

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA APPROVING THE PENSTEMON PLACE TENTATIVE MAP AT 2574, 2842 AND 2862 LINWOOD AVENUE; FILE NUMBER PRJ16-032

WHEREAS, on April 20, 2016, a Neighborhood Meeting was held to introduce the conceptual project plans to neighbors and interested members of the public; and

WHEREAS, on December 6, 2016, an application was submitted to Planning and Economic Development by Carlile Macy, on behalf of McIntosh Builders, requesting approval of a tentative map for Penstemon Place, proposing to subdivide an approximately 9.73-acre area into 59 individual residential lots at 2574, 2842 and 2862 Linwood Avenue, more particularly described as Assessor's Parcel Number(s) 044-200-027, 044-200-029 and 044-200-040; and

WHEREAS, on December 20, 2016, a Development Advisory Committee Meeting was held with City staff; and

WHEREAS an Initial Study was conducted that resulted in a Mitigated Negative Declaration, dated January 2020, which included a Mitigation Monitoring and Reporting Plan. On June 29, 2020, a Notice of Public Review and Intent to Adopt a Mitigated Negative Declaration was circulated for a 30-day public review period; and

WHEREAS, on January 27, 2022, 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 has 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; and

WHEREAS, on January 27, 2022, the Planning Commission considered and adopted a Mitigated Negative Declaration including a Mitigation Monitoring and Reporting Program for this project at the same public hearing; and

WHEREAS, the Planning Commission has considered and approved a Hillside Development Permit to allow development on slopes greater than ten percent and approving architecture for Lots for this project at the same public hearing; and

WHEREAS, the Planning Commission has considered and approved a Conditional Use Permit for Penstemon Place, a small lot subdivision, at the same public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby

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determine that said subdivision of 59 lots and no more is in compliance with 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.) based upon the following findings:

- A. That the proposed Penstemon Place map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5, in that the development site is designated as Low Density Residential on the General Plan Land Use Diagram. Areas with this designation are intended for primarily intended for single-family residential development and allows residential density at two-eight units per acre. The Penstemon Place subdivision is proposed at a density of approximately six units per acre. The development site is not within a specific plan area.
- B. That the proposed subdivision meets the housing needs of the City and that the public service needs of the subdivision's residents are within the available fiscal and environmental resources of the City. Once developed, Penstemon Place will provide 59 new residential units, two of which will include Accessory Dwelling Units (ADU) and four of which will include the option to include an ADU.
- C. That the design of the proposed subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities in the subdivision.
- D. That 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, in that the discharge was considered in the analysis of General Plan 2035.
- E. That the proposed subdivision is consistent with the City of Santa Rosa Design Guidelines and is determined to be of Superior Design.
- F. The Project has been found in compliance with the California Environmental Quality Act (CEQA). An Initial Study was prepared by Sponamore Associates, dated January 2020 (edited by Carlile Macy, December 2021), which resulted in a Mitigated Negative Declaration (MND) and a Mitigation Monitoring and Reporting Program (MMRP). A Notice of Public Review and Intent to Adopt a Mitigated Negative Declaration was circulated on June 29, 2020. Public comments resulted in minor edits to the MND. Pursuant to CEQA Guidelines Section 15073.5. Because no substantial revisions were made to the previously circulated document, recirculation of the MND was not required.

BE IT FURTHER RESOLVED that the Planning Commission 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

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conditions for achieving the purposes and intent of such approval.

BE IT FURTHER RESOLVED that the Planning Commission approves and adopts the mitigation measures set forth in the Mitigation Monitoring and Reporting Program dated December 30, 2021, included in the Mitigated Negative Declaration, and directs staff, as therein identified, to implement and complete the program.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Santa Rosa approves the Penstemon Place Tentative Map date-stamped received on January 7, 2022, and on file in the Department of Planning and Economic Development, subject to the following conditions:

1. Compliance with the Development Advisory Committee (DAC) Report dated January 6, 2022, attached hereto and incorporated herein.
2. Compliance with the Mitigation Monitoring and Reporting Program dated December 30, 2022, attached hereto and incorporated herein.
3. That 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. 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.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 27<sup>th</sup> day of January 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

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ABSENT:

APPROVED: \_\_\_\_\_  
KAREN WEEKS, CHAIR

ATTEST: \_\_\_\_\_  
JESSICA JONES, EXECUTIVE SECRETARY

Exhibit A: Development Advisory Report, dated January 6, 2022

Exhibit B: Mitigation Monitoring and Reporting Program, dated December 30, 2021