

CITY OF SANTA ROSA  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR PLANNING COMMISSION  
**FEBRUARY 08, 2018**

**PROJECT TITLE**

Montgomery Creek Subdivision

**ADDRESS/LOCATION**

4743 Montgomery Drive

**ASSESSOR'S PARCEL NUMBER**

031-140-023

**APPLICATION DATE**

October 3, 2016, and October 6, 2017

**REQUESTED ENTITLEMENTS**

Two one-year Time Extensions

**PROJECT SITE ZONING**

R-1-6 (Single-family Residential)

**PROJECT PLANNER**

Susie Murray

**APPLICANT**

REO Capital Fund 4 LLC

**PROPERTY OWNER**

REO Capital Fund 4 LLC

**FILE NUMBER**

PRJ17-066 (Including EXT16-0039 and  
EXT17-0073)

**APPLICATION COMPLETION DATE**

October 3, 2016, and October 6, 2017

**FURTHER ACTIONS REQUIRED**

Two Director-level one-year Time  
Extension for a Conditional Use Permit

**GENERAL PLAN DESIGNATION**

Low Density Residential (2-8 units per  
acre)

**RECOMMENDATION**

Approval

Agenda Item # \_\_\_\_\_

For Planning Commission Meeting of: February 08, 2018

CITY OF SANTA ROSA  
PLANNING COMMISSION

TO: CHAIR CISCO AND MEMBERS OF THE COMMISSION  
FROM: SUSIE MURRAY, CITY PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT  
SUBJECT: MONTGOMERY CREEK SUBDIVISION TIME EXTENSION

AGENDA ACTION: TWO RESOLUTIONS

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by two resolutions, approve two 12-month time extensions for the Montgomery Creek Tentative Map to subdivide a 1.15-acre parcel into six single-family residential lots.

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EXECUTIVE SUMMARY

The applicant is requesting two 12-month time extensions for the Montgomery Creek Subdivision project (Project), which will extend the expiration date to November 8, 2018.

The request before the Planning Commission (Commission) is two 12-month time extensions for the Tentative Map, which will extend the expiration date to November 8, 2018.

BACKGROUND

1. Project Description

The Project includes a Tentative Map to subdivide a 1.15-acre parcel into six single-family residential lots, and a Conditional Use Permit for a small lot subdivision. Both entitlements were approved by the Planning Commission on November 8, 2007. Since then, a series of State-mandated time extensions extended the expiration date for both entitlements to November 8, 2016.

2. Surrounding Land Uses

North: Low Density Residential (2-8 units per acre); currently undeveloped.

## MONTGOMERY CREEK SUBDIVISION TIME EXTENSION

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South: Low Density Residential; currently developed with single-family, residential uses.

East: Low Density Residential; currently developed with single-family, residential uses.

West: Low Density Residential; currently developed with single-family, residential uses.

### 3. Existing Land Use – Project Site

The site is currently developed with one existing home and several trees that were to be protected during development of the subdivision. Site improvements have been underway for approximately one year. Improvements are nearly complete.

### 4. Project History

On November 8, 2007, the Planning Commission approved the Montgomery Creek Subdivision. The Project included a Mitigated Negative Declaration, Conditional Use Permit for a small lot subdivision, and Tentative Map to subdivide one parcel into six individual residential lots.

Through a series of State-mandated time extensions, the project expiration date was extended to November 8, 2016.

On October 3, 2016, an application for a 12-month time extension was submitted to Planning and Economic Development, which would extend the expiration date to November 8, 2017. Because now action was not taken on this extension prior to the November 8, 2017, a second application for time extension is required.

On October 6, 2017, a second application requesting an additional 12-month time extension was submitted to Planning and Economic Development, which would extend the expiration date to November 8, 2018.

### PRIOR CITY COUNCIL REVIEW

Not applicable.

### ANALYSIS

#### 1. General Plan

The General Plan land use designation for the site is Low Density Residential, which allows development at 2-8 units per acre. The Project was approved at a density of 5.2 units per acre. During the Planning Commission Public Hearing on November 8, 2007, the Planning Commission determined that the Tentative

Map and associated entitlements were consistent with the Goals and Policies of the General Plan.

The developer is ready to submit the Final Map package, the last stage before recording the Final Map. The developer has also submitted building permit applications for master building plans. If the Time Extensions are approved, and the site will be ready for construction of homes upon recordation of the Final Map.

2. Other Applicable Plans – Citywide Creek Master Plan

The site is located adjacent to Reach 2 of the Santa Rosa Creek. This reach of the Santa Rosa Creek is considered a natural creek and recommended for preservation due to its value as fish and wildlife habitat. Enhancements including removal of invasive species and replanting with natives is also recommended.

Resolution No. 11203, approving the Tentative Map, included a condition of approval requiring a minor Conditional Use Permit for the development of Lot 6, which is adjacent to the creek. On November 30, 2017, the Waterways Advisory Committee (WAC) reviewed plans to construct a two-story, single-family dwelling on Lot 6. The WAC was in support of the project as the proposed footprint of the home is respectful of the 30-foot creek setback area.

3. Zoning

The site is within the R-1-6 (Single-family Residential) zoning district, which is consistent with the General Plan land use designation.

Zoning for surrounding properties:

North: R-1-6 (Single-family Residential, 6,000 square foot minimum lot size)  
South: R-1-15 (Single-family Residential, 15,000 square foot minimum lot size)  
East: R-1-6 (Single-family Residential)  
West: R-1-6 (Single-family Residential)

Pursuant to Zoning Code Section 20-54.050(A)(2), all approved project entitlements associated with an approved Map shall remain effective concurrent with the period the Map is in effect. If an extension of time is requested for the associated Map, a similar extension of time for all associated entitlements shall be required and be processed concurrently with the Map extension request. Accordingly, the proposal also includes a request for Time Extension for the companion CUP. This is a Director-level approval and will reflect the same expiration date as the Tentative Map if approved by the Commission.

4. Design Guidelines

Not applicable.

5. Historic Preservation Review Standards

Not applicable.

6. Neighborhood Comments

Project-related improvements have been underway since December 2016, and several neighbors have submitted comments relating to tree protection, hours of operation, dust control and other construction-related matters.

No comments specific to the request for time extension have been received.

7. Public Improvements/On-Site Improvements

On December 8, 2016, an encroachment permit was issued to allow site improvements for the Montgomery Creek Subdivision to begin. There have been no changes to required improvements.

FISCAL IMPACT

Not applicable.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared for the Project, which resulted in a Mitigated Negative Declaration that was adopted by the Commission on November 8, 2007 (Resolution No. 11201). CEQA Guidelines section 15162 provides that no additional review is required where a negative declaration has been adopted for a project and there are no substantial changes to the project or changed circumstances which will result in new or more severe environmental impacts and there is no new information showing the project will have significant effects not discussed in the negative declaration.

No changes in the project are proposed in connection with this time extension, there have been no changes in circumstances resulting in new or more severe impacts, and there is no new information indicating that the project will have one or more significant effects not discussed in the previous negative declaration. Therefore, further environmental review is not required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

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### NOTIFICATION

Pursuant to Zoning Code Chapter 20-66, a Notice of Public Hearing was mailed to property owners within 400 feet, the notice was published in the Press Democrat, and a public hearing sign was installed onsite announcing the Planning Commission public hearing.

### ISSUES

There are no unresolved issues.

### ATTACHMENTS

Attachment 1: Disclosure Form

Attachment 2: Location Map

Attachment 3: Neighborhood Context Map

Attachment 4: Planning Commission minutes and resolutions from November 8, 2007

Attachment 5: Approved Tentative Map

Resolution 1: Time Extension to November 8, 2017

Resolution 2: Time Extension to November 8, 2018

### CONTACT

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