

## **RESOLUTION NO. ZA-2024-043**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR AN 1.01 ACRE OUTDOOR PUBLIC GATHERING PLACE FOR THE COMMUNITY, PART OF MASTER DEVELOPMENT FOR TIERRA DE ROSAS (FORMERLY KNOWN AS ROSELAND VILLAGE) FOR THE PROPERTY LOCATED AT 665 AND 883 SEBASTOPOL ROAD, SANTA ROSA, APN: 125-11-037 AND 125-101-031, FILE NO. DR22-041**

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Design Review application to allow the proposed project described above; and

WHEREAS, the Minor Design Review approval to allow the proposed project is based on the project description and official approved exhibit dated received September 24, 2024; and

WHEREAS, on June 25, 2019, the City Council, by Resolution, denied an appeal and upheld the Planning Commission's approval of the Tentative Map for Tierra de Rosas, formerly known as Roseland Village Neighborhood Center, which included the subdivision of a 7.41-acre site consisting of two parcels into five simple lots for the development of a 75 affordable unit affordable multi-family housing project, a 100-unit market rate housing project, a 25,000 square foot civic building, a 5,000 square foot marketplace, and an 1.01-acre public plaza; and,

WHEREAS, on June 18, 2020, by Resolution, the Design Review Board, denied an appeal and upheld the Zoning Administrator's approval of a Minor Design Review of the Plaza Temporal Mitote Food Park (Resolution No. 20-1009), a restaurant with counter ordering, outdoor dining, and alcohol service, as an interim use of the Public Plaza and Mercado Food Hall site, which serves as the first Phase of the Roseland Village Neighborhood Center; and,

WHEREAS, on August 30, 2022, the Applicant applied for Minor Design Review for the Tierra de Rosas 1.01-acre Public Plaza (File No. DR22-041) (Project); and,

WHEREAS, staff has elevated this item to a Public Hearing, pursuant to Section 20-52-030.H.2.b, to be noticed and held pursuant to Zoning Code Chapter 20-66, and property owners and occupants within 600 feet of the project site received notice of the Public Hearing; and

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.030.I, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the Project is of superior quality and is consistent with the General Plan, the Roseland Area/Sebastopol Road Specific Plan, Santa Rosa Zoning Code, and the City's Design Guidelines, and the matter has been properly noticed as a Public Hearing pursuant to Section 20-66; 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 in that the site is located in an area developed with commercial, institutional, and residential uses and the Project includes gateways to a public space for socializing, gathering. The use of landscaping, public furniture, community programming, play areas, seating areas, and bicycle parking help to create a vital community hub for the Roseland area;

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 project as proposed is consistent with the General Plan, and the Roseland Area/Sebastopol Road Specific Plan, the primary entrance to the Project is street facing and will be integrated with the overall Tierra de Rosas master planned development, which includes the development of a 75 affordable unit affordable multi-family housing project, a 100-unit market rate housing project;
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed landscaping, public furniture, play areas, and seating areas provide unique and uniform designs without clashing with the surrounding redeveloping area;
5. 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 future public plaza will serve as a passive cooling mechanism by removing nearly one-acre of hardscape and replacing it with planted areas that will reduce urban heating that occurs on paved areas. The plaza will also feature shaded areas that will allow its users to access naturally shaded outside areas;
6. 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 Project has been reviewed by City staff and conditioned to minimize potential impacts;
7. The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and
8. 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 will support mixed commercial, institutional and 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 subject property is no different than other properties in the surrounding area, and there are no Project specific effects which are peculiar to the Project or its site. 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. In addition, all Project impacts were adequately analyzed by the specific plan and general plan EIR.

- c. There are no potentially significant off-site and/or cumulative impacts which the General Plan or Specific Plan EIRs failed to evaluate. The proposed Project is consistent with the use characteristics of the development considered by the General Plan or Specific Plan EIRs. The General Plan or 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 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. The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property.

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.**

#### Conditions of Approval

1. Obtain building permits for the proposed project
2. Comply with all Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as "Exhibit A," dated November 14, 2024.

3. 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.
4. No signs are approved as part of the Project. Signs will require separate Planning and Building permits.
5. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
6. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
7. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Design Review is hereby approved on November 21, 2024. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. This approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: *Conor McKay*

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CONOR MCKAY, ZONING ADMINISTRATOR

**CITY OF SANTA ROSA, CALIFORNIA  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
ENGINEERING DEVELOPMENT SERVICES DIVISION**

**EXHIBIT "A"  
November 14, 2024**

**TIERRA DE ROSAS – PUBLIC PLAZA  
665 Sebastopol Road  
DR22-041**

- I. Applicant's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. 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.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans submitted/ date stamped received **September 24, 2024**.

**PARCEL AND EASEMENT DEDICATIONS**

1. All map, dedication and easement document preparation costs shall be borne by the property owner, including preparation of any legal descriptions, plats, title reports, and deeds necessary. Civil improvement plans shall be prepared by a Registered Civil Engineer licensed to practice in the State of California for approval by the City Engineer.
2. If the easements for the Roseland Village Subdivision are not recorded with a Final Map, the applicant shall dedicate and record new sufficient Public Access Easement for Public Use over the Plaza Parcel, Right of Way (ROW), sidewalk access easements (SWE), Public Utility easements (PUE) dedications along the Sebastopol Road, West Avenue, and Cinco De Mayo Way frontages per the review and approval of the City Engineer to meet current City standards.

**PUBLIC STREET IMPROVEMENTS**

3. An Encroachment Permit is required prior to issuance of the building permit. Any improvements proposed or required, within the public right shall be reviewed and approved with the Encroachment Permit application. Only Construction plans submitted with the Encroachment Permit Application are final plans and shall be approved for construction. Contact Engineering Development Services at 543-3200, located at 100 Santa Rosa Avenue, Room 5, as soon as possible to begin Encroachment Permit application processing. Encroachment Permit application processing may take 4-6 weeks. Submit plans showing all work in the public right of way, or in public easements, including all work on public utilities (water meter boxes, sewer lateral cleanouts, backflow devices, etc.)
4. All public and private sidewalk shall maintain a continuous ADA accessible surface a

minimum of 4-feet wide. Concrete sidewalk shall transition to match the existing grades to adjacent properties.

5. Private structures such as permanent fences and BMPS etc., shall not encroach into public utility easements unless approved under a variance by the City Engineer.
6. If the Plaza Parcel frontage improvements are not completed with the Roseland Village Subdivision Improvement Plans per City File No. 2024-0015 and 2024-0016, then the applicant shall submit Public Improvement Plans for the review and approval of the City Engineer prior to building permit issuance. The frontage improvements along Sebastopol Road, West Avenue, and Cinco de Mayo Way shall be completed by this developer prior to building permit issuance in order to sustain the Plaza development if not already existing.
7. Revisions shall be made to the Roseland Village Subdivision Improvements Plans, City File No. 2024-0015 and 2024-0016, to satisfy the required improvements to sustain the Plaza development.

#### **PUBLIC STORM DRAINAGE**

8. As applicable, all drainage flows from offsite shall be intercepted at the property line and conveyed through a private system to discharge into the public right of way. Onsite storm drain design shall be reviewed and approved by the Chief Building Official.
9. All onsite storm drain inlets shall be labeled per the City standard detail 409 - "DRAINS TO CREEK" or an approved equal.
10. Contractor shall not use the sanitary sewer system or storm drainage system to release construction water from the site unless they have a valid discharge permit to do so. Application for Industrial construction water discharge permit can be obtained from the City of Santa Rosa Environmental Compliance Department. Contact Chris Murray at 707-543-3393.
11. Drainage from landscape areas are not allowed to cross over curb or sidewalk and are to outlet to a street or drainage channel through City Standard curb drains or other acceptable means.
12. Lot drainage and private storm drain facilities shall be approved by the Chief Building Official's designated representative. All private drainage facilities shall be privately owned and maintained. Cross lot drainage is not permitted without a storm drainage easement being recorded at the Sonoma County Recorder's office in favor of the upstream property.
13. If flows exceed street capacity, flows shall be collected via an underground drainage system (with minimum 15" diameter and maximum 72" diameter pipe sizes) and discharged to the nearest approved downstream facility possessing adequate capacity to accept the runoff, per the City's design requirements. Such runoff systems shall be placed within public street right-of-way wherever possible.
14. Private drainage systems are to be connected to a public system from a private field inlet

located behind the sidewalk and or through a minimum 15-inch RCP or HDPE storm drainpipe through the public right-of-way, public utility easement or storm drain easement to a public drainage structure. No blind connections are permitted into public storm drain system. Public storm drains shall be shown on the plans in a design profile. Install a city standard storm drain structure at any change of pipe size, pipe grade or pipe direction. A maximum of one public storm drain connection to the Public system are permitted for the project unless otherwise approved by the City Engineer.

## **STORM WATER COMPLIANCE (SWLID)**

15. An updated Storm Water Low Impact Development (SWLID) report shall be submitted for any changes to the Plaza design that would affect the previously approved SWLID report with the Phase 1 Improvement Plans, City File No. 2024-0015. The updated report shall be submitted and reviewed by Engineering Development Services and if determined, a revision submitted and approved for the Phase 1 Public Improvement Plans.
16. Perpetual maintenance of SWLID Best Management Practices (BMP's) shall be the responsibility of the lot owner or as agreed upon by the lot owners of the Roseland Village Subdivision. The Lot owner shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the Lot owner for a period of the latest five years and shall be made available to the City upon request.
17. The SUSMP "Declaration of Maintenance" document shall be recorded prior to Building permit issuance.
18. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project is required to comply with all current State Water Board General Construction Permit Requirements.
19. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil, or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.
20. As applicable, where bio-retention basins are installed, then transformers, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the basins. Locations of infrastructure shall be reviewed during plan check. Each trench crossing shall extend the length of a BMP basin by 5 additional linear feet. Locations of infrastructure should be present on the plans and shall be reviewed during plan check.

## **BUILDING**

21. 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.

22. Obtain building permits for the proposed project.

#### **WATER AND WASTE WATER**

23. Demand fees shall be required and shall be determined after review of the building permit application. Unless otherwise approved through a deferral agreement, water, irrigation and sewer demand processing and meter installation fees shall be paid prior to the issuance of any Building Permit. The applicant may contact Water Engineering Services to determine estimated fees and shall be determined at first Building Plan review.
24. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4051, dated Oct 27, 2015. Plans shall be submitted with the Building Permit application.
25. The applicant shall install a separate irrigation service with a reduced pressure backflow device per current City Standards 876 for each lot. See Section X.O. of the Water System Design Standards. Meter size is dependent on peak demand and shall be determined upon review of irrigation plans. Irrigation demand, processing and meter fees shall be paid prior to issuance of building permit.
26. All landscape and domestic water meters shall be protected with reduced pressure backflow devices per City Standards 876.
27. No plumbing for landscape irrigation or any other use shall cross lot lines unless as otherwise approved on the Public Improvement Plans.

#### **FIRE**

28. Any buildings or food vendors as part of this project phase will require a separate Fire Department review.

#### **RECREATION AND PARKS**

29. Street trees shall be planted along the project perimeter frontage per the approved Public Improvement Plans, City File No. 2024-0015 and 2024-0016. Planting shall be completed in accordance with City "Standards and Specifications for Planting Parkway Trees." Tree spacing to be 30' with species selection from the City's Master Street tree list available from the Recreation & Parks Department Office at (707) 541-3770.
30. The area identified as park/plaza space will not be dedicated to the City of Santa Rosa and the owner shall not enter into a contract, covenant or similar agreement with the City that would cause the improvements to become a City-owned or maintained park unless agreed to in writing by the Director of Recreation and Parks or the Assistant City Manager.
31. The owner is responsible for constructing the park/plaza space according to applicable Federal, State and City building codes, and for maintaining all aspects of the completed park/plaza space in perpetuity – including replacement of amenities when they reach the end of their useful life.



32. A development agreement for private open space shall be executed between the City Recreation and Parks Department and the developer. Per Santa Rosa City Code Chapter 19-70 Park and Recreation Land and Fees, a park development fee credit of 45% shall be granted for the proposed private park/plaza space as it meets the minimum size of one (1) acre and shall provide at least five (5) of the neighborhood park basic elements below or a combination of such and other agreed upon recreation amenities that shall meet the specific recreation needs of the future residents:

Elements	Acres
Children's play apparatus area	0.05 to 0.25
Landscape park-like with quiet areas	0.25 to 1.00
Family picnic area	0.05 to 0.25
Game court area	0.05 to 0.25
Turf playfield	0.25 to 1.00
Swimming pool (42' x 75' with adjacent deck/lawn area)	0.25 to 0.50
Recreation center building	0.05 to 0.25

33. All landscaping throughout the site and along street frontages shall be privately maintained and irrigated. Property owners shall be responsible for the irrigation of the street trees and the maintenance of all right of way landscaping per City Code Chapter 13-32 Section 10.
34. Similarly, all bioswales and stormwater treatment areas, whether combined with street trees or not, shall become the responsibility of the property owner to maintain, including the health of the street trees. Any stormwater treatment areas along the street frontages are to be designed, implemented, and maintained by the lot owner and does not eliminate the requirement for street trees.
35. Park/plaza site improvements shall require a building permit and approval from the Recreation and Parks Department. The development agreement shall be executed prior to the occupancy of the first unit on Phase 1 that would trigger the need to submit Park development fees.



11/14/2024

CLEVE GURNEY, PE

DEPUTY DIRECTOR - ENGINEERING DEVELOPMENT SERVICES






# Resolution ZA-2024-043

Final Audit Report

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