



City of Rohnert Park
Planning Commission Report – Addendum

DATE: September 14, 2017

ITEM NO: 8.3

AGENDA TITLE: PLSR16-0002 Site Plan and Architectural Review for a 100 Room
Fairfield Inn & Suites -- **Addendum**

ENTITLEMENTS: Site Plan and Architectural Review

LOCATION: 405 Martin Avenue, APN 143-040-120

GP / ZONING: Regional Commercial / C-R: Regional Commercial

APPLICANT: Tejal Patel, Rohnert Park Lodging, LLC

RECOMMENDATION

Based on the received comment letters from the California Department of Fish & Wildlife and the California Department of Transportation, as well as minor amendments requested by the applicant, staff recommends approval of the Mitigated Negative Declaration and Site Plan and Architectural Review with the Conditions of Approval for the Fairfield Inn and Suites as amended.

BACKGROUND

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared to determine whether the proposed project would have a significant adverse effect on the environment. On the basis of the study, it was determined that the project would not have a significant adverse effect on the environment with implementation of mitigation measures, and a Mitigated Negative Declaration (MND) was prepared. The MND was circulated for public review between August 10, 2017 and September 11, 2017. The full MND was included as Attachment 1 to the original staff report.

SUMMARY & ANALYSIS

On Friday September 8, 2017 the City of Rohnert Park received comment letters from the California Department of Fish & Wildlife (CDFW) and the California Department of Transportation (Caltrans) responding to the Notice of Intent to Adopt a Mitigated Negative Declaration for the Fairfield Inn project.

Caltrans Letter

Generally, Caltrans is concerned with the projected increase in trips projected to be generated by the project and outlines a number of ways to reduce the number of trips. Staff has carefully reviewed the letter and has determined that the majority of the concerns have already been addressed by the project or will be addressed as part of the upcoming General Plan update.

The Traffic Impact Study (TIS) was prepared for this project that answers many of the concerns raised in the Caltrans letter. The TIS indicated that all of the nearby intersections to the project would operate acceptably after the completion of the hotel, with the exception of the Redwood Drive/Rohnert Park Expressway intersection. However, that intersection's unacceptable level of service is current and predates this project. As the condition is not changed by this project, its impact is considered to be less than significant. Additionally, the TIS concluded that the anticipated trip-generation of this project was less than a typical retail-type use assumed in prior planning and analyses for the site. Based on the information and conclusions provided in the TIS, no further steps beyond what is already called for in the MND are warranted at this time.

The Caltrans letter also encourages the completion of a travel demand analysis and the use of Vehicles Miles Traveled (VMT) analysis to measure transportation impacts. The City does not currently use VMT as an analysis tool (instead relies on Level of Service (LOS)). However, VMT will be used as part of the traffic analysis for the upcoming General Plan update. Caltrans is also concerned with multimodal planning in the area. An extensive multimodal analysis was completed and incorporated into the adjacent Stadium Area Master Plan including transit, bicycle and pedestrian systems. Caltrans also encourages the city to require the payment of traffic impact fees, which are required and paid along with the building permit.

CDFW Letter

Two comments and recommendations were provided by CDFW to the City as the lead agency on this project. Changes to the project mitigation measures are recommended by CDFW. It is important to note that despite these two comments, CDFW still concludes that an MND is the appropriate document for this project.

Comment 1: Section 2.4, Page 30 and Appendix B California Tiger Salamander Habitat Assessment. CDFW believes that the MND does not adequately support its conclusion that the project would result in no impact to California Tiger Salamander (CTS). CDFW believes that because CTS occurrence records from 2005 overlap the project area, that there is a possibility CTS could migrate to the site along the Hinebaugh Creek corridor, and that refugia for CTS are located in the project area indicates that this project could potentially impact CTS.

To reduce any possible impacts to less than significant, the City believes a revision of the MND requiring compliance with any applicable provisions of the Federal and State Endangered Species Acts as well as any mitigation measures required by CDFW and the United States Fish & Wildlife Services (USFWS) be demonstrated prior to any building or grading permits for the project site, as well as the payment of any necessary fees. Prior to issuance of grading permits, the applicant will be required to submit the CTS Habitat Assessment prepared for the project to the USFWS and the CDFW for review and concurrence. The applicant will need to demonstrate approval from these agencies prior to any grading or construction activity on the site.

Staff is recommending that Mitigation Measure BIO-4 be amended, as follows:

“Mitigation Measure BIO-4: Prior to issuance of grading permits, the applicant shall ~~submit the California Tiger Salamander Habitat Assessment prepared for the project to the USFWS and the CDFW for review and concurrence with the report findings.~~ demonstrate compliance with all applicable state and federal resource agency requirements for species protected under the federal Endangered Species Act and the California Endangered Species Act. The applicant shall consult with the regulatory agencies, obtain any required state and/or federal permits for impacts to protected species, and/or adopt specific avoidance measures in coordination with the regulatory agencies, if necessary.”

In addition to revised Mitigation Measure BIO-4, staff is recommending supplemental minor text edits to the MND related to the revised mitigation language. Attachment 3 of this staff report includes the specific pages from the MND with proposed text revisions. *Note: Text deleted from the MND is shown in ~~strikeout~~ and text added to the MND is underlined.*

Staff is also recommending that Condition of Approval 6 be slightly revised, as follows:

“Condition 6. Applicant shall comply with ~~any and~~ all mitigation measures contained within the project’s Mitigated Negative Declaration document, ~~including any and all~~ applicable federal and state resource agency requirements, and, if necessary, obtain any required state and/or federal permits.”

The Conditions of Approval are included in Attachment 2 of this staff report.

Comment 2: Appendix B Biological Constraints Report. While the MND indicates that Foothill Yellow-Legged Frogs (FYLF) are not expected to occur in the project area (and these have not been an issue on any previous projects in Rohnert Park) due to a lack of suitable habitat, CDFW has a recorded occurrence of the FYLF in the Crane Creek corridor approximately four miles west of the project site. CDFW believes the FYLF has the potential to migrate up Crane and Hinebaugh Creeks to the project site. A site survey for FYLF is being prepared for CDFW. Such survey will satisfy CDFW’s request that a FYLF survey and analysis be completed. Should the survey indicate any possibility of impacts to FYLF, staff believes the revision to the MND requiring compliance with any CDFW and USFWS requirements (as well as the Conditions of Approval for the Project), should be sufficient.

Attachments

1. Resolution 2017-23 Approving a MND for the Fairfield Inn and Suites SPAR (APN 143-040-120) File No. PLSR16-0002 (with modified Mitigation Measure BIO-4)
2. Resolution 2017-24 Approving Site Plan and Architecture Review for Fairfield Inn and Suites Located at 405 Martin Avenue (APN 143-040-120) File No. PLSR16-0002 (with modified Conditions of Approval)
3. Revised pages of the Fairfield Inn and Suites MND
4. Letter from Fish and Wildlife dated September 8, 2017
5. Letter from California Department of Transportation dated September 8, 2017

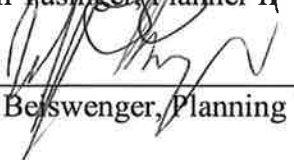
APPROVALS:



Zach Tusinger, Planner II

9/12/2017

Date



Jeff Berswenger, Planning Manager

9/12/2017

Date

PLANNING COMMISSION RESOLUTION NO. 2017-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK CALIFORNIA APPROVING THE MITIGATED NEGATIVE DECLARATION FOR THE FAIRFIELD INN AND SUITES SITE PLAN AND ARCHITECTURAL REVIEW (APN 143-040-120) FILE NO. PLSR16-0002

WHEREAS, the applicant, Tejal Patel, of Rohnert Park Lodging, LLC, has submitted a Site Plan and Architectural Review for a 100-room hotel located on property at 405 Martin Avenue (APN 143-040-120); and

WHEREAS, Planning Application No. PLSR16-0002 was processed in the time and manner prescribed by State and local law; and

WHEREAS, an Initial Study was prepared and on the basis of that study, it was determined that the project would not have a significant adverse effect on the environment with implementation of mitigation measures, and a Mitigated Negative Declaration (MND) was prepared and circulated for public review for a 30-day period from August 10, 2017 to September 11, 2017 (Exhibit A); and

WHEREAS, pursuant to California State Laws and the City of Rohnert Park Municipal Code (RPMC), a public hearing notice for the Fairfield Inn and Suites was mailed to all property owners within a 300 foot radius of the subject property and to all agencies and interested parties as required by California State Planning Law, and a public hearing notice was published in the Community Voice for a minimum of 10 days prior to the first public hearing; and

WHEREAS, on September 14, 2017, the Planning Commission reviewed Planning Application No. PLSR16-0002 during a scheduled public meeting at which time interested persons had an opportunity to testify either in support or opposition to the proposed project; and

WHEREAS, at the September 14, 2017, Planning Commission meeting, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Planning Commission considered all facts relating to Planning Application No. PLSR16-0002;

WHEREAS, the members of the Planning Commission, using their independent judgment, reviewed the proposed project and all evidence in the record related to such requests, including the staff report, public testimony, and all evidence presented both orally and in writing.

WHEREAS, at the September 14, 2017 public meeting the Planning Commission of the City of Rohnert Park reviewed and considered the information contained in the Initial Study and Mitigated Negative Declaration for the proposal, which is attached to this resolution as Exhibit A; and

WHEREAS, Section 21000, *et. Seq.*, of the Public Resources Code and Section 15000, *et. Seq.*, of Title 14 of the California Code of Regulations (the “CEQA Guidelines”), which

govern the preparation, content and processing of Negative Declarations, have been fully implemented in the preparation of the Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rohnert Park makes the following findings, determinations and recommendations with respect to the Mitigated Negative Declaration for the proposed Project:

1. The Planning Commission has independently reviewed, analyzed and considered the Mitigated Negative Declaration and all written documentation and public comments prior to approval of the proposed Project; and
2. An Initial Study was prepared for the project, and on the basis of substantial evidence in the whole record, there is no substantial evidence that the project will have a significant effect on the environment, therefore a Mitigated Negative Declaration has been prepared which reflects the lead agency's independent judgment and analysis.
3. The Mitigated Negative Declaration was prepared, publicized, circulated and reviewed in compliance with the provisions of CEQA Guidelines; and
4. The Mitigated Negative Declaration constitutes an adequate, accurate, objective and complete Mitigated Negative Declaration in compliance with all legal standards; and
5. The documents and other materials, including without limitation staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute and administrative record of proceedings upon which the Commission's resolution is based are located at the City of Rohnert Park, City Clerk, 130 Avram Ave., Rohnert Park, CA 94928.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Rohnert Park that approval of the Project would not result in any significant effects on the environment with implementation of mitigation measures identified in the Mitigated Negative Declaration and the Planning Commission does hereby approve and adopt the Mitigated Negative Declaration and Initial Study set forth in **Exhibit 1** and direct the filing of a Notice of Determination with the County Clerk; and

BE IT FURTHER RESOLVED by the Planning Commission of the City of Rohnert Park that **Exhibit 1** of this resolution also provide Mitigation required under Section 15091 of the CEQA Guidelines for significant effects of the Project; and

BE IT FURTHER RESOLVED that any interested persons may appeal this Resolution of the Planning Commission to the City Council within 10 calendar days of its passage pursuant to RPMC Section 17.25.123. Any such appeal shall be in the form provided by RPMC Section 17.25.124 and with the payment of the fee established by the City.

DULY AND REGULARLY ADOPTED on this 14th day of September, 2017 by the
City of Rohnert Park Planning Commission by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

ADAMS _____ BLANQUIE _____ BORBA _____ GIUDICE _____ HAYDON _____

Susan Haydon, Chairperson, Rohnert Park Planning Commission

Attest: _____
Susan Azevedo, Recording Secretary

Initial Study

Western Pond Turtle (Actinemys marmorata)

Western pond turtle is a California reptile species of special concern. It generally inhabits slow-moving permanent or intermittent streams, ponds, small lakes, and reservoirs. They require adequate emergent basking sites and adjacent uplands for nesting, aestivation, and hibernation (Dudek 2017).

Hinebaugh Creek occurs directly south of the project site and there are two documented CNDDDB occurrences located within this waterway; one occurs upstream of the site and one occurs downstream. There is a high probability that this species occurs throughout this waterway, including directly south of the site. The project site may provide marginal nesting, aestivation, and hibernation habitat for this species where soils are suitably friable. Although no sign of turtles or suitable burrows for nesting were observed during the site survey, there is low potential for this species to occur onsite. Project construction could adversely affect potential nesting and aestivation habitat for western pond turtle should they be present at the time of ground-disturbing activities (Dudek 2017). To ensure that construction activities do not adversely impact turtles, the project would be required to implement *Mitigation Measure BIO-2*. With implementation of *Mitigation Measure BIO-2*, which requires a preconstruction survey for western pond turtles prior to initiation of grading, potential impacts to western pond turtles would be less than significant.

Nesting Birds

All raptor species found in California are protected by the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code 3503.5 and may use the site for nesting or foraging. The project area supports suitable nesting trees for a variety of raptor species, as well as other native bird species protected by the MBTA (Dudek 2017). *Mitigation Measure BIO-3* would require completion of a nesting bird survey two weeks prior to construction during the nesting season (February 1 – September 30) to determine if native birds are nesting on or near the site. With implementation of this measure, impacts to nesting birds would be less than significant.

As discussed above, two special-status wildlife species, the burrowing owl and western pond turtle, have a low potential to occur on the project site. There is also the potential for nesting birds to be present onsite. Implementation of the *Mitigation Measure BIO-1*, *BIO-2*, and *BIO-3* would ensure that impacts to special-status wildlife species remain **less than significant**. In addition, the project would be required to implement *Mitigation Measure BIO-4*, which requires the project applicant to demonstrate compliance with all applicable state and federal resource agency requirements for species protected under the

Initial Study

federal Endangered Species Act and the California Endangered Species Act. If determined necessary, the applicant would be required to consult with the agencies, obtain any applicable state and/or federal permits for impacts to protected species, and adopt specific avoidance measures in coordination with the agencies. Implementation of this measure would further ensure that impacts to special-status species remain **less than significant**.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

There are no riparian areas located within the project site. The Hinebaugh Creek Flood Channel is located immediately south of the project site, but the proposed project does not include alterations within the adjacent Creek area.

Due to the highly disturbed nature of the project site, no potentially jurisdictional wetlands or waters are present (Dudek 2017). Indirect effects may occur to Hinebaugh Creek, which is likely a jurisdictional feature, in the form of sedimentation or runoff from development of the site. However, as discussed further in Section 2.9 Hydrology and Water Quality, the project would be required to implement *Mitigation Measure HYDRO-1*, which requires compliance with Waste Discharge Requirements issued by the North Coast Regional Water Quality Control Board (RWQCB). During construction, the project would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) to ensure that runoff from the site does not violate any water quality standards or waste discharge requirements. The RWQCB must approve the SWPPP and issue Waste Discharge Requirements for the project before a grading permit is issued by the City. Upon completion of the project, runoff generated from the developed site would be treated on-site. Compliance with stormwater permit requirements through the implementation of site-specific stormwater capture and treatment Best Management Practices (BMPs), as well as maintenance and inspection requirements for those BMPs would ensure that sedimentation or runoff impacts to Hinebaugh Creek are reduced to a **less than significant** level.

- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Refer to answer provided in 'b' above.

Initial Study

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The project site does not function as a wildlife corridor and does not support any wildlife nursery sites. As a result, implementation of the proposed project would result in **no impacts** to these resources.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The project site is located within the area covered by the Santa Rosa Plain Conservation Strategy (USFWS 2005). The purpose of the Conservation Strategy is to create a long-term conservation program to assist in the recovery of CTS and four listed plant species. The project site is identified on the Conservation Strategy Map as “Areas Within 1.3 Miles of Known CTS Breeding.” As identified in the Conservation Strategy, impact to CTS is not likely on some lands within 1.3 miles from breeding sites that are surrounded by significant barriers or are otherwise unsuitable CTS habitat (USFWS 2005). As discussed in criterion ‘a’ above, no CTS have been identified on the project site and it is highly unlikely this species would utilize the disturbed habitat within the project site. In addition, the CTS Habitat Assessment concluded that the adjacent Hinebaugh Creek does not provide suitable breeding habitat for this species (Dudek 2017a). Prior to issuance of grading permits, the project would be required to implement *Mitigation Measure BIO-4*, which requires the project applicant to demonstrate compliance with all applicable state and federal resource agency requirements for species protected under the federal Endangered Species Act and the California Endangered Species Act. ~~submission of the CTS Habitat Assessment (Dudek 2017a) to the USFWS and CDFW for their concurrence with the report findings.~~ Implementation of *Mitigation Measure BIO-4* would ensure that impacts related to possible conflicts with CTS and the Conservation Strategy would remain less than significant.

The site is not included in any other local, regional, or state habitat conservation plan, and there are no protected trees (i.e., oaks and other native trees of significant size) located on the project site. **No impacts** to other local policies, ordinances or plans would be expected to occur from implementation of the project.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Initial Study

(which specifically protects raptors). A preconstruction nesting bird survey should be conducted by a qualified biologist no sooner than 10 days prior to construction activities to determine if any native birds are nesting on or near the site (including a 250-foot buffer for raptors). If any active nests are observed during surveys, a suitable avoidance buffer will be determined and flagged by the qualified biologist based on species, location and planned construction activity. These nests would be avoided until the chicks have fledged and the nests are no longer active. It is also recommended that the removal of any habitat (i.e. trees) occur outside of the breeding bird season.

Mitigation Measure BIO-4: Prior to issuance of grading permits, the applicant shall demonstrate compliance with all applicable state and federal resource agency requirements for species protected under the federal Endangered Species Act and the California Endangered Species Act. The applicant shall consult with the regulatory agencies, obtain any required state and/or federal permits for impacts to protected species, and/or adopt specific avoidance measures in coordination with the regulatory agencies, if necessary. ~~submit the California Tiger Salamander Habitat Assessment prepared for the project to the USFWS and the CDFW for review and concurrence with the report findings.~~

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2.5 Cultural Resources

Records Search

Initial Study

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2.19 Mandatory Findings of Significance

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

To ensure that the project does not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, this Initial Study has identified several mitigation measures for implementation. *Mitigation Measure BIO-1, BIO-2, BIO-3* which would require preconstruction surveys for burrowing owls, western pond turtles, and nesting birds, and *Mitigation Measure BIO-4* requires the project applicant to demonstrate compliance with all applicable state and federal resource agency requirements for species protected under the federal Endangered Species Act and the California Endangered Species Act. Implementation of these measures would ensure impacts to special status and migratory birds would be less than significant. Additionally, *Mitigation Measures HYDRO-1 and HYDRO-2* would reduce the potential for construction to result in the degradation of habitat for special status species.

Though there have been no important historic or prehistoric resources identified on the project site, implementation of *Mitigation Measures CUL-1, CUL-2, and CUL-3* would ensure that the project has a less than significant impact on cultural resources.

PLANNING COMMISSION RESOLUTION NO. 2017-24

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ROHNERT PARK, CALIFORNIA, APPROVING SITE PLAN AND
ARCHITECTURAL REVIEW FOR FAIRFIELD INN AND SUITES LOCATED AT 405
MARTIN AVENUE (APN 143-040-120) FILE NO. PLSR16-0002**

WHEREAS, the applicant, Tejal Patel, of Rohnert Park Lodging, LLC, has submitted a Site Plan and Architectural Review for a 100-room hotel located on property at 405 Martin Avenue (APN 143-040-120); and

WHEREAS, Planning Application No. PLSR16-0002 was processed in the time and manner prescribed by State and local law; and

WHEREAS, the project is located in the Regional Commercial Zoning District, and so designated in the Rohnert Park Zoning Map;

WHEREAS, on September 14, 2017, the Planning Commission reviewed Planning Application No. PLSR16-0002 at which time interested persons had an opportunity to testify either in support of or opposition to the project; and,

WHEREAS, at the September 14, 2017, Planning Commission meeting, upon considering all testimony and arguments, if any, of all persons desiring to be heard, the Commission considered all the facts relating to Planning Application No. PLSR16-0002.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the above recitations are true and correct.

Section 2. Factors Considered. The Planning Commission, in approving Planning Application No. PLSR16-0002, makes the following findings, to wit:

- A. *That the developments general appearance is compatible with existing development and enhances the surrounding neighborhood.*

Criteria Satisfied The building design will be consistent with other structures in the immediate area including the existing Ashley Furniture, the planned Westside Public Safety Station (the colors of which directly compliment the Fairfield Hotel colors), the newly approved Cambria Hotel, and the remainder of the planned Five Creek project. The appearance of the hotel is also complimentary to the recently completed nearby Fiori Estates apartment complex. The hotel will be an attractive addition to the west side of town. Special care has been taken to ensure that all buildings within the adjacent Stadium Area Master Plan have a consistent architectural character, and while the Fairfield Inn is not within the SAMP, but merely adjacent to it, the design for the hotel has been carefully articulated so as to compliment this emerging area of the city. Architecture, landscaping

choices, lighting elements, and overall site design components give the hotel and the emerging neighborhood around it a consistent look and feel that enhances what already exists.

- B. *That the development incorporates a variation from adjacent on-site and off-site structures in height, bulk, and area; arrangement on the parcel; openings or breaks in the façade facing the street; and/or the line and pitch of the roof.*

Criteria Satisfied. The new building has an attractive appearance with a variety of materials including stone, stucco in various tones, and faux wood cement board. There is articulation in the building walls including setback and variations in the roof height. The porte-cochere provides an inviting entrance to the building and further enhances its attractiveness with variation in bulk and façade depth. A pool the rear of the hotel with an attractive metal fence. Attractive lighting and signage further enhances the visual quality of the structure. The rear of the hotel will provide an attractive frontage with lighting for the Hinebaugh Creek trail. While the hotel is set back from the planned Martin Avenue extension, landscaping, the height of the building, and the porte-cochere will insure the building maintains a visually attractive presence in this area of the city.

- C. *That the development will be located and oriented in such a manner so as to provide pedestrian, bicycle and vehicular connections with adjacent properties, as appropriate, and avoids indiscriminate location and orientation.*

Criteria Satisfied. Vehicular access to the property is from Martin Avenue, at the Dowdell Avenue intersection. There is vehicular access to Rohnert Park Expressway and Highway 101. There are bike lanes on Dowdell Avenue and access to the Hinebaugh Creek trail. There is bicycle access to the building from a trail along Hinebaugh Creek and from Rohnert Park Expressway via Redwood Drive. Pedestrian sidewalks will connect the hotel to adjacent developments including the Five Creek project and the public sidewalk system. Bicycle parking and EV charging will be provided onsite. The trail system will provide access to SMART. Sonoma County Transit runs busses in close proximity to the hotel site.

Section 3. Environmental Clearance. A Mitigate Negative Declaration was prepared for the hotel project in conformance with the California Environmental Quality Act (CEQA).

NOW THEREFORE BE IT RESOLVED, that the Planning Commission does hereby approve Planning Application No. PLSR16-0002 subject to the following conditions attached as Exhibit A.

BE IT FURTHER RESOLVED that said action shall not be deemed final until the appeal period has expired and that the appeal period shall be ten (10) working days from the date of said action. No building permits shall be issued until the appeal period has expired, providing there are no appeals.

DULY AND REGULARLY ADOPTED on this 14th day of September, 2017 by the City of Rohnert Park Planning Commission by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

ADAMS _____ BLANQUIE _____ BORBA _____ GIUDICE _____ HAYDON _____

Susan Haydon, Chairperson, Rohnert Park Planning Commission

Attest: _____
Susan Azevedo, Recording Secretary

Exhibit A

ADOPTED PER PLANNING COMMISSION RESOLUTION No. 2017-24

Conditions of Approval

Site Plan and Architectural Review: Fairfield Inn and Suites

The conditions below shall apply to the Fairfield Inn and Suites project located at 405 Martin Avenue (PLSR16-0002).

General Conditions

1. The Site Plan and Architectural Review approval shall expire one year from the Planning Commission approval date, unless prior to the expiration a building permit is issued and construction is commenced and diligently pursued toward completion and the use is initiated, or an extension is requested and approved.
2. All applicable provisions of the City of Rohnert Park Municipal Code, are made a part of these conditions of approval in their entirety, as if fully contained herein.
3. The violation of any condition listed herein shall constitute a nuisance and a violation of the RPMC. In conformity with Chapter 1.16 of the RPMC, a violation of the RPMC may be an infraction or a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The Applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the Applicant as a result of a failure of the Applicant to fully perform and adhere to all of the Conditions of Approval.
4. The Applicant agrees to defend, indemnify, hold harmless and release the City of Rohnert Park, its agents, officers, attorneys and employees from any claim, action or proceedings brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application or certification of the environmental document which accompanies it. This indemnification obligation shall include but not be limited to, damages, costs, expenses, attorneys', or expert witness fees that may be asserted by any person or entity, including the Applicant, whether or not there is concurrent passive or active negligence on the part of the City, its agents, officers, attorneys or employees.

5. Place Conditions of Approval on general notes on plan sheets.

~~5-6.~~ Applicant shall comply with all mitigation measures contained within the project's Mitigated Negative Declaration document and all applicable federal and state resource agency requirements, and, if necessary, obtain any required state and/or federal permits.

Design Conditions

~~6.7.~~ The project shall be designed and improved and installed to be consistent with the related Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.

~~7.8.~~ The Project is approved as shown in Exhibits A through J attached to the September 14, 2017 Planning Commission staff report except as conditioned or modified below.

~~8.9.~~ The applicant shall submit and receive approval for a Master Sign Program and Sign Review Application prior to installation of any signs.

~~9.10.~~ All exterior lighting shall be LED including wall lights on the building.

~~10.11.~~ Provide a dewatering plan as part of the grading permit if groundwater is expected to be encountered (refer to soils report for GWE to determine if it is needed).

~~11. The parcel owner shall enter into a Master Maintenance Agreement with the City; An executed agreement shall be executed prior to temporary certificate of occupancy.~~

12. Landscaping shall be constructed in accordance with the State's Model Water Efficient Landscaping Ordinance (MWEL0), or in accordance with water conservation standards which meet or exceed the requirements of the MWEL0. The Applicant shall submit a landscaping and irrigation plan that identifies landscape material types and locations, irrigation, water usage calculations, and other information as required. The plan shall be submitted to and reviewed and approved by the Development Services Department prior to construction. All costs for review of the requirements of the MWEL0 shall be borne by the Applicant. All landscaping and irrigation subject to the MWEL0 shall be substantially complete prior to the issuance of a Certificate of Occupancy.

13. Landscaping shall be irrigated using recycled water, to the extent that recycled water is available. The project shall apply for and comply with the City's standard Recycled Water Use Agreement.

14. Any new trees within five (5) feet of the public right-of-way or within five (5) feet of any paved areas within the project shall have root barriers that are approved by the City Engineer. Any variances from this requirement shall be noted on the drawings for review and approval by the City Engineer.

15. Prior to the issuance of Building Permits, a copy of all necessary easements and access agreements for the secondary access through the Ashley Furniture property shall be provided to the City.

16. Repaving of the intersection of Martin Avenue and Dowdell Avenue shall be required once all public utilities are tied in. Paving shall include entire intersection of Martin Avenue and Dowdell, ten feet beyond the intersection on the north and eastern legs of intersection (Which are public ROW), and to the property lines on the south and western legs of the intersection.
17. The trees along the Martin Avenue Extension frontage shall be approved by the City of Rohnert Park prior to planting and shall match the trees planted along the City parcel to the immediate west, which are planned to Ginkgo Biloba Maidenhair Trees.
18. Applicant shall provide plans for additional planters to be located adjacent to either side of the porte-cochere, per Planning Commission discussion.
19. Onsite parking lot lighting fixtures along the Martin Avenue Extension frontage shall match to the extent possible the lighting fixtures planned and included in the adjacent ~~F~~ire ~~s~~tation and Five Creek projects.

Public Safety

20. Code Compliance shall be in accordance with: 2016 California Fire Code, 2016 California Building Code, City of Rohnert Park Fire Division Code Ordinance #920, and NFPA
21. Illuminated addresses shall be plainly visible from the street. Monument sign per local code.
22. Fire extinguishers shall be installed per the Fire Code.
23. Key boxes shall be provided with a set of permanently labelled keys to entry and utility doors, pool mechanical building.
24. All work shall be performed in accordance with NFPA standards. The buildings shall have fire alarms, standpipe and sprinklers per model and local codes.
25. The location of fire riser and fire department connections shall be indicated on Improvement Plans.
26. The elevator cab shall accommodate a gurney.
27. All work shall comply with all codes, ordinances and standards, whether shown on the plans or not.
28. Additional Operational Permits may be required prior to occupancy.

29. Additional permits may be required by the Sonoma County Emergency Services Department for hazardous materials such as pool chemicals.
30. The entire parking lot and access road is considered a Fire Lane. Red curbs and signage shall be provided. Structural sections shall accommodate fire apparatus. Provide details on Improvement Plans.
- ~~31. Upon completion of work, the Design Professional shall submit complete record drawings on an approved electronic format, such as a disc or portable external drive.~~

Grading and Improvement Plan Requirements

- ~~32.~~31. All improvements shall be designed in conformance with: the City of Rohnert Park, Manual of Standards, Details and Specifications in effect at the time of development
- ~~33.~~32. The Project benchmark shall be based on a City approved USGS benchmark
- ~~34.~~33. The applicant shall provide a geotechnical report, and shall abide by its recommendations as a condition of development at the project site.
- ~~35.~~34. The grading plan shall be prepared by a Registered Civil Engineer, licensed in the State of California and shall be submitted for review and approval by the City Engineer.
- ~~36.~~35. The grading plan shall clearly show all existing survey monuments and property corners and shall state that they shall be protected and preserved.
- ~~37.~~36. The Grading Plans shall include the following required notes:
- "Any excess materials shall be considered the property of the contractor and shall be disposed of away from the job side in accordance with applicable local, state and federal regulations."
 - "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work."
 - "If at any time during earth disturbing activities a concentration of artifacts or a cultural deposit is encountered, work shall stop in the immediate area and the construction manager shall contact the City and a qualified archeologist."

- d. "If human remains are encountered anywhere on the project site, all work shall stop in the immediate area and the construction manager shall contact the City, the County Coroner and a qualified archeologist."
- e. "If paleontological resources or unique geologic features are encountered during construction, all work shall stop in the immediate area and the construction manager shall contact the City and a qualified paleontologist."
- f. "Construction work hours shall be consistent with the Rohnert Park Municipal Code, Noise Ordinance."
- g. "All proposed on-site utilities shall be placed underground. This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets."
- h. "If hazardous materials are encountered during construction, the contractor will halt construction immediately, notify the City of Rohnert Park, and implement remediation (as directed by the City or its agent) in accordance with any requirements of the North Coast Regional Water Quality Control Board."

Site Civil and Landscape Plans

- ~~38.37.~~ 38.37. Sidewalk transitions shall be provided to allow a clear five foot walkway at all locations, including areas where mailboxes, streetlights, street signs and fire hydrants are to be installed.
- ~~39.38.~~ 39.38. The improvement plans shall illustrate accessible ramps and parking as required by State of California Title 24.
- ~~40.39.~~ 40.39. Site photometrics are to be submitted with the Site Civil Drawings for review and approval.
- ~~41.40.~~ 41.40. Landscape plans shall be submitted with the grading permit plans. Sidewalk alignment shall be shown on both the civil and landscape plans.
- ~~42.41.~~ 42.41. The landscape planting plans need to be compared with the civil engineering utility plans and confirmed no trees and large shrubs are proposed over water, sewer and storm drain pipes.
- ~~43.42.~~ 43.42. The portion of the public path behind the hotel shall be brought up to City Standard 238. ~~Include this upgrade in the grading permit plans. This work needs to be completed prior to C of O.~~
- ~~44.43.~~ 44.43. The driveway associated with hotel entrance on Martin Avenue shall mimic the layout and paving of a 4-way stop on a public street. The driveway will consist of AC and shall be level with the other components of the Dowdell/Martin Avenue intersection. A stop sign shall be installed at the entrance, and the curb ramps around the driveway on the sidewalk must be brought up to current accessibility standards.
- ~~45.44.~~ 45.44. Provide a signature line on front sheet of the grading plans for the project geotechnical engineer's review and approval of the civil engineering site plans.

Hydrology, Storm Water and Storm Drain

- ~~46.45.~~ The storm drain system shall be designed to meet the requirements of the Sonoma County Water Agency Flood Control Design Criteria (latest revision), specific to the Project and these conditions. Provide an approval letter from the Sonoma County Water Agency prior to grading permit issuance.
- ~~47.46.~~ The applicant shall prepare and implement a site specific storm water pollution prevention plan acceptable to the City that identifies best management practices for effectively reducing discharges of storm water containing sediment and construction wastes resulting from site construction activities. The applicant shall also include 5-mm trash screens at the outfall in conformance with trash capture requirements adopted by the State Water Resources Control Board in April 2015.
- ~~48.47.~~ The site shall be in conformance with the City of Santa Rosa Storm Water Low Impact Development Technical Design Manual (latest edition).
- ~~49.48.~~ The project shall apply for and comply with the City's standard Master Maintenance Agreement for all onsite storm water best management practices. A specific maintenance agreement for the site shall be compiled prior to the Certificate of Occupancy.
- ~~50.49.~~ Discharge of runoff onto pavement should be avoided.
- ~~51.50.~~ Plans and certifications shall demonstrate compliance of all improvements, including building pads and finished floor elevations, with the City's Flood plain Ordinance, to the satisfaction of the Building Official and City Engineer. Pad elevations shall be constructed at a minimum of 1 foot above the 100-year Floodplain as determined by the City and certified by the project engineer.
- ~~52.51.~~ Site drainage design must include facilities for the containment of recycled water runoff due to over irrigation, system leakage or control failure.
- ~~53.52.~~ Grading plans shall include an erosion control (winterization) plan. The plan must include an order of work and staging/scheduling component indicating when facilities must be installed and when they may be removed. A separate Rain Event Action Plan (REAP) shall be required and prepared as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the REAP shall be kept on-site throughout the duration of construction activities. Provide the WDID number on the front page of the grading plans.
- ~~54.53.~~ Drainage from the site must be connected to the new storm water line on Labath Avenue. All infrastructure associated with the design and installation of the drainage pipe to Labath Avenue will be at the developer's expense.

Water System Requirements

- ~~55.54.~~ The grading plans shall show backflow prevention devices in accordance with the requirements of the City of Rohnert Park's Backflow Prevention Ordinance.

~~56.55.~~ All City water meters shall be located within the right-of-way unless otherwise approved by the Development Services Department. The grading plans shall show fire protection in accordance with the requirements of Rohnert Park Fire Department.

~~57.56.~~ The grading plans shall show hydrants placed per the direction of the Rohnert Park Fire Division.

~~58.57.~~ The grading plans shall include a note that states "All hydrants shall be covered with bags indicating that the hydrant is not active until flow tests are completed by the City and the hydrants are approved."

~~59.58.~~ The on-site fire sprinkler system services shall be separated from the fire hydrants by a single-check valve per City Standard STD-879. The Fire Marshall shall be consulted on this item.

Sewer System Requirements

~~60.59.~~ Sewer grades must be designed such that ultimate finished floors are a minimum of 12" above upstream manhole or clean-out rim elevations.

~~61.60.~~ The pool shall be plumbed to drain/back wash into the sanitary sewer system. This shall be clearly shown on the pool construction plans.

Recycled Water System Requirements

~~62.61.~~ The grading plans shall show recycled water use for irrigation.

~~63.62.~~ The recycled water system improvements shall be designed in accordance with the City of Santa Rosa's Recycled Water Users Guide, the City of Santa Rosa and City of Rohnert Park standards, Title 22 of the California Code of Regulations and the requirements of the North Coast Regional Water Quality Control Board.

~~64.63.~~ All recycled water mains, service laterals, plumbing, valves, pipes, appurtenances, irrigation parts, vaults and boxes must be purple. Recycled water notification signs shall be installed as directed by the City Engineer. Recycled water spray, mists and ponding must not be present in any designated eating area. All drinking fountains must be positioned or shielded to eliminate any exposure to recycled water sprays or mists.

~~65.64.~~ Recycled water/potable water dual plumbing design and layout, construction-installation and final inspection review for individual lots or grouping of lots must be performed by an AWWA certified Cross Connection Specialist and all deficiencies must be corrected at the applicant's expense. Written reports of the Cross Connection Specialist's finding must be submitted to and approved by the City.

Dry Utility System Requirements

~~66.65.~~ All onsite utilities shall be placed underground.

~~67.66.~~ Show all dry utilities on the grading plans.

Prior to the Issuance of Grading Permits and/or Improvement Agreements

- ~~68~~.~~67~~. _____ No construction activity may commence until the applicant has demonstrated to the City that it has filed a Notice of Intent to comply with the Terms of General Permit to Discharge Storm Water Associated with Construction Activity (NOI) with the State of California Water Resources Control Board.
- ~~69~~.~~68~~. _____ The applicant shall secure an encroachment permit from the City prior to performing any work within the City right of way or constructing a City facility within a City easement.
- ~~70~~.~~69~~. _____ If the site will require import or export of dirt, the applicant shall submit in writing the proposed haul routes for the trucks and equipment. The haul routes must be approved by the City prior to import/export work commencing.
- ~~71~~.~~70~~. _____ For a grading permit, the applicant shall secure an approval of a grading plan prepared by a Registered Civil Engineer licensed in the State of California and pay all required fees.
- ~~72~~.~~71~~. _____ The applicant shall provide the city with signed deeds for all on-site and off-site easements associated with the project.
- ~~73~~.~~72~~. _____ All grading plans shall conform to the City's Municipal code, please refer to Chapter 15.50 and 15.52 for required submittals.

Prior to the Issuance of the First Building Permit

- ~~74~~.~~73~~. _____ The applicant shall provide pad certifications for the site on which the building permit is requested.

During Construction

- ~~75~~.~~74~~. _____ All construction shall conform to the City's most current Manual of Standards, Details, and Specifications latest edition, all City Ordinances and State Map Act and the approved plan.
- ~~76~~.~~75~~. _____ Provide the final Storm Water Mitigation Plan for review and approval by the City.
- ~~77~~.~~76~~. _____ The applicant shall complete all water and wastewater improvements, including pressure and bacterial testing and raising manholes and cleanouts to grade prior to connection of any improvements to the City water or wastewater systems.
- ~~78~~.~~77~~. _____ If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sonoma County Environmental Health Department, the Fire Department, the Police Department, and the Development Services Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
- ~~79~~.~~78~~. _____ The applicant shall be responsible to provide erosion and pollution control in accordance with the approved plans and permits.
- ~~80~~.~~79~~. _____ The applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.

~~81.~~80. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1st. Erosion control measures shall be monitored and maintained continuously throughout the storm season.

~~82.~~81. The following minimum Best Management Practices (BMPs) shall be required during construction:

- a. Construction crews shall be instructed in preventing and minimizing pollution on the job.
- b. Construction entrances/exits shall be stabilized to prevent tracking onto roadway.
- c. Exposed slopes shall be protected from erosion through preventative measures.
- d. Use brooms and shovels when possible to maintain a clean site
- e. Designate a concrete washout area. Maintain washout area and dispose of concrete waste on a regular basis.
- f. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.
- g. Have necessary materials onsite before the rainy season
- h. Inspect all BMPs before and after each storm event. Maintain BMPs on a regular basis and replace as necessary, through the entire course of construction.
- i. All construction implementation measures as outlined in the approved Mitigation Monitoring and Reporting Program.

~~83.~~82. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, liquefaction, erosion, settlement, and seismic activity.

~~84.~~83. Hours of work shall be limited to between 8 a.m. to 6 p.m. Monday through Friday. Work on Saturday or Sunday will only be permitted with written permission from the City. Requests for extended hours must be submitted 72 hours in advance.

~~85.~~84. Throughout the construction of the project, dust control shall be maintained to the satisfaction of the City. At a minimum the dust control measures will include:

- Cover all trucks hauling construction and demolition debris from the site.
- Water on a continuous as-needed basis all earth surfaces during clearing, grading, earthmoving, and other site preparation activities.

- Use watering to control dust generation during demolition...
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved parking areas and staging areas.
- Sweep daily (with water sweepers) all paved areas and staging areas.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Properly maintain all construction equipment.
- For construction sites near sensitive receptors (or if residential development occurs prior to commencement of commercial development):
- Install wheel washers for all existing trucks, or wash off the tires or tracks of trucks and equipment leaving the site.
- Suspend dust-producing activities during periods when instantaneous gusts exceed 25 mph when dust control measures are unable to avoid visible dust plumes.
- Limit the area subject to excavation, grading and other construction or demolition activity at any one time.

86.85. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, § 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.

87.86. The applicant shall post a publicly visible sign with the telephone number and person to contact at the construction site and at the City of Rohnert Park regarding dust complaints. The applicant shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.

88.87. The applicant shall post signs of possible health risk during construction. The applicant is responsible for compliance with the Bay Area Air Quality management District's rule regarding cutback and emulsified asphalt paving materials.

89.88. The applicant shall repair all construction related damage to existing public facilities (streets, sidewalks, utilities etc.) at no cost to the City.

90.89. If, during construction, the contractor damages any existing facilities on the neighboring properties (i.e. fences, gates, landscaping, walls, etc.) contractor shall be responsible to replace all damaged facilities.

Prior to Occupancy

91.90. All water system improvements necessary to provide fire flows and pressures shall be installed and operational

92.91. All improvements shown in the improvement plans deemed necessary for the health, safety and welfare of the occupant and general public shall be completed.

~~93.~~92. All permanent BMPs shall be installed that capture all tributary areas relating to the hotel's runoff.

~~94.~~93. The applicant shall have entered into the City's standard Master Maintenance Agreement with the City to address long term maintenance of, among other things, the storm water BMPs.

~~95. The applicant shall have entered into the City's standard Recycled Water Agreement, designate site supervisor(s) and undertake any other activities necessary.~~

~~96.~~94. The applicant shall provide a written statement signed by his or her engineer verifying that the grading and/or drainage improvements are completed in accordance with the plans approved by the Sonoma County Water Agency, the City Engineer, and the Building Official.

~~97.~~95. A complete set of As-Built or Record, improvement plans on the standard size sheets shall be certified by the Civil Engineer licensed in the State of California and returned to the City Engineer's office prior to final acceptance of the public improvement. These shall show all constructive changes from the original plans including substantial changes in the size, alignment, grades, etc. during construction. Approved Record Drawings shall be provided to the City geo-referenced in Autocad DWG and & PDF File formats.



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



September 8, 2017

Mr. Jeffrey Beiswenger
Planning Manager
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Dear Mr. Beiswenger:

Subject: Fairfield Inn and Suites, Mitigated Negative Declaration, SCH# 2017082034,
City of Rohnert Park, Sonoma County

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the City of Rohnert Park for the Fairfield Inn and Suites (Project) pursuant the California Environmental Quality Act (CEQA).

CDFW is submitting comments on the draft MND as a means to inform the City of Rohnert Park (City) as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project.

CDFW ROLE

CDFW is a Trustee Agency with responsibility under CEQA (Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 and for commenting on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) or Native Plant Protection Act permit, a Lake and Streambed Alteration Agreement, or other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

REGULATORY REQUIREMENTS

California Endangered Species Act: Please be advised that a CESA permit must be obtained if the project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency

makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code section 2080.

PROJECT DESCRIPTION SUMMARY

Proponent: Rohnert Park Lodging, LLC

Objective: Construct a five story, 100-room hotel and 105 parking spaces on a vacant, 1.83-acre parcel

Location: 405 Martin Avenue, Rohnert Park, Sonoma County, GPS coordinates 38.351083, -122.719778. The project is situated in upland, disturbed non-native grassland habitat adjacent Hinebaugh Creek.

Timeframe: Approximately 10 months upon Project approval

COMMENTS AND RECOMMENDATIONS

CDFW offers the below comments and recommendations to assist the City of Rohnert Park in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources, in part through implementation of CDFW's recommendations, CDFW concludes that an MND is appropriate for the Project.

Environmental Setting

MANDATORY FINDINGS OF SIGNIFICANCE Does the Project have the potential to threaten to eliminate a plant or animal community, or substantially reduce the number or restrict range of a rare or endangered plant or animal?

Comment 1: Section 2.4, Page 30 and Appendix B California Tiger Salamander Habitat Assessment

Issue: The MND does not adequately support its conclusion that the Project would result in no impacts to California tiger salamander (CTS; *Ambystoma californiense*). The MND relies on the Appendix B California Tiger Salamander Habitat Assessment (assessment), which does not include the below considerations.

CTS Occurrence Record Overlaps Project Area: A CTS adult occurrence record overlaps the Project area on Figure 2 of the Santa Rosa Plains Conservation Strategy (U.S. Fish and Wildlife Service 2005).

CTS Could Migrate to Project Area: Hinebaugh Creek provides a potential migration route between the Project area and potential breeding habitat 0.8 miles to the west. Based on a reconnaissance survey by CDFW staff on August 25, 2017, there are no migration barriers between the potential breeding habitat and the project area along Hinebaugh Creek and its adjacent walking path.

Refugia for CTS are Present in Project Area: CDFW staff observed small mammal burrows and large soil cracks within the project area and the surrounding land that could

provide refugia. Staff also observed an active small mammal (vole or mouse) on contiguous land just north of the Project area.

Specific impact: The Project may result in CTS injury, mortality, and habitat loss.

Why impact would occur: The Project could directly affect CTS by crushing, killing, or injuring individuals by vehicles, equipment and workers during construction work, transport of supplies and workers, and on-site storage of construction materials and equipment. CTS could be killed or injured during earth-moving activities such as grading and trenching. CTS could be entombed in burrows or other suitable refugia during excavation, grading, or fill activities, or become trapped in trenches and pipes. CTS could desiccate during dispersal movements due to loss of burrows or other refugia.

The proposed building and parking lot may result in the permanent loss of 1.83 acres of CTS upland habitat. The Project as proposed has the potential to result in take of CTS; therefore, CDFW recommends applying for a CESA Incidental Take Permit (ITP) (see proposed Mitigation Measure 1 below).

Evidence impact would be significant: The CTS Sonoma County Distinct Population Segment qualifies an endangered and threatened animal under CEQA because it is listed as threatened pursuant to CESA and endangered under federal Endangered Species Act. [CEQA Guidelines, § 15380, subd. (c)(1)].

CTS is endemic to California and numerous populations have been extirpated. Upland habitat destruction from urban and agriculture uses are indicated as a major cause of population decline, which is also attributed to breeding habitat destruction, habitat fragmentation, effects of introduced non-native species, and artificial migration barriers (CDFG 2009).

Based on the foregoing, Project impacts would potentially substantially reduce the number or restrict the range of CTS. Therefore, Project impacts to CTS would be **potentially significant**.

Mitigation Measure 1:

To reduce impacts to less-than-significant: CDFW recommends that the City of Rohnert Park require a thorough analysis of the potential for CTS within the Project area. If the potential exists, CDFW recommends that the City of Rohnert Park:

- 1) Revise the MND to identify potentially significant impacts to CTS described above and include avoidance, minimization, and mitigation measures, such as: implementing seasonal work restrictions, pre-construction surveys by a qualified biologist, biological monitoring, and permanent protection and perpetual management of compensatory habitat, etc. This revision may require MND recirculation, whereby CDFW may provide additional comments on proposed mitigation measures. [CEQA Guidelines, 15073.5, subd. (b)(1)].
- 2) If take of CTS may occur, recommend that the Project proponent apply for a CESA ITP for CTS. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process.

Comment 2: Appendix B Biological Constraints Report

Issue: The MND Appendix B states that foothill yellow-legged frog (FYLF; *Rana boylei*) is not expected to occur in the Project area due to a lack of suitable habitat. However, the MND does not include the below considerations.

FYLF CESA Protection: In July 2017, the Fish and Game determined that FYLF is candidate species under CESA. Candidate species are afforded the same protections as threatened and endangered species (Fish and Game Code section 2085).

FYLF Occurrence Records in Vicinity: California Natural Diversity Database 2010 has a recorded occurrence of FYLF in Crane Creek approximately four miles west of the project area. The confluence of Crane creek and Hinebaugh Creek, adjacent to the Project Area, is approximately 1.8 miles east of the Project area and well within the species' mobility range. The species has been documented to travel along streams 4,547 feet per day up to 4.3 miles (Thompson et al. 2016). There is also a recorded occurrence in Copeland Creek approximately two miles southeast of the Project area.

FYLF Potential Habitat in Project Area: Hinebaugh Creek and adjacent uplands including the Project area may provide suitable habitat for FYLF. Different life stages of FYLF use a variety of habitat types for development, foraging, and overwintering (Thompson et al. 2016). The species is most common along streams with rocky bottoms but has been found along streams with mud bottoms (Stebbins 1951). They have also been found in streams lacking a cobble or larger-sized substrate grain (Jennings and Hayes 1994). FYLF utilizes upland habitats adjacent to streams and have been observed 164 feet away from streams under rocks or other refugia (Nussbaum et al. 1983; Thompson et al. 2016; Zweifel 1955). Little information about FYLF terrestrial movements is known and the species may travel farther from streams.

Specific impact: The Project may result in FYLF injury, mortality, and habitat loss.

Why impact would occur: If FYLF is within or near the Project site, the Project may directly affect FYLF by crushing, killing, or injuring individuals by vehicles, equipment and workers during construction work, transport of supplies and workers, and onsite storage of construction materials and equipment. FYLF could be killed or injured during earth-moving activities such as grading and trenching, or become trapped in trenches and pipes. FYLF could desiccate during terrestrial movements due to loss of refugia such as rocks, logs, or vegetative cover.

The proposed building and parking lot may result in the permanent loss of up to 1.83 acres of upland habitat. The Project has the potential to result in take of FYLF; therefore, a CESA ITP from CDFW may be warranted (see proposed Mitigation Measure 2 below).

Evidence impact would be significant: FYLF is listed as a candidate species and candidate species are afforded the same protections as threatened and endangered species (Fish and Game Code section 2085). Additionally, FYLF may be considered a rare species under CEQA (CEQA Guidelines, § 15380) because the species is nearly endemic to California and has been extirpated from a large portion of its historical range, and individual population sizes have declined (Thompson et al. 2016). Additionally, Thompson et al. (2016) designated FYLF as a

Priority 1 species due to the magnitude of threats it is facing. FYLF is also a CESA candidate species.

Based on the foregoing, Project impacts may substantially reduce the number or restrict the range of FYLF. Therefore, Project impacts to FYLF would be **potentially significant**.

Mitigation Measure 2:

To reduce impacts to less-than-significant: CDFW recommends that the City of Rohnert Park require a thorough analysis of the potential for FYLF to utilize Hinebaugh Creek and the Project area, and strongly consider surveys for the species. If the potential exists, CDFW recommends that the City of Rohnert Park:

- 1) Revise the MND to identify the potentially significant impacts to FYLF described above and include avoidance, minimization and mitigation measures, such as: habitat assessment, pre-construction surveys by a qualified biologist and biological monitoring, seasonal work windows, stop work if FYLF are found nearby or on-site and consult with CDFW, etc. If found on-site or nearby, a CESA ITP and compensatory habitat may be warranted. Such a revision may require MND recirculation, whereby CDFW may provide additional comments on proposed mitigation measures.
- 2) If take of FYLF may occur, recommend that the Project proponent apply for a CESA ITP for FYLF.

FILING FEES


The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs., tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City of Rohnert Park in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Melanie Day, Senior Environmental Scientist (Specialist), at (707) 944-5536; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at (707) 944-5525.

Sincerely,



Scott Wilson
Regional Manager
Bay Delta Region

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*Making Conservation
a California Way of Life.*

September 8, 2017

Mr. Jeffrey Beiswenger
City of Rohnert Park
Development Services
130 Avram Avenue
Santa Rosa, CA 95404

04-SON-2017-00180
SCH # 2017082034
GTS ID 7420

**Fairfield Inn & Suites at 405 Martin Avenue in the City of Rohnert Park – Mitigated
Negative Declaration (MND)**

Dear Mr. Beiswenger:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans' *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the MND. Additional comments may be forthcoming pending final review.

Project Understanding

The applicant proposes to construct a Fairfield Suites & Inn at 405 Martin Avenue in the City of Rohnert Park. The proposed building is a five-story structure with 100 rooms; the first level will contain a porte cochère, covered drop off area, a lobby with lounge seating and waiting area, breakfast bar and seating, business services area, a fitness center, an outdoor pool and linear fire pits. The proposed building footprint will be approximately 11,670 square feet (sf) with a combined total building area of approximately 57,670 sf. The applicant proposes to construct 105 parking spaces, including electric vehicle parking spaces and a designated bicycle parking area. Access to the site is provided via a shared driveway with Ashley Home Store at the Dowdell Avenue/Martin Avenue intersection. The applicant proposes a secondary access for emergency vehicles at the southeast corner of the project site to the Ashley Home Store parking lot on the adjacent parcel. The proposed access for emergency vehicles will not reconfigure any existing roadways. The project site is regionally accessed approximately 0.4 miles northwest of the US 101/Rohnert Park Expressway interchange.

Project Description

Please address the following:

- Total number of hotel employees;
- Number of bicycle parking spaces; and
- Identify the public street connection of the proposed secondary access for emergency vehicles.

Lead Agency

As the Lead Agency, the City of Rohnert Park is responsible for all project mitigation, including any needed improvements to the STN. The project's financing, scheduling, implementation responsibilities and monitoring should be fully discussed for all proposed mitigation measures.

Operations Analysis

We are concerned with the projected increase in generated trips, which have the potential to create significant speed differentials and increase the number of conflicts on the STN. Queuing vehicles can potentially encroach on the mainline and ramps at the US 101/Rohnert Park Expressway interchange, and overflow of left-turning vehicles beyond the available storage. This could present a significant conflict due to the speed differential between exiting vehicles and highway traffic. To reduce these potential impacts, the applicant should work with Caltrans in order to determine a fair-share contribution. Please provide a Traffic Impact Study (TIS) which analyzes trip generation, distribution, and storage capacity. A TIS is necessary to determine the scope and significance of issues that may arise from the project's potential conflicts. The California Environmental Quality Act (CEQA) does not exempt these types of operational concerns from evaluation.

Travel Demand Analysis

In Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, this project falls under **Place Type 4 Suburban Communities – Corridors**, which includes areas with a low level of integration of housing with jobs, retail service, poorly connected street networks, low levels of transit service, a large amount of surface parking, and inadequate walkability, moderate community design and variable regional accessibility. Given this Place Type and intensification of use, which typically leads to high levels of VMT and corresponding low levels of active transportation, please submit a VMT analysis resulting from the proposed project including:

- A vicinity map, regional location map, and site plan clearly showing the project's location in relation to the STN. Clearly identify State right-of-way, bicycle paths, and transit facilities within the study area.
- A VMT analysis pursuant to the City's guidelines or, if the City has no guidelines, the Office of Planning and Research's Draft Guidelines. Projects that result in automobile VMT per capita greater than 15 percent below existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies—such as

Caltrans—are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.

- Potential safety issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, disabled travelers and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Vehicle Trip Reduction

Given the intensification of use and the opportunities to reduce VMT, we encourage the City to establish a Transportation Management Association (TMA) in partnership with other developments in the area to pursue aggressive trip reduction targets with Lead Agency monitoring and enforcement. In addition, the Transportation Demand Management (TDM) elements described below should be included in the program to promote smart mobility and reduce regional VMT and traffic impacts to the STN:

- Project design to encourage walking, bicycling, and convenient transit access;
- Ten percent vehicle parking reduction;
- Commuter subsidy for transit, carpool, and vanpool for patrons and employees on an ongoing basis;
- Onsite TDM coordination;
- Transit and trip planning resources such as commute information kiosk;
- Enhanced bus stops including bus shelters;
- Electrical vehicle (EV) charging stations and designated parking spaces for EVs and clean fuel vehicles;
- Carpooling incentives, dedicated parking spaces and guaranteed ride home for carpooling employees;
- Bicycle share membership;
- Bicycle route mapping resources and bicycle parking incentives;
- Secured bicycle storage facilities;
- Showers, changing rooms, and clothing lockers;
- Fix-it bicycle repair station(s); and
- Decrease headway times and improve way-finding on Sonoma County Transit and Golden Gate Transit bus routes to provide a better connection between the project, nearby Rohnert Park Express Bus Pad, the future Rohnert Park Sonoma-Marin Area Rail Transit (SMART) Station, and regional destinations.

Transportation Demand Management (TDM) programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing the parking supply can encourage active forms of

transportation, reduce regional VMT, and lessen future transportation impacts on US 101 and other State facilities. These smart growth approaches are consistent with the Metropolitan Transportation Commission's Regional Transportation Plan and Sustainable Communities Strategy goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to Chapter 8 of Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference*, regarding TDM at the local planning level. The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

For information about parking ratios, please see MTC's report, *Reforming Parking Policies to Support Smart Growth*, or visit the MTC parking webpage: http://www.mtc.ca.gov/planning/smart_growth/parking.

Multimodal Planning

This project is located within close proximity of a Priority Development Area (PDA) in the City of Rohnert Park. PDA's are identified by the Association of Bay Area Governments as areas for investment, new homes, and job growth. To support PDA goals, the project should be conditioned to ensure connections to existing bike lanes and multi-use trails to facilitate walking and biking to the project site. Specifically, the proposed project should connect to the existing Laguna De Santa Rosa Trail, existing Class II bike lanes on Dowdell Avenue and Redwood Drive, and the proposed SMART Trail, as shown in the 2008 *Rohnert Park Bicycle & Pedestrian Plan*. The applicant should coordinate with the City of Rohnert Park and Sonoma County Regional Parks to consider providing public access from Dowdell Avenue to the Laguna De Santa Rosa Trail, south of the proposed project site. A direct connection to the trail would provide hotel guests, as well as residents on Dowdell Avenue with improved access to recreational activities on the trail. Providing these connections with streets configured for alternative transportation modes will reduce VMT by promoting usage of nearby Sonoma County Bus Routes 12, 44, 44X, and 48, Golden Gate bus routes 72, 74, 101 and 101X, and the future Rohnert Park SMART Station.

Moreover, the project should be conditioned to provide a fair share contribution toward the City of Rohnert Park's proposed Class II bike lanes on Labath Avenue west of the project site and Martin Avenue east of the project site that would connect to existing bike lanes on Dowdell Avenue and Redwood Drive.

Traffic Impact Fees

Given the potential of increased levels of VMT and proximity to US 101, the project should be conditioned to contribute fair share impact fees. These contributions would be used to lessen future traffic congestion and improve multimodal forms of transportation in the project vicinity. The mitigation measures should be detailed in the Mitigation Monitoring and Reporting plan and the fair share information should also be presented in the final environmental document. Required roadway improvements should be completed prior to the issuance of the Certificate of Occupancy.

Mr. Jeffrey Beiswenger, City of Rohnert Park
September 8, 2017
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Transportation Permit

Project work that requires movement of oversized or excessive load vehicles on the STN requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: Caltrans Transportation Permits Office, 1823 14th Street, Sacramento, CA 95811-7119. See the following website for more information: <http://www.dot.ca.gov/hq/traffops/permits>.

Should you have any questions regarding this letter, please contact Stephen Conteh at (510) 286-5534 or stephen.conteh@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review