

RESOLUTION NO. RES-2019-085

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND MAKING FINDINGS AND DETERMINATIONS AND APPROVING THE ROSELAND VILLAGE TENTATIVE MAP FOR THE TWO EXISTING PARCELS LOCATED AT 665 AND 883 SEBASTOPOL ROAD – ASSESSOR’S PARCEL NUMBERS 125-111-037 AND 125-101-031 - FILE NUMBERS – PRJ17-075, MAJ17-006

WHEREAS, an application has been submitted by MidPen Housing Corporation, requesting approval of the Roseland Village five-lot Tentative Map, prepared by BKF Engineers, date stamped February 20, 2018, for the subdivision of a 7.41-acre site consisting of two parcels into five simple lots, located at 665 and 883 Sebastopol Road, more particularly described as Assessor's Parcel Numbers 125-111-037 and 125-101-031, and on file in the Planning and Economic Development Department; and

WHEREAS, 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 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, made certain findings and approved the Roseland Village Tentative Map; and

WHEREAS, an appeal of the Planning Commission’s action was filed by Robert Nellessen, representing John Paulsen, President of the Roseland Village Corporation (Appellant), seeking review by the City Council pursuant to City Code Chapter 20-62.

NOW, THEREFORE, BE IT RESOLVED that after consideration of the appeal and the reports, documents, testimony, and other materials presented, and pursuant the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.), the Council of the City of Santa Rosa denies the appeal, affirms the decision of the Planning Commission, and makes the following findings and determinations:

- A. The proposed tentative map is consistent with the General Plan and the Roseland Area/Sebastopol Road Specific Plan as specified in Government Code Sections 65451 and 66473.5 in that the Project will prepare the project site for planned infill, mixed-use development in a Priority Development Area that can support the planned Roseland Village Neighborhood Center (Roseland Village) project. The mixed-use Roseland Village project will be in the vicinity of multiple modes of public transportation and bicycle routes and is in an area that features and will feature even further walkable everyday uses that will help the users/residents of the project be less reliant on personal automobiles for transportation. The project will also help address the City’s housing needs through the inclusion of varied

housing options in the project including 100 market-rate units and 75 units of affordable housing to very low and low income households.

- B. The project is consistent with the land use goals and policies for the Roseland Area/Sebastopol Road Specific Plan, as well as the Sebastopol Urban Vision Plan that has been incorporated into the Specific Plan.
- C. The proposed subdivision meets the housing needs of the City and the public service needs of the subdivision's users and residents are within the available fiscal and environmental resources of the City. The subdivision complies with the City of Santa Rosa Housing Allocation Plan (HAP) by providing more than 15% allocated affordable units on-site (City Code Section 21-02.070(C)). The subdivision will establish two parcels for the development of 175 rental units, including one which will be developed with one apartment building with 75 lower income (i.e., Very Low and Low income) units. Twenty percent, or 28 units of the 133 maximum allowed units, will be "allocated" to lower income households, subject to an affordability agreement with the Housing Authority. The location of the project site and the provision of public improvements and streets required by the tentative map will help to ensure the provision of public services to the subdivision residents are within the City's available financial and environmental resources.
- D. The proposed subdivision of lots 1, 2, 3 and 4 are configured with at least two street frontages that provide separation which will allow future buildings within the planned Roseland Village project to utilize passive heating methods by absorbing the sun's heating energy throughout the day due to significant east, south, and west-facing building elevations. The rooftops of these future buildings will also be able to easily accommodate solar arrays to capture the sun's energy. Passive cooling features such as sunshades and recessed building areas are proposed at the upper stories of these buildings. The future public plaza on Parcel A will also serve as a passive cooling mechanism by removing nearly one-acre of hardscape and replacing it with planted areas that will reduce urban heating that occurs on paved areas. The plaza will also feature shaded areas that will allow its users to access naturally shaded outside areas.
- E. The proposed subdivision would not discharge waste into the City's sewer system that would result in violation of the requirements prescribed by the California Regional Water Quality Control Board.

BE IT FURTHER RESOLVED the Project was reviewed in compliance with the California Environmental Quality Act (CEQA) and is exempt from further environmental review:

1. Pursuant to CEQA Guidelines Section 15183, the Project was determined to be exempt from further review pursuant to CEQA Guidelines section 15183, in that:

- a. The Project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified. The project will support the future development of 3-4 story buildings, with mixed commercial, institutional and residential uses at the intensity called for by the Roseland Area/Sebastopol Road Specific Plan. The additional density granted by the density bonus is consistent with the General Plan Housing Element and zoning code density bonus regulation.
  - b. There are no project specific effects which are peculiar to the Project or its site, and which the General Plan or Specific Plan EIRs failed to analyze as significant effects. The subject property is no different than other properties in the surrounding area, and there are no Project specific effects which are peculiar to the Project or its site. The project site is located in an area developed with commercial, institutional, and residential uses. The property does not support any peculiar environmental features, and the Project would not result in any peculiar effects. In addition, all Project impacts were adequately analyzed by the specific plan and general plan EIR.
  - c. There are no potentially significant off-site and/or cumulative impacts which the General Plan or Specific Plan EIRs failed to evaluate. The proposed Project is consistent with the density and use characteristics of the development considered by the General Plan or Specific Plan EIRs and would represent a small part of the growth that was forecast for build-out of the General Plan. The General Plan or Specific Plan EIRs considered the incremental impacts of the future development, such as the Project and planned Roseland Village project, and no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.
  - d. There is no substantial new information which results in more severe impacts than anticipated by the General Plan or Specific Plan EIRs. No new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the General Plan or Specific Plan EIRs.
  - e. The project will undertake feasible mitigation measures specified in the General Plan or Specific Plan EIRs. The mitigation measures will be undertaken through Project design, compliance with regulations and ordinances, or through the Project's conditions of approval.
2. Pursuant to CEQA Guidelines Section 15182, the density, design, and infrastructure planned under the proposed Project is consistent with the adopted Specific Plan in that the level and intensity of the proposed developments and the locations of the developments are consistent with the Specific Plan. No special circumstances or potential new impacts related to the Project has been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and

analyzed in the Specific Plan EIR. The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property.

BE IT FURTHER RESOLVED that the Council finds and determines said Tentative Map would not be approved but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions are determined invalid, this tentative map would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Council approves the Roseland Village Tentative Map, date stamped February 20, 2019, and on file in the Planning and Economic Development Department, subject to the following conditions:

1. Compliance with the Development Advisory Committee (DAC) Report conditions, attached to this resolution as Exhibit A, dated January 3, 2019 and revised February 25, 2019.
2. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
3. The developer shall enter into an agreement with the City which provides that the developer, his heirs, successors, and assigns shall defend, indemnify, and hold the City, its officers, employees, and agents harmless from any and all claims, suits, and actions brought by any person and arising from, or in connection with, the design, layout, or construction of any portion of this subdivision, or any grading done, or any public or private improvements constructed within, or under, or in connection with this subdivision, whether on-site or off-site.
4. The approval of this project shall be subject to the latest adopted ordinances, resolutions, policies and fees adopted by the City Council at the time of the building permit review and approval.
5. The developer shall be in compliance with the Housing Allocation Plan (City Code Chapter 21-02) at the time of building permit issuance.
6. If applicable, the developer shall comply with the City Public Art Ordinance (City Code Chapter 21-08) as applied to the non-residential portions of the project.

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7. Sewer connections for this development, or any part thereof, will be allowed only in accordance with the requirements of the California Regional Water Quality Control Board, North Coast Region, in effect at the time, or thereafter, that the building permit(s) for this development, or any part thereof, are issued.

IN COUNCIL DULY PASSED this 25th day of June, 2019

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

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Exhibit A - Development Advisory Committee Report