

## RESOLUTION NUMBER

RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA GRANTING DESIGN REVIEW APPROVAL FOR THE DESIGN MODIFICATIONS PROPOSED FOR KAWANA MEADOWS LOTS 4A AND 70 (A.K.A. THE RESIDENCES AT TAYLOR MOUNTAIN) LOCATED AT 2880 FRANZ KAFKA AVE. APN: 044-460-004, 005, AND 070, FILE NO. PRJ21-020 (DR21-050)

WHEREAS, on July 6, 2023, the Design Review Board of the City of Santa Rosa considered the proposed design modifications for 53 Multifamily Units on Lots 4A and 70 of the previously approved project, known as The Residences at Taylor Mountain, located at 2880 Franz Kafka Ave, 044-460-004, 005, and 070; and

WHEREAS, the project site is located within southeast area of the City of Santa Rosa and is within the project known as The Residences at Taylor Mountain, Lots 4A and 70 of the Kawana Meadows Subdivision; and

WHEREAS, the Design Review Board previously granted preliminary and final design review to the project on October 5, 2017, having adopted Resolution 17-967; and,

WHEREAS, the Minor Design Review application includes a series of minor changes which, as a whole, is being for consideration by the Design Review Board pursuant to Section 20-50.020 - Authority for Land Use and Zoning Decisions, which states that the Zoning Administrator may defer any decision and refer the request to the DRB; and,

WHEREAS, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, and 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), in that the project is consistent with the General Plan Land Use designations - Medium-Low Density Residential (Lot 4A) and Medium Density Residential (Lot 70). The Medium Low Density Residential land use designation allows housing at densities from 8.0 to 13.0 units per gross acre and is intended for attached single family residential development, and the Medium Density Residential land use destination permits housing densities from 8.0 to 18.0 units per gross acre and permits a range of housing types, including single family attached and multifamily developments, recognizing also increased residential densities were previously approved for this project by the Planning Commission on September 28, 2017 (Resolution 11853) with a Density Bonus application in accordance with California State Law. Lot 4A will maintain a density of 16.7 units per acre and Lot 70 will have a resulting density of 18 units per acre, consistent with General Plan. As the revised proposal remains consistent with these land use densities, the project is consistent with the General Plan; 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 project promotes superior design through thoughtful consideration of architecture via the use of form, massing, materials, setbacks, and detailing. Site development continues to minimize alteration of topography, drainage

patterns, and the project is located on the flattest portions of the site, drainage has been designed to retain its pre-construction flow and direction, and additional mature trees will not be removed by the project; Also, the project continues to use a style of architecture which is consistent with the previously approved design and maintains the materials and colors of the previous design; 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 project complies with the setbacks and other design standards of the Zoning Ordinance and Policy Statement for the Planned Development (PD96-001F). The project's construction and operation will require compliance with the City's Lighting and Noise Ordinances which reduce the impacts to surrounding land uses; and
4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood, in that the proposed three-story multifamily building designs will be reduced in height to 30-feet and will continue to maintain the approved setbacks and lot coverage standards of the Zoning Code, which helps maintain an aesthetic view corridor to Taylor Mountain. The project maintains the same materials and colors as previously approved; and
5. The design of the proposed development will continue to 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 the project includes well landscaped front, side and rear yard areas for residents and visiting public, which will include bicycle parking according to the Zoning Code. The project will continue to use durable, varied materials, projections, and finishes on all elevations. The change in grades will also create additional interest; 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 the project will continue to use a design that is consistent with and similar to the previously approved design, which includes a reduced building height; and
1. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and no further environmental analysis is needed. On September 28, 2017, the Planning Commission adopted a Mitigated Negative Declaration (Resolution 11852). Mitigation measures were incorporated into previous project conditions of approval, by which it was determined that the project impacts would be mitigated to a less-than-significant level through implementation of the recommended mitigation measures. No evidence has been substantiated to determine additional environmental review per CEQA Guidelines Section 15162: Circumstances surrounding the project have not substantially changed; no new information of substantial importance has been uncovered that indicates the project would create new significant impacts or increase the severity of the previously identified significant impacts; there is no evidence to suggest that the proposed minor design changes would create any new significant impacts or which would increase the severity of previously identified significant impacts; nor is there evidence presented which would indicate there new circumstances or new information that would create such impacts or require more robust analysis. The previously adopted mitigation measures will continue to be applied to the project with the conditions of approval. Therefore, no further environmental analysis is needed.

NOW, THEREFORE, BE IT RESOLVED, the Design Review Board of the City of Santa Rosa does hereby grant Design Review of Kawana Meadows Project Modifications, 2880 Franz Kafka, Lots 4A and 70 of the Kawana Meadows Subdivision, subject to each of the following conditions:

**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

**GENERAL:**

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. Compliance with applicable mitigation measures of the Mitigated Negative Declaration adopted by the Planning Commission on September 28, 2017 (Resolution 11852).
3. The applicant shall adhere to Zoning Code Section 20-30.090 – Performance Standards.

**ENGINEERING DIVISION:**

4. Compliance with all conditions as specified by the attached Exhibit "A" dated June 5, 2023.

**PLANNING DIVISION:**

5. All provisions of the signed Affordable Housing Agreement shall be implemented according to the language therein.
6. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be substantially the same as that approved by the Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
7. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080),

**8. PROJECT DETAILS:**

- A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and California Building Codes, as well as the City's Design Review Guidelines.
- B. The design of all fencing, sound walls, carports, trash enclosures, and similar accessory site elements shall be compatible with the architecture of main buildings and shall use similar materials. The design must be approved by the Planning Division prior to issuance of a building permit.
- C. All roof appurtenances, accessory equipment, and meters must be totally screened from public view by an architectural design consistent with the building architecture element approved by the Design Review Board or Planning Division.

- D. All outdoor storage of materials and/or refuse bins/cans shall be maintained within a completely screened structure or area. The design of the screened structure or area shall be approved by the Planning Division prior to issuance of a building permit.

9. TREE PRESERVATION:

- A. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
- B. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site, a protection zone shall be established to protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:
  - i. The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
  - ii. The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
  - iii. No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
  - iv. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
  - v. All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
  - vi. No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.
- C. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work.
- D. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
- E. Irrigation systems, and plant varieties which require regular watering shall not be permitted within the dripline of an Oak tree which is to be preserved.
- F. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
- G. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.

10. LANDSCAPING:

- A. All required landscaping and irrigation must be installed prior to occupancy per the approved final plans.
- B. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
- C. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
- D. Street trees will be required and shall be planted by the developer. Selection will be made from the City's approved Master Street Tree Plant List in coordination with the City Parks Division. Planting shall be done in accordance with the City "Standards and Specifications for Planting Parkway Trees." Copies of the Street Tree List and the Planting Standards are available at the Parks Division office.

11. LIGHTING:

- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
- B. Light sources shall be concealed from public view.
- C. All lighting shall be directed toward the subject property and away from adjacent properties.
- D. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

12. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.
- B. Sign permit approval shall be obtained prior to application for a building permit.
- C. Building permits for sign installations shall be separate permits from other building permits issued for construction.

13. NATURAL RESOURCES:

- A. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.
- B. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition

or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning & Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.

- C. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
- D. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.

DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 16<sup>th</sup> Day of March 2023, by the following vote:

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

Approved: \_\_\_\_\_  
Melanie Jones-Carter, Chair

Attest: \_\_\_\_\_  
Amy Nicholson, Executive Secretary

ATTACHMENT: Engineering Development Services Exhibit A dated June 5, 2023