

RESOLUTION NO. 11457

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR USE OF THE DE TURK ROUND BARN AS A COMMUNITY CENTER-
LOCATED AT 819 DONAHUE STREET - FILE NUMBER CUP09-004

WHEREAS, an application was filed with the Department of Community Development requesting the approval of a Minor Conditional Use Permit for the De Turk Round Barn, to be located at 819 Donahue Street, also identified as Sonoma County Assessor's Parcel Number 010-144-020; and

WHEREAS, the Zoning Administrator referred the project to the Planning Commission for a public hearing; 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 revised in accordance with the California Environmental Quality Act and has been found to be consistent with Article 19, Categorical Exemption, Class 3, in that the project consists of change of use of an existing building in an urbanized area of less than 10,000 square feet in floor area, is consistent with existing OSR-H zoning of the property, does not involve the use of significant amounts of hazardous substances, and is located in a developed residential neighborhood.

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 community center use is allowed within the OSR-H 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 Station Area Specific Plan in that a community center is consistent with the Recreation and Parks land use designation, furthers the recreation/cultural facility designation of the De Turk Round Barn, facilitates reuse and restoration of the historic De Turk Round Barn, maintains the existing character of the historic residential sub area as outlined in the Station Area Specific Plan, and encourages art and cultural activity in the downtown area;
- 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 in that the community center would utilize the existing De Turk Round Barn and would not involve any new construction or substantial alteration to the existing De Turk Park site. The operating characteristics of the proposed community center has been conditioned to limit hours of operation, limit the frequency of large events, minimize impacts from amplified sound equipment, and require special event permits for all events with more than 70 people or involving alcohol service;

- D. The site is physically suitable for the type and intensity of the proposed community center use, including access, utilities, and the absence of physical constraints. Improvements to accessibility access to the site and within the site, including accessible on street parking on Donahue Street are conditioned. No significant alteration to the existing physical conditions of the site are proposed;
- 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 the De Turk Round Barn, to be located at 819 Donahue Street, is approved subject to each of the following conditions:

DEPARTMENT OF COMMUNITY DEVELOPMENT

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. All work shall be done according to the final approved plans dated April 28, 2009 and in compliance with all conditions of CHB Resolution 255.
3. The address shall be displayed in a prominent location on the street side of the property. The numbers shall be no less than 6-inches in height and shall be of a contrasting color to the background to which they are attached. The address shall be illuminated during hours of darkness per City "Premises Identification" requirements.

EXPIRATION AND EXTENSION:

4. 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.
5. 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.

BUILDING DIVISION:

6. A building permit is required for all interior and exterior changes or for any change of occupancy from one building code group to another.
7. Grading and Drainage of the site must be per the approved plans. Site drainage shall be to the curb, under the sidewalk, per City standards.
8. A soils report must be submitted with an application for building permit. Check with the Building Division prior to submittal to determine the level of report necessary for the project or if a soils report is on file for the subject property.
9. Any existing zoning or building violations must be cleared prior to or in conjunction with any new permits.
10. Comply with all Federal, State and local codes, disabled access included.

ENGINEERING DIVISION:

11. Provide curb, gutter, and sidewalk along the westerly side of Donahue Street between the northwest corner of West 8th Street and the existing sidewalk located approximately 125 feet northerly.
12. Remove and replace the existing curb return located at the northwest corner of West 8th Street and Donahue Street per City Standard 232A Curb Ramp to be in compliance with current ADA pedestrian requirements.

PLANNING DIVISION:

13. All activities shall meet the requirements of the Noise Ordinance (Chapter 17-16.170), including but not limited to limiting the use of sound amplifying equipment to between 9 a.m. and 6 p.m., Monday through Saturday, and between 10 a.m. and 6 p.m. on Sundays and legal holidays.
14. Sound amplifying equipment shall include D.J.s and amplified bands, but typically does not include recorded music for the purposes of recreational classes or the use of microphones for presentations.

15. Maximum occupancy of the De Turk Round Barn shall be limited to no more than 150 people. All events with greater than 70 people shall be considered a large event and shall be subject to unique requirements as outlined below.
16. Large events (defined as 70 people or more) shall be limited to no more than two in any 30-day period.
17. All large events shall require issuance of a special event permit at the discretion of the Director of Recreation and Parks or designee and shall include approval of a parking and security plan as determined necessary for the specific event.
18. All large events shall require approval of a parking plan outlining alternative arrangements for parking and/or shuttle of guests to the site in order to minimize traffic and parking impacts to the surrounding neighborhood. The parking plan shall be reviewed and approved at the discretion of the Director of Recreation and Parks or designee as part of the special event permit.
19. All events involving alcohol service shall be reviewed and approved through a special event permit at the discretion of the Director of Recreation and Parks and shall include proof of required insurance coverage. All applicable ABC standards and requirements shall be met.
20. All events over 100 people shall require the provision of additional bathroom facilities. Any such bathroom facilities shall be locked at the conclusion of the event and shall be removed from the site in a timely manner after the event.
21. All activities within the De Turk Round Barn shall be supervised by a Recreation and Park's staff or class instructor.
22. All youth activities shall require a minimum ratio of one adult to each 15 youth.
23. Hours of operation, including set up and take down shall be limited as follows:

Monday through Thursday:	7 a.m. to 9 p.m.
Friday:	7 a.m. to 10 p.m.
Saturday	8 a.m. to 10 p.m.
Sunday	9 a.m. to 9 p.m.
24. The Recreation and Parks Department shall hold a de-briefing meeting with representatives from the West End neighborhood six months after commencement of the use.
25. The Conditional Use Permit may be revoked or modified by the Planning Commission if any of the following findings are made:

- a. Circumstances under which the permit was granted have been changed by the applicant to a degree that one or more of the findings required to grant the original permit can no longer be made;
 - b. Permit issuance was based on misrepresentation by the applicant, either through the omission of a material statement in the application, or in public hearing testimony;
 - c. One or more conditions of approval have been violated, or have not been complied with or fulfilled;
 - d. The use or structure for which the permit was granted no longer exists or has been discontinued for a continuous period of at least 180 days, as defined in Chapter 20-61 (Nonconforming Uses, Structures, and Parcels);
 - e. Failure or refusal to allow inspections for compliance; or
 - f. Improvements authorized by the permit are in violation of any code, law, ordinance, regulation, or statute, or the use or structure is being operated or maintained in a manner which constitutes a nuisance.
26. Upon a finding that the land use or structure is operated or maintained in a manner constituting or causing a nuisance, the Planning Commission, as an alternative to revocation, may modify the Conditional Use Permit and impose additional conditions and/or may modify the existing conditions of the permit they find that the grounds constituting or causing the nuisance would thereby be corrected or cured.
27. 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.
28. LIGHTING:
- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Landmark Alteration Permit approval.
 - B. All lighting shall be directed toward the subject property and away from adjacent properties.

29. Bicycle parking shall be provided in accordance with the approved plans, including a minimum of two new racks on the site. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.
30. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.

FIRE DEPARTMENT

31. Per local ordinance, an automatic fire sprinkler system is required in all structures with a change of use when the new use is more hazardous than the initial use. A sprinkler system designed and installed per NFPA 13 is required in this Assembly Occupancy. The sprinkler system shall be monitored off-site for waterflow and tampering, and an audible and visual Fire Alarm notification system shall be installed throughout the building.
32. A Fixed Extinguishing system is required to protect the Hood and Duct of the Catering Kitchen.
33. Emergency Egress signage, lighting and door hardware shall comply with the requirements of the CA Building Code for Assembly Occupancies.
34. 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.
35. Site address signage per current Fire Department Standards shall be established and maintained during and after any combustible construction or intensification of site use. See SRFD Information Bulletin 015 for details.
36. Traffic control devices and permanent fences or gates limiting vehicle access shall be approved by the Fire Department. Lockable gates limiting vehicle access to commercial facilities shall be equipped with a Fire Department approved locking device or Fire Department approved key system (“Knox” lock or “Knox” keyed lock). Call 543-4351 for assistance in obtaining the required lock or key system.
37. Storage or use of any hazardous materials at the site will require a Hazardous Materials Business Plan to be submitted to the on-line reporting program at www.unidocs.org. The Fire Department will review for approval. Materials on site will require a Hazardous Materials Permit to be submitted to the Fire Department for review and approval and require payment of Hazardous Material Management Plan fee.

UTILITIES DEPARTMENT

38. The proposed relocation of City utilities will require an Encroachment Permit prior to beginning any work in the public right of way or on City Utilities. Submit detailed utility plans with Encroachment Permit application to the Public Works Department.
39. Any on-site cooking within the catering room or kitchen shall require the installation of a grease removal device sized by this office, and submitting a food service establishment/Restaurant wastewater discharge permit application to Environmental Compliance Section, 4300 Llano Road, Santa Rosa, CA 95407.

<http://ci.santa-rosa.ca.us/doclib/Documents/FoodServiceApp.pdf>

40. An 8" water lateral is currently serving the property. The design engineer shall submit fire sprinkler calculations or a letter from the fire sprinkler contractor verifying the water service size prior to 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. If the velocity will exceed 15 feet per second, the existing water service shall be upsized.
41. A dedicated fire line may be required for the project. Utilities Engineering provides mapping of private onsite water mains and fire hydrants for the Fire Department and processes the fee collection and meter installation for the fire line. If the dedicated fire line is required, provide two copies of the approved onsite plans showing private firelines and private fire hydrant locations to the Utilities Engineering Division prior to requesting meter sets and commencing service. Refer to section XI.A of the Water System Design Standards for submittal of plans for private fire systems.
42. Submit irrigation plans in conformance with the Water Efficient Landscape Policy adopted by the Santa Rosa City Council, Resolution No. 21142, December 22, 1992.
43. Submit a Preliminary Landscape Statement, Certificate of Conformance and Certificate of Completion (Water Efficient Landscape Policy).
44. On landscape and irrigation plans, include the following table broken out into two sections:

Hydrozone Table: For each irrigation valve list: irrigation method (spray, drip, etc.), plant type (high, moderate, low), GPM, precipitation rate (in/hr), area (ft²), percent of landscaped area and slope.

Summary Hydrozone Table: 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; and low water use plants (i.e. - drought tolerant plants). The planting plan must include specific plant names that fit in

each category per the Water Use Classification of Landscape Species (WUCOLS – UC Extension).

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.

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 14th day of May, 2009, by the following vote:

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

APPROVED: _____
CHAIR

ATTEST: _____
EXECUTIVE SECRETARY