

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA GRANTING THE FIRST ONE-YEAR EXTENSION OF TIME FOR SOMERSET PLACE SUBDIVISION, EXTENDING THE EXPIRATION DATE TO JUNE 17, 2018, FOR THE PROPERTY LOCATED AT 2786 DUTTON MEADOW, ASSESSOR'S PARCEL NUMBER 043-071-038; FILE NUMBER PRJ17-007

WHEREAS, on March 13, 2008, the Planning Commission held a duly noticed public hearing for the Somerset Place subdivision project, at which point it adopted a Mitigated Negative Declaration, Conditional Use Permit for a small lot subdivision, and a Tentative Map (Resolution Nos. 11252 through 11254) approving the Project; and

WHEREAS, on March 24, 2008, an application for an appeal of the Planning Commission's approval of the Somerset Place Tentative Map and Conditional Use Permit was submitted to the City Clerk's office; and

WHEREAS, on June 17, 2008, the City Council held a duly noticed public hearing for the Somerset Place subdivision project, at which point it denied the appeal and adopted the Mitigated Negative Declaration, and approved the Tentative Map and Conditional Use Permit. The Tentative Map and Conditional Use Permit would remain valid until June 17, 2010; and

WHEREAS, on September 18, 2008, the Design Review Board held a duly notice public hearing, where it granted Preliminary and Final Design Review for the Somerset Place project; and

WHEREAS, on April 2, 2015, the Zoning Administrator held a duly notice public meeting, where it approved changes to the previously approved site Somerset Place site plan; and

WHEREAS, on April 6, 2015, at a duly noticed public meeting, the Design Review Board approved minor changes to the exterior elevations for the Somerset Place project; and

WHEREAS, Senate Bill 1185, a State-mandated time extension, extended the expiration of the Somerset Place project to June 17, 2011; and

WHEREAS, Assembly Bill 333, a State-mandated time extension, extended the expiration of the Somerset Place project to June 17, 2013; and

WHEREAS, Assembly Bill 208, a State-mandated time extension, extended the expiration of the Somerset Place project to June 17, 2015; and

WHEREAS, Assembly Bill 116, a State-mandated time extension, extended the expiration of the Somerset Place project to June 17, 2017; and

WHEREAS, on January 12, 2017, the Planning Commission, by Resolution No. 11806, approved modified language to Council Resolution No. 27129, Condition No. 6, allowing the Project developer some flexibility for an innovative solution for compliance with the Housing Allocation Plan, City Code Chapter 21-02.

WHEREAS, on March 8, 2018, the Planning Commission has considered the request to extend the period for filing the final map for the Somerset Place Tentative Map from June 17, 2017, to June 17, 2018; and

WHEREAS, The Somerset Place subdivision and subsequent time extension comply with the California Environmental Quality Act (CEQA); and

WHEREAS, conditions pertaining to the Somerset Place project have not changed to any appreciable degree as a result of this extension of time.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Santa Rosa grants a one-year extension of time on the filing of the final map for the Somerset Place, extending the expiration date from June 17, 2017, to June 17, 2018, subject to the following conditions:

1. Compliance with the Development Advisory Committee Report dated January 30, 2008 (Revised January 31, 2018), attached hereto and incorporated herein as Exhibit A.
2. 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.
3. 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.
4. The developer shall pay park fees in effect at the time the building permit is issued.
5. Compliance with the Housing Allocation Plan, City Code Chapter 21-02, through (a) provision of the appropriate number of on-site affordable units, (b) payment of housing impact fees, or (c) an alternative compliance proposed in accordance with City Code section 21-02-.070 and approved by the Director of Planning and Economic Development. For the purposes of this condition, the Director of Planning and Economic Development is designated as the review authority for review and acceptance of innovative Housing Allocation Plan compliance strategies under City Code Section 21-02.070(D).
6. 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 this 8th day of March 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
CASEY EDMONDSON, CHAIR

ATTEST: _____
CLARE HARTMAN, EXECUTIVE SECRETARY

Attached – Development Advisory Committee Report (Jan. 30, 2008 - Revised Jan. 31, 2018)

DEVELOPMENT ADVISORY COMMITTEE
January 30, 2008 (Revised January 31, 2018)

SOMERSET PLACE SUBDIVISION

Project Description

The Somerset Place project involves a Tentative Mpa to subdivide a 2.89-acre into 32 individual lots; a Conditional Use Permit for a small lot subdivision, and Design Review to construct 32 attached single family residences.

LOCATION 2786 Dutton Meadow

APN 043-071-038

GENERAL PLAN LAND USE Medium-Low Density Residential (8-13
units per acre)

ZONE CLASSIFICATION

EXISTING R-1-6 (Single-family Residential)

PROPOSED R-1-6 (Single-family Residential)

OWNER/APPLICANT CV Santa Rosa Investments LLC
ADDRESS 1900 Quail Street
Newport Beach, CA 92660

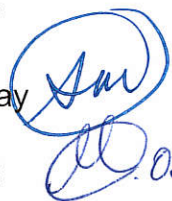
ENGINEER/SURVEYOR Civil Design Consultants, Inc.
ADDRESS 2200 Range Avenue, Suite 204
Santa Rosa, CA 95403

REPRESENTATIVE Charity Wagner
ADDRESS 444 Spear Street, Suite 200
San Francisco, CA 94105

FILE NUMBER..... PRJ17-007

CASE PLANNER..... Susie Murray

PROJECT ENGINEER Carol Clark



Background

The Somerset Place project was approved by the City Council, Resolution Nos. 27127-27129, on June 17, 2008. On April 2, 2015, the Zoning Administrator, Resolution NO. MNP15-006, approved minor modifications to the previously approved site plan.

On February 13, 2017, Time Extension applications were submitted to Planning and Economic Development requesting the first City-approved 12-month time extension, which would extend the project expiration to June 17, 2018. On January 31, 2018, Time Extension applications were submitted to Planning and Economic development requesting the second City-approved 12-month extension of time, which would extend the project expiration to June 17, 2019.

Conditions of Approval

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on plans stamped received February 13, 2017.

1. 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.

Planning Conditions

2. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
3. The applicant has requested the following Growth Management Allotments:

RESERVE "A"	32		
RESERVE "B"			
	2018	2019	2020

4. Prior to recordation of the Parcel Map, obtain all wetlands clearances, approvals, and/or permits. The following conditions apply:
 - a. Advisement. The applicant, its successors, heirs, assigns or transferees are advised in writing that prior to the start of any

construction this approval or permit may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies.

- b. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Community Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.
 - c. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
 - d. No building or grading permit of any type shall be issued by the City until a required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.
3. The Public Improvement Plans and Building Plans shall contain the following note: "In the event that any remains of prehistoric or historic human activities are encountered during project-related activities, work in the immediate vicinity of the finds shall halt and the contractor shall immediately notify the project superintendent and the City of Santa Rosa liaison. Work shall not resume until a qualified archaeologist or historic archaeologist, as appropriate, approved by the City of Santa Rosa, has evaluated the situation and made recommendations for treatment of the resource, which recommendations are carried out. If human burials are encountered, the contractor must also contact the County Coroner."
4. The project shall comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All applicable fees, including but not limited to: Parks, Capital Facilities, Housing Allocation, Schools and Utility Connection/Demand must be paid prior to issuance of a building permit.
5. Any new development shall obtain all applicable approvals and/or permits.

6. Construction hours shall be limited from 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays or holidays. Construction equipment should be turned off when not in use and maintained in good operating condition. Construction staging areas should be located as far as practical from existing residential uses.
7. Trees removed shall be replaced as required by the City's tree ordinance. Provide a tree replacement plan with landscape plans submitted for building permit review.

Engineering Conditions

PARCEL AND EASEMENT DEDICATION

8. The final map shall show a private 10-foot Private Storm Drainage easement over lots 1 through 12 and lots 15 through 31 with the easements over each lot being in favor of all lots upstream of that lot in the drainage system. No overland lot to lot drainage is allowed.

PUBLIC STREET IMPROVEMENTS

9. Dutton Meadow shall be dedicated and improved as an Avenue along the entire project frontage. Half width street improvements shall consist of widening the existing street to a curb to curb width of 40 feet that shall accommodate an 8-foot wide parking lane on the west side and an 11-foot wide travel lane and a bike lane in each direction and a 6-foot wide planter strip, with a sidewalk on the east side. See the Standard Conditions of Approval for easement dimensions requirements.
10. Birch Meadow Street shall be dedicated and improved as a Neighborhood Street along the entire project frontage. Half width street improvements for westbound shall consist of a travel lane, with a parking lane, and a planter strip, with a sidewalk. Half width street improvements for eastbound shall consist of a travel lane next to the curb and gutter. See the typical section on the Tentative Map for approved dimensions.
11. Parking shall be allowed on Dutton Meadow on the westerly side of the street only and posted for no parking on the project side.
12. Parking shall be allowed on Birch Meadow Street on the northerly side of the street only and posted for no parking on the other side.
13. Two copies of a Level 1 Assessment are required and shall be provided with the initial improvement plans submittal for review. The report shall address all remediation required.
14. Improvement plans shall include a complete street lighting, signing and striping

plan. The intersection of Dutton Meadow and Tuxhorn Drive shall be signed as a 4-way stop.

15. Decorative luminaire Street lighting shall be installed per City Standard 615D for Street Lights on the subdivisions interior streets. City Standard 611 cobra style street lights are to be installed along Stony Point Road using LEOTEK LED fixtures. Street light spacing, wattages, and locations shall be determined during the improvement plan review process.
16. Electrical boxes for street lights and signals shall be provided with grounded vandal resistant inserts, McCain Tamper Resistant Inserts or City approved equal, in street light pull boxes at locations as directed by the City. Catalog cuts shall be provided with the first plan check submittal for review and approval by the City Engineer. The street light improvement plans shall include the following note; "The contractor may use their own locks during construction for ease of access, however once the conductors in the pull box are live the contractor shall coordinate with the City Inspector to have the City lock installed. Electrical pull boxes in planter strips shall be provided with a 2-foot concrete apron around box."
17. Street barricades per City Standard 211 and future through street signs per City Standard 206 shall be installed at the end of Tuxhorn Drive.

STORM WATER COMPLIANCE SUSMP

18. 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.
19. 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.

20. 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.

21. 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.

22. A Storm Water Pollution Protection Plan (SWPPP) shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project is required to comply with all current State Water Board General Construction Permit Requirements.

23. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of any nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area.

24. Where bio swales or BMP facilities are located in landscape strips, other utilities such as solar panels, transformers, irrigation meters, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales/water infiltration or collection. Each trench crossing shall extend the length of a bioswale by 5 additional linear foot. Locations of infrastructure shall be present on the plans and shall be reviewed during plan check.

25. The Civil Engineering plans shall show sufficient construction details and dimensions of each BMP device on the drawings so the BMP may be replaced in the future. Landscape plans and civil plans shall be coordinated with the approved SUSMP report and show the BMP locations clearly to prevent them from being filled in with landscape materials.

PRIVATE DRIVEWAY IMPROVEMENTS

26. 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.

GRADING

27. Obtain demolition permits for the removal of the existing structures. An Air quality district J# is required to be submitted with the building permit application. The demolition permit shall be finalized prior to recordation of the final map.

WATER AND WASTE WATER

28. The developer may contact Utilities Engineering for information regarding a possible Reimbursement Agreement along Birch Meadow Street Extension. Public sewer and water main and lateral extensions in Tuxhorn Drive were built by Burbank Housing for their Catalina Townhomes & Amarosa Village development to the north of this property. Reimbursement fees shall be due under Reimbursement Agreement #R3332 in the amount of \$55,082.99 for the water main and laterals and \$51,841.86 for the sewer main and laterals. These reimbursement fees shall be due prior to the issuance of any building permits on the property.
29. Submit the square footage of each lot to determine sewer and water demand fees. The lot sizes shall be listed on the information sheet of the Final Map.
30. Water services shall be provided per Section X of the Water System Design Standards. Indicate all lots with second units. Each unit shall have its own water meter. The water lateral and meter shall be sized to meet fire flow requirements. Backflow devices are required on units with fire sprinklers. Provide a detail on the Improvement Plans showing services, street trees, mailboxes, indicating how they are to be installed (spacing).
31. Tuxhorn Drive has been constructed previously. The proposed water main extension in Birch Meadow Street shall be adequately sized per City standards. If fire flow calculations indicate an 8" main is adequate, the applicant may be entitled to oversizing contribution by the City. Any project that would require a smaller main may qualify for oversize participation by the City.
32. Access shall be provided to all structures on the City system.
33. Where bio swales are required, meter boxes, cleanouts, fire hydrants, etc. shall be located without conflict with the swales. Locations of infrastructure shall be

reviewed during plan check.

34. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4051, on October 27, 2015. Plans shall be submitted with the Building Permit application.

RECREATION AND PARKS

35. Street trees shall be required and planted by the developer. Selection shall be made from the City's approved master plan list. Planting shall be done in accordance with the City *Standards and Specifications for Planting Parkway Trees*. Tree planting locations shall be marked by Recreation and Parks Division Tree Section personnel. Contact the Recreation and Parks Division Office (707) 543-3770 for copies of the master street tree list, standards and to request field markings. This declaration shall be added to the General Notes of the improvement plans.
36. Property owners shall be responsible for the irrigation of the street trees and the maintenance of the planter strips in front of and alongside of their parcel(s).

The Development Advisory Committee is an administrative committee designed to inform the Planning Commission of technical aspects of various matters which the Commission is to consider. The report of the Committee in no way constitutes approval or denial of the item under decision. Final approval or denial rests with the Planning Commission and/or City Council and may or may not be subject to terms of this report.

Recommendation

- ☒ Approval with conditions as set forth in this report
- ☐ Continuance
- ☐ Denial – Reasons:
- ☐ Final action referred to the Planning Commission


CLARE HARTMAN
Deputy Director - Planning
Planning and Economic Development