

RESOLUTION NO. ZA-2023-009

RESOLUTION OF THE ZONING ADMINISTRATOR MAKING FINDINGS AND APPROVING THE ADDENDUM TO THE SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT (SCEA) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE 3575 MENDOCINO AVENUE PROJECT, FILE NUMBER DR22-026

WHEREAS, on February 24, 2020, an application to develop a 532 multifamily project (including 162 units for low and very low senior households) and associated improvements including a 1-acre park on a 13.3 infill site located at 3575 Mendocino Avenue (“Original Project”), was submitted to the Planning and Economic Development Department (File Numbers PRJ20-002 & MAJ20-001); and

WHEREAS, the Original Project consists of the subdivision of a 13.3-acre site into eight lots through a phased tentative map. Phase I would create Lots 1, 2, and 3, which would accommodate the 162 affordable senior housing units, and a public street to provide ingress/egress to Mendocino Avenue and one-acre park. Phase II includes Lots 4, 5, 6, 7, and 8, which includes sites for the market rate units, the park, and associated improvements (“Modified Project”); and

WHEREAS, on December 8, 2020, the City Council held a public hearing on the original Project and adopted the Sustainable Communities Environmental Assessment (SCEA), and approved the General Plan Amendment from Mobile Home to Transit-Village Medium and the rezoning from Rural Residential-Resilient City (RR-40-RC) to Transit-Village Residential-Resilient City (TV-R-RC), with a Senior Housing (SH) combining district applied to a 2.5-acre portion of the site to facilitate the construction of the 162 affordable senior housing units, and approved a tentative map of eight lots for the original project; and

WHEREAS, on June 8, 2022, a Minor Design Review application was submitted to modify the Original Project by reducing the market rate housing component to 260 units, resulting in a total of 422 units, including the 162 senior affordable housing units (Modified Project). The Modified Project would be reconfigured as a garden-style apartment complex with 13 separate buildings totaling approximately 298,519-gross-square-feet. The modified units would consist of 182 one-bedroom units and 78 two-bedroom units, ranging from approximately 637 to 1,099-net-square-feet. The modified market rate housing component is also proposing to construct a 5,166 square foot clubhouse. The clubhouse would include a fitness facility, leasing office, maintenance room, workroom, and outdoor swimming pool; and

WHEREAS, Section 15164(b) of the CEQA Guidelines states that: an Addendum may be prepared if only minor technical changes or additions are required, and none of the conditions identified in CEQA Guidelines Section 15162 are present. The following identifies the standards set forth in Section 15162 as they relate to the project:

1. Substantial changes are proposed in the project which will require major revisions to the previous Environmental Impact Report (EIR) or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative, or;
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

WHEREAS, in accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15164, and Public Resources Code (PRC) Section 21166, an Addendum has been prepared, “3575 Mendocino Avenue Project CEQA Addendum to the 2020 Adopted Sustainable Communities Environmental Assessment,” dated December 2, 2022 (attached as Exhibit A), to determine whether any new significant environmental impacts that were not previously identified in the adopted 2020 SCEA would result from the Modified Project, or whether previously identified significant impacts would be substantially more severe as a result of these changes; and

WHEREAS, the City has determined that the previously approved 2020 SCEA provides informational value relevant to analyzing the environmental impacts of the Modified Project. In addition to CEQA Guidelines Sections 15162, 15164, and PRC Section 21166, an Addendum is specifically authorized in PRC Section 21159.28(a) for residential streamlining projects such as the Modified Project. As demonstrated by the analysis in this

document, the Modified Project would not result in any new significant impacts, nor would it substantially increase the severity of previously identified significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the approved 2020 SCEA and do not constitute a new or substantially increased significant impact. Therefore, there are no changes in the Modified Project; no changes in the circumstances under which the Modified Project area being undertaken; and no new information exists to meet the criteria for a Supplemental or Subsequent SCEA pursuant to CEQA Guidelines Section 15162 or PRC Section 21166.

WHEREAS, the Modified Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Plan Bay Area 2040 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) prepared by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the San Francisco Bay Area Region pursuant to Public Resources Code (PRC) Section 21155(a);

WHEREAS, the Modified Project qualifies as a transit priority project pursuant to PRC Section 21155(b) and is a residential or mixed-use project as defined by PRC Section 21159.28(d), and therefore the Modified Project meets the criteria for the environmental review with a Sustainable Communities Environmental Assessment (SCEA); and

WHEREAS, all potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) have been identified and analyzed in the attached initial study; and

WHEREAS, the Modified Project, as mitigated, either avoids or mitigates to a level of insignificance all potentially significant or significant effects of the Modified Project required to be analyzed pursuant to CEQA; and

WHEREAS, pursuant to Section 21155.2 of the PRC, the attached Sustainable Communities Environmental Assessment Addendum (“SCEA Addendum”): 1) incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports (EIR), including the Plan Bay Area EIR (Plan Bay Area 2017) and the City of Santa Rosa General Plan EIR, and adopted in findings made pursuant to Section 21081; and 2) contains measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the Modified Project required to be identified in this SCEA; and

WHEREAS, on January 19, 2023, at a public meeting of the Zoning Administrator (ZA), the ZA considered the contents of the SCEA addendum in accordance with the requirements of CEQA and the Santa Rosa City Code and makes the following findings:

1. Pursuant to Public Resources Code, Section 21155, the Modified Project is a Transit Priority Project (TPP) based on the following:

- a. The Project contains at least 50 percent residential use; and
 - b. The Project provides a minimum net density of at least 20 dwelling units per acre in that the project includes up to 40 dwelling units per acre of affordable senior and market rate housing.
 - c. The Project is located within one-half mile of a major transit or high-quality transit corridor included in a regional transportation plan in that the project site is located less than one half mile from the Bicentennial Way Transit Facility and within the Mendocino Avenue Corridor Plan area.
2. The Modified Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Plan Bay Area 2040 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) prepared by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the San Francisco Bay Area Region pursuant to Public Resources Code (PRC) Section 21155(a);
 3. Pursuant to Section 21155.2 of the PRC, the attached SCEA Addendum: 1) incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports (EIR), including the Plan Bay Area EIR (Plan Bay Area 2017) and the City of Santa Rosa General Plan EIR, and adopted in findings made pursuant to Section 21081; and 2) contains measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the Modified Project required to be identified in this SCEA Addendum.
 4. An Initial Study has been prepared that identifies all significant or potentially significant impacts of the Proposed Project. The Initial Study identifies cumulative effects that have been adequately addressed and mitigated in the prior applicable certified EIRs. Cumulative effects have been found to be adequately addressed or mitigated in these prior applicable certified EIRs and are not considered cumulatively considerable for the purposes of this SCEA Addendum. The SCEA Addendum includes measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the Initial Study.
 5. The Zoning Administrator has independently reviewed and considered the information contained within the SCEA Addendum and finds the material represents the independent judgement and analysis of the City, as the lead agency.

BE IT FURTHER RESOLVED that the Zoning Administrator finds that based on the whole record including the SCEA Addendum, and all other written and oral evidence presented, all environmental impacts of the project are either less than significant or no impact as outlined in the SCEA Addendum. The Zoning Administrator further finds that there is no substantial evidence in the administrative record that the Proposed Project may result in any significant environmental impacts. The Zoning Administrator finds that the SCEA Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Proposed Project and reflects the independent judgement and analysis of the City.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby approves the SCEA Addendum, attached hereto as “Exhibit A.”

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator, based on the above findings, approves the SCEA Addendum for the 3575 Mendocino Avenue Project.

APPROVED: _____

SUSIE MURRAY, ZONING ADMINISTRATOR

ATTACHMENTS:

Exhibit A – 3575 Mendocino Avenue Project CEQA Addendum to the 2020 Adopted Sustainable Communities Environmental Assessment, dated December 2, 2022