

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT FOR DUTTON MEADOWS SUBDIVISION, A 137 UNIT RESIDENTIAL SMALL LOT SUBDIVISION WITH A 12% PARKING REDUCTION - LOCATED AT 2650, 2666, 2684, DUTTON MEADOW AND 1112, 1130, AND 1250 HEARN AVENUE - ASSESSOR'S PARCEL NUMBERS 043-071-007, -022, -023 AND 043-191-021, -024, AND -016 - FILE NUMBER CUP18-101

WHEREAS, an application was submitted by Trumark Homes requesting the approval of a Conditional Use Permit for Dutton Meadows Subdivision, to be located at 2650, 2666, 2684, Dutton Meadow and 1112, 1130, And 1250 Hearn Avenue, also identified as Sonoma County Assessor's Parcel Number(s) 043-071-007, -022, -023 and 043-191-021, -024, and -016; and

WHEREAS, on February 28, 2019, the Planning Commission held a duly noticed public hearing on the application, which at the time also included a General Plan Amendment and Tentative Map to change the Roadway Network of the Roseland Area/Sebastopol Road Specific Plan, and the Commission denied the Project based on Staff's recommendation; and

WHEREAS, on March 8, 2019, Trumark Homes appealed the Planning Commission's decision to deny the applications for General Plan Amendment, Tentative Map, and Conditional Use Permit; and

WHEREAS, on July 9, 2019, the City Council held a public hearing on the appeal and continued the item to a date uncertain in order for the applicant to modify the project to comply with the Specific Plan and General Plan Circulation Element; and

WHEREAS, on December 14, 2020, Trumark Homes submitted a revised application requesting a Conditional Use Permit and Tentative Map, and no longer included the General Plan Amendment; and

WHEREAS, on December 9, 2021, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

WHEREAS, the Planning Commission considered residential small lot subdivision standards and the proposed modifications of four-foot side yard setbacks for all second story portions for each unit in place of eight-foot second-story side yard setbacks for each unit, and the proposed two-story structure design standards as allowed by review authority approval under Zoning Code Section [20-42.140](#); and

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WHEREAS, as allowed by Zoning Code Section 20-42.140(F)(4), the applicant proposed different setbacks from those established in Subsection (F)(4), and the proposed setbacks are shown on the proposed site plan, including identification of proposed building areas, and areas for possible future additions to proposed housing units; and

WHEREAS, pursuant to Subsection (F)(4) the Planning Commission may approve different setbacks proposed by the applicant after first determining that the alternative approach is more appropriate to the characteristics of the site and surroundings; and

WHEREAS, the Planning Commission finds that the alternative setbacks are more appropriate due to the shape of the project site after implementing the regional serving roadways and similar setback conditions in the surrounding area; and

WHEREAS, the applicant proposed different individual unit design alternatives other than those in Zoning Code Section 20-42.140(F)(8), and pursuant to this Subsection, design alternative(s) may be authorized by the Planning Commission as part of the Conditional Use Permit; and

WHEREAS, the Planning Commission approves the design alternatives other than those in Zoning Code Section 20-42.140(F)(8) as proposed as part of this Project; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. 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 in that the proposed residential small lot subdivision provides new residential units within the allowable density of both Low Density Residential and Medium Low Density Residential and is allowed with Conditional Use Permit approval as regulated in Zoning Code Section [20-42.140](#) along with the Planned Development District (PD 06-001) and complies with all other Zoning Code and City Code regulations
- B. The proposed use is consistent with the General Plan and any applicable specific plan in that in that the project site is located in an area designated by the General Plan Land Use Diagram as both Low Density Residential and Medium-Low Density Residential, which allows residential development at a density of 2-8 units per acre and 8-13 units per acre. Of the ± 18.56-acre site, 3.68 acres are designated Low Density Residential (2-8 units/acre), which require seven (7) to 29 residential units. The proposal includes 27 residential units on this portion of the site, which meets the density requirements of the General Plan. The project proposes 109 units across those portions of the site designated Medium-Low Density. The General Plan requires that at least 125 units be developed across the entire site, but it does not factor in regional-serving road infrastructure. The project's 137 units overall would provide more than the minimum number of units

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required by the General Plan when dedications for regional-serving road infrastructure are incorporated. All other public and private roads required to serve this project and are included in the gross developable acreage.

In addition to the 137 new residential units, the project would implement the following General Plan goals:

- Construction of a large portion of the Parkway, including the Parkway's intersection with Dutton Meadow, and the planned extension of Dutton Meadow to the east where it will eventually connect with the Dutton Avenue extension;
- Access to an otherwise land locked Phase 4a, 4b, 3a, and 3b of the Dutton Meadows Master Plan, which includes approximately 4.0 acres of city parkland, and a Commercial Shopping Center as identified on the General Plan Land Use Diagram;
- New signalized intersection of Northpoint Parkway and Dutton Meadow in front of Meadow View Elementary, providing safer routes to schools; and
- Pedestrian, bicycle, and vehicular infrastructure to support the City's southwest quadrant; and

C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity in that the proposed activity is consistent with the Northpoint-Dutton Community Commons District (PD District No. 06-001), which envisions residential development in this area which would include single-family detached units on small lots. The project site is located within walking distance to a school and public park. The site takes access off of Aloise Avenue and Dutton Meadow and provides a connection to the subdivision to the north and future connection to the subdivisions and future developments to the south and east of the site with a new internal public roads. The site plan provides circulation, setbacks, and design features compatible with the surrounding neighborhood and similar to the existing residential uses; and

D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints in that the project complies with General Plan objective criteria for land use and density, as well as all site development and use standards contained in applicable Planned Development and Zoning Code regulations. The project site is located in a developed area within the City that has access to City services and has been reviewed by City staff and conditioned to include improvements as necessary to support the project and its associated uses.

A Traffic Impact Analysis by W-Trans dated May 20, 2021, with Addendum dated June 21, 2021, was included as part of this Project. The Traffic Impact Analysis concluded that the project would not cause a specific or cumulative impact as it relates to traffic and the current intersections would continue to operate at acceptable levels; and

E. Due to special circumstances associated with the operation of the use at its location, the proposed use will generate a parking demand different from the standards specified in Table 3-4 in that the 25 lots that are deficient in parking supply are the smaller single-

family units where the parking demand is less because the units are likely sold to young families or older residents with less vehicles. A Parking Study by W-Trans, dated December 2, 2021, concluded that, “The 25 units that do not meet minimum City parking requirements, ten are estimated by ITE to fully meet peak demand off-street and fifteen units are anticipated to have a peak demand of 32 spaces, an excess of two from their proposed off-street supply of 30 spaces,” but there is nearby parking to support the two deficient spaces. The Study further found that, “Based on the 85th percentile peak parking generation rates for Single-Family Detached Housing (Institute of Transportation Engineers LU #210), 113 spaces would be needed in PD 06-001 and 180 spaces in R-1-6. The proposed parking supplies in both areas would be adequate to accommodate the overall estimated peak parking demands”; and

- F. The number of parking spaces approved will be sufficient for its safe, convenient, and efficient operation of the use in that each of the 84 residential units has a two-car garage providing 168 covered spaces while 59 lots provide two additional parking spaces in the driveway, onsite, or on street directly fronting the lots, and 10 lots provide one space in the driveway, onsite, or on street directly fronting the lots providing 296 parking spaces. Additionally, there are 45 parking spaces provided on street or in small parking lots on the Project site for a total of 341 parking spaces. All of the 25 parking deficient lots are within  $\pm$  300 feet from additional parking. Finally, the entire Project provides 563 parking spaces (341+222) when 442 are total parking spaces are required. Therefore, the Project provides adequate parking for all of the 137 new residential units; and
- G. 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 in that the proposed scale, scope, and operations of the Project has been thoroughly analyzed and reviewed by multiple city departments, undergone significant environmental analysis, and been conditioned to avoid potential impacts on the environment and surrounding neighborhood; and
- H. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The project is statutorily exempt from CEQA pursuant to Government Code Section 65457 and CEQA Guidelines Section 15182, subdivisions (a) and (c) and CEQA Guidelines Section 15183. The Project would develop a residential land use that is undertaken to implement, and is consistent with, the Roseland Area/Sebastopol Road Specific Plan. The EIR prepared for the Specific Plan was certified by the City Council in 2016 (State Clearinghouse No. 2016012030) and no events subsequent to certification have required a supplemental EIR pursuant to Public Resources Code section 21166. Furthermore, the proposed project has been found to be consistent with the Santa Rosa General Plan and complies with all Zoning Code requirements. Review of the project has revealed no significant environmental impacts which are peculiar to the parcel or to the project and which were not addressed in the General Plan EIR, nor is there any new information that shows that any environmental impacts will be more significant than as described in that EIR.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED, that the Planning Commission finds that the alternative setbacks are more appropriate due to the shape of the project site after implementing the regional serving roadways and similar setback conditions in the surrounding area; and

BE IT FURTHER RESOLVED, that the Planning Commission approves the design alternatives other than those in Zoning Code Section 20-42.140(F)(8) as proposed as part of this Project

BE IT FURTHER RESOLVED, that a Conditional Use Permit for Dutton Meadows Subdivision, to be located at 2650, 2666, 2684, Dutton Meadow and 1112, 1130, And 1250 Hearn Avenue, is approved subject to each of the following conditions:

#### **DEPARTMENT OF COMMUNITY DEVELOPMENT**

##### **GENERAL:**

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. All work shall be done according to the final approved plans dated September 15, 2021.
3. Comply with the Development Advisory Committee (DAC) Report, dated November 23, 2021, attached hereto and incorporated herein as Exhibit A.

##### **EXPIRATION AND EXTENSION:**

4. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
5. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

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REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 9th day of December, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_  
KAREN WEEKS, CHAIR

ATTEST: \_\_\_\_\_  
JESSICA JONES, EXECUTIVE SECRETARY

ATTACHMENT: Exhibit A - Development Advisory Committee Report dated November 23, 2021