

RESOLUTION NO. RES-2023-144

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND APPROVING A MINOR CONDITIONAL USE PERMIT FOR A SUPPLEMENTAL DENSITY BONUS OF 65% FOR THE 1650 W STEELE LANE APARTMENTS PROJECT LOCATED AT 1650 W STEELE LANE, SANTA ROSA, APN 041-042-012 (FILE NUMBER PRJ21-010)

WHEREAS, on April 15, 2021, an application was submitted for a Minor Conditional Use Permit to allow for a Supplemental Density Bonus of 65% for 1650 West Steele Lane Apartments, a 36-unit Multi-family housing project consisting of four units reserved for very low-income households, located at 1650 W Steele Lane, Santa Rosa (proposed Project); and

WHEREAS, the Project site is located within the boundary of the North Santa Rosa Station Area Specific Plan and is designated as an eligible land use designation as established by City of Santa Rosa Zoning Code Section 20-31.070 (C); and

WHEREAS, the Project is located within ½ mile of a Major Transit Stop as defined by California Public Resources Code Section 21064.2 and City of Santa Rosa Zoning Code Section 20-31.020; and

WHEREAS, the Project is located within ½ mile of a school facility as defined by the City of Santa Rosa Zoning Code Section 20-31.020; and

WHEREAS, the Project complies with all other standards and requirements of the City of Santa Rosa Zoning Code Section 20-31.070 (Supplemental Density Bonus) by greatly exceeding requirements related to Eligibility Points and Community Benefits as discussed in Findings #7 and #8; and

WHEREAS, on January 25, 2023, the Zoning Administrator adopted Resolution No. ZA-2023-006, approving a Minor Conditional Use Permit to allow a Supplemental Density Bonus of 65% for the 1650 W Steele Lane Apartments; and

WHEREAS, the Council has completed review of the Minor Conditional Use Permit to allow the proposed Supplemental Density Bonus for the proposed Project based on official approved exhibit date stamp received December 21, 2022; and

WHEREAS, on February 6th, 2023, an Appeal application was submitted to the City of Santa Rosa, “based on the City’s approval of much-reduced parking for the project”; and

WHEREAS, City of Santa Rosa Zoning Code Section 20-16.070(A)6 requires that that the review authority for an appeal of any project submitted pursuant to Section 20-16.070 (Modifications to the Design Review process) is the City Council; and

WHEREAS, on May 23, 2023, the City Council of the City of Santa Rosa elected to continue the item to a date uncertain; and

WHEREAS, on August 8, 2023, the Council adopted an Addendum to the Certified North Santa Rosa Station Area Specific Plan Environmental Impact Report, and further found that the proposed Project is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15182 because the project is consistent with North Station Area Specific Plan for which an Environmental Impact Report (EIR) was prepared; and

WHEREAS, on August 8, 2023, the Council of the City of Santa Rosa held a duly noticed public hearing and considered the appeal of the Zoning Administrator action approving a Minor Conditional Use Permit to allow a Supplemental Density Bonus for 1650 W Steele Lane Apartments, a Multifamily dwelling development, all comments made at the public hearing, and all other information in the administrative record.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Rosa hereby denies the Appeal and upholds the Zoning Administrator's approval of a Conditional Use Permit for 1650 W Steele Lane Apartments, a multi-family housing development, based on the following findings:

1. 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 multifamily land use is permitted by-right in the subject zoning district, and the Project meets all criteria listed in Zoning Code Section 20-31.070 to qualify for a 65% Supplemental Density Bonus.
2. The proposed use is consistent with the General Plan and any applicable specific plan in that the Medium Density Residential General Plan Land Use Designation envisions residential development at a density of 18 units per acre, in addition to additional units allowed by State Density Bonus and Supplemental Density Bonus; and the project is otherwise consistent with the North Station Area Specific Plan. The proposed use would provide housing in close proximity to retail and office land uses, as well as public transit services. The proposed use is consistent with numerous General plan goals and policies as discussed in the Staff Report, including Goal LUL-A which establishes a goal to foster a compact rather than a scattered development pattern in order to reduced travel, energy, land, and materials consumption while promoting greenhouse gas emission reductions citywide. The proposed use would dedicate four unit to Very Low-Income households. Therefore, among other others as described in the Staff Report, the proposed use works to achieve the North Santa Rosa Station Area Specific Plan Goal AH-1 which establishes a goal to provide a variety of housing types and densities in the Specific Plan Area, including those affordable to lower-income households.
3. The design, location, size and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity in that the surrounding neighborhood consists of single- and multifamily residential development, in addition to a neighborhood serving shopping center directly adjacent to the east. Additionally, a large shopping center (Coddington) is located less than one-quarter of a mile walking distance from the proposed project site, and

the North Santa Rosa SMART Station is located less than one-half of a mile walking distance from the proposed project site. City staff has conducted an operational analysis of the proposed use, supported by technical studies such as a Focused Traffic Study, that concludes the proposed use would be compatible with existing and future land uses in the vicinity. In addition, the proposed design has received Concept Design Review and has been analyzed to be consistent with the North Station Area Specific Plan design guidelines.

4. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints in that the proposed project site is designated for residential development by the General Plan and North Station Area Specific Plan; and the proposed density is supported by the General Plan, Zoning Code, and California State law. The currently vacant project site would be accessed from Meadowbrook Court to the west of the project site and is absent of physical constraints that would preclude the ability to develop the project. Ingress and egress impacts to W Steele Lane would be limited due to the number of peak morning trips (17) and peak evening trips (20). The project site is also able to be served by all necessary utilities to accommodate residential development.
5. 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. the project site's General Plan Land Use Designation and Zoning District envisioned multifamily residential development, and the additional units approved pursuant to State Density Bonus and requested pursuant to Supplemental Density Bonus are both supported by the General Plan, Zoning Code, State Density Bonus Law. The project is consistent with the number one goal of the Council which is to "Deliver Housing for All," and a Focused Traffic Study has been prepared by W-Trans that concludes the proposed project would generate 17 trips during peak morning hours, and 20 trips during peak evening hours, which is not anticipated to result in a nuisance or be otherwise detrimental to the convenience of persons in the vicinity. Additionally, the proposed number of parking spaces are anticipated to be sufficient to serve the proposed project based on Institute of Transportation Engineers (ITE) standard parking demand rates, which accounts for parking demand reduction measures included in the project's characteristics such as unbundled parking and proximity to public transit, including the Sonoma Marin Area Rapid Transit system.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Addendum to the Certified Environmental Impact Report (EIR) for the North Santa Rosa Station Area Specific Plan (State Clearinghouse Number 20111022034) "Addendum" was prepared in compliance with CEQA Guidelines Section 15164. The Addendum was reviewed by City Staff and adopted by the Zoning Administrator after determining that the project would not cause new significant environmental effects or substantial

increases in the severity of significant effects beyond those previously identified as part of the North Santa Rosa Station Area Specific Plan EIR. An Addendum to a Certified Environmental Impact Report may be prepared if no significant environmental effects will occur and none of the previously identified effects will increase in severity (CEQA Guidelines Section 15164).

None of the circumstances under CEQA Guidelines Section 15162 are triggered; therefore, no additional analysis is required. See “Addendum to the April 2012 North Santa Rosa Station Area Specific Plan Draft EIR and the June 2012 Final EIR” dated revised June 2022 for further analysis.

Per CEQA Guidelines Section 15164(c), an addendum need not be circulated for public review, but can be included in or attached to the final EIR or adopted mitigated negative declaration. Per CEQA Guidelines Section 15164(d), the decision-making body shall consider an addendum with the final EIR or adopted mitigated negative declaration prior to making a decision on the project. In addition, the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15182 because the project is consistent with North Station Area Specific Plan for which an Environmental Impact Report (EIR) was prepared.

7. The proposed project generates a sufficient number of Eligibility Points by providing at least 60 percent of all required Eligibility Points through affordable housing pursuant to Table 3.3, and that the remaining 40 percent are provided through additional affordable housing pursuant to Table 3.3 as outlined in Section 20-31.070 of the City of Santa Rosa Zoning Code.
8. The proposed community benefits for the project are significant and clearly beyond what would otherwise be required for the project under applicable code provisions, conditions of approval, and/or environmental review mitigation measures in that the project proposes to dedicate four units to Very Low-Income households which grants 60 eligibility points and proposes to develop 25% of its affordable units (one unit) with three bedrooms (Family-Size Unit) which grants the project 40 eligibility points.
9. The proposed community benefits for the project are acceptable and appropriate for the project and will provide tangible benefits to the community in that the project proposes to include one Family-Size Unit to a Very Low-Income households which increases the much-needed variety of affordable housing types in the City of Santa Rosa.

BE IT FURTHER RESOLVED that this entitlement would not be granted 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 is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits

and fees are/may be required. It is the responsibility of the applicant to pursue and demonstrate compliance.

1. No community benefit for which a bonus has been granted may be eliminated or reduced in size without the approval of the review authority. To grant such approval, the review authority must find that there is a corresponding reduction in intensity, height, and/or density, a substitution of an equivalent community benefit, or a combination of the two.
2. Before a Certificate of Occupancy is issued for a project, the applicant shall certify to the Director that the Eligibility Points upon which the project's residential density bonus was based have been achieved.

BE IT FURTHER RESOLVED that the Council denies the appeal and approves a Minor Conditional Use Permit for a Supplemental Density Bonus for the 1650 W Steele Lane Apartments Project, a 36-unit multifamily dwelling development.

IN COUNCIL DULY PASSED this 8th day of August, 2023.

AYES: (6) Mayor N. Rogers, Vice Mayor MacDonald, Council Members Alvarez, Fleming, C. Rogers, Stapp

NOES: (0)

ABSENT: (0)

ABSTAIN: (1) Council Member Okrepkie

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney