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Downtown Petaluma River Apartments

3-39 East Washington Street

Petaluma, CA. 94952

APN's 007-121-007;-008; -009;-010;-011;-012;-013 and -014

PLANNING DIVISION

PUD DEVELOPMENT STANDARDS

1. **Lot Area, Lot Dimensions, and Lot Coverage:** Lot area is 100,630 square feet (2.31 acres). Lot coverage by primary building, accessory buildings, parking garage and driveways shall not exceed 60%. Lot Dimensions are as follows:

- East Washington Street: 361'
- Grey Street: 214'
- Northeast: 179'
- North: 125'
- Northwest: 218'
- West (River): 132'

2. **Building setbacks:**

- East Washington Street: 0'
- Grey Street: 15'
- To North PL: 111'
- To Northeast PL: 12'
- To Northwest PL: 52'
- To West PL: 95'

3. **Maximum Building height:** Maximum building height shall be 50 feet, measured from finish grade to the average height level between building eaves and the primary ridge of the roof line.
4. **Exterior Site Lighting:** Exterior site lighting shall be designed to prevent intrusion of direct glare onto adjacent properties.
5. **Parking Requirements:** Off-street parking shall be provided at the rate of 1.5 stalls, covered or uncovered, per dwelling unit. Off-street and street parking shall be provided at the rate of one car per 300 square feet of commercial space. Off-street and street parking shall be provided at the rate of one car per employee for day care space. Parking shall be designed to meet City standards for minimum stall dimensions and handicapped accessibility.

6. Permitted Uses:

Principle use of the site shall be limited to:

- multi-family residential uses,
- day care uses, and
- any retail or service establishment, such as a grocery, fruit or vegetable store, bakery, drug store, barber or beauty shop, video cassette rental and sales store, bank, business supply or copy store, dry cleaning and laundry pickup station, business or professional office and the like, supplying commodities or performing services primarily for residents of the surrounding area.

7. Site Landscape Plan:

A professionally prepared landscape plan shall include:

Pedestrian Pavements

- 8' or 10' pedestrian/bicycle path shall be located at the top of the riverbank.
- A barrier on the pedestrian walk at East Washington Street for security and safety purposes.

Planting

- Riverwood Street tree selections should be per City Street Tree Guidelines along Grey and Washington Streets and along the Petaluma Riverbank.
- Large canopy trees shall be planted to provide shade and to create river scale image.
- Reasonable and appropriate vegetative screening shall be provided where possible or desired.
- Building perimeter planting shall be selected to permit natural light into the garage structure.

Irrigation

- An automated irrigation plan with water use calculations.

Lighting

- A photometric plan which demonstrates that site and landscaping lighting shall not trespass onto adjacent properties.
- Pedestrian paths shall be lighted.

Trash Enclosures

- Wall screening required for final planning agency approval.

Playground and Recreation Areas

- Playground and recreation areas and/or yard enclosures may be fenced in for security and safe recreation activity.

Bicycle Parking and Racks

- Bicycle storage and racks shall be provided.

Landscape Finish Grading

- Landscape finish grading shall be based upon site civil engineering zero net fill plans.



CITY OF PETALUMA

POST OFFICE BOX 61
PETALUMA, CA 94953-0061

E. Clark Thompson
Mayor

Janice Cader-Thompson
Michael Healy
Matt Maguire
Bryant Moynihan
Mike O'Brien
Pamela Torliatt
Councilmembers

May 21, 2002

Eden Housing
Jeff Bennett, Project Developer
409 Jackson Street
Hayward, CA 94544

RE: Downtown River Apartments

Dear Mr. Bennett:

The Site Plan and Architectural Review Committee, at its regular meeting of May 9, 2002, reviewed your plans for a proposed mixed-use development including commercial/office and residential uses to be located on the corner of East Washington and Grey Streets, (3-39 East Washington Street), Petaluma California, APN 007-121-006, 007-121-007, 007-121-008, 007-121-009, 007-121-010, 007-121-011, 007-121-012, 007-121-013, and 007-121-017.

It was the action of the Committee to approve the plans based on the findings and subject to the conditions listed below.

Note: *Addition = italics*
Deletion = ~~strikeout~~

Community Development
Department
11 English Street
Petaluma, CA 94952

Planning Division
Phone (707) 778-4301
Fax (707) 778-4498
E-Mail
planning@ci.petaluma.ca.us

Building Division
Phone (707) 778-4302
Fax (707) 778-4498
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Housing Division
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SITE PLAN AND ARCHITECTURAL REVIEW FINDINGS

1. The Site Plan and Architectural Review Committee authorize the proposed construction of a mixed-use development, which includes commercial/office and residential uses. Said proposal would allow for construction of 81 units of affordable housing (including a managers unit), 5,500 square feet of office/commercial space, 3,000 square feet for a community center for the residents, and associated parking and landscaping improvements will conform to the Zoning Ordinance.
2. The project as conditioned, will conform to the intent, goals, and policies of the Petaluma General Plan. The General Plan contains objectives and policies which encourages the use of commercial lands for economic activity, promotes orderly and harmonious development of Petaluma and its surroundings and to insure a choice of housing types and locations to all persons regardless of sex, cultural origin, age, marital status, or physical handicaps.

3. The project as conditioned, will not constitute a nuisance or be detrimental to the public welfare of the community because it will be operated in conformance with Performance Standards specified in the Uniform Building Code, the Petaluma Zoning Ordinance and the 1987 City of Petaluma General Plan.
4. The City Council adopted a Mitigated Negative Declaration at its meeting of January 28, 2002 and all mitigation measures identified in the Initial Study are herein incorporated.
5. That the plan for the proposed development is compatible with the area and the Development Standards will ensure that the proposed development and uses are compatible.

SITE PLAN AND ARCHITECTURAL REVIEW CONDITIONS OF APPROVAL

1. All mitigation measures and findings adopted in conjunction with approval of the Mitigated Negative Declaration (Resolution 2002-018 N.C.S.) for the Downtown River Apartments are herein incorporated by reference as conditions of project approval.
2. All conditions/findings adopted in conjunction with Resolution 2002-019 N.C.S. approving the Planned Unit District (PUD) Development Standards for the Downtown River Apartment project are herein incorporated by reference.
3. All conditions/findings adopted in conjunction with Ordinance 2127 N.C.S. rezoning the subject property from CC-Central Commercial to PUD-Planned Unit District are herein incorporated by reference.
4. *Plans submitted for building permit shall be in substantial conformance to the plans approved by the Site Plan and Architectural Review Committee on May 9, 2002 and/or as modified by the conditions of approval. Plans submitted for building permit shall be in substantial conformance to the Traditional Urban (2nd) option as approved by the Committee on May 9, 2002.*
4. ~~Prior to issuance of a grading/building permit, the project developer shall be required to submit to the Site Plan and Architecture Review Committee plans for final detailed architectural and landscaping of the proposed structure.~~
5. *Prior to issuance of a grading/building permit, the project developer shall be required to return the Site Plan and Architectural Review Committee for final review and approval of the following:*
 - *Signage details. The project developer shall provide a sign program for the proposed retail, commercial/office uses.*
 - *The main stairway (middle stairway) leading to the commercial frontage on East Washington Street shall be modified and/or enlarged so that area can be a useable space for seating, etc.*

- *Provide a shade study of the courtyard area and/or revisit the center massing or the proposed structure. The purpose of this to ensure there is an adequate amount of sun/shade in the courtyard area.*
- *Plans submitted for final review and approval shall provide refined detailing of the proposed structure including but not limited to: simplifying the ground floor railing and parking structure ventilation grate details; revisit the corner and cornice details, and resolve the treatment of the materials.*
- *The applicant shall revisit the color palette for review and approval by the Site Plan and Architectural Review Committee.*
- *The applicant shall revisit the use of awnings/sun shades on the proposed structure.*
- *The final orientation of the pedestrian path shall be shown on plans for final Site Plan and Architectural Review and approval.*

STANDARD SPARC CONDITIONS OF APPROVAL

6. The site shall be kept cleared at all times of all garbage and debris. No outdoor storage shall be permitted.
7. Construction activities shall comply with applicable Zoning Ordinance and Municipal Code Performance Standards (noise, dust, odor, etc.).
8. At no time shall future activities exceed Performance Standards specified in the Uniform Building Code, Section 22-301 of the Petaluma Zoning Ordinance, and the 1987 City of Petaluma General Plan.
9. All new outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully screened upon installation subject to approval of the Community Development Department.
10. External downspouts shall be painted to match background-building colors. Scuppers without drainage pipes may not be installed because of probable staining of walls (overflow scuppers are excepted).
11. All trees shall be a minimum fifteen (15) gallon size (i.e., trunk diameter of at least ¾ inch measured one foot above the ground) unless otherwise specified (e.g., 24" box or specimen size) and double staked; all shrubs shall be five (5) gallon size. All landscaped areas are not improved with lawn shall be protected with two-inch deep bark mulch as a temporary measure until ground cover is established.
12. All plant material shall be served by a City approved automatic underground irrigation system.
13. All improvements and grading shall comply with the Sonoma County Water Agency's Design Criteria.
14. All work within the public right-of-way requires an excavation permit from the Community Development Department.

15. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscaped areas, and health and vitality of landscape materials.
16. All conditions of the Building Division, Engineering Section and Fire Marshal's office as well as other appropriate departments/agencies shall be adhered to.
17. Any signage to be erected shall be subject to review and approval. All signs must be in accordance to the approved Sign Program and/or Section 21-204 of the Zoning Ordinance.
18. This approval may be recalled to the Community Development Department for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Community Development Department may add/modify the conditions of approval or refer the approval to SPARC for further review.
19. In the event that archaeological remains are encountered during grading, work shall be halted temporarily and a qualified archaeologist shall be consulted for evaluation of the artifacts and to recommend future action. The local Native American Community shall also be notified and consulted in the event any archaeological remains are uncovered.
20. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the City, its boards, commission, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.

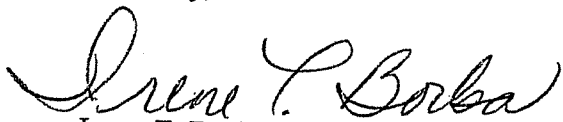
If an appropriate development permit has not been issued for a project or, if no permit is necessary, if the approved use is not commenced within twelve (12) months of SPARC approval, the site plan and architectural approval shall become void. The Community Development Director if requested at least thirty (30) days prior to the initial twelve (12) month expiration date may grant a six-month extension.

If you feel these conditions do not accurately reflect the action of the Committee, please contact the project staff planner immediately so that the discrepancy can be rectified by SPARC.

The applicant, or any other interested party, may appeal any decision of SPARC to the Petaluma City Council. Such appeal must be filed in writing with the Planning Division no later than fourteen (14) days following the date of the decision. Any future changes to the approved design plans shall require approval by SPARC.

Please note that site and building plans for this project must be amended to reflect each of the conditions imposed by the Site Plan and Architectural Review Committee conditions as listed above before the Planning Division can recommend approval of a building permit.

Sincerely,



Irene T. Borba
Senior Planner

c: Linda Mandolini, Executive Director, 409 Jackson Street, Hayward, CA 94544
Paul Barnhart, Barnhart Architects, 461 Second Street, C237, San Francisco, CA 94107
Smith & Smith Landscape Architects, Bill Smith, 1501 North Point, San Francisco, CA 94123
Bonne Gaebler, Housing Administrator

s:\sparc\letters\eden housing approval may 9

Resolution No. 2002-019 N.C.S.
of the City of Petaluma, California

**APPROVAL OF THE PLANNED UNIT DISTRICT FOR THE FOR THE DOWNTOWN
RIVER APARTMENTS (EDEN HOUSING) PROJECT TO BE LOCATED AT 3
THROUGH 39 EAST WASHINGTON STREET (ACROSS FROM THE GOLDEN
EAGLE SHOPPING CENTER)**

**APN 007-121-006, 007-121-007, 007-121-008, 007-121-009, 007-121-010, 007-121-011,
007-121-012, 007-121-013, and 007-121-017**

WHEREAS, by Ordinance No. 2127 N.C.S., Assessor's Parcel Number 007-121-006, 007-121-007, 007-121-008, 007-121-009, 007-121-010, 007-121-011, 007-121-012, 007-121-013, and 007-121-017 comprising of 2.5-acres, has been rezoned from CC-Central Commercial to PUD-Planned Unit District; and

WHEREAS, by action taken on December 11, 2001, the Planning Commission considered and forwarded a recommendation to the City Council on the unit development plan for the Downtown River Apartments (Eden Housing), to allow a mixture of uses, commercial/office and residential; and

WHEREAS, the City Council finds that the requirements of the California Environmental Quality Act (CEQA) have been satisfied through the preparation of an Initial Study and adoption of Resolution No. 2002-018 N.C.S., approving a Mitigated Negative Declaration to address the specific impacts of the Downtown River Apartments (Eden Housing) development;

1. That the PUD Development Standards allow for the continued operation of the existing uses, and will result in more appropriate and compatible uses in the district.

The proposed PUD will allow for a mix of uses commercial/office and residential uses that are compatible with the existing surrounding uses. Design guidelines/development standards have been prepared to ensure that the proposed uses and structures are compatible with the surrounding uses. The proposal results in a more desirable use of the land than would be possible under any single zoning district or combination of zoning districts.

2. That the plan for the proposed development presents a unified and organized arrangement of buildings and service facilities which are appropriate in relation to adjacent or nearby properties, and that adequate landscaping and/or screening is included to ensure compatibility. Conditions have been incorporated requiring design and development standards that are compatible with neighboring developments.

1
2 3. That the proposed project has complied with the requirements of CEQA through the
3 preparation and adoption of a Mitigated Negative Declaration prepared for this project,
4 which addresses the potential environmental impacts associated with its development,
5 and no further environmental analysis is necessary. In compliance with the requirements
6 of the California Environmental Quality Act, an Initial Study was prepared for the
7 rezoning of the site from CC-Central Commercial to PUD - Planned Unit District.
8 Based upon the Initial Study, a determination was made that no significant
9 environmental effects would result.

10
11 4. Adequate available public and private spaces are designated on the Planned Unit District
12 Development Plan. Through mitigation measures and project conditions, adequate
13 building setbacks and other project amenities are provided.

14
15 The Planned Community District provides for specific design criteria and development
16 standards, which regulate the proposed development of the site.

17
18 5. The development of the subject property project in the manner proposed by the
19 applicant, and as conditioned, will not be detrimental to the public welfare, will be in the
20 best interests of the City, and will be in keeping with the general intent and spirit of the
21 zoning regulations of the City of Petaluma, and with the Petaluma General Plan.

22
23 The project, as conditioned, complies with the applicable provisions of the Municipal
24 Code and the General Plan. Both the Fire Marshal and the Engineering Section have
25 prepared conditions of approval to address fire safety issues, and design criteria for the
26 construction of the buildings.

27
28 6. The Downtown River Apartments (Eden Housing) proposal will help the City further the
29 objectives, policies and programs of the Petaluma General Plan.

30
31 *Housing Element:*

32
33 *Sec. 9.8 Objectives, Policies, and Programs:*

34
35 *Housing Variety:* Objective (a) Provide a range of housing types: (b) preserve and
36 increase the existing supply of rental apartments.

37 *Policy 1:* The City shall encourage a mix of housing types.

38
39 *Housing Opportunity:* Objectives (d) Provide housing opportunities for persons of all
40 economic levels; (e) Insure a choice of housing types and locations to all persons
41 regardless of sex, cultural origin, age, marital status, or physical handicaps.

42
43 Programs cited in the General Plan; which demonstrate that the objectives of the project
44 are consistent with the objectives of the General Plan:

45
46 Program 13: Continue to give priority processing to very low and low-income
47 developments.
48

1 Program 20: Contact nonprofit housing developers to assist in identifying appropriate sites
2 and to encourage the developmental of rental housing.
3

4 Program 21: Work with developers for below-market rate housing to encourage the
5 construction of housing for households of very low and low income.
6

7 The project as proposed includes the 81 affordable rental-housing units and approximately
8 5,500 square feet of commercial space for retail and office uses, therefore, providing an
9 opportunity for a living and working environment.
10

11 *Chapter 3, Community Character:*

12
13 Policy 16.2: Mixed-use development is encouraged, particularly within the central area of
14 the City.
15

16 *Local Economy, Chapter 8 – Mixed Use:*

17
18 Objective (d) Provide opportunities to create combined “living and working”
19 environments.
20

21 Policy 10: The City shall strive to make land available for effective residential/workplace
22 (mixed use) developments.
23

24
25
26 **CONDITIONS OF APPROVAL**
27

28 **Downtown River Apartments (Eden Housing)**

29 **3 through 39 East Washington Street (across from the Golden Eagle Shopping Center)**
30 **APN 007-121-006, 007-121-007, 007-121-008, 007-121-009, 007-121-010, 007-121-011, 007-**
31 **121-012, 007-121-013, AND 007-121-017**
32 **Project REZ01002 & SPC01009**
33
34

35 From the Planning Division:
36

- 37 1. All mitigation measures/conditions adopted in conjunction with the Mitigated Negative
38 Declaration (Resolution 2002-018 N.C.S.), Rezoning (Resolution 2002-019 N.C.S.) and
39 Ordinance No. 2127 N.C.S. for the Downtown River Apartment (Eden Housing) project
40 are herein incorporated by reference as conditions of project approval.
41
42 2. Upon approval by the City Council, the applicant shall pay the \$35.00 Notice of
43 Determination fee to the Planning Division. The check shall be made payable to the
44 Sonoma County Clerk’s Office. Planning staff will file the Notice of Determination
45 with the County Clerk’s Office within five (5) days after receiving Council approval.
46
47 3. Plans submitted for building permit shall include a plan sheet, which shall contain all
48 conditions of approval/mitigation measures for review by the Planning Division.
49

4. If applicable, and given that the project site is located adjacent to the Petaluma River and given that there is a possibility of wetlands adjacent to the river, the project developer shall prepare a jurisdictional determination and submit it to the Department of Army Corps of Engineers for approval prior to the issuance of a building/grading permit. This will help to ensure that the proposal is in compliance with Section 10 of the Rivers and Harbors Act (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344). Said permit(s) shall be provided to the Planning Division as proof of Army Corps approval.
5. If applicable, prior to the issuance of a building/grading permits, the project developer shall be required to obtain a permit from the Department of the Army Corps of Engineers for storm-water outfall structures connecting to the Petaluma River. Said permit(s) shall be provided to the Planning Division as proof of Army Corps approval.
6. Prior to issuance of any building/grading permits the applicant shall apply for and receive approval of a lot merger to consolidate the nine (9) subject parcels into one.
7. Prior to issuance of any building/grading permits, the applicant shall be required to submit documentation verifying the transfer of title to Eden Housing Development Corporation of each of the subject properties.
8. The design elements of the project shall be subject to SPARC approval, including, but not limited to, building design, materials, and colors, building height and mass, landscaping, lighting, and fencing.
9. The applicant shall work with Pacific Gas & Electric (PG&E) to ensure that grading activities, parking, landscaping, and utilities within PG&E's right-of-way do not conflict with the operation and maintenance of their facilities.
10. In the event that archaeological remains are encountered during grading, work shall be halted temporarily and a qualified archaeologist shall be consulted for evaluation of the artifacts and to recommend future action. The local Native American Community shall also be notified and consulted in the event any archaeological remains are uncovered.
11. Applicant shall pay City Special Development Fees prior to building permit issuance, including: sewer connection, water connection, community facilities development, storm drainage impact, school facilities and traffic mitigation fees.

Sewer:	\$3,046/unit (all residential units over 640 sq. ft.) \$1,195/unit (all residential units under 640 sq. ft.) Contact Michael Ban (Utility Engineering) @ 778-4392 for quotation for all non-residential uses.
Water:	Contact Water Field Office @ 778-4392 for quotation.
Community Facilities:	\$863.50/unit (all residential units over 640 sq. ft.) N/A (all residential units under 640 sq. ft.) All non-residential structures calculated @ \$.88 sq. ft.

1 Storm Drain Impact: Advise applicant to submit calculations indicating total square
2 footage of landscaping.

3
4 Park and Recreation: \$2,249/dwelling unit
5 N/A (non-residential uses)

6
7 School Facilities: Contact School District @ 778-4621 for quotation.
8

9
10 Traffic Mitigation: \$1,885/dwelling unit \$2,485/1,000 sq. ft. for any retail uses
11 (Café, etc.)
12 \$2,619/1,000 sq. ft. for any office use
13

- 14 12. In accordance with the recommendation of the Tree Advisory Committee, the street trees
15 to be installed along East Washington Street shall be Pistache trees. Said trees shall be a
16 minimum of 15 gallon.
17
- 18 13. The applicant shall provide a minimum of 14 bicycle-parking stalls. Plans submitted at
19 time of final SPARC shall include a minimum fourteen (14) bicycle parking stalls to be
20 placed in the garage area, in the interior courtyard and/or near stairwells. Prior to a
21 Certificate of Occupancy, planning staff shall ensure that the required number of bicycle
22 parking spaces has been installed.
23
- 24 14. Prior to a Certificate of Occupancy, the applicant shall be required to provide proof
25 (Title Report and/or a recorded grant deed) has been offered as an easement that would
26 allow for public access along the proposed pathway at the west of the subject property,
27 which is intending to meet the intent of the Petaluma River Access & Enhancement Plan.
28
- 29 15. The proposed gate at the entrance to the pathway on the west side of the subject property
30 shall be removed from the plans for final SPARC review to allow for unobstructed
31 access to the public path.
32
- 33 16. Prior to issuance of a Certificate of Occupancy for each individual tenant of the
34 retail/commercial portion of the project, the applicant shall provide documentation,
35 which shall be given to the tenants, which encourages "Incentive for
36 Employees/Customers to Walk/Bike to Work" for review by the planning staff.
37
- 38 17. The applicant shall utilize Best Management Practices regarding pesticide/herbicide use
39 and fully commit to Integrated Pest Management techniques for the protection of
40 pedestrian/bicyclists. The owner shall post appropriate signs when pesticide/herbicide
41 use occurs.
42
- 43 18. The applicant shall ensure that trash containers/enclosures are stored out of sight and are
44 not visible from the street.
45
- 46 19. Prior to issuance of a building permit, the applicant shall provide documentation/proof
47 that special consideration is being given for low-income and/or local workers to have an
48 equal opportunity for jobs during the construction phase of this project. Said
49 documentation shall be signed and agreed to by the applicant and shall be as follows:

1 Business and Employment Opportunities for Lower income Residents. Contractor will
2 conform with the rules and regulations set forth under Section 3 of the Housing and
3 Urban Development Act of 1968 (12 USC 1701u), as amended, and the HUD
4 regulations issued pursuant thereto at 24 CFR Part 135. This act requires that to the
5 greatest extent feasible opportunities for training and employment be given to lower
6 income residents of the Project area, and contracts for work in connection with the
7 Project be awarded to business concerns which are located in, or owned in substantial
8 part by, persons residing in the area of the Project. In all solicitations for bids if the
9 bidding process is used, the contractor must, before signing the contract, provide a
10 preliminary statement of the work force needs and plans for possible training and
11 employment of lower income persons.
12

- 13 20. The developer shall be required to submit to the City Planning Division language, which
14 shall be contained in the rental agreements for the residential units regarding the right of
15 existing uses, in the project vicinity to continue to operate. The language shall include
16 such information as the acknowledgement of existing uses, the characteristics of their
17 operation, anticipated noise levels as well as types of noise and the possibility that these
18 uses may continue indefinitely into the future or be replaced by similar uses. Said
19 language shall be included to disclose that existing businesses can/do operate on a 24
20 hour basis. The tenants/residents shall be made aware that noise normally associated
21 with the legal operations of these and future businesses may occur on a regular basis,
22 and by signing the lease, acknowledges that such noise and operations shall not be
23 deemed a nuisance, as defined by the Municipal Code. This language shall be reviewed
24 and approved by the Planning Division prior to a Certificate of Occupancy.
25
- 26 21. The developer shall be required to submit to the City Planning Division language, which
27 shall be contained in the lease agreements for the commercial tenants regarding the
28 prohibited use of Washington Street for deliveries. This language shall be reviewed and
29 approved by the Planning Division prior to Certificate of Occupancy.
30
- 31 22. Prior to final Site Plan and Architectural Review approval, the applicant shall be
32 required to conduct a community design charette for the proposed project. Said design
33 charette shall be conducted to help refine the proposed design. Planning Commissioners
34 Claire Monteschio and Steve von Raesfeld shall be participants of the charette.
35
- 36 23. Prior to a Certificate of Occupancy for the residential units, the applicant shall be
37 required to construct a safe pedestrian crossing, across Washington Street. Said
38 pedestrian crossing shall be oriented to the proposed river path as shown on the
39 landscaping plans for the proposed Downtown River Apartment project. The pedestrian
40 crossing (pedestrian corral) as proposed by the traffic consultant Whitlock and
41 Weinberger (W-Trans) shall include additional safety features than what are currently
42 proposed, so the crossing is constructed in the safest possible way. The City traffic
43 engineer shall review said additional safety features of the pedestrian crossing. Prior to
44 the construction of the pedestrian crossing (pedestrian corral) for the Downtown River
45 Apartment (Eden Housing) project, if a pedestrian crossing has been installed (on the
46 west side of the river across Washington Street), in accordance with the proposed
47 Riverwalk project, said pedestrian corral as proposed for the Downtown River
48 Apartment proposal shall not be constructed as the pedestrian crossing for the Riverwalk
49 project shall serve as safe passage for pedestrian across Washington Street.

- 1
2 24. Prior to issuance of a building permit, the applicant shall be required to develop a shared
3 parking plan indicating how the on-site parking garage shall be shared/used for the
4 residential and retail/commercial uses.
5
6 25. The applicant shall be required as part of the final Site Plan and Architectural Review
7 process to explore the use/opportunities of photovoltaic electric generating systems
8 when constructing the building, which would be built into the project now and/or allow
9 for the flexibility of a photovoltaic system to be incorporated in the future.
10
11 26. The developer shall affirmatively market to and, to the extent legally permitted, give
12 reasonable preference to eligible households in the Downtown River Apartment Project
13 Area and the City of Petaluma, although no unit shall be held vacant if an eligible
14 resident is not available. The City recognizes that the developer may be bound by
15 requirements of other sources of funding and that the marketing and leasing of the units
16 will be subject to the approval of other funding entities. In the event of a conflict
17 between the City's requirements and the requirements of other funding sources, the
18 requirements of the other funding sources shall govern.
19
20 27. As part of the final Site Plan and Architectural Review process, the applicant shall be
21 required to explore the feasibility of creating a pedestrian/bike path from the Petaluma
22 River to Grey Street along the north end of the property line.
23

24
25
26 **STANDARD CONDITIONS OF APPROVAL**
27

- 28 28. All trees shall be a minimum fifteen (15) gallon size, unless otherwise specified smaller
29 (5 gallon) may be considered in areas not subject to high pedestrian access or based on
30 site specific and design purposes and larger (24" box sized) and installed to City planting
31 and staking standards; trees may be required in highly visible areas; all shrubs shall be
32 five gallon size. All planted areas not improved with lawn or other groundcover material
33 shall be protected with a two-inch deep organic mulch as a temporary measure until the
34 ground cover is established.
35
36 29. All plant material shall be served by a City approved automatic underground irrigation
37 system.
38
39 30. All planting shall be maintained in good growing condition. Such maintenance shall
40 include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash,
41 fertilizing and regular watering. Whenever necessary, planting shall be replaced with
42 other plant materials to insure continued compliance with applicable landscaping
43 requirements. Required irrigation systems shall be fully maintained in sound operating
44 condition with heads periodically cleaned and replaced when missing to insure continued
45 regular watering of landscape areas, and health and vitality of landscape materials.
46
47 31. A master landscape plan of the street frontage areas shall be provided, to staff approval,
48 prior to issuance of a building permit. The landscape plan shall include street trees with

1 planting design and species to staff approval. Landscape shall be installed to City
2 standards prior to issuance of Certificate of Occupancy.

- 3
4 32. Linear root barrier systems shall be utilized for trees near public streets or walkways as
5 needed, subject to staff review and approval.
6
7 33. All street trees and other plant materials within the public right-of-way shall be subject
8 to inspection by the project landscape architect or designer prior to installation and by
9 City staff prior to acceptance by the City, for conformance with the approved quality
10 specifications.
11
12 34. All tree stakes and ties shall be removed within one year following installation or as
13 soon as trees are able to stand erect without support.
14
15 35. All improvements and grading shall comply with the Sonoma County Water Agency's
16 Design Criteria.
17
18 36. Public utility access and easement locations and widths shall be subject to approval by
19 PG&E, Pacific Bell, SCWA, all other applicable utility and service companies and shall
20 be shown on the plans for review by the Engineering Division.
21
22 37. Underground utilities such as water meters and sewer laterals shall be placed under
23 paving or as close as possible to private driveways, to avoid conflict with street tree
24 planting locations within the street right-of-way. Transformer vaults, fire hydrants and
25 light standards shall be located in a manner which allows reasonable implementation of
26 the approved street tree planting plan for the project without compromising public
27 safety.
28
29 38. All work within a public right-of-way requires an excavation permit from the
30 Community Development Division/Public Works Inspector.
31
32 39. Construction activities shall comply with applicable Zoning Ordinance and Municipal
33 Code Performance Standards (noise, dust, odor, etc.).
34
35 40. At no time shall future business activities exceed Performance Standards specified in the
36 Uniform Building Code, Section 22-301 of the Petaluma Zoning Ordinance and the 1987
37 General Plan.
38
39 41. A separate water meter shall be provided for landscape irrigation systems as required by
40 Water Resources and Conservation.
41
42 42. Any future color schemes that vary from those approved shall be subject to staff or
43 SPARC review.
44
45 43. External downspouts shall be painted to match background building colors. Scuppers
46 without drainage pipes may not be installed because of probable staining of walls
47 (overflow scuppers are excepted).
48

- 1 44. All exterior light fixtures shall be shown on plans for building permits. All lights
2 attached to buildings shall provide a soft "wash" of light against the wall. All lights shall
3 conform to City Performance Standards (e.g., no direct glare, no poles in excess of 20
4 feet height, etc.) and shall compliment building architecture.
5
6 45. All above-ground meters and transformers shall be shown on plans and screened with
7 landscaping materials subject to approval of the Planning Division. Any combination of
8 earth berms, retaining walls and landscaping may be used to accomplish said screening.
9
10 46. The applicant shall defend, indemnify, and hold harmless the City or any of its boards,
11 commissions, agents, officers, and employees from any claim, action or proceeding
12 against the City, its boards, commission, agents, officers, or employees to attack, set
13 aside, void, or annul, the approval of the project when such claim or action is brought
14 within the time period provided for in applicable State and/or local statutes. The City
15 shall promptly notify the applicants of any such claim, action, or proceeding. The City
16 shall coordinate in the defense. Nothing contained in this condition shall prohibit the
17 City from participating in a defense of any claim, action, or proceeding if the City bears
18 its own attorney's fees and costs, and the City defends the action in good faith.
19
20

21 From the Engineering Section:
22

- 23 47. Prior to a Certificate of Occupancy, the applicant shall be required to reconstruct the
24 curb, gutter and sidewalk along the entire frontage of Washington Street. Re-stripe
25 centerlines and lane lines as necessary to allow for parking along the project frontage.
26 Provide streetlights per City standards.
27
28 48. Prior to a Certificate of Occupancy, Grey Street shall be constructed to a full width of 36
29 feet from Washington Street to the end of the Right-of-Way. Curb, gutter and sidewalk
30 shall be constructed on the project side of Grey Street with curb and gutter only on the
31 opposite side. Provide streetlights per City standards. Parking shall be allowed on both
32 sides of Grey Street except where limited by driveways or turn lanes. Provide an
33 adequate emergency vehicle turnaround at the parking entrance near the end of Grey
34 Street. Grey Street shall have signs and striping for a left turn and right turn lanes and a
35 stop with a crosswalk.
36
37 49. Prior to a Certificate of Occupancy, the applicant shall provide public access and
38 improvements along the river frontage according to the Petaluma River Access and
39 Enhancement Plan.
40
41 50. Prior to a Certificate of Occupancy, a public storm drain system shall be constructed in
42 Grey Street and shall be designed to include future applicable upstream development.
43 Storm drain system design shall be reviewed and approved by the Sonoma County Water
44 Agency.
45
46 51. A public sanitary sewer main and public water main shall be constructed in Grey Street
47 from Washington Street to the end of the right-of-way. The water main shall be capable
48 of delivering a continuous fire flow quantity as directed by the Fire Marshal's office.
49

1 52. This site is subject to the zero net fill section of the Zoning Ordinance. Plans submitted
2 for building permit shall demonstrate that the parking garage shall not be inundated by
3 the 100-year floodplain. The project site shall not be inundated by tidal influence.
4

5
6 From the Housing Division:
7

8 53. Prior to the issuance of a building permit, the project sponsor shall execute a binding
9 agreement with the City of Petaluma insuring that the occupancy of 49% (forty-nine
10 percent) of the units shall be held in perpetuity for low and very-low income persons.
11

12
13 From the Fire Marshal:
14

15 54. To avoid requests for subsequent submittals, please show or note all Fire Department
16 requirements on plans submitted for building permit.
17

18 55. Prior to a Certificate of Occupancy, post address numbers on or near main entry door.
19 Numbers to be a minimum of four inches high with contrasting background. Must be
20 legible and visible from the street.
21

22 56. Prior to a Certificate of Occupancy, provide a KNOX BOX for fire department access.
23 KNOX BOX shall contain keys or access codes to building(s) on each retail building and
24 community center.
25

26 57. Plans submitted for building permit shall provide the minimum door height clearance
27 into parking structure shall not be less than thirteen feet, six inches (13' 6"). The
28 parking garage interior clearance shall be thirteen feet, six inches (13' 6").
29

30 58. Plans submitted for building permit for the building(s) shall be protected by an automatic
31 fire sprinkler system as required by the Uniform Fire Code and shall be provided with
32 central station alarm monitoring, which will notify the fire department in the event of
33 water flow. In addition, a local alarm shall be provided on the exterior and interior of
34 the building.
35

36 59. Contractors installing underground fire sprinkler mains shall obtain a permit and submit
37 2 sets of plans for approval prior to commencing work. A hydrostatic test of 200 psi for
38 two hours is required prior to backfill. All joints shall be visible at time of inspection.
39 Underground installations shall be flushed to fire department satisfaction prior to
40 connection to overhead. Civil utility plans and/or other plans approved, or not, will not
41 be accepted in lieu of the above requirements.
42

43 60. Contractors shall submit to the Fire Marshal's office evidence that the required fire flow
44 in gallons per minute (gpm) is available at the proposed structure at time of building
45 permit submittal.
46

47 61. Sprinkler system shall be provided with central station alarm monitoring which shall
48 notify the fire department in the event of water flow. In addition, a local alarm shall be

1 provided on the exterior and interior of the building. Said alarms shall be installed prior
2 to a Certificate of Occupancy.

3
4 62. All contractors performing work on fire sprinkler systems, either overhead systems or
5 underground fire service mains, shall have a C-16 Contractors License.

6
7 63. Activation of the fire sprinkler system shall sound an interior alarm that will notify all
8 occupied spaces.

9
10 64. For future plan reviews, please provide fully scaled plans. If plans of building(s) are not
11 to scale, they will be refused and/or denied and returned.

12
13 65. Prior to a Certificate of Occupancy install fire hydrants every 300 lineal feet. No
14 structure or fire department sprinkler connection shall be in excess of 150 feet from a
15 fire hydrant.

16
17 66. Buildings four or more stories in height shall have a storeroom on every third floor for
18 the storage of emergency equipment to be accessible for exclusive use by the fire
19 department. Said information shall be shown on plans submitted for building permit.
20 Building owner shall provide and maintain at, owner's expense the type, and quantity of
21 equipment specified by the Fire Chief. The storeroom shall not be used for other
22 purposes and shall be located as required by the Chief.

23
24 67. Fire sprinkler systems installed in buildings of undetermined occupancy/use shall be
25 designed and installed to provide a density of .33 gallons per minute per square foot,
26 over a minimum design area of 3,000 square feet and shall be shown on plans submitted
27 for building permit.

28
29 68. At time of building permit submittal, all contractors shall have a city business license
30 and a workers compensation certificate on file with the Fire Marshal's office.

31
32 69. This plan has been reviewed with the information supplied. Subsequent plan submittal
33 for review may be subject to additional requirements as plans are revised.

34
35
36 From Water Resources & Conservation:

37
38 70. Prior to a Certificate of Occupancy, the developer shall abandon the existing water and
39 sewer connections at mains on East Washington Street per City of Petaluma Standards.
40 Prior to a Certificate of Occupancy, new connections for water and sewer will be made
41 on new mains installed by the developer on Grey Street connecting to East Washington
42 Street.

43
44 71. Prior to a Certificate of Occupancy, new connections for water and sewer will be made
45 on new mains installed by the developer on Grey Street connecting to East Washington
46 Street.



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72. Prior to a Certificate of Occupancy, the developer shall have G.P.M. requirements for water and fire protection to determine service and meter sizes needed. There shall also be separate connections for water services and meters.

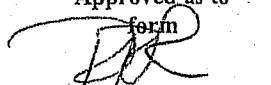
73. The developer shall submit a Utility Plan at time of building permit submittal.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a (Regular) (Adjourned) (Special) meeting on the28th..... day ofJanuary....., 20.02, by the following vote:

Approved as to form


.....
City Attorney

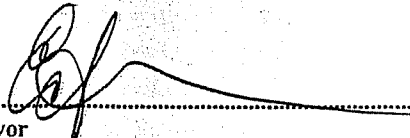
AYES: Cader-Thompson, Vice Mayor Healy, Maguire, O'Brien, Mayor Thompson, Torliatt

NOES: Moynihan

ABSENT: None

ATTEST:


.....
City Clerk Interim City Clerk


.....
Mayor