



## SB-330 ELIGIBILITY CHECKLIST

Applicants intending to invoke SB-330 streamlining process must fill out this checklist completely and provide supporting documentation for each question to demonstrate eligibility.

1. **Number of Units:** Does the development contain at least two or more net new residential units? If the project is a mixed-use development, do at least two-thirds of the square footage comprise residential uses (as defined in Government Code Section 65913.4)? Or is the project transitional housing or supportive housing  Yes  No
2. **Demolition of Residential Units:** Does the project demolish any existing housing units without the replacement project includes at least as many residential units as the existing residential building?  Yes  No
3. **Consistent with Objective Standards:** Does the project meet all objective standards of the City's objective zoning and design review standards at the time of SB-330 application submittal? Such objective standards are those such as objective dimensional or stylistic requirements that require no personal or subjective (discretionary) judgment to enforce.  Yes  No
4. **Subdivisions:** Unless the development either (a) receives a low-income housing tax credit and is subject to the requirement that prevailing wages be paid, or (b) is subject to the requirements to pay prevailing wages and to use a skilled and trained workforce, does the development involve a subdivision of a parcel that is subject to the California Subdivision Map Act?  Yes  No
5. **Legislative Approval:** Does the project require legislative approval such as a Zoning Ordinance Amendment, development agreement, or conditional use permit?  Yes  No

Applicants must check the box below if the completed checklist demonstrates eligibility for SB-330 streamlining:

- As demonstrated by the completed SB-330 eligibility checklist above, the project is eligible for application streamlining and ministerial approval and I hereby request that the City of Petaluma utilize the SB-330 application processing procedures for this application.

12/11/2023

Applicant's signature

Date



## SB-330 PRELIMINARY APPLICATION

An applicant is required to submit a Preliminary Application for a housing development project subject to a streamlined process per SB-330. The Preliminary Application must be completed by the applicant and reviewed and signed by Department of City Planning staff prior to being deemed complete.

**The purpose of this Preliminary Application is to collect important information about your proposed project in order to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review process. Please provide all information requested. Missing, incomplete or inconsistent information will delay the vesting date. Please check with a planner if you are unsure about any aspect of the process.**

A completed application will vest the zoning, design, subdivision and fee requirements in effect as of the date of preliminary application submittal, provided that all the below provisions are satisfied:

- The submitted form contains accurate information.
- A completed [General Application Form](#) is submitted to the Planning Division within 180 days of submission of this Preliminary Application.
- The project may not change by more than 20 percent in terms of total number of units or total square footage as stated in this Preliminary Application (exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision).
- Construction must begin on the project within 30 months of site permits being issued.

Please refer to the [Petaluma Planning Fee Schedule](#) for information on fees required for submittal.

### PROJECT SITE INFORMATION

Project Address/Location: Remainder Parcel Unit/Space Number: \_\_\_\_\_

Legal Description (Lot, Block, Tract): A portion of the Remainder Parcel of land as shown on Parcel Map No. 307, filed in Book 578, Maps, Page 8-11

Assessor's Parcel Number(s): 136-100-025 Lot Area: \_\_\_\_\_

Site Acreage: Approximately 42.32 acres

Zoning: R4, Residential 4, Medium Density Residential

General Plan: Land Use Classification: Medium Density Residential (8.1-18.0 hu/ac)

Specific Plan Overlay(s): None

### APPLICANT INFORMATION

Applicant Name: Mark Johnson

Company/Organization Name: Acclaim Companies, Inc.

Address: 125 Willow Road Unit/Space Number: \_\_\_\_\_

City: Menlo Park State: CA Zip Code: 94025

Telephone: (650) 324-9021 Email: justine@acclaimcompanies.com



**PROPERTY OWNER OF RECORD**       Same as applicant     Different from applicant

Property Owner Name (if different from applicant): J. Cyril Johnson Investment Corp.

Address: 125 Willow Road      Unit/Space Number: \_\_\_\_\_

City: Menlo Park      State: CA      Zip Code: 94025

Telephone: (650) 324-9021      Email: justine@acclaimcompanies.com

**NOTE: The individual(s) listed above will receive correspondence from the City regarding this application.**

**PROPOSED PROJECT**

**Project Narrative:** Please provide a narrative project description that summarizes the project and its characteristics, scope, and purpose.

The proposed project consists of twenty-three 2 and 3-story apartment buildings, one club/leasing building, and one amenity building on approximately 42 acres. The apartments comprise 4 building types containing a total of 559 apartment units with 963 parking spaces, comprised of garages, carports, and open spaces at a ratio of 1.72 spaces per unit. The site can be accessed from future Rainier Avenue and Burlington Drive. The site amenities include 20,000 sq.ft. of leasing/club and indoor amenity space, 250,000 sq.ft. of outdoor usable common space, and approximately 560,000 sq.ft. of open space along the Petaluma River. Proposed exterior elevations combine contemporary architectural style with modern farmhouse characteristics. A mixture of flat roofs and corrugated metal panels are blended with siding, board and batten, and accent gable roofs. The site contains a variety of outdoor social amenities, such as a pool and lounges, picnic gathering spaces, garden areas, kids play areas, a pet park, as well as orchard groves in various locations. A river trail is proposed along the Petaluma River frontage that can be accessed from the Lynch Creek trailhead. Planting design is primarily comprised of drought tolerant species appropriate for the micro-climate of the Petaluma region, as well as native riparian planting suitable for areas in proximity to the Petaluma River. Forest-like tree grove plantings are proposed along the north property to create visual separation between the buildings and Highway 101. Stormwater treatment planting areas are proposed throughout the project to capture pervious surface runoffs per the city's stormwater treatment requirements.

Please include a site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.

**Proposed Uses**

Existing Uses on the Property: Vacant Land

Major Physical Alterations to the Property: Construction of multi-family housing

**Residential Dwelling Unit Count:**

Total Number of Units Proposed: 559

Total Number of Affordable Unit Proposed and AMI Levels: 7.5% LI (42 units) and 7.5% VLI (42 units)



Total Number of Bonus Units Proposed: 0

Market Rate Count: 475

Below Market Rate Units and Affordability Levels Count: 84 units; 42 low income, 42 very low income

**Floor Area:**

Proposed Residential Square Footage: 659,719

Proposed Non-Residential Square Footage: 20,201 (club/leasing) and 49,623 (garage)

**Parking:**

Proposed Number of Parking Spaces: 963

**Affordable Housing Incentives, Waivers, and Parking Reductions**

Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?  Yes  No

*If "YES" please list requested incentives, waivers, concessions and/or parking reductions:*

We will be seeking two waivers, one to exceed maximum building height and one to modify requirement to avoid plan lines for the Rainier Cross Town Connector. We reserve the right to make further requests in the future. Please see the enclosed Cover Letter from Holland & Knight for further information.

**Additional Information**

Will the project require any approvals under the Subdivision Map Act, such as a parcel map, a tentative map, or a condominium map?  Yes  No

Does the project include any point sources of air or water pollution?  Yes  No

*If "YES" please list map changes and/or point sources of water pollution:*

The project proposal includes a Tentative Subdivision Map.

We are not aware of any point sources of water pollution.

Are any species of local concern known to occur on the property?  Yes  No

*If "YES" please list them:*

We are not aware of any species of local concern at this time.



## EXISTING SITE CONDITIONS

### Housing:

Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Residential Units	Occupied Residential Units	Unoccupied Residential Units
<b>Existing</b>	0	0	0
<b>To be Demolished</b>	0	0	0

### Additional Site Conditions

Is any portion of the property located within any of the following?

- 1) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code Sec. 51178:  Yes  No
- 2) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993):  Yes  No
- 3) A hazardous waste site that is listed pursuant to Government Code Sec. 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code:  Yes  No
- 4) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency:  Yes  No
- 5) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2:  Yes  No
- 6) A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code:  Yes  No

*If "YES" provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.*

See Attached Aerial Site Photograph.





Is any portion of the property subject to any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?  Yes  No

*If "YES" provide the location and brief description of all such public easements on the site map.*

See Attached Public Easements Description and Vesting Tentative Map.

Historic or cultural resources include those listed by federal, State, and local agencies. Applicants should also consult the Northwest Information Center for more information on cultural resources. Are any historic or cultural resources known to exist on the property?  Yes  No

*If "YES", please list the cultural resources.*

We are not aware of any historic or cultural resources at this time.

If the project is proposed to be located within the Coastal Zone, does any portion of the property contain any of the following:

- Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations
- Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code
- A tsunami run-up zone
- Use of the site for public access to or along the coast

*If "YES", please describe.*

This project is not in the Coastal Zone.



## PROPERTY OWNER

**PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge.

- I/We certify that I am/we are presently the legal owner(s) of the above-referenced property.
- I/We acknowledge the filing of this Preliminary Application and certify that all the information is true and accurate, and that I am/we are familiar with the Petaluma Municipal Code.
- I/We guarantee, as an authorized agent, applicant, property owner, or project sponsor, that I/we individually and jointly assume full responsibility for all costs incurred by the City in processing this Preliminary Application.
- I/We understand and agree that any unpaid balances may be referred to a collections agency, and failure to pay all charges will result in a hold on any processing of current and/or future permits at the property.

*Note: a person acting as agent of property owner or owners shall attach a notarized letter of authorization from the legal owner.*

Signature Date

Date: 12/11/2023

Print Name Mark Johnson

## APPLICANT

**APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the Preliminary Application can be accepted.

- I hereby certify that the information provided in this Preliminary Application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the form, I agree to revise the information as appropriate.
- I understand and agree that any report, study, map or other information submitted to the City in furtherance of this Preliminary Application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy may be provided by the City to any person.
- I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- I understand that if this Preliminary Application cannot be deemed complete, there is no refund of fees paid.
- I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions



based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

- By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this Preliminary Application and any accompanying documents are true and correct, with full knowledge that all statements made in this Preliminary Application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

Signature (Digital Signatures are Accepted):

Date: 12/11/2023

Print Name: Mark Johnson





FIGURE 5

**LEGEND**

- Review Area - (42.58 acres)
- Wetland Sample Point
- Non-wetland Sample Point
- Upland Swale
- Aquatic Resources - (1.45 acres)
  - Lynch Creek (.007 acres)
  - Petaluma River (1.41 acres)
  - Seasonal Wetland (0.017)
  - Ephemeral Drainage (0.018 acres)

0 25 50  
FEET

SOURCE: Nearmap (07/2023).  
 \GIS\MapApp-8d41\Mapcorp\Internal\GIS-Proj\2023\3163\GIS\MXD\Definition\Figure 5\_Aquatic Resources\_Deer Creek.mxd (11/20/2023)

Deer Creek Apartments I  
 Petaluma, Sonoma County, California  
 LSA Project No. 20231363  
 Aquatic Resource

**Deer Creek Apartments I, Petaluma, CA:**

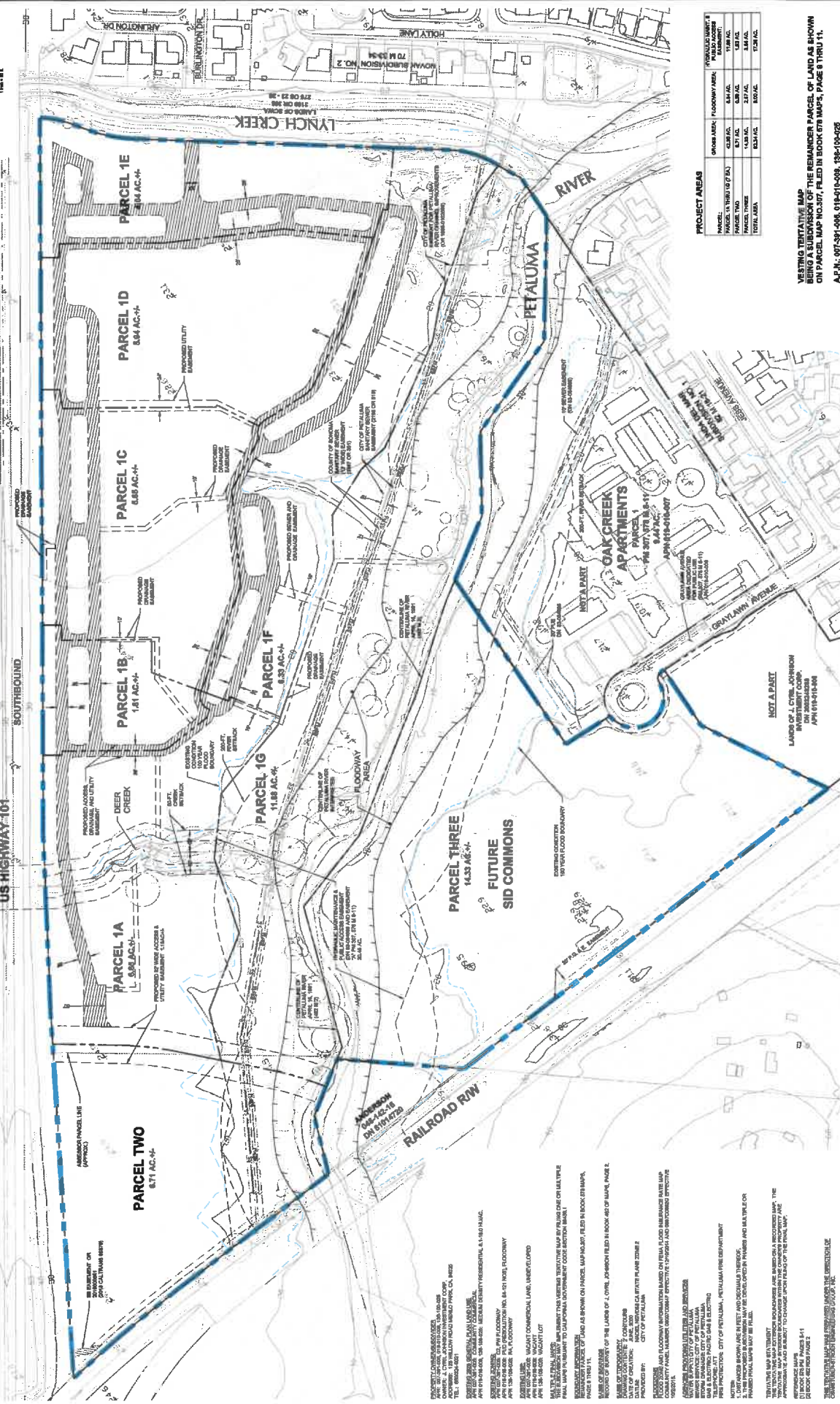
**Public Easements Description:**

The subject property is encumbered by existing easements for sanitary sewer, hydraulic maintenance and public access, and river channel improvements. The location of the existing easements are along the northeast side of the Petaluma River and along the westerly boundary. Proposed easements for access and utilities will be included as appropriate for the development. See Vesting Tentative Map sheet C1.1 for existing easements and proposed easements.



**DEER CREEK VILLAGE SHOPPING CENTER**

FUTURE RAINIER AVE  
NORTHBOUND  
SOUTHBOUND  
US HIGHWAY 101



PROJECT AREAS	APPROX. AREA	FLOODWAY AREA	TOTAL FLOODWAY AREA
PARCEL 1E	184 AC.	0.00 AC.	184 AC.
PARCEL 1D	844 AC.	0.00 AC.	844 AC.
PARCEL 1C	848 AC.	0.00 AC.	848 AC.
PARCEL 1B	141 AC.	0.00 AC.	141 AC.
PARCEL 1A	671 AC.	0.00 AC.	671 AC.
PARCEL TWO	671 AC.	0.00 AC.	671 AC.
TOTAL AREA	2379 AC.	0.00 AC.	2379 AC.

**VESTING TENTATIVE MAP BEING A SUBDIVISION OF THE REMAINDER PARCEL OF LAND AS SHOWN ON PARCEL MAP NO. 317, FILED IN BOOK 678 MAPS, PAGE 8 THRU 11.**  
A.P. N. 007-591-006, 018-011-008, 138-100-025

<p><b>CSW ST2</b>                  Civil/Industrial/Street Engineering Group, Inc.                  Civil Engineering - Planning - Land Surveying &amp; Mapping                  1000 N. Main Street, Suite 100                  Ukiah, CA 95568                  Tel: 707/462-2222                  Fax: 707/462-2222</p>	<p><b>ST2</b></p>	<p>Deer Creek Apartments                  Vesting Tentative Map                  Acclaim Companies</p>	<p>Project Number: 007-591-006, 018-011-008, 138-100-025</p>	<p>Scale: 1" = 100'</p>
				<p>Parcel Number: 007-591-006, 018-011-008, 138-100-025</p>
<p>City of Petaluma                  Sonoma                  California</p>	<p>8                  3                  1</p>	<p>8                  3                  1</p>	<p>8                  3                  1</p>	<p>8                  3                  1</p>

THE CITY OF PETALUMA HAS REVIEWED THIS TENTATIVE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS. THE CITY OF PETALUMA HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS. THE CITY OF PETALUMA HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.