

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
AUGUST 11, 2022

PROJECT TITLE

Kerry Ranch I – Parcel A

ADDRESS/LOCATION

0 Francisco Avenue

ASSESSOR'S PARCEL NUMBER

034-850-026

APPLICATION DATES

April 28, 2021

REQUESTED ENTITLEMENTS

Conditional Use Permit (CUP) and
Tentative Map

PROJECT SITE ZONING

R-1-6 (Single-family Residential)

PROJECT PLANNER

Susie Murray

APPLICANT

Dan Morgan

PROPERTY OWNER

Morgan Properties, Inc

FILE NUMBERS

PRJ21-008 (MAJ21-001 & CUP21-043)

APPLICATION COMPLETION DATES

April 28, 2021

FURTHER ACTIONS REQUIRED

None

GENERAL PLAN DESIGNATION

Low Density Residential (2-8 units/acre)

RECOMMENDATION

Approval

Agenda Item # 8.1
For Planning Commission Meeting of: August 11, 2022

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE PLANNING
COMMISSION
FROM: SUSIE MURRAY, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: KERRY RANCH - PARCEL A

AGENDA ACTION: THREE RESOLUTIONS

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by two resolutions, approve the Kerry Ranch – Parcel A subdivision located at Assessor's Parcel Number 034-850-026.

BACKGROUND

1. Project Description

Kerry Ranch – Parcel A (project) proposes to subdivide a 0.65 acre parcel into five residential lots. Lots will range in size from 4,322-square feet to 8,047-square feet, and the developer proposes single-family detached units. Each lot has four off-street parking spaces. Lots 1-3 will take access from San Miguel Avenue and two will take access from the newly constructed Versaro Street.

The project requires a Conditional Use Permit (CUP) for a small lot subdivision and a Tentative Map.

2. Surrounding Land Uses

The project site is surrounded to the north, south, east and west with similar single-family residential development, some of which is currently under construction.

3. Existing Land Use – Project Site

The property is currently undeveloped and vacant.

4. Site and Project History

The subject parcel, Parcel A, was created as part of the Kerry Ranch I subdivision, which includes 25 single-family lots. The Parcel was intended to be improved with a hydraulic feature required for LID (Low Impact Development). The Regional Water Quality Control Board (Waterboard) has since updated allowable Best Management Practices (BMPs) favoring onsite treatment over a shared detention basin. While not required, the applicant opted to make the change, therefore freeing up Parcel A for much needed housing. This change could've occurred through a ministerial process.

On October 11, 2007, the Planning Commission adopted a Mitigated Negative Declaration (MND) and approved a Tentative Map and CUP for Kerry Ranch 1 to subdivide a 3.95-acre area into 25 residential lots and Parcel A. At that meeting, the Commission also adopted a resolution recommending that the City Council approve rezoning the project parcels from OSC (Open Space Conservation) to R-1-6 (Single-family Residential), consistent with General Plan land use designation of Low Density Residential. The Commission's actions were appealed to the Council.

On December 4, 2007, the Council upheld the Commission's approvals of the MND, Tentative Map and CUP, and approved the Rezoning. The project approvals were in effect for a period of two years.

Beginning in 2009, the California Legislature passed a series of bills that extended the expiration date of the subject Tentative Map and Conditional Use Permit to December 4, 2016. Through a series of three Commission-approved Time Extensions and two Council-approved automatic extensions, the life of the project was extended to December 4, 2021, and project conditions were amended to require LID features on individual properties, effectively removing the requirement to reserve Parcel A as a detention area for Kerry Ranch 1 stormwater runoff. The Kerry Ranch I Final Map recorded on September 16, 2020.

On July 1, 2019, a Neighborhood Meeting was held to introduce the concept of subdividing Parcel A, shown on the Kerry Ranch I Final Map, into five residential lots.

On April 28, 2021, Planning and Economic Development accepted applications for the Tentative Map and CUP to subdivide Kerry Ranch – Parcel A.

5. Neighborhood Comments

During the Neighborhood Meeting, there were neighbors who opposed the

development and questioned whether a small lot subdivision was appropriate because the map was approved with an undevelopable Parcel A.

Staff response: City Code Section 19-08.291, defines “parcel” as portions of land within a subdivision that are not intended for commercial use or for residential dwelling units. The subject parcel is identified as Parcel A on the Kerry Ranch I Final Map. As stated above, the Parcel was originally intended to be improved with a hydraulic feature required for LID for the Kerry Ranch I subdivision. Because Parcel A is no longer required for LID, the applicant would like to subdivide the Parcel into five lots for residential development. Staff considered several options to removing the “Parcel A” title from the Final Map, including a reversion to acreage, a modification to the recorded map, or a new tentative map. Because the tentative map process allows the removal or relocation of easements and right-of-way areas, and after consultation with the City Attorney’s Office, staff confirmed the only two required entitlements to develop Parcel A are the Tentative Map and CUP, with the Tentative Map providing the mechanism to remove the lettered parcel title and subdivide the Parcel into five lots.

ANALYSIS

1. General Plan

The General Plan land use designation for the site is Low Density Residential which is intended primarily for single-family residential development, although other uses are permitted. There are several General Plan Goals/Policies applicable to the project, some of which are shown below:

LAND USE AND LIVABILITY

LUL-A Foster a compact rather than a scattered development pattern in order to reduce travel, energy, land, and materials consumption while Promoting greenhouse gas emission reductions citywide.

LUL-E Promote livable neighborhoods by requiring compliance with green building programs to ensure that new construction meets high standards of energy efficiency and sustainable material use. Ensure that everyday shopping, park and recreation facilities, and schools are within easy walking distance of most residents.

HOUSING

H-A Meet the housing needs of all Santa Rosa residents.

H-A-2 Pursue the goal of meeting Santa Rosa’s housing needs through increased densities, when compatible with existing neighborhoods.

Development of existing and new higher-density sites must be designed in context with existing, surrounding neighborhoods.

TRANSPORTATION

T-J Provide attractive and safe streets for pedestrians and bicyclists.

URBAN DESIGN

UD-G Design residential neighborhoods to be safe, human-scaled, and livable addressing compact development, multi-modal connectivity and reducing energy use.

Staff response: The project has been designed in a similar fashion to residential development surrounding it and will provide much-needed homes and will be constructed in compliance with the All Electric Building Code. City staff, outside agencies and utility companies have reviewed the project plans and have conditioned the project appropriately.

2. Other Applicable Plans

Not applicable.

3. Zoning

Properties to the north, south, east and west site are zoned R-1-6 and are either developed or being developed with single-family and multifamily (duplex) units.

The following Zoning Code sections are applicable to the project:

[Table 3-4](#) provides parking requirements. The site plan identifies 20 off-street spaces, in compliance with Zoning Code requirements.

[Section 20-42.140](#) provides development standards for small lot subdivisions. The applicant has provided a development plan and proposed architecture that comply with all required development standards, including setbacks, building height, lot coverage, parking, and private open space, with the following exceptions:

- A 10-foot rear yard setback is allowed on lots 1, 2, 3 and 5 to maintain the required private open space dimension using an existing floor plan.
- A 13-foot reduced dimension for private open space is allowed on lot 4.

The project has also been conditioned to comply with development standards set forth in Zoning Code Section 20-42.140 except as otherwise approved by the Planning Commission.

Pursuant to [Chapter 20-16](#), a Minor CUP (MUP) is required for a small lot subdivision. Because the project also requires a Tentative Map, staff has elevated the MUP to the Commission. Zoning Code Section 20-52.050 provides guidance for processing MUPs which are normally considered by the Zoning Administrator. Before approving a MUP, the review authority must first make the following findings:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff has demonstrated on the draft resolution for MUP that each of the required findings can be made.

4. Design Guidelines

The project proposes single-family detached housing, which are not subject to design review. The project has been conditioned to comply with development standards pursuant to Zoning Code Chapter 20-42.140, as discussed above.

In terms of the neighborhood design, the project meets several Design Guideline goals, including:

- Create well defined neighborhoods with both a center and an edge.

- Develop neighborhoods with interconnected street networks to diffuse traffic and provide easy access for residents both within and between neighborhoods.
- Create neighborhoods that are safe and support Police and Fire Department efforts to promote public safety

Staff response: The proposed Kerry Ranch – Parcel A subdivision will develop an infill site along San Miguel Avenue, completing the development pattern along that stretch of the street. Circulation, utilities and access to City/emergency services have all been considered through staff review of the project materials and the Project has been conditioned appropriately.

ENVIRONMENTAL IMPACT

The project has been found in compliance with the California Environmental Quality Act (CEQA). On December 4, 2007, the City Council adopted a Mitigated Negative Declaration (MND) for Kerry Ranch I, II & III. An Addendum to the MND (Addendum), prepared by J. Kapolchok and Associates, dated March 2022, was drafted for the proposed Kerry Ranch - Parcel A, in accordance with CEQA Guidelines Section 15162 and 15164. The Addendum, which analyzes the environmental impacts of the five additional residential lots concludes the “analysis of that new information or regulations applied to the proposed Project shows no new or more severe environmental effects. Furthermore, no infeasibility of adopted mitigation measures, no new feasible mitigation measures which the applicant declines to adopt, or no alternatives different from those in the Kerry Ranch MND, which would substantially reduce effects on the environment were discovered.”

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

The proposed project has not been reviewed by any board, commission or committee.

NOTIFICATION

- A pre-application Neighborhood Meeting was held on July 1, 2019, for which noticing was done in compliance with Zoning Code 20-50.050, including a mailed notice to property owners and occupants within 600 feet of the subject site and signs posted at the development site.
- Zoning Code Section 20-50.050(E) requires a Notice of Application for projects that require a public hearing be mailed within 45 days of application submittal. This notice was not distributed. Pursuant to Zoning Code Section 20-66.020(A)(3), A defect (failure) in the notice procedure shall not affect the jurisdiction or authority of a review authority to take action on a matter.

- Pursuant to Zoning Code Chapter 20-66, all required public noticing was done for the public hearing, including the installation of three public hearing signs at the Project site, a mailed Notice of Public Hearing to property owners and occupants within 600 feet of the Project site, and a Notice of Public Hearing published in the Press Democrat for the August 11, 2022, Planning Commission meeting.

ISSUES

There was concern raised by neighbors pertaining to the approval process for the Kerry Ranch I project and its associated Time Extensions. The Kerry Ranch I Final Map was recorded on September 16, 2020. The concerns raised pertain directly to Parcel A, which was originally designated as a detention basin/stormwater capture area. Stormwater treatment for Kerry Ranch I has since been redesigned to remove the detention area on Parcel A and to comply with current Waterboard-approved LID features.

Staff has reviewed the application materials and there are no unresolved issues.

ATTACHMENTS

- Attachment 1: Disclosure Form
 - Attachment 2: Location & Neighborhood Context Map
 - Attachment 3: Project Narrative, prepared by J. Kapolchok & Associates, date stamped received on April 21, 2021
 - Attachment 4: Tentative Map and Development Plan, prepared by Civil Design Consultants, date stamped received April 21, 2021, and May 24, 2022, respectively
 - Attachment 5: Conceptual Architecture, prepared by WHA, date stamped received on April 21, 2021
 - Attachment 6: Kerry Ranch I, II & III Mitigated Negative Declaration, adopted by Council on December 4, 2007
 - Attachment 7: Kerry Ranch I, II & III Mitigated Negative Declaration
 - Attachment 8: Focused Traffic Study, prepared by W-Trans, dated May 6, 2022
 - Attachment 9: Public Correspondence
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- Resolution 1: Addendum to Kerry Ranch I, II, & III Mitigated Negative Declaration, with Addendum
 - Resolution 2: Conditional Use Permit, with Kerry Ranch – Parcel A Development Advisory Committee (DAC) Report
 - Resolution 3: Tentative Map

CONTACT

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