RESOLUTION 2019-09
CITY OF PETALUMA PLANNING COMMISSION

SITE PLAN AND ARCHITECTURAL REVIEW WITH ASSOCIATED WARRANTS FOR THE HAYSTACK PACIFICA MIXED-USE PROJECT LOCATED at 215 WELLER, EAST WASHINGTON, COPELAND EAST D STREETS

APNs 007-143-003, 004, 007, 014, and 015
File No. PLMA-16-0001

WHEREAS, Pacifica Companies filed an application requesting Site Plan and Architectural Review with associated Warrant request for approval for the Project summarized as follows:

a) Approval of Site Plan and Architectural Review for the construction of 178 total dwelling units, approximately 24,855 square feet for commercial use (e.g., commercial, restaurant, office), and additional tenant amenity areas (e.g., bike storage and repair room, small craft storage room, mail rooms, etc.), leasing and utility areas, interior-lot two-story parking garages capped by resident courtyards, as well as first floor residential courtyards and public pocket plazas; the construction of a new transverse street within the boundaries of the project site, adding a connection from Copeland to Weller Streets; and associated on- and off-site improvements including wide sidewalks, street trees, and bike lanes; and

b) In accordance with Central Petaluma Specific Plan, SmartCode §8.10.020(H), Warrant approval to allow: (1) modification of the Courtyard Building Type standards in the following ways: (a) each of the transverse street fronting courtyards to exceed the 50 foot maximum width, being instead 54.5 and 73 feet wide (SmartCode §4.80.130(I)); (b) four of the 15 ground-floor courtyard-facing units to not have a main entry door directly off the courtyard or street (SmartCode §4.80.130(F)); (c) the perceived south block (Courtyard B) lot depth to exceed 100 feet to accommodate the allowed 108 foot depth of the courtyard (SmartCode §4.80.130(B & I)); (d) modification of the Dooryard Private Frontage standards as applied to the midblock section of the transverse street to accommodate the raised courtyard design (SmartCode §4.40.090); and (2) modification of the Stoop Private Frontage standard permitting placement of 7 of the 8 Copeland Street-facing stoop entry doors to be perpendicular to, rather than facing, the street (SmartCode §4.40.070(C)).

WHEREAS, the Project is located at 215 Weller Street, bounded by East Washington, Copeland, East D, and Weller Streets (but excluding 15 Copeland/APN 007-143-008) within the Urban Center (T5), Urban Core (T6), and Urban Core-Open (T6-0) Zones at Assessor's Parcel Numbers 007-143-003, 004, 007, 014, and 015; and

WHEREAS, the project proposes to provide 27 on-site multi-family unit affordable units (15% of the total units); and

WHEREAS, the City prepared a California Environmental Quality Act (CEQA) Analysis (Attachment B of the Staff Report) which evaluates environmental impacts from the proposed Haystack Mixed-Use Project. The CEQA Analysis was prepared pursuant to California Public Resources Code Section 21083.3 (Community Plan Exemption (15183)), Government Code Section 65457(a), and with CEQA Guidelines Sections 15168 (Consistency with Program EIRs) and 15332 (Infill Development Projects) and found the project exempt from further CEQA review. Exhibit 1 of this Resolution incorporates those conditions identified through the CEQA Analysis to ensure implementation of applicable mitigation measures and policies set forth in the CPSP and its EIR and in the General Plan and its EIR; and

WHEREAS, prior to acting on this Site Plan and Architectural Review application, public notice was

published in the *Petaluma Argus-Courier,* mailed to residents and occupants within 1000 feet of the Project site, and posted on the site in compliance with state and local law; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on May 28, 2019, at which time all interested parties had the opportunity to be heard; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETALUMA AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated herein by reference.

2. Based on its review of the entire record herein, the Planning Commission makes the following findings:

General Plan

The Project is, as conditioned, consistent with the Petaluma General Plan, as follows:

Land Use Map
The Project includes residential and non-residential land uses proposed at a location designated Mixed Use by the General Plan Land Use Map. The Mixed Use designation requires, in relevant part, "a robust combination of uses, including retail, residential, service commercial, and/or offices. Development is oriented toward the pedestrian, with parking provided, to the extent possible, in larger common areas or garages."

Consistency Analysis: The Project includes both residential and non-residential land uses within an urban building oriented to pedestrians through shallow setbacks at abutting public streets and includes off-street parking within two common garages located at the interior of the blocks. The Project includes 24,855 square feet of ground-level commercial areas, particularly at the seven corners of the project, two of which shall be provided with restaurant infrastructure, and three ground floor live/work spaces, along with ground-floor and upper level residential units, which together has the potential to further enhance the existing mix of uses of the immediate area. For these reasons, the Project is consistent with the Mixed-Use designation.

Goal 1-G-1: Land Use: "Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community."

Policy 1-P-2: Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.

Policy 1-P-6: Encourage mixed-use development, which includes opportunities for increased transit access.

Policy 1-P-11: Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.

Policy 1-P-12: Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multi-use residential/commercial corridors, allowing ground-floor retail and residential and/or commercial/office uses on upper floors.

Consistency Analysis: The project would demolish one warehouse building of approximately 5,700 total square feet on the largely undeveloped 4.1 gross acre site, and construct 178 new residential dwellings and 24,855 square feet of commercial area (approximately 342,800 square feet of total floor area) within 25 sub-buildings arranged

around two urban blocks, which will be three and four stories in height. Surrounding properties include undeveloped land and commercial and industrial buildings one to two stories in height and, thus, of a significantly lower intensity.

The proposed project is a mixed-use infill development on a key opportunity site immediately adjacent to transit and at an intensity and density higher than other properties in the immediate vicinity. The project includes a mix of uses with key infrastructure improvements including construction of the transverse street, installation of tree-lined wide sidewalks, and bike facilities (as discussed at Goal 5-G-5 below) to enhance access to the SMART train station and the transit transfer station on Copeland. Additionally, the project provides improvements to further enhance and connect bike and pedestrian facilities to the larger network. The project has been designed with a density and intensity that is appropriate under the property's General Plan designation and to capture the development opportunity of this site given its key location in the downtown area and along arterial corridors.

For the above-stated reasons, the project is consistent with Policy 1-P-2, 1-P-6 and 1-P-11.

Goal 1-G-5: Petaluma River: "Develop land uses in proximity to the Petaluma River that ensure the restoration of the natural River corridor, provide for adequate storm flow capacities, and enable public access and stewardship."

Policy 1-P-43: Development shall incorporate the River as a major design focal point, orienting buildings and activities toward the River and providing water access, to the extent deemed feasible.

Policy 1-P-44: Develop the Petaluma River as a publicly accessible green ribbon, fronted by streets, paths, access points, and open spaces.

Consistency Analysis: Recognizing the Project's location across Weller Street from Cavanaugh Landing's Petaluma River access and docks, the Project was designed to emphasize that connection by siting a pocket plaza opposite Cavanaugh Landing and linking the two areas together via a mid-block crosswalk with a rectangular rapid flashing beacon. The landscaping and public amenity added by the Weller Street pocket plaza will help to highlight Cavanaugh Landing and increase its potential as a gathering area. The Project design also includes a ground-level commercial space that includes café infrastructure fronting the Weller St pocket plaza, and a commercial space fronting the mid-block crosswalk. A small craft/kayak storage room, for use by residents, located near the mid-block cross walk will give residents a proximate place to store their equipment and increase river use.

Goal 2-G-1: City Form and Identity: "Preserve Petaluma's setting as an urban place surrounded largely by rural land uses and densities, agriculture and open space."

Policy 2-P-1: As depicted on the Land Use Map allow for urban development at defined densities and intensities to prevent the need to extend outward beyond the Urban Growth Boundary.

Policy 2-P-5: Strengthen the visual and aesthetic character of major arterial corridors.

Consistency Analysis: The Project is located within the Central Petaluma Specific Plan (CPSP) boundary, and, pursuant to General Plan Page 1-7, densities and floor-area-ratio (FAR) shall be undertaken in accordance with the CPSP. The CPSP regulates density and FAR indirectly through building height, mass and bulk development standards embodied in Appendix A (SmartCode). As proposed, the Project is substantially consistent with those development standards.

The project contains undeveloped lands along East Washington and East D Streets, between downtown and the SMART station. The project will redevelop this void in the urban fabric, strengthening the visual and aesthetic character of the corridors with articulated buildings, at a density and intensity appropriate under the property's General Plan designation, set close to the sidewalks and oriented to the street. As a result, the Project furthers the subject policies.

GOAL 3-G-1: Historic Preservation: Identify, recognize and protect Petaluma's unique and irreplaceable cultural heritage through the implementation of policies and programs that maintain the character and identity of the community, enhance the quality of the built environment, encourage awareness and appreciation for its history and culture, and contribute to its economic vitality. Ensure that future plans, ordinances, and City programs are complimentary to the historic preservation goals and policies contained within this plan.

Policy 3-P-5: The protection of historic resources shall be a key consideration and an equal component in the development review process.

Consistency Analysis: The site currently contains one existing circa 1953 simple warehouse building which will be demolished as part of the subject project. The Project will develop around a circa 1949 simple warehouse building (APN 007-149-008, not part of the Project). Neither structure was determined to meet the criteria for listing as a historic resource (see Attachment B, CEQA Analysis).

The nearest identified historic resource is the Burns-Farrell House (a 1903 Queen Anne) located at 222 Weller Street, which was relocated to is current location from 500 E Washington Street and listed as City Historic Landmark No. 3. The P&SR Ticket Office & Depot relocated to 226 Weller Street (relocated from the project site along East Washington Street in the 1990's) and the circa 1938 warehouse structure addressed as 224 Weller Street are potential resources. All three are located a sufficient distance and across Weller Street from the proposed Haystack Mixed-Use Project site such that no direct or indirect impacts are anticipated. For these reasons, the project is consistent with Policy 3-P-5.

GOAL 4-G-3: Air Quality: Improve air quality and meet all Federal and State ambient air quality standards and goals by reducing the generation of air pollutants from stationary and mobile sources.

Policy 4-P-9: Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging facilities.

Consistency Analysis: As provided at the Greenhouse Gases condition, which the CEQA Analysis applied to ensure implementation of applicable mitigation measures and policies set forth in the CPSP and its EIR and the General Plan and its EIR, the Project would comply with the California Green Building Standards Code mandatory requirements and, in accordance with Policy 4-P-9, include electrical vehicle charging stations in at least 1% of the total on-site parking spaces and capability to support future electric vehicle supply equipment in at least 3% of the total spaces. Also, as specified by the Conditions of Approval, the applicant proposes to exceed the requirements of Mitigation Measure GHG-1 by installing a total of 9 electric vehicle charging stations (rather than 3). For these reasons, the Project is consistent with Policy 4-P-9.

GOAL 4-G-4: Energy: Reduce reliance on non-renewable energy sources in existing and new development.

Policy 4-P-20: Continue to participate in undergrounding of public utility lines; whenever

appropriate, require conversion of overhead lines to underground in conjunction with public and private projects.

Consistency Analysis: The Project site includes overhead utility lines within its boundaries. Pursuant to Condition of Approval No. 46, on-site and adjacent overhead utility lines (excluding those high-voltage lines along East D Street) will be placed underground, as required by Policy 4-G-4.

GOAL 5-G-1: Mobility Framework: To improve Petaluma's mobility system to increase efficiency for all modes of travel.

Policy 5-P-1: Develop an interconnected mobility system that allows travel on multiple routes by multiple modes.

Policy 5-P-4: New development and/or major expansion or change of use may require construction of off-site mobility improvements to complete appropriate links in the network necessary for connecting the proposed development with existing neighborhoods and land uses.

Policy 5-P-6: Ensure new streets are connected into the existing street system and encourage a grid-based network of streets.

Consistency Analysis: As proposed, the Project fulfills the circulation improvement requirements of the General Plan, Central Petaluma Specific Plan, and Station Area Master Plan. The Project proposes construction and dedication of the transverse street providing another connection between Weller and Copeland Street as well as dedication and reconstruction of all the abutting public streets as specified by the cross sections specified by the SmartCode. Therefore, for the reasons stated above, the proposed project is consistent with the circulation policies of the General Plan, CPSP, and SAMP.

GOAL 5-G-5: Bicycle and Pedestrian Improvements: Create and maintain a safe, comprehensive and integrated bicycle and pedestrian system throughout Petaluma that encourages bicycling and walking and is accessible to all. Implement General Plan Figure 5-2: Proposed and Existing Bicycle Facilities which (mirrors the Pedestrian and Bicycle Plan and) shows the planned addition of both Class II and Class III facilities around the project site.

Policy 5-P-15: Implement the bikeway system as outlined in the Bicycle and Pedestrian Plan, and expand and improve the bikeway system wherever the opportunity arises.

Policy 5-P-20: Ensure that new development provides connections to and does not interfere with existing and proposed bicycle facilities.

Consistency Analysis: As proposed, the Project would construct the specified Class III bike lane on Copeland Street and the Class II on East D Street. Development of the proposed Project also accommodates the future implementation of the Class III on East Washington. Based on recommendations by the Pedestrian and Bicycle Advisory Committee (PBAC), the Traffic Impact Study, and the City Engineer, the project will install a protected Class IV bike lane on the project frontage of East D Street rather than the Class II lane, as well as install Class III facilities on Weller Street and the transverse street.

GOAL 5-G-6: Public Transit: Promote the expansion of the transit system and the intensification of use by the public.

Policy 5-P-43: Support efforts for transit-oriented development around the Petaluma Depot and along the Washington Street, Petaluma Boulevard, McDowell Boulevard, Lakeville Street, and other transit corridors.

Consistency Analysis: The Project is located across the street from the Copeland Street transit center and near the SMART Station. The Project proposes additional commercial square footage, residential units, and enhancement of the linkages between the SMART Station/transit center and the downtown, all of which are anticipated to lead to the intensification of public transit use by the public and by residents and users of the Haystack Pacifica site.

Housing Element Goal 1: Housing Supply: "Provide adequate residential development opportunities to accommodate projected residential growth and facilitate mobility within the ownership and rental markets."

Policy 1.1: Promote residential development within the Urban Growth Boundary.

Programs 1.1: Utilize sites within the UGB to accommodate anticipated long-term residential growth.

Policy 1.2: Encourage the development of housing on underutilized land that is appropriately zoned.

Program 1.2: Utilize the Central Petaluma Specific Plan to facilitate the development of vacant and underutilized land at the heart of the City.

Consistency Analysis: The project is located within the Urban Growth Boundary (UGB), within the CPSP, and on property that is underutilized, and is zoned for urban development of significant residential density and building intensity. The project proposes a mix of residential unit types including studios and 1, 2, and 3-bedroom units ranging in size from 574 square feet to 1,338 square feet, as well as three live-work units ranging in size from 1,057 and 1,724 square feet. The SmartCode has created a reduced parking requirement for this central site as compared to suburban locations, and the Project complies with the SmartCode parking requirements. The project includes construction of 27 affordable residential units on-site, 15% of the total 178 project units, consistent with IZO Section 3.040 and implementing Housing Element Policy 4.3. For these reasons, the Project is consistent with the aforementioned Housing Element policies.

Central Petaluma Specific Plan

CPSP Policies

The Project is within the Turning Basin East sub-area of the CPSP and is, as conditioned, consistent with the Central Petaluma Specific Plan Turning Basin East Land Use policies, as follows:

Objective 2: Create an intense mixed-use district oriented to the river and the proposed transit station. To this end, the plan calls for a mixture of retail, office, residential, and transit uses developed at higher densities in order to promote a lively pedestrian and transit environment. It is envisioned that the Petaluma riverfront will become a significant public activity center ... and the car will not be seen as a necessity.

Policy 2.1: Create an active, publicly oriented commercial center at the riverfront.

Policy 2.5: Encourage residential development on upper floors of commercial buildings".

Policy 2.6: Provide for the development of structured parking facilities hidden by ground floor uses, to create an intense pedestrian oriented district.

Consistency Analysis: While not located directly on the River, the project creates an active development with ground floor commercial uses at strategic locations and residential on

the upper floors. The project creates wide sidewalks and implements the transverse street mid-block connection to provide a welcoming pedestrian-scaled access between the riverfront and ultimately the SMART Train Station. Additionally, public plaza amenities proposed on Weller Street will provide connection between the commercial areas of the development and existing Cavanaugh Park, the City's floating docks, and the future boat rental facility in the Turning Basin. The project design provides onsite parking in two-level parking garages at the center of each block and buildings that wrap around the perimeter of the block to screen the parking and create a strong urban edge along the street frontages with ground floor commercial uses and pedestrian scale features and amenities.

CPSP: Architectural Guidelines (Appendix B)

For purposes of the CPSP Architectural Guidelines, the Project is within the areas 3, 6, and 7, and is consistent with the recommended design approach for new projects in these areas, as follows:

Along East Washington Street (Area 3), the following design approach is recommended:

"The Specific Plan envisions this as a gateway boulevard, fronted on both sides of the street with continuous three to six story building built close to the street edge, and with tree-lined and covered sidewalks. New patterns of development are required in this area consistent with the envisioned higher densities and urban character. In developing the project scale... look to patterns present in the Downtown, particularly in the three-story buildings. Buildings should have at least sufficient detail to be evocative of the rhythm (placement) and richness (shape) of forms present on the Downtown buildings, but detailing need not be elaborate. Because this area includes larger parcels with longer street frontages, there is also the possibility of developing wider building facades with have common materials, fenestration and detailing."

Along East D Street (Area 6):

At the project site, the "Specific Plan envisions continuous building facades at the sidewalk edge." But noting that the land south of D Street is currently industrial in nature, and that one parcel is designated as River Dependent Industrial, the text states that significant sections of D Street may remain unchanged for some time and that flexibility is key to development along D Street."

Along for the bulk the of the project site (Area 7),

"So many possibilities exist for buildings of mixed use and densities in this area, that there are few existing Petaluma buildings that provide cues and precedents. Some buildings of comparable scale do exist on Western Avenue, Petaluma Boulevard and Washington Street, and these may prove valuable in establishing patterns of building scale, articulation, light and shadow and relating the new development to exiting context of the Downtown. However, new patterns of development and building form will be required and expected. Developers and designers may look to other cities and resources in creating architectural character in this area. Where feasible, private outside space should be provided for each residential unit. Where residential units are constructed, it is required that landscaped and developed open space for use primarily by residents be provided. This may include gardens, courtyards, terraces, roof gardens, plazas, walks, and other outside amenities."

Consistency Analysis: In designing the Project the applicant team looked to larger traditional buildings of Petaluma's downtown to establish patterns and articulation. The resulting design choices create an overall architectural approach that is contemporary with modern interpretation of traditional detailing and architectural style and does not seek to mimic or replicate the surrounding historic fabric found in the area.

The Project fronts both East Washington with four story buildings and East D Streets with three and four-story buildings, built close to the street edge and with tree-lined sidewalks, as recommended. The proposed buildings have detail including articulation, differing roof details, bay windows, awnings, and courtyards, as recommended. Wider building facades are utilized, as acknowledged, but these are broken up to read as narrower building components, evocative of the rhythm of the forms present in the Downtown buildings. As recommended, landscaped outside space is provided for residential users, including courtyards, roof gardens, and pocket plazas.

Station Area Master Plan

The Project is, as conditioned, consistent with the Station Area Master Plan, as follows:

The long-term vision of the downtown SMART station area is that of a walkable extension of the downtown, with limited parking where the majority of the riders arrive by transit, bicycle, walking, or water. To that end,

Page 2-6 states "Within the Downtown Petaluma SMART Station Area, there are 3 catalyst sites (Golden Eagle/River Plaza Shopping Center, the Haystack Parcel, and the SMART parcel) which present the best opportunity for transforming the Station Area, meeting the goals of the General Plan and CPSP, and the community's vision." The SAMP specifically prioritizes development of this city-center site between the SMART station and the downtown.

Page 2-7 continues that the new street required to bisect the Haystack block, will serve as an important piece of the pedestrian connection linking the station, the river-front, and Downtown.

Consistency Analysis: The Project would result in a pedestrian-oriented, mixed-use project developed on this SAMP-identified catalyst site and priority opportunity site and would result in construction of the required transverse street.

SmartCode (Compliance with Standards)

A. Thoroughfare Regulating Plan: The Project proposes each of the thoroughfares as specified by the Thoroughfare Regulating Plan. The project is proposed to dedicate 0.57 acres of it 4.1 acres to the City, to accommodate the dedications necessary to comply with the specifications of the Thoroughfare Regulating Plan, including 50 feet of right of way (and 10 feet of sidewalk easement) for the required 'new transverse street' bisecting the existing large block into two pedestrian scaled blocks, 11 feet of right-of-way along Copeland Street, and 5 feet of right-of-way along Weller Street. The City finds the five street sections, detailed in the plan set at Sheets C-6 through C-8, to be consistent with the layout detailed in Section 5.10, specifically 5.10.070A (East Washington Street), 5.10.070B (East D Street), 5.10.070C (Copeland Street), 5.10.070H (Weller Street), and 5.10.070I (new transverse street between Weller to Copeland), as conditioned and as discussed in the staff report pursuant to the site context.

B. Regulating Plan serving as Zoning Map: As proposed, the Project is consistent with the Urban Center (T5) regulation in that it is comprised of higher density mixed-use buildings that accommodate both commercial and residential uses. The project areas with Urban Core (T6) and Urban Core-Open (T6-O) zones are consistent with those two designations as the buildings form a continuous street wall (allowing for articulation of design) and provide the highest pedestrian and transit activity, aided by the Project's close proximity to the Petaluma Downtown SMART Station and the Copeland Street transit center. The project also provides wide sidewalks, steady street tree planting, and buildings set close to the sidewalks and oriented to the street. The proposed buildings, which are 4-stories with lower story components, are within the specified

building height range for these zones, which are 2 to 6-stories. The Project complies with the "Corner Element Required" designation noted at the corner of Copeland Street and East Washington Street by designing the building itself to be the corner element. To this end, the building at the corner of East Washington and Copeland Streets was designed to be prominent and articulated with gable roofing details, "L" angle metal trusses at the gable, and balconies resulting in a gracious, covered entry to the Copeland facing commercial space entry. The abutting pocket plaza was also created to emphasize the corner building and its importance; the pocket plaza is also anticipated to enliven the exterior of the corner building.

C. Table 3.1: Building Function: As proposed, the Project would accommodate the following land uses: Multi-family housing (including uses accessory thereto; e.g., bike shop and storage, small craft/kayak storage, and courtyards), live/work, office, general retail, personal services, and restaurant-café-coffee shop. All of these uses are permitted by right at the project site, pursuant to Table 3.1, except that each live/work use will require a Minor or Conditional Use Permit.

D. Section 4: Urban Standards: The Project is consistent with the urban standards at SmartCode Chapter 4 as outlined at Attachment C, including Lot Occupation, Build to Line, Setback, Percentage of Building Frontage, Building Placement, Allowed Building Types, Private Frontage, Building Height, Ground Floor Ceiling, Ground Floor Space Depth, Distance between Entries, Parking Location, and Parking Requirement, except as noted below under findings pertaining to Warrants. The project provides the Gallery private frontage type where it is required at the Weller and transverse street corners.

   The Project is also consistent with the other Urban Standards of Section 4, including but not limited to the three pocket plazas being allowed in the transects proposed, and their final review being subject to the Music, Recreation, and Parks Committee. (Findings specific to SmartCode §4.70.030 (Mixed-Use Projects) are provided below.) The project is consistent with §4.70.040 (Building Material Guidelines) including that natural building materials will be used, only true or simulated divided lights will be used, vinyl windows will be used in a manner such that they match the shopfront windows and are minimized on the ground floor, and the Project shall meet the requirements of CALGreen Tier 1.

E. Section 5: Thoroughfare Standards: As proposed, the Project is consistent with the urban standards at Section 5: Thoroughfare Standards, including but not limited to, those relating to thoroughfare design of Weller Street, East Washington Street, Copeland Street, D Street, and the new transverse street, intersections, public frontages, public planting, and public lighting.

F. Section 6: Parking Standards: As proposed, the Project conforms to the urban standards at Section 6: Parking Standards pertaining to parking design and development standards as well as bicycle parking. The Project also conforms to parking location standards at SmartCode §6.10.020, as each garage entry is set more than 20 feet behind the primary building façade line.

<u>SmartCode: Warrants</u>

SmartCode §8.10.020 provides for the issuance of either a Warrant or Variance to deviate from requirements of the code. Each type is described, as follows:

"A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Code but is justified by the provisions of the Intent at the beginning of this code.

A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted in accordance with Section 24.050 (Variances) of the Zoning code." Variances are for deviations from the specifics of the Code in a manner that is not consistent with the Intent of the SAMP.

While the Project is highly conforming to the SmartCode generally (as outlined above and in the staff report), there are project specifics that do not conform to standards in the SmartCode and

therefore necessitate warrants:

SmartCode: Warrant 1 - To allow design modification to the Courtyards fronting the transverse street, consisting of four components:

a. SmartCode §4.80.130(I) specifies that courtyard width not exceed a 50 foot maximum;
   The courtyard on the south side of the transverse street is designed to be 54.5 feet wide and the courtyard on the north to be 73 feet wide.
b. SmartCode §4.80.130(F) specifies that the main entry of ground floor courtyard units be directly off a courtyard or street;
   Four of the 15 ground-floor courtyard-facing units to not have a main entry door directly off the courtyard or street.
c. SmartCode §4.80.130(B & I) specifies that (perceived) lot depth not exceed 100 feet; and
   The south courtyard depth, and therefore the depth of the lot as perceived by public viewing the courtyard building, is 108 feet deep.
d. SmartCode §4.40.090 details the Dooryard Private Frontage, an allowed and proposed frontage type of mid-block transverse street.
   The raised courtyard design of this frontage requires modifications to these standards to accommodate the raised and the communal nature of the proposed residential courtyard.

The Planning Commission finds a Warrant to be the appropriate permit type for deviations relating to specifics in design of the courtyard on each side of the transverse street and also finds that approval is justified since:

1. The courtyard, raised approximately two feet above the public sidewalk level and on each side of the transverse street, provides a common residential open space that functions as a middle ground between the urban public environment and the individual residential units, an area for residents to witness the activity of the street (like a residential front porch).
2. The courtyards also serve a beneficial function to the pedestrian realm, both in greening the transverse street and providing additional texture to the streetscape, and also in that resident use of those courtyards will add liveliness and an increased sense of safety to the streetscape;
3. The wider courtyard dimensions maintain the intended pedestrian-oriented, vibrant, engaging urban environment. They are wider than the listed maximum by 4.5 and 23 feet respectively, but the wider courtyards are successful in creating a courtyard environment which will serve as a residential common area and an enhancement to the environment of the transverse street by greening and enlivening it;
4. Ensuring that residential units fronting the courtyard will have direct and convenient access to the courtyard is a means of promoting the courtyard's use and thereby creating an enlivened pedestrian-oriented environment. In this case, the applicants found that they were unable to provide access to four of the fifteen courtyard units while also ensuring privacy to the bedroom of the abutting corner unit. Still, use of the courtyard can be ensured with direct and convenient access to the other 11 courtyard units and by ensuring courtyard design to attract use by both the abutting units and interior units (Condition of Approval 17d);
5. As §4.80.130(I) allows courtyard depth to be 150 feet, it is unexpected that the listed maximum lot depth (in this case, the perceived lot depth) is specified as 100 feet, creating an internal inconsistency within the code section, at least in application of this Project. Regardless, the proposed 108 foot depth is only an 8% difference from the listed maximum, not a distance anticipated to have any negative impact on the function or aesthetics as experienced by residents using the courtyard or by pedestrians from the public (sidewalk) realm; and
6. While a courtyard building type is permitted generally, 4.40.140 requires that the midblock transverse street have either a Stoop or Dooryard Frontage type. The Project proposes a Dooryard frontage, but there are components of this frontage type that are not compatible with the courtyard building type. As the courtyard is an allowable building type, a Dooryard frontage type modified to be compatible with the courtyard design is consistent with the Intent of the Code.

SmartCode: Warrant 2 - Modifications to allow the proposed ground-floor residential entry door orientation on Copeland Street, consisting of one component:

a. SmartCode §4.40.070(C) specifies that, in the case of building utilizing the Stoop Private Frontage type, all doors must face the street.

As the mid-block sections of Copeland Street utilizes the Stoop Private Frontage type, the eight ground-floor residential stoop units along Copeland are directed to have front facing doors. Seven of the eight stoop residences have an entry door accessed via a covered stoop, but with an entry door oriented perpendicular to the street.

The Planning Commission finds a Warrant to be the appropriate permit type for a deviation relating to the orientation of the Copeland Street stoop entry doors. Planning Commission finds that the intention of this standard is to ensure that stoop entries engage the sidewalk. The Planning Commission finds that approval is justified since the proposed placement of front doors, while not facing perpendicular to the sidewalk, engage pedestrians as they travel north along the sidewalk and extensive glazing is proposed within the recessed stoop, fronting the street and providing articulation similar to a front-facing doorway. In order to ensure an engaging stoop, Condition of Approval 17e requires that the stoop design is further detailed to depict an engaging arrangement from the sidewalk perspective.

SmartCode: Mixed-Use Projects

SmartCode §4.70.030 requires that:
A mixed-use project shall comply with the following requirements.

A. Intent. A mixed-use project shall be intended to: (1) Provide a blend of commercial space and residential units; (2) Minimize the need for automobiles and promote transit use; (3) Concentrate high density residential dwellings and commercial operations in the downtown or other urban/commercial districts; (4) Provide a diverse range of housing types, unit sizes, and price points within the downtown or other urban/commercial districts; (5) Promote continued activity in the evening and on weekends; and (6) Increase the economic vitality of the neighborhood.

Consistency Analysis: The Project proposes multiple ground floor commercial spaces totaling 24,855 square feet of area in total, as well as residential units and 3 ground floor live/work units. The project location within blocks of the SMART station, the bus center, promotes convenience use of transit. Similarly, its location abutting Petaluma's downtown, including restaurants, grocery stores, services, and more, minimizes the need for automobiles. The project concentrates high density residential dwellings downtown and adds to the downtown's diversity in housing types, unit sizes, and relative price points with studio to 3-bedroom units as well as live/work units. The Project also adds commercial spaces between downtown and the SMART station. The influx of residents will promote continued activity in the evening and on weekends as well as increase the economic vitality of the neighborhood.

B. Design objectives. A mixed-use project shall be designed to: (1) Provide shopfronts along street frontages to maintain a pedestrian orientation at the street level. Residential developments, including live/work, shall be designed such that ground floor units may be converted to retail/commercial shopfronts and to establish a clear, functional design relationship with the street front; (2) Provide for internal compatibility between the different uses within the project; (3) Minimize the effects of any exterior noise, odors, glare, vehicular and pedestrian traffic, and other potentially significant impacts on the occupants of the residential portions of the project; (4) Include specific design features to minimize the potential impacts of the mixed-use project on adjacent properties; (5) Ensure that the residential units are of a residential character, and with appropriate privacy; and (6) Be compatible with and enhance the adjacent and

surrounding residential neighborhood in terms of site planning, scale, building design, color, exterior materials, roof styles, lighting, landscaping, and signage.

Consistency Analysis: The Project includes shopfronts where the SmartCode specifics, including at all seven project corners, and proposes three live/work units front East D Street designed to be able to flex to commercial uses retail/commercial uses. The 8 residential units mid-block on Copeland, permitted by 4.40.140, have direct access to the street promoting interactivity. The Project generally locates non-residential uses on the ground floor and residential uses on floors above; thereby, creating compatibility between them; residential uses on the ground floor are raised up approximately two feet to separate them from the street level. The CEQA analysis prepared for the Project demonstrates that potential noise levels would not exceed maximum permitted levels. Potential sources of odor related to the project are limited to trash/recycling areas and which are located within each building's off-street refuse terminal. No potential impacts to adjacent properties are necessary to address with design features. The Project's residential units are, as mentioned, above the ground floor or have raised windows and not in proximity to any building or land use that would compromise privacy. The residential units are urban in nature; the transverse street facing courtyards and the interior, third floor courtyards are provided to offer shared outdoor areas when further privacy is desired. The Project consists of an overall design that is substantially consistent with the SmartCode development standards and, thus, reflective of the intended urban character.

C. Location of residential uses. In the T5 and T6 Transect Zones. A mixed-use project that provides commercial and/or office space on the ground floor with residential units above (vertical mix) is encouraged over a project that provides commercial structures on the front portion of the lot with residential uses placed at the rear of the lot (horizontal mix).

Consistency Analysis: The Project includes a vertical mix of uses, as recommended by this criterion.

D. Loading areas. Commercial loading areas shall be located to minimize their impact on residential units.

Consistency Analysis: Pursuant to SmartCode 6.10.050.H, no loading spaces are required. To serve the Project's needs, one loading bay is proposed at each block (fronting Weller Street). These are not full-sized commercial/industrial loading bays, but provide space for smaller resident moving vehicles (up to a 26' U-Haul) to fully fit inside the loading bay without obstructing the sidewalk. Similarly sized trucks stocking the commercial spaces may also use the loading bays in the same way.

E. Refuse and recycling areas. Areas for the collection and storage of refuse and recyclable materials also shall be located on the site in locations that are convenient for both the residential and nonresidential uses.

Consistency Analysis: The Project includes refuse and recycling areas within the small refuse terminal rooms along Weller facing the garage driveway. Residential tenant access to those areas is provided through chutes at each floor level of each building. Nonresidential access to refuse and recycling areas is provide from the driveway via a solid door. Conditions 61 and 129 ensure adequate sizing and access. Therefore, the Project implements the convenience desired by this criterion.

F. Lighting. Lighting for the commercial uses shall be appropriately shielded to minimize the impact on residential units.

Consistency Analysis: The Project includes exterior, building-mounted lighting that is

downward-facing and shielded to prevent trespass on adjacent properties. Condition of approval ensures compliance at building permit issuance.

G. Noise. All residential units shall be designed to minimize adverse impacts from nonresidential project noise, in compliance with the City's Noise Ordinance.

Consistency Analysis: As documented in the CEQA analysis prepared for the Project, the Noise Analysis prepared for the Project by Illingworth and Rodkin identified noise control measures to ensure that new uses introduced onsite are not exposed to excessive noise levels. All residential uses are designed and will be constructed in a manner that minimizes adverse impacts from all noise sources.

H. Non-residential hours of operation. Where a Minor Use Permit or Conditional Use Permit is required, the review authority may restrict the hours of operation of nonresidential uses within a mixed-use project to mitigate adverse impacts on residential uses.

Consistency Analysis: The use of the live/work units front East D Street (for uses beyond those allowed as a home occupation use) will require a Minor or Conditional Use Permit and that MUP will consider operation hours and other means of mitigating adverse impacts on residential uses (§4.70.020). From time to time, it can be anticipated that a use will be proposed for a commercial space that requires a Minor or a Conditional Use Permit; any such use will be reviewed based upon the specifics of its operating characteristics and if found appropriate, its hours restricted at that time.

Implementing Zoning Ordinance

The project is consistent with Implementing Zoning Ordinance §24.010 – Site Plan and Architectural Review, in that all required findings found in §24.010(G) can be made as follows:

A. The project includes the use of quality materials, such as painted corrugated metal siding and fiber cement lap siding and tongue & groove vertical siding, and plaster, metalwork (for railings and awnings). The use of these materials in done in a way that ensures harmony and proportion with the overall design of the site, as the project includes two block masses that have been designed to resemble multiple buildings when viewing from public vantage points. The design approach of creating the appearance of multiple buildings is appropriate and necessary since it both reflects the historic building pattern in the downtown and results in compliance with SmartCode standards pertaining to building types.

B. The architectural style of the proposed building is appropriate and compatible with the overall character of the neighborhood in that building features reflect a contemporary expression of historic agricultural industrial buildings as well as current mixed-use buildings. Compatibility with the neighborhood is advanced through the Project conformance with SmartCode frontage type standards. Also, as described above, the appearance of multiple buildings in the Project further ensures neighborhood compatibility.

C. The Project's siting is appropriate given its conformance to mandatory frontage, setback, and building placement standards of the SmartCode. It is also consistent with the SmartCode specifications for interior parking and for buildings oriented to the pedestrian environment and largely occupying the project frontage.

D. The Project excludes proposed signage. Therefore, this finding is not applicable. (Separate sign permits in compliance with SmartCode §4.90 shall be obtained prior to the installation of any signage.)

E. As reflected by the findings above, the Project's bulk and height is appropriate. The Project's

primary 4-story height is consistent with the 2 to 4-story range specified by the T-5 and the 3 to 6-story range specified by the T-6 and T6-O SmartCode designations. Some of the buildings utilize a 3-story height, a fourth-floor setback, or a change of building material and color at the fourth floor to articulate the roof form and modify the massing and bulk. Single story pedestrian-oriented elements and articulation ensure that the bulk and massing do not negate the pedestrian experience. The Project includes the use of both muted earth tone colors and assent use of at least one contrasting primary color. The resulting composition from these colors is appropriate given their ability to enhance the appearance of multiple buildings and add visual interest to the overall project.

F. Proposed landscaping within the Project consists of street tree and planter strip planting, landscaping of the three civic pocket plazas, and landscaping of the residential courtyards along transverse street and small urban-type planters at some building walls. Public plantings conform to the mandatory standards of the SmartCode and, furthermore will be subject to review by the Music, Recreation, and Parks Committee (civic pocket plazas) and the Tree Committee (street trees) prior to building permit issuance. Private landscaping appropriately creates socializing and outdoor use areas for the residents as well as, in the case of the forecourts off the transverse street, an interesting green and open cross section along the new transverse street.

G. The project's ingress, egress, internal circulation for bicycles and automobiles, off-street automobile and bicycle parking facilities, and pedestrian ways promote safety and convenience and conform to City standards since the project incorporates various new circulation and access features. The project provides a surplus of covered and uncovered bicycle parking facilities, which will be provided along all streets bounding the site. Automobile parking in excess of the minimum is provided in two interior, two level parking garages and on the street surround the project. Lastly, a Traffic Impact Study was prepared for the project which assessed site access and site distance, and has been analyzed within the Project's CEQA Analysis.

3. Based on its review of the entire record herein, including the May 28, 2019 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby:

A. Approves Site Plan and Architectural Review for the Project and a Warrant for (1) modification of the Courtyard Building Type standards in the following ways: (a) each of the transverse street fronting courtyards may exceed the 50 foot maximum width, and be instead 54.5 and 73 feet wide (SmartCode §4.80.130(I)); (b) four of the 15 ground-floor courtyard-facing units are not required to have a main entry door directly off the courtyard or street (SmartCode §4.80.130(F)); (c) the south block (Courtyard B) lot depth may exceed 100 feet to accommodate the allowed 108 foot depth of the courtyard (SmartCode §4.80.130(B & I)); (d) the Dooryard Private Frontage standards as applied to the midblock section of the transverse street may be modified to accommodate the raised courtyard design (SmartCode §4.40.090); and (2) 7 of the 8 Copeland Street-facing stoop entry doors may be oriented perpendicular to, rather than facing, the street (SmartCode §4.40.070(C)), subject to the conditions of approval attached hereto as **Exhibit 1**.

ADOPTED this 28th day of May, 2019, by the following vote:

Commission Member	Aye	No	Absent	Abstain
Councilmember McDonnell	X			
Chair Marzo	X			
Vice Chair Alonso	X			
Bauer			X	
Gomez	X			
Streeter	X			
Wolpert	X			

Richard Marzo, Chair

ATTEST:

Heather Hines, Commission Secretary

APPROVED AS TO FORM:

Lisa Tennenbaum, Assistant City Attorney

Exhibit 1

SPAR CONDITIONS OF APPROVAL
HAYSTACK PACIFICA MIXED-USE PROJECT
APNs 007-143-003, 004, 007, 014, and 015
File No. PLMA-16-0001

Planning Division: Standard Conditions of Approval

1. Plans submitted to the City of Petaluma for purposes of construction shall be in substantial conformance with plans on file with the Planning Division and date stamped May 9, 2019, except as modified by these conditions of approval. A determination of substantial conformance shall be made by the Planning Manager in writing during the plan check review process. Nothing shall preclude the Planning Manager from referring a substantial conformance determination to the Planning Commission for review at a publicly noticed meeting.

2. The colors, materials, and light fixtures shall be in substantial conformance with those noted on the plan set and the color board in the plan set.

3. Prior to the issuance of any development permit, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Conditions of Approval as notes. A copy of the approved plans shall be maintained on-site when construction activities are occurring.

4. At Building Permit issuance, the applicant shall provide an electronic copy of final/approved plans in PDF format on either a CD or USB drive.

5. This approval is granted for and contingent upon construction of the project as a whole, in a single phase, with the construction and/or installation of all features approved and required herein. Phasing of one block ahead of the other may be authorized by staff subject to a Constriction Agreement (see also Condition 54). Modifications to the project, including but not limited to a major change in construction phasing, may require an amendment to this condition by the Planning Commission through the Site Plan and Architectural Review provided at IZO §24.010.

6. This approval is, as provided for at IZO §24.010(I), effective for a twelve (12) month period unless the permit has been exercised or unless an extension of time is approved in compliance with IZO §24.010(J).

7. Prior to building permit issuance, all development impact fees for the commercial component of the project (including the public art in-lieu fee if public art has not yet been approved), shall be paid. Fees for the residential component of the project are due prior to final inspection or certificate of occupancy.

8. The day following approval, the applicant shall provide the Planning Manager a check made payable to the Sonoma County Clerk, in the amount required and published by the Sonoma County Clerk to file the CEQA exemption.

~~9.~~ At all times the site shall be kept cleared of garbage and debris.

10. Except as modified by the conditions herein, construction activities shall comply with performance standards specified in IZO Chapter 21.

11. All plantings 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 ensure continued regular watering of landscape areas, and health and vitality of landscape materials.

12. Herbicides/pesticides shall not be applied in areas used by pedestrians/bicyclists within the project without first providing appropriate signs warning of the use of chemicals. The project shall utilize Best Management Practices (BMPs) regarding pesticide/herbicide use and as well as Integrated Pest Management techniques for the protection of bicyclists and pedestrians.

13. All tree stakes and ties shall be removed within one year following installation or as soon as trees are able to stand erect without support.

14. No signage is approved by this permit. Separate sign permits in compliance with SmartCode §4.90 and shall be obtained prior to the installation of signage.

15. Prior to commencing construction activities, a sign shall be posted on the site regarding the allowable hours of construction and contact information for complaints. Proof of sign installation shall be provided to the Planning Manager prior to construction commencing.

16. The applicant shall defend, indemnify, and hold harmless the City and any of its boards, commissions, agents, officials, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officials, officers, or employees to attack, set aside, void, or annul any of the approvals 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 applicant of any such claim, action, or proceeding. The City shall coordinate and cooperate with applicants in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so applicant shall reimburse City for reasonable attorneys' fees incurred by the City.

Planning Division: Special Conditions of Approval

17. The following architectural details shall be brought back to the Planning Commission for final SPAR review and approval and shall subsequently be incorporated into plans submitted for building permit issuance:
    a. Simplification and consideration of roof lines, including proposed trusses
    b. Revisions to window design and variety
    c. Consideration of additional balconies
    d. Provide exhibits illustrating storefront details and including awnings and materials
    e. Appropriate replacement of stone veneer

18. Prior to issuance of any relevant building permit and subject to review and approval by Planning staff:

    a. Composition shingle roofing at sloped (visible) accent roofs shall be replaced with metal roofing. The use of standing seam metal is encouraged.
    b. Product specifications and installation details shall be provided for the stone veneer (shown to match the color of stone visible on a number of early Petaluma buildings, including the Great Petaluma Mill) including corner detailing, grout, and interfacing with abutting siding material as well as ground surface. Detailing shall emphasize application in an authentic looking manner.
    c. Windows shall be thoroughly detailed. Where divided lights are proposed, they shall be true or simulated divided lights (not with the divider between the panes of glass), pursuant to §4.70.040. C. The color of the aluminum shopfront and the vinyl windows shall match in color and not be white. Exterior doors shall also be thoroughly detailed.

d. At least 11 of the 15 ground-floor units facing the residential courtyard off the transverse street shall have direct and convenient primary access from the courtyard (lockable from the outside). Additionally, final courtyard design and detailing shall include amenities to encourage front porch type use of the courtyard and include both seating and table-side seating, orientated generally toward the street, to attract use by both the abutting residential units and interior units.
e. Plans shall be further detailed to depict the Copeland-facing stoops as engaging from the sidewalk perspective. The entry doors shall be at least half semi-transparent or transparent glass and some pedestrian-scaled feature shall occur at the wall opposite the entry door (no blank walls within the stoop; this pedestrian-scaled feature might be a decorative panel or piece attached to the wall with some variation from stoop to stoop, a sturdy hook to encourage tenants to personalize their stoop, a low mounted eye-hook to enable a decorative item to be secured, and/or plantings).
f. Plans shall show at least one space designed with cafe/restaurant infrastructure (including depressed slab at back of house, exhaust shaft to roof, grease trap location), as noted on Sheets A2.0A and A2.0B of the project plan set.
g. The Aquatic Recreation Facility, the Bike Shop, and the Bike Storage room shall be detailed to show a highly functional layout and quality materials/amenities.
h. The first-floor ceiling height of all commercial spaces and the live/work flex spaces facing D Street shall be clearly detailed to be 14 feet (ground floor residential spaces facing the courtyard and mid-block of Copeland street shall be raised above grade and have less ceiling height).
i. Addition of a west (side) facing upper-floor window along East D Street at the recessed entry leading to the elevator (Building 21 of Sheet A0.05).
j. Final design of the bioretention/LID areas along East Washington and East D Streets shall be urban in design, raised, and contribute to building's appearance of an urban structure meeting the sidewalk realm (as sheet L1.5 storm water images show), rather than a suburban or "setback" in appearance.
k. Prior to issuance of any development permit for work within 100 feet of the off-site warehouse property (APN 007-149-008), a fence permit shall be filed and approved and the fence constructed. The fence permit shall be detailed to depict the material, height, and location of the fence around the north and west property lines, subject to staff review and approval. (A fence on the shared property line must be signed by both property owners.) An alternative found preferable to both parties may be considered if consistent with the Project.

19. Prior to building permit issuance of the 3 live/work units (facing East D Street), interior plans shall demonstrate that the units are designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvement of the type commonly found in exclusively commercial or industrial facilities used for the same work activity, and shall be compliant with applicable building and life safety/fire policies for such occupancies, pursuant to §4.70.020.D.2 and 3.

20. Naming of the transverse street (a two block public street through this and the SMART parcel to the east) shall be determine by the City and provided to the developer.

21. Prior to building permit and Public Improvement Plan approval, street, bollard, and building lighting fixtures notes on the SPAR set shall be fully detailed and subject to staff review and approval. All light fixtures shall be hooded and downward cast or be an approved City street light.

22. Prior to building permit and Public Improvement Plan approval, locate gas meter assemblies on plans in manner least visually obstructing, location and screening subject to review and approval of the Planning Manager, City Engineer, and PG&E.

23. Prior to Public Improvement Plan approval, to the satisfaction of the City Engineer and the

Planning Manager:

a. The 18 two-bike racks shall be better spread around the site, with the intent of locating at least a single bike rack within 100' of each commercial entry. (Not more than 4 additional racks may be necessary to accomplish this.)
b. The 9-bike Velodome bike shelter shall be substituted with a covered, but open-sided bike shelter with horizontal bike orientation (such as the arched-top bus shelter used at the Copeland Street transit center); if the substitute shelter is unable to accommodate 9 bikes, the remainder may be provided as bike racks around the site, so long as each of the two shelters accommodate at least 6 bicycles.
c. A total of at least 54 bike spaces shall be provided within the public right-of-way and common areas.
d. Exterior bicycle racks shall comply with size dimensions and location requirements of the Bicycle and Pedestrian Master Plan. Access to all bicycle racks shall be adequate from all sides and racks will not be placed too close to any wall, curb or structure.
e. Interior bicycle parking spaces shall have hardware enabling the use of locks and/or be located in a secured room.

24. Prior to Public Improvement Plan approval and building permit approval, soils testing of landscape areas should occur and the landscape architect shall add notes to the plan set to ensure that the street trees and site landscaping are planted in the most appropriate soils. Final landscape plans shall be subject to staff review and approval.

25. Prior to Public Improvement Plan approval, the three public pocket plazas shall be reviewed by the Music, Recreation, and Parks Commission and their recommendation provided to the Parks Manager, City Engineer, and Planning Manager. Anti-skateboarding measures shall be implemented on the concrete walls and benches.

26. Prior to Public Improvement Plan approval, regarding street trees, the plan sets shall:

a. Have been to the City of Petaluma's Tree Advisory Committee for review and recommendation (considering SmartCode §5.10.060.C & E's direction for a durable species tolerant of soil compaction and for trees in a regularly-spaced pattern with shade canopies of a height that, at maturity, clear at least one story and considering compatibility with Fire specifications that trees not exceed 25 feet at maturity).
b. Show tree wells inset 4 feet into the sidewalk (as shown) but for a linear distance of typically at least 6 and preferably 8 feet, with a decorative cast iron tree grate, subject to recommendation of the Tree Advisory Committee and the review and approval of the City Engineer and Planning Manager.
c. Note and depict structural soils under the sidewalks for a six-foot minimum distance inward from all tree wells, for a 24-inch minimum depth, and for a length of at least 8 feet centered on each street tree (§4.60.040.C). At least one of these dimensions shall be increased; a continual band of structural soils under sidewalks (via the connection of the 8 foot minimum lengths within 15 feet of a street tree) is strongly recommended to improve the street trees' likelihood of success.
d. Note irrigation, walk-on mulch, and root barriers where appropriate (as specified at §4.60.040).

27. Anticipated loss of three off-site trees related to the upsizing of the public storm drain line to the west of the Project, shall be replaced to the acceptance of the City and the property owner, and details shall be listed on the public improvement plan set.

28. Prior to Public Improvement Plan approval, the plans shall depict the reuse of the cobblestone curb now on a segment of D Street, to another project curb line, subject to staff review and approval. Weller Street, opposite Cavanaugh Landing or one of the older buildings, is the recommended location (see retention of cobblestone curb 1996 City Standards Series 200).

29. Prior to Public Improvement Plan approval, Copeland, Weller, and the transverse street shall each include two public benches/seating areas within the right-of-way. The location and design of seating areas shall be subject to Planning Manager and City Engineer approval. Furniture shall be durable, designed to prevent sleeping, and shall include anti-skateboarding measures. Low walls (18" to 32" in height) may be considered in-lieu of furniture.

30. Prior to Public Improvement Plan approval, the applicant shall coordinate with Petaluma Water Ways on an appropriate wayfinding sign and show placement of wayfinding sign at/near the Weller Street pocket plaza; this may be a metal sign with the PWW blue and white graphic with an arrow to Cavanaugh Landing or something more iconic or tied into the Project's provision of public art.

31. Prior to Public Improvement Plan approval, the Class IV protected bike described in Condition 77 shall be designed subject to review and approval by the City Engineer and Planning Manager. To accommodate the 5-foot protected lane and approximately 3-foot buffer, where necessary, the abutting sidewalk width may be reduced to generally not less than 12 feet.

32. At time of Final Map recordation, the developer/applicant shall record in the Official Records Notification of Sonoma County the notice stated at SmartCode §4.70.050(A).

33. Prior to final inspection and commencement of operations, a notice shall be submitted for review and approval by the City of Petaluma, complying with SmartCode §4.70.050 and §4.70.020.E.1, demonstrating that the owner shall provide written notice in all lease, rental, or sale agreements concerning any portion of the Project to all occupants and users that the surrounding area may be subject to noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas and of river-dependent and/or agricultural support industrial operations nearby which may cause effects.

34. Use by Project tenants of the public pocket plazas would require review and issuance of an encroachment permit by the City. Pocket plazas are intended to be formal open spaces available for civic purposes and subordinate commercial activities. An encroachment permit may be granted for commercial use of a portion of a courtyard if it will activate the plaza and create a space of community value.

35. Use of a Live/Work unit (in exceedance of the uses allowed via a home occupation permit) require a Minor or Conditional Use Permit, as described at §4.70.020.E.

36. Within the interior garages of each building, the Project shall install and maintain, a minimum of 9 total electrical vehicle charging stations providing multiple car charging opportunities (such as EverCharge), with the intent to provide charging for up to 50% of the garage spaces to the maximum extent feasible, divided between the two blocks. (See also CEQA compliance Greenhouse Gas Condition below.)

37. Plans submitted for building permit shall demonstrate that all residential units are all-electric (no gas).

38. Plans submitted for building permit shall demonstrate solar installation on at least 15% of the roof area and shall maximize solar potential to the extent recommended by the applicant's solar consultant. A copy of the solar consultant's recommendation shall be provided to the Planning Manager prior to or at the time of Building Permit submittal.

39. Prior to Public Improvement Plan approval, one of the parallel parking spaces on the transverse street shall be signed for short term use by ride share (Uber, Lift) and taxi pick up/drop off. The applicant is strongly encouraged to pursue establishment of parking for car share vehicles (such as ZipCar), either in the private garage or on the public street.

40. All externally visible scuppers, gutters and downspouts shall either be galvanized sheet metal as per plan, or complimentary to the building architecture.

41. No opaque film, covering, or decal shall be installed in front of or behind the windows of ground-floor tenant spaces facing any public street which would hinder or completely block visibility between the tenant space and the public right-of-way.

42. Pile-driven piers are prohibited from being used in any and all project construction activities (e.g., foundation). The Project-proposed drilled displacement pressure grouted columns (DDC), or a system with similar noise characteristics and no greater impacts than those analyzed, are permitted.

43. Outdoor amplification and public address systems for purposes other than controlling access to buildings and as required by the Petaluma Fire Department are prohibited.

Housing Division

44. The Project shall provide 15% of the Project units for use as affordable housing in conformance with IZO Section 3.040 and implementing Housing Element Policy 4.3. The 27 proposed affordable units (totaling 15%) shall be provided in the same mix of unit types (studio, 1 bedroom, 2-bedroom, 3 bedroom) as the Project's overall mix, shall be distributed throughout the residential project site, and shall be of the AMI (area median income) percentage specified by IZO Section 3.040, unless otherwise permitted by the City Council pursuant to IZO 3.040.D (Alternative Compliance).

Public Works & Utilities Department

45. Frontage improvements shall be installed per the latest civil engineering site plan set including, but not limited to, reconstruction of pavement on Weller Street from East Washington to East D Street, micro-seal type 2 on Copeland frontage, and half street micro-seal on D Street and East Washington from Copland to Weller Street. The complete reconstruction of Weller Street shall be to the required section as determined by the City Engineer at the time of construction.

46. Install a new traffic signal controller at the intersection of Copeland and East Washington.

47. Applicant shall contribute a proportional share equal to 5.4% of the cost of installation of the traffic signal at East D St. and Copeland St. (See condition 122 for timing)

48. The proposed 8-inch sewer main within the transverse street shall be upsized to a 15-inch sewer main. The new 15-inch sewer shall be stubbed to the existing 24-inch sewer main in Weller.

49. Proposed laterals on Weller Street between the transverse street and D Street shall be connected to the existing 15-inch sewer main on Weller Street, to be shown on the plans. Eliminate the proposed 8-inch sewer main in the transverse street.

50. All existing overhead utilities on Copeland along the project frontage shall be placed underground. The small utility pole located on project frontage at Weller Street near D Street intersection shall be removed and undergrounded to D Street.

51. Grade conforms along the project frontage shall conform to the existing street section to the satisfaction of the City Engineer. Striping and pavement marking shall be replaced in kind.

52. Sonoma County Water Agency review and approval is required prior to the start of any construction.

53. Site work shall generally conform to the site improvements as shown on the plans provided with the application.

54. All work shall conform to the latest City standards.

55. All improvements shall comply with current California and Federal ADA accessibility codes and requirements.

56. All existing unused water and sewer mains shall be identified on construction drawings and abandoned per City standards.

57. Joint trench plans are required with the building permit/public improvement plan submittal.

58. All public improvement work shall be completed for each block prior to issuance of a final inspection/certificate of occupancy for that block. Should phasing of project and occupancy be requested by applicant, Public Improvements scope of work for each phase shall be defined in the Constriction Agreement as needed.

59. The on-site sewer and storm drain water and all proposed treatment systems shall be privately owned and maintained.

60. Prior to issuance of a building permit, an Operations and Maintenance manual is required for the proposed storm water treatment systems and shall be submitted with the building permit application for review and approval by the City Engineer. The manual shall include annual inspection, by a Civil Engineer registered in the State of California, to ensure the detention and treatment systems are operating as designed and constructed as well as provisions to make any necessary repairs to the system. A signed and sealed copy of the report shall be provided annually to the Office of the City Engineer.

61. Prior to issuance of a building permit, the developer shall comply with the City's Phase II storm water management plan and State of California National Pollutant Discharge Elimination System (NPDES) requirements including submittal of a notice of intent and storm water pollution prevention plan to the State and City.

62. Prior to issuance of a building permit, a public improvement plan application is required to be submitted and approved for all frontage work and all on-site work within public easements. A public improvement agreement package including necessary bonds and insurance is required.

63. Prior to issuance of final building permit, staff shall review the tree locations in the vicinity of the public fire hydrants and signage. Trees shall not block signage or flashing beacons. All trees shall be located away from utilities.

64. All the public improvements shall be designed in accordance with the latest City of Petaluma Public Works and Utilities Department Standards & Specifications, latest edition of the Manual of Uniform Traffic Control Devices (MUTCD) and Caltrans standards.

65. Provide dumpster access plan and written confirmation from waste removal provider (Recology) that refuse removal trucks will have adequate access.

66. All foundations and building supports, with the exception of isolated footings supporting projecting galleries above, shall be located outside of City right of ways, public utility easements, and easements (excluding gallery footings).

67. Provide construction plan (schedule, phasing, staging, traffic) with specific attention to impacts on neighboring businesses and bus schedules. Construction activity shall be limited on Copeland to minimize impacts to the transit mall. Provide business plan for businesses along Weller Street, subject to approval by Public Works. Prior to issuance of building permit the Construction plan is to be approved by Petaluma Transit Manager and Public Works.

68. Prior to Public Works & Utilities approval of Public Improvement Plans, a Park Maintenance Agreement shall be recorded for the public pocket plazas at Parcels A and B, and the public plaza on city ROW located on East D Street frontage (Reference Tentative Parcel Map, Sheet C4). The agreement shall include a legal description and graphical exhibit defining the exact areas to be included. Plaza/park hours of operation from 6:00 AM to 10:00 pm shall be posted per Municipal Code Section 13.28.200. Owner's maintenance responsibility shall include landscape and irrigation maintenance, pest control, weed control, rodent control – with the intent to maintain all included areas in a safe condition and to provide a pleasant and well-kept appearance.

69. Prior to approval of Public Improvement Plans the Final Parcel Map, including all required public dedications and easements shall be recorded, and the Public Construction Agreement shall be executed.

Transit & Traffic

70. Provide and install the following amenities at the Copeland St Transit Mall. Transit staff to confirm locations for each.
    a. Benches: 6' benches (x4) and 4' benches (x8); Victor Stanley Brand block, powder coated and galvanized or equivalent,
    b. Bike Racks (x6); DERO Heavy Duty Hoop Rack, galvanized w/ black powder coat finish, surface mount or equivalent, and
    c. Trash Cans (x2); Tolar 32 Gallon steel strap trash receptacle with hinged door and flat lid, hard rubber liner, black powder coat finish, zinc anchors or equivalent.

71. E. Washington Street frontage shall be red curb/no parking for entire length as a safety measure to reduce conflicting vehicle movements eastbound just before the Copeland Street crosswalk and intersection. CPSP SmartCode designated parking may be added at a future date at the discretion of the City Engineer.

72. Rapid Rectangular Flashing Beacon installation (RRFB) shall be provided as shown at both Copeland St. mid-block crosswalks at the transverse street intersection.

73. "Yield to Bus" pavement marking shall be added to asphalt on NB Copeland St. where buses pull out from their gates (3 ea.) locations to be confirmed by Transit staff.

74. Public on-street parking spaces on Copeland St. and the transverse street shall be time limited parking. Parking signs with limits shall be provided and located under direction of City Engineer.

75. Parking and Transit Stop Lanes on Copeland St. shall use decorative treatment to define space and identify separation from Traffic lanes (pursuant to SAMP Thoroughfare Standards), subject to the review and approval of the City Engineer, Transit Manager, and Planning Manager.

76. Weller Street and Transverse Street shall provide Class III bikeways both directions.

77. East D Street between Weller and Copeland shall incorporate a minimum 5 ft wide Class IV separated bikeway/cycle track with a 3 ft wide buffer between parallel parking and the curb and a Class II bikeway (as currently indicated) on the south side. The sidewalk "bump out" section just west of Copeland St. will need to be redesigned to allow for a smother bike lane transition from the eastern section where there is no on-street parking to the western section where there will be on-street parking. Layout of the East D Street alignment shall be designed or reviewed by the applicant's traffic engineer and subject to review and approval by the City Engineer and Planning Manager.

78. Colored pavement, decorative pavement markings, or other traffic calming enhancement shall

be provided at the transverse street mid-block crosswalk, subject to review and approval of the City Engineer and Planning Manager. Stamped concrete should be avoided given the potential for bicycle activity.

79. Decorative pedestrian scale street lighting shall be provided on west side of Copeland St. from E. Washington to E. D Street. (Illuminated bollards behind sidewalk or low-level path lighting sconces on building face are acceptable.)

80. Wayfinding signage throughout the project area shall be incorporated for pedestrian and bicycle use to direct them to points of interest (Historic Downtown and Cavanaugh Park/Turning Basin) and transit connections (SMART, transit mall). Signage and locations to be approved by City Engineer.

81. Left turns from the Transverse Street onto Weller Street shall be prohibited. Review of potential impacts of right only turns (left prohibited) from Transverse Street onto Copeland Street should be reviewed by Traffic engineer and recommendations provided.

Environmental Services

82. The applicant shall submit the following in accordance with PMC Section 15.17.050:
    a. PMC Section 15.17.050(C)(1)(j): Applicant signature and date with statement, "I agree to comply with the requirements of the Landscape Water Use Efficiency Standards and submit a complete Landscape Documentation Package."
    b. PMC Section 15.17.050(C)(2)(a)(2): Water efficient landscape worksheet shall be recalculated with the following: In calculating the MAWA and ETWU, a project applicant shall use the ETo values from the Reference Evapotranspiration Table for Petaluma, CA. ETo is 39.6.
    c. PMC Section 15.17.050(C)(4)(a)(2): Plants with similar water needs shall be grouped together in distinct hydrozones and where irrigation is required the distinct hydrozones shall be irrigated with separate valves.
    d. PMC Section 15.17.050(C)(4)(c)(3): A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
    e. PMC Section 15.17.050(C)(4)(d)(2,6,11,17,18): The landscape design plan at a minimum, shall include:
        - Identify each hydrozone as very low, low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation.
        - Identify type of mulch and application depth.
        - Identify plant sizes and quantity.
        - Contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
        - The signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.

83. PMC Section 15.17.050(C)(5)(a,b,c): An irrigation design plan that meets the criteria in section 15.17.050 (C) shall be submitted as part of the landscape documentation package.

84. PMC Section 15.17.050(C)(5)(c)(9-10): In addition, the irrigation design plan shall also contain:
    a. The following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
    b. The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system.

85. Prior to final inspection, the applicant shall submit the following in accordance with PMC Section 15.17.050. Please refer to the following sections of the PMC for detailed requirements of each

item:

a. PMC Section 15.17.050 (C)(3): Soil Management Report.
b. PMC Section 15.17.050 (D)(1-3): Certificate of Completion to include the following attachments:
   - Certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved landscape water use efficiency standards.
   - Irrigation Schedule – shall be regulated by automatic irrigation controllers, applied water should be the ETWU.
   - Landscape and Irrigation Maintenance Schedule - including routine inspection, adjustment and repair of irrigation system, fertilizing, pruning, weeding, etc.
   - Landscape Irrigation Audit conducted by a certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape. Audit reports shall meet the criteria listed in Section 15.70.050 (D)(2)(c).

Fire Prevention Department

86. Approved automatic fire sprinkler systems in new buildings and structures shall be provided in locations described in this section. Additional local requirements are described in Section 903.2.1 through 903.2.19.1.2 and may supersede the following requirements. The most restrictive requirements shall apply. CFC 903. Installation of the fire sprinkler system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-13R or NFPA-13.

87. Valves controlling water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit. CFC 903.4. Installation of the fire alarm system, or sprinkler monitoring systems, must be conducted with approved plans and permit obtained from the Fire Prevention Bureau prior to work commencing. The fire alarm submittal shall include a permit application with three (3) sets of plans, cut sheets, and calculations for review. The system shall comply with NFPA-72.

88. Fire alarm systems and smoke alarms shall be installed in Group R-2 *and R-2.1* occupancies as required in Section s9072.91.1 and 907.2.9.4. CFC 907.2.9. Installation of the fire alarm system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-72.

89. Standpipe systems shall be installed where required by Section 905.3.1 through 905.3.11.1. Standpipe systems are allowed to be combined with automatic sprinkler system. CBC 905.3. Installation of the standpipe system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-14.

90. In some locations, access to all parts of the building exceed the requirement of CFC 503.1 for a minimum distance of 150 feet to the fire apparatus access road. As an alternate means of protection, the project shall provide a Class I standpipe system with hose outlet(s) within the exterior courtyard at a location acceptable to the Petaluma Fire Prevention Bureau. CFC 104.8. Installation of the standpipe system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with NFPA-14.

91. New buildings four or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3 percent slope), shall be provided with a stairway to the roof. Stairway access to the roof shall be in accordance with CBC section 1011.2. Such stairway shall be marked at street level and floor levels with a sign indicating that the stairway continues to the roof. At least one (1) stairway in each building shall meet these requirements, additional access may be provided with the use of fire ladders from other interior stairways. CFC 504.

92. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, not fewer that one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches with not less than 5-inch radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches in height and shall be placed inside on both sides of the hoist-way door frame. CBC 3002.

93. Fire Apparatus Access Roads shall be constructed and provided prior to construction of any buildings on the site. Fire apparatus access roads shall be maintained for fire department operations at all times during the construction process. Closure or changes of fire apparatus access roads shall be reviewed and approved by the Petaluma Fire Prevention prior to closure or changes. CFC 503

94. All required fire hydrants shall be installed and accepted by the Petaluma Fire Prevention Bureau prior to loading of any combustibles on site or construction of the building.

95. Where access to or within a structure or an area is restricted because of secured opening or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. Installation of the key boxes requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with CFC Section 506.

96. All new buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication system of the jurisdiction at the exterior of the building. The owner/project shall conduct appropriate testing and/or provide emergency responder radio coverage approved by the Petaluma Fire Prevention Bureau. Installation of the emergency responder radio coverage system requires approved plans and permit from the Fire Prevention Bureau prior to work commencing. The owner/contractor shall submit a permit application with three (3) sets of plans, cuts sheets and calculations. This system shall comply with CFC Section 510.

97. Eliminate fire-prone plants which ignite readily and burn intensely (Juniperina) from the landscape palette. Arctostaphylos should be used cautiously, only where regular maintenance (removal of dead branches) will occur, and widely spaced from one another.

Conditions Identified through CEQA Analysis to ensure implementation of applicable mitigation measures and policies set forth in the CPSP and its EIR and in the General Plan and its EIR:

Air Quality

98. In accordance with CPSP mitigation measure 11-1, latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition and construction plans to require implementation of the following:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
b. All haul trucks transporting soil, sand, or other loose material shall be covered.
c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation.
h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Biological Resources

99. In order to avoid impacts to birds protected under the Migratory Bird Treaty Act, site preparation activities, including the removal of trees and building demolition, should occur outside of the bird-nesting season between September 1st and January 31st. If vegetation removal or construction begins between February 1 and August 31, preconstruction surveys including call sounds shall be conducted within 14 days prior to such activities to determine absence or the presence and location of nesting bird species. If active nests are present, temporary protective breeding season buffers shall be established by a qualified biologist in order to avoid direct or indirect mortality or disruption of these birds, nests or young. The appropriate buffer distance is dependent on the species, surrounding vegetation and topography and will be determined by a qualified biologist to prevent nest abandonment and direct mortality during construction. Buffers may be larger for special-status species. Work may proceed if no active nests are found during surveys or when the young have fledged a nest or the nest is determined to be no longer active.

100. Pre-construction bat hibernation and maternity roost surveys shall be performed by a qualified biologist to assess the suitability of all existing structures onsite not more than 30 days prior to start of construction including building demolition. If suitable bat roost sites are identified, they shall be surveyed by way of evening emergence surveys and/or internal inspections to determine presence/absence of bat maternity roosts. Internal entrance surveys should be performed by a qualified biologist no sooner than 14 days prior to demolition to determine if buildings support roosting bats. If bats are determined to be present, appropriate methods should be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to reenter the building, or play-back of ultrasonic noise and/or predator calls to deter bats from returning to buildings. Species and roost appropriate evacuation and exclusion procedures shall be developed based on the results of the survey in consultation with CDFW. All active maternity roosts identified during surveys shall be protected by establishing a 200-foot buffer around the maternity site until bats are no longer utilizing the roost site. Non-maternity roost sites shall be removed under the direction of a qualified biologist. Survey results are valid for 30 days from the survey date. Surveys should be repeated if commencement of structure demolition begins after 30 days or more from the survey date.

101. Maternity Roosting Season (April 1 to August 31): Pre-construction surveys shall be performed by a qualified biologist to assess the suitability of all impacted substrates and the immediate areas of bat roosts 30 days prior to building demolition. If suitable bat roost sites are identified, these

potential roost sites should be surveyed by way of evening emergence surveys and/or internal inspections to determine presence/absence of bat maternity roosts. All active roosts identified during surveys should be protected until bats leave the building. Survey results are valid for 30 days from the survey date. Surveys should be repeated if commencement of structure demolition begins after 30 days or more from the survey date.

102. Buildings may be demolished outside of the maternity roosting season. However, internal entrance surveys should be performed by a qualified biologist no sooner than 14 days prior to demolition to determine if buildings support roosting bats. If bats are determined to be present, appropriate methods should be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to reenter the building, or play-back of ultrasonic noise and/or predator calls to deter bats from returning to buildings. Species and roost appropriate evacuation and exclusion procedures shall be developed based on the results of the survey in consultation with CDFW.

103. Fill to the 0.04 acres of man-made wetlands onsite shall be offset through compensatory credits at a 1:1 ratio purchased from an approved mitigation bank or as otherwise directed by the regulatory agencies. The City shall be provided with documentation demonstrating regulatory approval (U.S. Army Corps of Engineers and Regional Water Quality Control Board) and proof of purchase of mitigation bank credits prior to issuance of a grading permit.

Cultural Resources

104. If during the course of ground disturbing activities, including, but not limited to excavation, grading and construction, a potentially significant prehistoric or historic resource is encountered, all work within a 100-foot radius of the find shall be suspended for a time deemed sufficient for a qualified and city-approved cultural resource specialist to adequately evaluate and determine significance of the discovered resource and provide treatment recommendations. Should a significant archeological resource be identified a qualified archaeologist shall prepare a resource mitigation plan and monitoring program to be carried out during all construction activities. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

105. In the event human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended in the immediate vicinity of where the human remains are located, and the following measures shall be undertaken:
    a. The Sonoma County Coroner shall be contacted to determine that no investigation of the cause of death is required.
    b. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.
    c. The applicant shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
    d. It shall be the responsibility of the Native American Heritage Commission rather than the applicant or the City to identify the person or persons it believes to be the most likely descended from the deceased Native American, and to contact such descendant in accordance with state law.
    e. The applicant shall be responsible for discussing and conferring with Native American descendants all reasonable options regarding the descendants' preferences for treatment, as provided in Public Resources Code Section 5097.98(b), and for carrying out all obligations of the applicant as provided at Public Resources Code Section 5097.98.

Geology and Soils

106. As determined by the City Engineer and/or Chief Building Official, all recommendations outlined in the Geotechnical Investigations dated August 3, 2012, March 24, 2014, and February 2, 2017 prepared for the subject property by ENGEO, including but not limited to, site preparation and grading, DDC columns, excavation, seismic design, and foundations system design are herein incorporated by reference and shall be adhered to in order to ensure that appropriate construction measures are implemented. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the design of the project. Nothing in this measure shall preclude the City Engineer and/or Chief Building Official from requiring additional information to determine compliance with applicable standards. The geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy that the improvements have been constructed in accordance with the geotechnical specifications.

107. In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt in the immediate vicinity of where the resources are located, and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.

Greenhouse Gases

108. In accordance with Section A4.106.4 of the 2016 California Green Building Standards Code, the project shall provide at least 3% of the total parking spaces as capable of supporting future electric vehicle supply equipment. As required by City of Petaluma General Plan Policy 4-P-9, the project shall be constructed to include electrical vehicle charging stations at a ratio of least 1% of the total parking spaces. For purposes of determining compliance with this measure, fractional numbers shall be rounded up to the next whole number. (See also Cond 35.)

Hazards and Hazardous Materials

109. Prior to issuance of a permit for demolition at 19 Copeland Street or prior to any activities involving the demolition or alteration of the existing building on site, an asbestos survey adhering to sampling protocols outlined by the Asbestos Hazard Emergency Response Act and material sampling to determine lead presence will occur. Construction activities that disturb materials or paints containing any amount of lead and/or asbestos may be subject to certain requirements of the Occupational Safety and Health Administration (OSHA) lead standard contained in 29 CFR 1910.1025 and 1926.62, AHERA requirement, and any other local, state, or federal regulations. In the event that such substances are found, the applicant will adhere to all requirements put forth by OSHA and other agencies regarding the treatment, handling, and disposal of these materials.

110. Prior to issuance of any demolition, grading, or building permit, the project applicant shall prepare and receive approval of a Risk Management Plan and Site Health and Safety Plan by the City of Petaluma Fire Department. The purpose of these plans is to address the identified need for the removal and disposal of lead-impacted soils at the project site but shall also address the potential for accidental discovery of hazards and hazardous materials during construction activities including groundwater contamination. Said plans shall be implemented during construction and future redevelopment and shall address the following:
    a. Conduct construction work in accordance with CCR Title 8 Section 1532.1, Lead in Construction.
    b. Use appropriate site control measures such as wet methods to minimize airborne dust generation.
    c. Excavate soil from the tree wells and bio-retention areas to a depth of not less than 2 feet below final grade. Replace the excavated materials with clean imported fill.
    d. Place any excess soil re-used onsite under buildings.
    e. Characterize soil export by sampling and analysis for proper disposal.

f. Soil and Groundwater Management Plan to inform and guide construction and post-development construction and maintenance that involves exposure to soil and/or groundwater.

111. The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards:

a. Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner or if designated for off-site disposal at a permitted facility, the soil shall be loaded, transported and disposed of in a safe and secure manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Sonoma County Department of Health Services (Environmental Health & Safety Office) and the City of Petaluma. The excavation, on-site management, and off-site disposal of soil from the project site shall follow an approved Risk Management Plan.
b. Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Petaluma, the RWQCB and/or Sonoma County Department of Health Services (Environmental Health & Safety Office). Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into buildings.
c. Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Petaluma, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the Sonoma County Department of Health Services (Environmental Health & Safety Office), have granted all required clearances and confirmed that all applicable standards, regulations and conditions for all previous contamination at the project site.

112. The RWQCB, Sonoma County Department of Health Services (Environmental Health & Safety Office), Public Works Department, and the appropriate planning and building departments shall be notified prior to any changes in land use, grading activities, excavation, and/or installation of water wells. Notification shall include a statement that residual contamination may exist on the property and list all mitigation actions, if any, necessary to ensure compliance with RWQCB closure letter issued March1, 2010.

Hydrology and Water Quality

113. Prior to issuance of a grading permit, the applicant shall file a Notice of Intent with the RWQCB and demonstrate compliance with the Statewide General Permit for Construction Activities.

114. Prior to issuance of a building permit, the applicant shall prepare a design-level Stormwater Mitigation Plan that provides calculation and documentation that the storm drain system has adequate capacity to serve the project. The storm drain system shall be reviewed and approved by the City Engineer and the Sonoma County Water Agency.

115. In accordance with the National Pollution Discharge Elimination System (NPDES) regulations, the applicant shall prepare and implement a project-specific Stormwater Pollution Prevention Plan, including an erosion control plan, for grading and construction activities. The SWPPP shall address erosion and sediment control during all phases of construction, storage and use of fuels, and use and clean-up of fuels and hazardous materials. The SWPPP shall designate locations where fueling, cleaning and maintenance of equipment can occur and shall ensure that protections are in place to preclude materials from entering into storm drains or the Petaluma River. The contractor shall maintain materials onsite during construction for containments and clean-up of any spills. The

applicant shall provide approval documentation from the RWQCB to the City verifying compliance with NPDES.

116. The applicant shall prepare and implement an erosion control plan for all grading activities. The plan shall be reviewed and approved by the City of Petaluma prior to issuance of grading permits. The erosion control plan shall include limiting areas of disturbance, designating restricted-entry zones, diverting runoff away from disturbed areas, inlet/outlet protection at nearby drains, and provisions for revegetation and mulching. The erosion control plan shall prescribe treatment to trap sediment, such as inlet protection, straw bale barriers, straw mulching, and straw wattles.

117. Prior to issuance of an occupancy permit, the applicant shall demonstrate compliance with the City's municipal separate stormwater system (MS4s) for new stormwater facilities located within Weller Street and transverse street, and connecting to the existing municipal stormwater system.

Noise

118. Prior to issuance of building permits an acoustical consultant shall determine the appropriate Sound Transmission Class (STC) rating necessary to achieve the 55 dBA Lmax and 45 dBA Ldn interior noise standards. Based on initial acoustical analysis the following performance standards have been identified:

a. Residential bedrooms with direct views of passing trains (primarily northern and eastern project facades) require sound rated windows, doors, and construction methods that achieve a 35 to 37 dBA exterior to interior noise reduction.

b. All residential units shall be equipped with mechanical ventilation capable of supplying fresh air needs while exterior windows and door are closed.

c. Commercial uses with building facades facing East D Street, Copeland and E. Washington Street, the Cal Green Building Code standards shall be incorporated in the design. Using the prescriptive method, the STC rating of at least 50 or a composite OITC rating of no less than 40 and exterior windows on the eastern façade shall have a minimum STC rating of 40 or minimum OITC rating of 30. Using the performance method an interior noise environmental shall not exceed an hourly equivalent of 50 dBA in occupied areas during operation.

119. Construction activities shall comply with the following measures and all shall be noted on construction documents:

a. Construction Hours/Scheduling: The following are required to limit construction activities to the portion of the day when the number of persons in the adjacent sensitive receptors are lowest:

   i. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 9:00 a.m. to 5:00 p.m. on Saturdays. Construction activities shall be prohibited on Sundays, and State, Federal, and local holidays recognized by the City of Petaluma.
   ii. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.

b. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained
c. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
d. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from Weller Street and the existing warehouse to remain. Acoustically shield such equipment when it must be located near occupied uses along Weller Street and the warehouse.

e. Quiet Equipment Selection: Select quiet construction equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
f. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.
g. Generators: No generators shall be utilized during nighttime hours (I.e., sunrise to sunset) to power equipment (e.g., security surveillance) when normal construction activities have ceased for the day. All such equipment should be powered through temporary electrical service lines.
h. Notification. Notify nearby residents (within 500 feet) in writing of the demolition and construction schedule.
i. Noise Disturbance Coordinator: Developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require that reasonable measures to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors, within a 500-foot radius of the site, regarding the construction schedule.

Public Services & Recreation

120. Prior to issuance of occupancy for residential units and prior to issuance of building permits for non-residential development, the applicant shall be subject the City's most recent City Facilities Development Impact Fees.

Transportation

121. Prior to the Recreation, Music, and Parks Commission review or building permit approval, in accordance with General Plan policy 5-P-31 B, the Haystack Mixed-Use Project shall include at least one public drinking fountain to accommodate people and their pets. The location of the drinking fountain shall be easily accessible to pedestrians and bicyclists and may be located within or proximate to onsite public plazas.

122. Prior to the final on the 85th percentile residential unit, the applicant shall prepare a cost estimate for acceptance by the City Engineer and shall pay a proportional share equal to 5.4 percent of the East D Street/Copeland Street signalization cost. (See also Cond 47)

123. Prior to public improvement plan approval, as part of the project development, the applicant shall coordinate with the City of Petaluma Public Works Department to design and install striping, signage, and improvements along East D Street to the satisfaction of the City Engineer including the extension of the left-turn lane on eastbound East D Street for a length of at least 100 feet from the Copeland Street intersection.

124. Prior to public improvement plan approval, to avoid conflicts with sight distances due to the curvature of Weller Street, westbound left-turn movements from the new transverse street onto Weller Street shall be prohibited. (See also Cond 81)

125. To avoid conflicts with sight distances at project driveways, as well as the intersections of the transverse street with Copeland and Weller Streets landscaping shall be maintained and trimmed back to provide unobstructed sight lines. Generally precluding ground cover and shrubs from exceeding 3 feet in height and limbing up to ensure that tree branches do the extend below 7 feet from the ground in order to provide for adequate corner sight line distances.

126. Prior to public improvement plan approval, to establish safe and convenient pedestrian circulation around the project site, pedestrian warning signs, curb bulb outs, and rectangular rapid flashing beacons (RRFB) or similar warning features shall be installed at the Copeland

Street/transverse street intersection, at the midblock crosswalk on the transverse street, and at the midblock crosswalk on Weller Street. The midblock crosswalk at transverse street shall be treated with colored pavement or a decorative treatment, subject to staff review and acceptance, to further provide for traffic calming and improve pedestrian comfort. (See also Cond 72 & 78)

127. Prior to public improvement plan approval, in accordance with the City's Bike and Pedestrian Plan "sharrow" striping and signage pursuant to City standards shall be installed along Copeland Street and Weller Streets, at the discretion of the City Engineer, to provide alternate routes for bicycles. Bicycle route signage shall be installed on the transverse street. (See also Cond 76)

128. Prior to public improvement plan approval, wayfinding signage shall be shown directing bicyclists and pedestrians to points of interest (including downtown and the river) and transit connections (SMART and the transit center) in the project vicinity shall be installed at the project site on either end of the transverse street, at the two project corners with East D Street and at the two project corners with East Washington Street. Signage shall be designed by the applicant and submitted as part of the public improvement plans for review and approval by Public Works and Planning staff. (See also Cond 80)

129. Prior to public improvement plan approval, a minimum of 20 bicycle parking spaces shall be provided onsite to provide safe and convenient access to residences and businesses (see also more specific Condition 22).

Public Utilities

130. The City of Petaluma Public Works and Utilities, Environmental Services Division's standard conditions of approval regarding water conservation, irrigation, and water use efficiency shall be implemented.

131. A Construction Waste Management Plan shall be prepared and implemented during all stages of construction. The Construction Waste Management Plan shall meet the minimum requirements of the CalGreen code for residential and commercial development including but not limited to regional material sourcing (A5.405.1), Bio-based materials (A5.105.2), Reused materials (A5.405.3), and materials with a recycled content (A5.405.4).

132. In accordance with CalGreen Section 4.410.2 onsite recycling shall be provided in readily accessible areas for the depositing, storage and collection of non-hazardous materials including at a minimum paper, cardboard, glass, plastics, organic waste, and metals.

133. Prior to Building Permit approval, the applicant shall coordinate with Recology to appropriately size trash enclosures/shoots and ensure that maximum waste stream diversion occurs by providing onsite pre-sorting for recyclables and greenwaste for compostable and organic material.