

## **RESOLUTION NO. ZA-2023-050**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING MINOR DESIGN REVIEW FOR BURGER KING EXTERIOR MODIFICATIONS FOR THE PROPERTY LOCATED AT 741 STONY POINT ROAD SANTA ROSA, APN: 010-410-015, FILE NO. DR23-006**

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 July 7, 2023; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.030.H.2.a and no request for a public hearing has been received;

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 proposed development is of superior quality, and is consistent with the General Plan, any applicable 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
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 exterior remodel is of superior design and strengthens the store as a focal point on the site; 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 updates will continue to provide vehicle circulation and direct and safe pedestrian and bicycle access to the store and within the retail center; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that neighboring business have similar architectural features, such as flat rooftops and transparent storefronts with tall glass windows; and
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 all of the proposed modifications are necessary repairs to exterior damages and will significantly improve the conditions and appearance of the building; and

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 updates to the drive through will improve traffic circulation within the parking lot; and
7. The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt from CEQA because the project involves minor alteration to an existing structure and it will not increase the size of the store nor the intensity of the drive-through activity.

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 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.
3. No signs are approved as part of the Project. Signs will require separate Planning and Building permits.
4. The Project shall comply with City Code Section 21-08, development requirements relating to public art.
5. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
6. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
7. Final landscape plans shall be submitted with building permit application, subject to review by planning staff. Landscape and irrigation plans shall comply with the requirements and guidelines of the City's Water Efficient Landscape Ordinance (WELO), pursuant to City Code Chapter 14-30. The plans do not need to include modifications to existing impervious surfaces, but should include plantings in areas designated for plantings.
8. Sufficient bicycle parking shall be installed in compliance with City Code Section 20-36.040.

This Minor Design Review is hereby approved on October 5, 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: \_\_\_\_\_  
SHARI MEADS, ZONING ADMINISTRATOR