

RESOLUTION NO. ZA-2023-030

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A SIGN VARIANCE TO ADD THREE MORE WALL SIGNS AND TWO MORE MENU BOARDS FOR DUTCH BROTHER'S SIGNS FOR THE PROPERTY LOCATED AT 919 HOPPER AVENUE SANTA ROSA, APN: 148-150-025, FILE NO. SI23-005

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

WHEREAS, the Sign Variance approval to allow the proposed project is based on the project description and official approved exhibit date stamp received February 7, 2023; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.060.F.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.060.G.2, the Zoning Administrator of the City of Santa Rosa finds and determines that:

SIGN VARIANCE Findings (ZONING CODE SECTION 20-52.060.G.2)

- a. Strict compliance would preclude an effective design solution improving sign functionality, operational efficiency, or appearance in that the current design is not conducive to potential customers finding the business in a timely manner prohibiting the business from ensuring safe attractions to their location and from reducing hazards to motorists.
- b. Strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulations in that the existing signs create unsafe driving conditions for potential customers, for the signs are only visible from 150 feet. Additionally, mature trees obscure the view of the existing signs and the store front.
- c. The variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations in that the mature trees along Hopper Avenue obstruct the site's signs from up to 290 feet away. The proposed signs additional wall signs would help with recognition of the establishment, mitigating the potential driving hazards with the existing obstructed signs.
- d. The proposed sign is architecturally and aesthetically compatible with the major structures on the subject site, and adjacent sites and is compatible with the character of the established neighborhood and general environment in that the subject signage seamlessly integrates with the subject site's development by conforming with the design aesthetic of the subject site and by being recognizable as an integral component of drive-thru infrastructure. Also, it is compatible with adjacent uses that include fast food restaurants with drive-thru uses, a gas station, and big box retail.

- e. The project has been found in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 categorical exemption under Section 15301 in that the project involves a minor alteration to an existing facility.

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. Construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. 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 Sign Variance is hereby approved on June 1, 2023. 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: _____
SUSIE MURRAY, ZONING ADMINISTRATOR