

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
FEBRUARY 22, 2018

PROJECT TITLE

Kerry Ranch I – First and Second Time Extensions

APPLICANT

Harvey O. Rich

ADDRESS/LOCATION

2181 Francisco Avenue

PROPERTY OWNER

Kerry Ranch LLC

ASSESSOR'S PARCEL NUMBER

034-041-012

FILE NUMBERS

EXT16-0031; PRJ17-054, EXT17-0060, 061

APPLICATION DATES

August 24, 2016; July 7, 2017

APPLICATION COMPLETION DATES

August 24, 2016; July 7, 2017

REQUESTED ENTITLEMENTS

Two, consecutive one-year Time Extensions for a Tentative Map

FURTHER ACTIONS REQUIRED

One-year Time Extensions for a Conditional Use Permit (Director determination)

PROJECT SITE ZONING

R-1-6 (Single-family Residential)

GENERAL PLAN DESIGNATION

Low Density Residential (2 -8 units/acre)

PROJECT PLANNER

Aaron Hollister

RECOMMENDATION

Approval

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR EDMONDSON MEMBERS OF THE COMMISSION
FROM: AARON HOLLISTER, PLANNING CONSULTANT
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: KERRY RANCH I – FIRST AND SECOND TIME EXTENSIONS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve two consecutive one-year time extensions for the Kerry Ranch I Tentative Map to subdivide an approximately 3.95-acre parcel into 25 single family lots with associated road improvements.

EXECUTIVE SUMMARY

On October 11, 2007, the Planning Commission approved a Tentative Map and a Small Lot Subdivision Conditional Use Permit and adopted the associated Mitigated Negative Declaration (MND) to subdivide the subject 3.95-acre parcel into 25 single-family lots. At that meeting, the Planning Commission also adopted a resolution recommending that the City Council approves the rezoning the project parcels from OSC (Open Space Conservation) to R-1-6 (Single-family Residential), which would implement the Low Density Residential land use designation in the General Plan. The Tentative Map and Conditional Use Permit approvals of the Planning Commission were appealed to the Council. The Council upheld the Commission's approvals of the Tentative Map and Conditional Use Permit, adopted the MND and approved the Rezoning on December 4, 2007.

Beginning in 2009, the California Legislature passed a series of bills that extended the expiration date of the subject Tentative Map and Conditional Use Permit to December 4, 2016. This is the first and second of five potential one-year discretionary extensions. Approval of the first requested extension would retroactively extend the approvals to December 4, 2017, while the second extension would allow the applicant until December 4, 2018, to record the Final Map.

BACKGROUND

1. Project Description

The project involves the subdivision of a 3.95-acre site into 25 lots ranging in size from 3,820 square feet to 6,632 square feet, with an average lot size of 4,618 square feet and 12 second-unit dwellings. In addition, the project includes an approved Conditional Use Permit for a small lot subdivision, which allows smaller lot sizes and reduced setbacks. One remainder parcel, Parcel 'A', would be utilized for stormwater retention and treatment.

Access will be provided via San Miguel Road, Francisco Avenue, and a new 'A' Street. The new street would provide interior circulation and a connection to Orleans Street to the west and would connect with the future Kerry Ranch II subdivision to the north. Eight differing unit types are proposed for the subdivision, each with three differing architectural finishes.

Approval of the first requested extension would retroactively extend the approvals to December 4, 2017, while the second extension would allow the applicant until December 4, 2018, to record the Final Map. A Time Extension of the Small Lot Subdivision Conditional Use Permit is also requested. All extensions, with the exception of Tentative Maps, can be reviewed and approved by the Director of Planning and Economic Development.

2. Surrounding Land Uses

North: Open Space/Future Kerry Ranch Residential Subdivisions II & III
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential

Open space is currently located immediately to the north of the project site, but will eventually contain Kerry Ranch Subdivisions II and III. The Tentative Maps for Kerry Ranch Subdivisions II and III were approved at the same time as Kerry Ranch I. Kerry Ranch Subdivisions II and III will contain up to a combined 70 single-family dwellings and 29 second units. The developer of the Kerry Ranch Subdivisions is not certain whether Kerry Ranch Subdivisions II and III will be pursued at this time. An existing single-family also exists immediately to the north of the project site, but is not proposed to be part of any of the Kerry Ranch Subdivisions. To the south, across San Miguel Road, are residential parcels developed with single-family homes. The parcels to the east and west of the project site are developed with single-family homes, however, higher density small lot subdivisions have been proposed and approved for the parcels immediately to the west.

3. Existing Land Use – Project Site

The relatively flat property is currently undeveloped and contains approximately 0.76 acres of seasonal wetlands and 0.031 acres of roadside ditches, which constitute other waters of the U.S. The wetlands can be found on the westerly portion of the property and the southeastern corner of the property, while the roadside ditch is located near the northeast section of the site along the Francisco Avenue frontage. The Environmental Review section of this staff report contains an overview of the biologic assessment that was conducted for the site, as well as an overview of the project's mitigation for biologic resources.

4. Project History

In 2000, the site was annexed to the City and pre-zoned to the IOS (Interim Open Space) District. The IOS District was an interim zoning district applied at the time of annexation with the purpose of recognizing that the property may contain environmental resources such as wetlands and rare plants. The IOS District essentially restricted development pending the disclosure and adequate protection of natural resources or until such time as resource agency clearance could be obtained. It was recognized that properties may rezone to be consistent with the underlying Residential Low Density General Plan land use designation should natural resources not be discovered or should clearance from resource agencies be granted.

On October 11, 2007, the Planning Commission voted 7 to 0 to adopt the MND via Resolution No. 11181, as well as approve the subject Tentative Map and Conditional Use Permit for the project via Tentative Map and Small Lot Conditional Use Permit Resolutions Nos. 11183 and 11186, respectively. The Planning Commission also recommended that the City Council adopt the Mitigated Negative Declaration and rezone the property from OSC to R-1-6.

On October 22, 2007, an appeal of the Planning Commission's approvals of the Kerry Ranch I Tentative Map approval and Conditional Use Permit approval was filed.

On December 4, 2007, the Council, via Resolution No. 26991 adopted a MND prepared for the project. The Council approved Resolutions 26992 and 26994 for the approvals of the Conditional Use Permit and Tentative Map on appeal from the Planning Commission. The Council introduced the first reading of the Rezoning ordinance on December 4, 2007, and approved the Rezoning ordinance's second reading on December 11, 2007.

Beginning in 2009, the California State Legislature passed a series of bills, extending the expiration date of the Tentative Parcel Map and Conditional Use Permit to December 4, 2016.

On August 24, 2016, and July 7, 2017, the applications for each one-year time extension for the Tentative Map and Conditional Use Permit were submitted to the Planning and Economic Development Department.

PRIOR CITY COUNCIL REVIEW

The Council reviewed the Kerry Ranch I subdivision project when it acted on the MND, and Rezoning request, as well as the Tentative Map/Conditional Use Permit on December 4, 2007. Following a public hearing on the matter, the Council voted (6-1, with one member voting no on December 4, 2007 to adopt the MND, approve the Tentative Map and Conditional Use Permit on Appeal, and introduce the Rezoning ordinance. The Council voted (5-1-1 with one member voting no and one member absent) to approve the second reading of the Rezoning ordinance.

ANALYSIS

1. General Plan

The General Plan designation for the site is Low Density Residential, which allows a density of 2 to 8 units per acre. The project proposes 25 units across 3.95 acres, or a density of 6 units per acre. In approving the Tentative Map, the Planning Commission and City Council found the project to advance several goals of the General Plan in that it created higher residential density and new circulation options within close proximity to transit, parks, and retail shopping facilities.

2. Zoning

North: R-1-6/OSC
South: R-1-6
East: R-1-6
West: R-1-6

The subject site is currently zoned R-1-6. The approved subdivision is consistent with the existing zoning, provided a Conditional Use Permit is obtained to allow reduced lot size and setbacks.

The Zoning Code establishes design and development standards for residential small lot subdivisions (Section 20-42.140). Small lot subdivisions are allowed in the R-1 zoning district with a Conditional Use Permit (CUP). The required CUP was approved by the City Council on December 4, 2007.

3. Design Guidelines

Design Review is not required for detached single-family development as is proposed in the Kerry Ranch I subdivision. Certain design elements including variation in floor plans and setbacks were taken into consideration by the Planning Commission and City Council during their respective considerations of the Conditional Use Permit.

4. Neighborhood Comments

As of the time of this writing, two written comments were received regarding the extension requests and have been included in Attachment 11. One comment letter from the Northwest Santa Rosa Neighborhood Association (NWSRNA) requested clarification regarding any potential changes from the original approval in 2007 and requested clarification whether the pedestrian path proposed on Francisco Avenue would still be included in the project. Staff followed-up with NWSRNA and informed NWSRNA that the project has not changed since its original approval in 2007, and furthermore, that the pedestrian path on Francisco Avenue is still required as a Condition of Approval.

The other comment letter (see Attachment 11) from nearby neighbors expressed that the neighbors did not want to see any further development adjacent to their own development. The letter also cited concerns with impacts to riparian ecosystems and the destruction of open space set aside as preserves. Of note, the Kerry Ranch I Subdivision site is not preserved as open space and does not contain riparian areas. The adopted Mitigation Monitoring Reporting Program contains mitigation measures for the existing wetlands found on the site.

5. Public Improvements/On-Site Improvements

The project would require dedication of San Miguel Road and Francisco Avenue to centerlines of each respective street as to the "Avenue Street Standard" inclusive of curb, gutter, five-foot-wide bike lanes, and sidewalks. Furthermore, improvements along Francisco Avenue will include a four-foot minimum width asphalt walk with an asphalt dike adjacent to the travel lane. The walkway will extend from the northerly terminus of the Francisco Avenue sidewalk to the existing asphalt walk that leads to Jack London School near the intersection of Delamere Avenue (located approximately 2000 feet to the north of the project site). Orleans Street and the new Street 'A' will be dedicated and improved to Minor Street standards, including curb, gutter, planter strip, and sidewalks.

ENVIRONMENTAL IMPACT

An Initial Study was conducted in compliance with the California Environmental Quality Act (CEQA) on September 5, 2007, resulting in a Mitigated Negative Declaration. A Notice of Mitigated Negative Declaration was posted from September 6, 2007, to September 30, 2007, at the Sonoma County Clerk and from September 11, 2007, to October 11, 2007, at the State Clearinghouse.

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On January 16, 2007, a Biological Assessment including wetlands delineation, Tiger Salamander, special status plant and animal surveys was conducted. The site contains 0.70 acre of seasonal wetlands verified by the Army Corp of Engineers, which will be filled as part of the project. The applicant has purchased preservation acreage and wetlands credits to meet the mitigations outlined in the assessment.

The MND was adopted by the Council on December 4, 2007.

No events that would require subsequent environmental review as described in Section 15162 of the CEQA Guidelines have occurred since the City of Santa Rosa Planning Commission adopted the MND, in that no substantial changes have been made in the project, no substantial changes have occurred with respect to the circumstances under which the project is being approved, and no new information of substantial importance has become known.

Because the Tentative Map and MND were approved and adopted by the City, pursuant to CEQA requirements, any new development in the area would be required to consider full build-out of the project during its future condition analysis. Thus, potential cumulative impacts from development that has taken place in the area in the time since the project was approved should have been mitigated for already and no new analysis or environmental review is required for the requested time extension.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

These two one-year extension requests have not been reviewed by any additional review authorities.

NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website.

ISSUES

At the time of Building Permit review, the project will be subject to updated stormwater permit compliance and current geotechnical study requirements.

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ATTACHMENTS

- Attachment 1 - Disclosure Form
- Attachment 2 - Location Map
- Attachment 3 - General Plan and Zoning Map
- Attachment 4 - Approved Tentative Map
- Attachment 5 - Approved Development Plan, dated received September 25, 2007
- Attachment 6 - Planning Commission Minutes
- Attachment 7 - Planning Commission Resolution Nos. 11181, 11183 and 11186
- Attachment 8 - City Council Minutes, December 4, 2007
- Attachment 9 - Council Resolution Nos. 26991, 26992, and 26994
- Attachment 10 - Kerry Ranch Initial Study/Mitigated Negative Declaration, dated September 5, 2007
- Attachment 11- Public Correspondence
- Resolution 1/Exhibit A (First Time Extension)
- Resolution 2/Exhibit A (Second Time Extension)

CONTACT

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