

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING THE APPEAL AND REVERSING THE PLANNING COMMISSION'S ADOPTION OF A MITIGATED NEGATIVE DECLARATION, DENYING A GENERAL PLAN AMENDMENT, DENYING A REZONING, AND REVERSING THE PLANNING COMMISSION'S APPROVAL OF A TENTATIVE PARCEL MAP FOR CALISTOGA COTTAGES LOCATED AT 408 CALISTOGA ROAD – FILE NO. MJP13-007

WHEREAS, the Planning Commission at its meeting held at City Hall in the City of Santa Rosa on June 26, 2014, heard and considered evidence regarding the proposed Mitigated Negative Declaration for Calistoga Cottages at 408 Calistoga Road and after due consideration of all evidence and reports offered at said meeting, did make findings and determinations and adopted, by Resolution No. 11676, the Calistoga Cottages Mitigated Negative Declaration; and

WHEREAS, said Planning Commission at its meeting held at City Hall in the City of Santa Rosa on June 26, 2014, heard and considered evidence regarding the proposed General Plan Amendment and after due consideration of all evidence and reports offered at said meeting, did approve Resolution No. 11677 recommending to the City Council to approve a General Plan Amendment from Very Low Density Residential (0.2-2.0 units per acre) to Low Density Residential (2.0-8.0 units per acre) for 408 Calistoga Road; and

WHEREAS, said Planning Commission, at its meeting held at City Hall in the City of Santa Rosa on June 26, 2014, heard and considered evidence regarding the proposed Rezoning and after due consideration of all evidence and reports offered at said meeting did approve Resolution No. 11678, recommending to the City Council approval of a Rezoning from RR-40 (Rural Residential) to R-1-6 (Single Family Residential) for 408 Calistoga Road; and

WHEREAS, said Planning Commission at its meeting held at City Hall in the City of Santa Rosa on June 26, 2014, heard and considered evidence regarding the proposed Tentative Parcel Map, made findings in connection therewith, and approved by Resolution No. 11679 the Calistoga Cottages Tentative Map to subdivide 408 Calistoga Road, a 0.99-acre parcel, into four single family residential lots; and

WHEREAS, on July 7, 2014, an application to appeal the Planning Commission's June 26, 2014 action including the adoption of a Mitigated Negative Declaration, recommendation to the City Council to approve a General Plan Amendment from Very Low Density to Low Density Residential, recommendation to the City Council to approve a Rezoning from RR-40 (Rural Residential) to R-1-6 (Single Family Residential), and approval of a Tentative Parcel Map for the Calistoga Cottages subdivision was submitted by the appellants, Lynn Denley-Bussard and Paul Bussard, to the City Clerk's office for the property at 408 Calistoga Road, Santa Rosa; and

WHEREAS, on July 17, 2014, the appellant requested a continuance, and the applicant agreed, of the appeal public hearing scheduled and noticed for July 29, 2014; and

WHEREAS, on July 29, 2014, the City Council continued the scheduled and noticed public hearing to consider an appeal of the Planning Commission's June 26, 2014 action including the adoption of a Mitigated Negative Declaration, recommendation to the City Council to approve a General Plan Amendment from Very Low Density to Low Density Residential, recommendation to the City Council to approve a Rezoning from RR-40 (Rural Residential) to R-1-6 (Single Family Residential), and approval of a Tentative Parcel Map for the Calistoga Cottages located at 408 Calistoga Road, Santa Rosa; and

WHEREAS, on September 16, 2014, the City Council held a public hearing to consider an appeal of the Planning Commission's decision to adopt a Mitigated Negative Declaration, recommend that the City Council approve a General Plan Amendment, recommend that the City Council approved a Rezoning, and approve a Tentative Parcel Map and after consideration of all evidence and reports offered at said meeting, did make findings and determinations and motioned to deny the appeal and the motion failed 3-4; and

WHEREAS, on September 23, 2014, Council Member Wysocky requested the Council reconsider its decision to grant the appeal and deny the Calistoga Cottages subdivision due to information brought up late in the discussion at the September 16, 2014 City Council meeting stating the project warranted additional consideration. City Council voted in favor of the reconsideration 4-2 with one Council Member absent; and

WHEREAS, on November 18, 2014, the City Council held a public hearing to reconsider their decision to grant an appeal and deny the Calistoga Cottages subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa does hereby grant the appeal of Calistoga Cottages and reverse the Planning Commission's decision to adopt a Mitigated Negative Declaration, recommend that the City Council approve a General Plan Amendment, recommend that the City Council approved a Rezoning, and approve a Tentative Parcel Map based upon the following findings:

- A. The proposed Calistoga Cottages subdivision is not in keeping with the rural character of the surrounding neighborhood.

BE IT FURTHER RESOLVED that the Council of the City of Santa Rosa grants the appeal and denies the Mitigated Negative Declaration, General Plan Amendment, Rezoning and Tentative Parcel Map for Calistoga Cottages located at 408 Calistoga Road, Santa Rosa.

IN COUNCIL DULY PASSED this 18th day of November, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney