintaining all fire protection appliances and roadways to current applicable standards.
43. Storage or use of any hazardous materials at the site will require a Hazardous Materials Inventory Statement to be submitted to the Fire Department for review. Materials in excess of the permit amounts will require a Hazardous Materials Management Plan to be submitted to the Fire Department for review and approval and may require payment of Hazardous Material Use or Hazardous Waste Generator fees.
44. Access roads and water supplies for fire protection shall be installed and made serviceable prior to storage or construction of any combustible materials.

Recreation and Parks Conditions

45. The Developer shall provide a means acceptable to the City to fund the maintenance of the streetscape into perpetuity through a special tax district, CC&R's, property owners associations, and/or other acceptable method. In the event the developer chooses a method of assuring perpetual maintenance which is subject to revocation by the property owners by an election or other means of termination, Developers shall establish a backup alternative which will be capable of automatically assuming the maintenance funding obligation in the event the primary method is no longer available. The documents creating the method for permanent maintenance and any necessary backup alternative(s) shall be subject to and have been approved by the City Attorney and The Director of Recreation and Parks and in place prior to approval of the final map. The landscaping improvement plans and standards for maintenance shall be subject to approval by the Department of Recreation and Parks.
46. Street trees will be required and planted by the developer. Selection will be made by the city's approved master plan list and approved by the city's Parks Division. Planting shall be done in accordance with the city "Standards and Specifications for Planting Parkway Trees." Tree planting locations shall be marked by the city Parks Division Tree Section personnel. Contact Parks Division Tree Section at (707) 543-3422. Copies of the master street tree list and the standards are available at the Parks Division Office, (707) 543-3770.

47. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance.

The Development Advisory Committee is an administrative committee designed to inform the Planning Commission of technical aspects of various matters which the Commission is to consider. The report of the Committee in no way constitutes approval or denial of the item under discussion. Final approval or denial rests with the Planning commission and/or City Council and may or may not be subject to terms of the report.

Recommendation

☒ Approval with conditions as set forth in this report.

☐ Continuance

☐ Denial – Major Reasons:

☒ Final action referred to the Planning Commission

Marie Meredith

MARIE MEREDITH
Deputy Director of
Community Development - Planning