

## **RESOLUTION NO. MNP15-006**

### **RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT TO ALLOW CHANGES TO THE PREVIOUSLY APPROVED SOMERSET PLACE SUBDIVISION SITE PLAN FOR THE PROPERTY LOCATED AT 2786 DUTTON MEADOW, SANTA ROSA, APN: 043-071-038**

WHEREAS, pursuant to Zoning Code Section 20-52.030(G), Final Design Review approval for projects that also require the approval of a Conditional Use Permit shall be acted upon following land use approval by the review authority in compliance with Table 5-1 (Review Authority).

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to make changes to the previously approved Somerset Place site plan has been granted based on your project description and official approved exhibit marked received on March 19, 2015, and revised site plan dated March 25, 2015. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The site plan modification is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received;
- The site plan modification is consistent with the General Plan and any applicable specific plan in that Somerset Place was approved as a 32-unit, attached, single family residential subdivision and these site plan modifications do not change the use;
- The design, location, size and operating characteristics of the proposed attached residential units would be compatible with the existing and future land uses in the vicinity in that the approved modifications will result in a 32-unit, attached, single family residential subdivision as previously approved;
- The site is physically suited for the type, density, and intensity of the site plan modifications, including access, utilities, and the absence of physical constraints;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15164 in that the proposed project involves only minor technical changes or additions that have been found to be within the scope of the Somerset Place Mitigated Negative Declaration (MND), adopted by the City of Santa Rosa Planning Commission, by Resolution No. 11562, on March 13, 2008, and none of the conditions described in Section 15162 of the CEQA Guidelines apply.

This entitlement would not be granted 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 is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

#### Conditions of Approval

1. Comply with all Conditions of Approval, as shown on the attached Exhibit A, dated March 26, 2015.
2. All conditions of approval as shown on Resolution No. 11254 shall apply except those specifically amended by the attached Development Advisory Report (DAC) dated March 30, 2015.
3. Provide a geotechnical investigation and soils report with the Master Plan submittal. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
4. Obtain building permits for each new structure.
5. Construction hours shall be shown on all pages of plans submitted for grading and building permits. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
6. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
7. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

This Minor Conditional Use Permit to make changes to the previously approved Somerset Place site plan is hereby approved on this 2<sup>nd</sup> day of April, 2015, for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED:

  
JESSICA JONES, ZONING ADMINISTRATOR

TRANSPORTATION AND PUBLIC WORKS DEVELOPMENT  
ENGINEERING DEVELOPMENT SERVICE

EXHIBIT "A"  
MARCH 26, 2015

SOMERSET PLACE  
2786 DUTTON MEADOW  
MNP15-006  
CUP14-089  
DR15-020

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. All conditions of the final Development Advisory Committee Report dated January, 30, 2008 as approved by Planning Commission Resolution 11254 dated March 13, 2008 shall apply to this Conditional Use Permit/Design Review application, with the exception of conditions 8, 9, 16, 20 and 21.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received March 25, 2015:

**PRIVATE STREET AND DRIVEWAY IMPROVEMENTS**

1. The common driveway(s) for units 1 and 2, 3 and 4, 5 and 6, 7 and 8, 9 and 10, 11 and 12, 13 and 14, 15 and 16, 17 and 18, 19 and 20, 21 and 22, 23 and 24, 25 and 26, 27 and 28, 29 and 30, 31 and 32, shall be 21 feet wide and shall be covered by joint access and utility easements. The common drive shall access through a 24 foot minimum width curb cut. The driveways shall be covered by a joint maintenance declaration.

**STORM DRAINAGE**

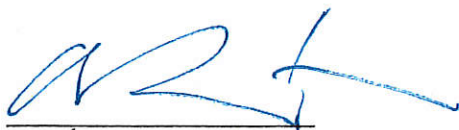
2. The developer's engineer shall comply with all requirements of the latest edition of the City Standard Urban Storm Water Mitigation Plan Guidelines. Final Public Improvement Plans shall incorporate all SUSMP Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. Final Public Improvement Plans shall be accompanied by a maintenance agreement or comparable document to assure continuous maintenance in perpetuity of the SUSMP BMP's, and shall include a maintenance schedule.

Perpetual maintenance of SUSMP Best Management Practices (BMP's) shall be the responsibility of one or more of the following:

- a) The individual homeowners fronting or owning these BMP's. Individual owners shall be responsible for performing and documenting an annual inspection of the BMP's on their respective properties. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.
- b) A Homeowner's Association or Property Owners Association. If perpetual maintenance of these BMP's is through a Homeowner's Association or Property Owner's Association, the documents creating the Association and the Covenants, Conditions and Restrictions governing the Association shall be submitted to the City Attorney's Office and the Department of Community Development for review.
- c) A special tax district for public BMP facilities.
- d) An alternate means acceptable to the City of Santa Rosa.

After the SUSMP BMP improvements have been constructed, the developers Civil Engineer is to prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SUSMP BMP's is to be received by the City prior to acceptance of subdivision improvements.

- 3. Any off-site storm water runoff shall be conveyed across the project site in a separate bypass storm drain system, or shall be fully treated. Collection points along the boundary of the project shall convey storm water to the bypass system to separate treated and untreated storm water. All storm water systems shall be sized to convey the storm water per Sonoma County Water Agency standards.



JESÚS McKEAG  
PROJECT ENGINEER