

RESOLUTION NO. RES-2020-211

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE YOLANDA INDUSTRIAL PROJECT, LOCATED AT 0, 324, 324, 328/340, 330, 350/358 AND 368 YOLANDA AVENUE, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 044-081-029, 044-081-024, 044-072-006, 044-072-007, 044-072-008, 044-072-009 AND 044-390-061; FILE NO. PRJ19-002

WHEREAS, the scope of work considered in the Initial Study and resulting Mitigated Negative Declaration includes the General Plan Amendment to change the land use designation to Light Industry; the Rezoning to change the zoning district to IL (Light Industrial); Design Review to redevelopment 350/358 and 368 Yolanda Avenue; and Conditional Use Permit for the addition of various cannabis uses at 350/358 Yolanda Avenue, including dispensary, non-volatile manufacturing and distribution; and

WHEREAS, on May 31, 2017, an application requesting a Conditional Use Permit to operate various cannabis uses at 368 Yolanda Avenue was submitted to the Planning and Economic Development Department; and

WHEREAS, on August 10, 2017, an application requesting Design Review to redevelop the properties at 324, 330 and 358 Yolanda Avenue was submitted to the Planning and Economic Development Department; and

WHEREAS, on April 20, 2018, an application requesting a Conditional Use Permit to operate a Cannabis Retail facility (dispensary) at 330 Yolanda Avenue was submitted to the Planning and Economic Development Department; and

WHEREAS, on September 28, 2018, an application requesting a General Plan Amendment for five contiguous parcels, identified as Assessor's Parcel Nos. 044-081-029, 044-081-024, 044-072-006, 044-072-007, and 044-072-008, from the Retail and Business Services to the Light Industry, and one contiguous parcel, identified as Assessor's Parcel No. 044-390-061, from the Medium-High Density Residential to Light Industry; was submitted to the Planning and Economic Development Department; and

WHEREAS, on January 28, 2019, an application requesting to rezone from the CG (General Commercial) to the IL (Light Industrial) zoning district, to be consistent with the requested General Plan Amendment to change the land use designation from Retail and Business Services to Light Industry for the Yolanda Industrial Project, including the same six contiguous parcels, identified as Assessor's Parcel Numbers 044-081-029, 044-081-024, 044-072-006, 044-072-007, 044-072-008, and 044-390-061, was submitted to the Planning and Economic Development Department; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) a draft initial study was prepared for the project; and

WHEREAS, the draft initial study determined that, with incorporation of mitigation measures, the project would not have a significant effect on the environment and a Mitigated Negative Declaration for the project should be prepared; and

WHEREAS, the Initial Study/Draft Mitigated Negative Declaration was prepared and circulated for a 30-day public review period commencing on June 30, 2022. One comment, from Graton Rancheria, was received requesting additional language to require consultation with cultural affiliated tribe(s) in the event any resources are discovered during periods of construction. The changes have been incorporated; and

WHEREAS, as required under CEQA, the Mitigation Monitoring and Reporting Program prepared for the project identifies the timing of, and the agency or agencies responsible for, enforcement and monitoring of each mitigation measure to be implemented to reduce potentially significant impacts to less than significant levels; and

WHEREAS, the project applicant has agreed to all mitigation measures set forth in the Mitigated Negative Declaration that are required to be implemented pursuant to CEQA to reduce potentially significant impacts resulting from the project; and

WHEREAS, the Mitigated Negative Declaration and related project and environmental documents are available for review at the City of Santa Rosa Planning and Economic Development Department, during normal (reduced) business hours and electronically by request. The custodian of the documents and other materials which constitute the record of proceedings for the proposed project is Susie Murray, Senior Planner, Planning and Economic Development, 100 Santa Rosa Avenue, Room 3, Santa Rosa, CA 95404; and

WHEREAS, the Planning Commission of the City of Santa Rosa has reviewed and considered the environmental study, the findings and determinations of the Environmental Coordinator, the proposed Mitigated Negative Declaration, the staff reports, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the Planning Commission at the public hearing held on November 12, 2020, and all comments and materials submitted prior thereto; and

WHEREAS, on November 12, 2020, the Planning Commission adopted a resolution recommending Council adopt the proposed Mitigated Negative Declaration; and

WHEREAS, the Council has before it all of the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, based upon the findings and the records and files herein, and the findings above made, hereby determines as follows:

1. That the Mitigated Negative Declaration, which consists of the Initial Study/Draft Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program,

attached hereto as Exhibit A, has been completed in accordance with CEQA and the CEQA Guidelines; and

2. That the Council has reviewed and considered the information contained within the Mitigated Negative Declaration prior to acting on the proposed General Plan Amendment and Rezoning, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; and
3. That the monitoring and reporting of CEQA mitigation measures in connection with the site development will be conducted in accordance with the attached Mitigation Monitoring and Reporting Program; and
4. That the proposed Yolanda Industrial Project, including a request to amend the General Plan land use designation for six contiguous parcels from Retail and Business Services to Light Industry and one contiguous parcel from Medium-High Density Residential to Light Industry, a request to rezone from the same parcels from the CG (General Commercial) and R-3-15 (Multifamily) zoning districts to the IL (Light Industrial) zoning district, will not have a significant effect upon the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration, attached hereto and incorporated herein, are implemented prior to development of the subject property.

BE IT FURTHER RESOLVED that the Council is adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to require all reasonably feasible mitigation measures be implemented by means of agreements or other measures as set forth in the Mitigation Monitoring and Reporting Program.

IN COUNCIL DULY PASSED this 8th day of December, 2021.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Olivares, Rogers, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A - Initial Study/Mitigated Negative Declaration