

RESOLUTION NO. CUP17-007

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT TO ALLOW MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITHIN A CG (GENERAL COMMERCIAL) ZONING DISTRICT AS A COMPONENT OF THE SEBASTOPOL ROAD TOWN HOMES DEVELOPMENT FOR THE PROPERTY LOCATED AT 1755 SEBASTOPOL ROAD, SANTA ROSA, APN: 125-071-014

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to construct and operate five multi-family apartments within a CG zoning district has been granted based on your project description and official approved exhibit dated received July 28, 2016. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed use 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);
- The proposed use is consistent with the Retail and Business Services land use designation in the General Plan and any applicable specific plan in that General Plan policy LUL-E-6 directs that a City review authority, “allow residential or mixed use development in the Retail and Business Services or Office designations”;
- The design, location, size and operating characteristics of the proposed multi-family housing would be compatible with the existing and future land uses in the vicinity in that the units will be a component of a larger, 197-unit, multi-family development that has already been reviewed by City staff and approved by City review authorities;
- The site is physically suited for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints in that the Sebastopol Road Town Homes project represents the first development in a planned residential redevelopment of the area and includes open space and circulation considerations that allow current adjacent uses to continue, but will accommodate future development in the area;
- 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 in that the overall development has been reviewed by City staff, outside agencies, and approval authorities and conditioned to minimize potential impacts; and
- The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction project; and

- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and on November 9, 2006, the Planning Commission approved Resolution No. 11026, adopting a Mitigated Negative Declaration for the Villas subdivision project on the project site, and the scope of the Sebastopol Road Town Homes project remains unchanged and consistent with that environmental analysis, and there are no new circumstances that would require further environmental review under CEQA.

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. A building permit is required for all on site demolition, construction, and/or change of use.
2. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
3. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
4. All applicable conditions of approval of Planning Commission Resolution No. 11029, approving a Tentative Map for the Villas subdivision, Resolution No. 11028, approving a Zoning Variance, Resolution No. 11026, adopting a Mitigated Negative Declaration, and Resolution No. 11814 granting a one-year Time Extension to the Tentative Map, shall be satisfied.
5. All applicable conditions of approval of Design Review Board Resolution No. 16-935, approving Preliminary and Final Design Review of the Sebastopol Road Town Homes, shall be satisfied.

This Minor Conditional Use Permit is hereby approved on this 2nd day of March, 2017, 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: _____



BILL ROSE, ZONING ADMINISTRATOR