

# FOUNTAINGROVE RANCH MASTER ASSOCIATION NEWSLETTER OCTOBER 2009

## **The Fountaingrove Lodge**

In early September 2009, the developer requested that the Fountaingrove Lodge plans dated August 13, 2009, be withdrawn and that they be allowed to re-submit new plans and drawings. On October 1, 2009 the Design Review Board, with the assistance of the Santa Rosa city staff, clarified the Board's position as follows:

1. The project involves removal of too many trees and has directed the developer to provide specific information regarding which trees are heritage and additional section drawings to evaluate the impact on tree preservation of the proposed grading.
2. Great concern is the northern portion of the project site with respect to the positioning of the care center and main building; the relation of grading/cut lot and fill/soil stability; and how that will affect the final design. Will additional retaining walls be needed when the soil stability issues are finally resolved? How will those retaining walls impact tree preservation?

The Final EIR was adopted by the City without resolving the seismic and soil stability issues. These items have been deferred until the development phase of the project. State law clearly requires resolution of all seismic issues before adoption of the Final EIR.

The Fountaingrove Community is fearful that if these substantial seismic and soil stability issues are not fully addressed prior to Project approval we could potentially wind up with another Varena with massive retaining walls added after the fact.

3. Finally, the Design Review Board was concerned that the mass of the main building, the large care center, and the lower, flat roofed buildings would appear to be one continuous huge building when approached and viewed from the south along Thomas Lake Harris.

The developer has not submitted new plans and drawings to date.

The Design Review Board was also disappointed that the developer did not answer many of the Board's questions and that the developer failed to bring the project's design team – architect, arborist, and landscape architect to the September 3, 2009 meeting.

## **CC&Rs (Covenants, Conditions and Restrictions):**

The Board of Directors of the Fountaingrove Ranch Master Association is starting the process of reviewing the original CC&Rs, first recorded on October 22, 1985, as the Master Declaration of Covenants, Conditions and Restrictions of Fountaingrove Ranch. There have been no revisions to the CCRs since that date.

Earlier this year, the Board became aware that there are separate CC&Rs for SUBDIVISIONS such as "Southridge Declaration of Covenants, Conditions and Restrictions". These "post-facto" documents were created after the Master CC&Rs were created and recorded. Since these subdivisions did not create a separate homeowners' association and never amended their CC&Rs, the Board lacks the authority to enforce these separate CC&Rs except as they coincide with the CC&Rs of Fountaingrove Ranch.

In addition, new federal and state laws that have been passed affect the FRMA CC&Rs. From time to time over the past 24 years, residents who belong to the Master Association have expressed concerns about excessive parking, noise, animal control, garbage cans, boats and trailers and how the FRMA CC&Rs can be enforced.

The "First Restated Master Declaration of Covenants, Conditions and Restrictions of Fountaingrove Ranch" is available for review on the Ranch website [www.fgrma.com](http://www.fgrma.com).

All owners and members are strongly urged to please read and provide comments on the CCRs as soon as possible by email to [frmaccrs@att.net](mailto:frmaccrs@att.net). The Board anticipates that this review process required by California law could take as long as a year and will require community meetings of the members to produce a final product. We want to include all of our membership in the review process and get it right.

### **Former Fir Ridge School Site (Employee Housing)**

The Santa Rosa School District has not established a date when development will start on the "Employee Housing" project. The economy may not be strong enough to make this project feasible at this time.

### **Left Lane Closures at Long Leaf and Altruria Streets**

The City has completed the traffic studies and plans for the closure of the left turn lanes at Long Leaf and Altruria. The City hopes to have their crews complete the construction of the closures by the fall of 2010.

### **New Development at TERRAZZO AT FOUNTAININGROVE**

On September 1, 2009, the City of Santa Rosa issued a Notice of Application for a proposed new development at 1601 Fountaingrove Parkway. The project site is located on the westerly side of Fountaingrove Parkway near

Stagecoach Road above the Fountaingrove Athletic Club and Pool. The proposed development is comprised of 55 attached units on the 7.5 acre site. Access will be through the existing private Golf and Athletic Club road and then onto a new private street extending from the club property.

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### **Water Conservation**

Early this year the Board decided to do our part to better conserve water during our drought. Some of our irrigation systems are older with sprinkler heads that are less than efficient. This effort is beyond the normal replacement of parts that wear out. The City has a program the Association intends to take advantage of that would help pay for the replacement and upgrades. While we have improved numerous landscape areas, this work is continuing. Our goal is to save both water and money.