

SUBDIVISION COMMITTEE REPORT
SEPTEMBER 19, 2018
PINER ROAD COMMERCIAL LOT SPLIT

Project Description

The Piner Road Commercial Lot Split project (Project) involves a Parcel Map Waiver and subsequent Certificate of Compliance to subdivide an approximately 0.69-acre parcel located at 1950 Piner Road into two commercial properties. The subject site is improved land that includes two commercial structures, which are currently under construction.

LOCATION.....1950 Piner Road (formerly known
as O Marlow Road)

APN.....036-011-059

GENERAL PLAN LAND USERetail & Business Services/
Medium Density Residential and
Community Shopping Center

ZONE CLASSIFICATION

EXISTINGCG (General Commercial)

PROPOSED.....CG (General Commercial)

OWNER/APPLICANTHassan Kazemini

ADDRESS.....755 Farmers Lane
Santa Rosa, CA 95405

ENGINEER/SURVEYORJim Dickey

ADDRESS.....1360 N. Dutton Avenue, Suite 150
Santa Rosa, CA 95401

REPRESENTATIVEN/A

ADDRESS.....N/A

FILE NUMBERCC17-002

CASE PLANNERSusie Murray, Senior Planner

PROJECT ENGINEER.....Larry Lackie, City Engineer

PLANNING COMMISSION REP ..Curt Groninga

Background

On September 10, 2015, the Planning Commission approved Yogurt Time Center, which involved Conditional Use Permit for a drive-through, and a Tentative Parcel Map to subdivide the property located at 3093 Marlow Road (Assessor's Parcel No. 036-011-054) into two commercial parcels: 3093 Marlow Road and 1950 Piner Road (Resolution Nos. 11724 & 11725). The Final Map recorded on December 29, 2016.

On November 5, 2015, and January 7, 2016, the Design Review Board granted Preliminary and Final Design Review, respectively, for a four-unit commercial building and a separate commercial building with a drive-through (Resolution Nos. 15-915 & 16-919). Both structures are currently under construction (B16-5164 & B16-5165).

On June 22, 2017, Hassan Kazemini, the applicant, submitted an application for a Parcel Map Waiver requesting to subdivide the property located at 1950 Piner Road (Assessor's Parcel No. 036-011-059). Pursuant to Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code, a Waiver of Parcel Map and subsequent Certificate of Compliance would legally recognize two parcels, as shown on Attachment No. 3 to this report, titled Parcel Map Waiver, prepared by Cinquini & Passarino, Inc., dated May 2017. No additional development or changes are proposed.

Conditions of Approval

The following summary constitutes the recommended conditions of approval on the subject application/development based on plans stamped received September 17, 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, as they relate to this application unless specifically waived or altered by these conditions or by written variance by the City Engineer.

Building Division

2. Obtain approval from the Building Official of a document that demonstrates that the two buildings will be compliant with building code requirements if the proposed lot split is approved.

Engineering Development Services

3. A Certificate of Compliance can be recorded in lieu of a Parcel Map for the subdivision of this property, Lot 1 of Parcel Map 740 City file 2017-0004, into 2

commercial Lots upon final acceptance of Building Permits B16-5664, B16-5665, B16-5666.

4. The City Code requires buildable properties to be identified as Lots not as Parcels and shall be identified as such on the recoded Deeds and Legal Descriptions.
5. Deeds for subdivide properties shall contain mutual access easements for the common parking area on Lot 2 together with private sewer, water and fire line easements over Lot 1 in favor of Lot 2. Maintenance of the common parking area on Lot 1 and private sewer main lateral on Lots 1 and 2 shall be subject to a Mutual Maintenance Agreement recorded concurrently as separate documents with the Deeds.
6. A restrictive access easement in favor of Lot 2 for that portion of the Lot 2 drive through lanes shall be shown as a separate easement on the Deed for Lot 1.
7. Separate sewer laterals shall be maintained for each lot from a private sewer main connected to the public sewer main in Piner Road. The private main shall be contained within a mutual Private Seer Easement over Lot 1 and Lot 2 to the clean out location at the end of the main on Lot 2 and be covered by a Joint Maintenance Agreement the entire length of the lateral from final cleanout on Lot 2 to the connection at the sewer manhole in Piner Road.

Fire Department

8. Plan indicates "15.5' Private Waterline Easement" on the Lands of Walgreens immediately south of the Existing Lot. The eastern 75% of this easement (adjacent proposed Parcel 1) is required to allow servicing of the private underground fire line and fire hydrant shown on plans. The western 25% (adjacent proposed Parcel 2) appears unnecessary.

Revise Plan to show this easement as necessary and note it in favor of proposed Parcel 1.

Public Hearing

The public hearing was opened by Planning Commissioner _____.

Susie Murray, project planner, reviewed staff report and recommendation for approval of the subject Parcel Map Waiver.

Larry Lackie, project engineer, reviewed Certificate of Compliance conditions of approval.

Hassan Kazemini, applicant, provided project background.

Following discussion and there being no public comment requests, the public hearing was closed.

The Subdivision Committee of the City of Santa Rosa, based upon the evidence presented and the records herein, hereby determines that the proposed Waiver of Parcel Map for the Piner Road Commercial Lot Split, as hereinafter conditioned, complies with the requirements of Chapter 19 of the Santa Rosa City Code and the California Subdivision Map Act, based upon the following findings:

- The proposed lot split is consistent with the Santa Rosa General Plan 2035. The area is within an area designated by the General Plan as Retail & Business Services/Medium Density Residential and is also identified as a Community Shopping Center. Sites with this designation are generally surrounded by residential development, are intended to be walkable centers of neighborhoods, and developed with a mixture of uses that would meet the shopping needs for surrounding neighborhoods. The two parcels that would be created by the subject lot split are currently being developed, each with commercial structures/uses, which is consistent with the General Plan.
- The site is physically suitable for the proposed lot split in that the parcels are of a shape and size and have topographical characteristics which easily lend themselves to the approved commercial uses.
- The site is physically suitable for the proposed intensity of development in that the lot split does not propose a change in use or intensity of use.
- Neither the design of the proposed lot split nor the improvements will cause substantial environmental damage or will substantially and avoidably injure fish or wildlife habitat. The Subdivision Committee has determined that the proposed lot split would create no adverse environmental effects including those described above.
- Neither the design of the lot split nor the type of improvements as proposed is likely to cause serious health problems in that no health or sanitary problems exist on the site or in the area of the site and the City can provide adequate water and sewer services to the property.
- Neither the design of the proposed lot split nor the type of improvements, as proposed, will conflict with easements, acquired by the public at large, for access through, or use of, any property within or around the commercial center.
- The properties resulting from the proposed lot split will not discharge waste into the City's sewer system that would result in violation of any requirements prescribed by the California Regional Water Quality Control Board.
- The project has been found in compliance with the California Environmental Quality Act (CEQA). On September 10, 2015, the Planning Commission approved Resolution No. 11724 for Yogurt Time Center, finding the project in compliance with CEQA pursuant to CEQA Guidelines Sections 15183

(consistent with general plan and zoning) and 15332 (in-fill development). The proposed lot split does not change the scope of work of the previously approved project.

The Subdivision Committee is a subordinate agency of the Santa Rosa Planning Commission and is empowered to act on behalf of the Planning Commission. All actions by the Subdivision Committee must be by unanimous vote or the matter under consideration is automatically referred to the Planning Commission.

Action

 X Approval with conditions as set forth in this report.

 Denial - Major Reasons:

 Continuance.

Vote

<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Continue</u>
<u>Curt Groninga</u>	<u> </u>	<u> </u>	
<u>Larry Lackie</u>	<u> </u>	<u> </u>	
<u>Susie Murray</u>	<u> </u>	<u> </u>	

CLARE HARTMAN, Deputy Director of Planning
Planning and Economic Development