

SUBDIVISION COMMITTEE REPORT

January 9, 2019

PANTOJA LANE WAIVER OF PARCEL MAP

Project Description

The Subdivision Committee will consider an application for a parcel map waiver for the approved Pantoja Lane project as allowed by Section 66428(b) of the Subdivision Map Act and Section 19-16.030 of the Santa Rosa City Code. The waiver of the parcel map and subsequent certificate of compliance would create 16 lots from eight existing lots. Each of the eight existing lots is approved for two attached dwelling units (duet units). The waiver of the parcel map and subsequent certificate of compliance would allow each of the attached units in the project to be on its own individual lot. No additional development or changes to the entitled project are proposed.

LOCATION.....3625-3685 Sebastopol Road

APNS.....035-850-001 thru -009

GENERAL PLAN LAND USE Low Density Residential

ZONE CLASSIFICATION

EXISTINGPD 02-007 (Planned Development)

PROPOSED.....PD 02-007 (Planned Development)

OWNER/APPLICANTMP Santa Rosa LLC/Lafferty Communities

ADDRESS.....2000 Crow Canyon Place #350

.....San Ramon, CA 94583

ENGINEER/SURVEYOREric Wade, BKF Engineers

ADDRESS.....200 4th Street, Santa Rosa

FILE NUMBER.....CC18-005

CASE PLANNERAaron Hollister

PROJECT ENGINEER...Jesús McKeag

PLANNING COMMISSIONERCurt Groninga

Background

In 2002, the Smith Village subdivision was approved. This project proposed to develop 51-single family homes, including 40 second dwelling units, and included an 8-lot mixed use component along Sebastopol Road, which allowed 8-16 units to be constructed atop the proposed commercial component. The Final Map for this project was recorded and as a result, a majority of the site work and circulation infrastructure required to accommodate the development of the site was initiated and partially constructed. Sidewalks were poured incorporating tree-wells, street lights were installed and much of the underground utilities were installed and street construction was started.

In 2014, project applications were filed requesting approvals to modify the existing Planned Development 02-007 (Zoning District) Policy Statement and Development Plan through a rezoning process to eliminate the requirement for mixed use development; to modify the detached single-family home designs (from those previously approved) proposed on the individual lots by reducing the average size of the homes and eliminating the second dwelling units from the development; proposing a new Tentative Map to separate the parcels fronting onto Sebastopol Road (Pantoja Lane) from the previous subdivision (Smith Village); and proposing to construct 16 attached single family homes on the newly created parcels.

The Design Review Board subsequently approved the design of the revised structures in the project in October 2014, the Planning Commission adopted the project's Mitigated Negative Declaration and approved the revised tentative map in January 2015, and the City Council approved the rezoning request in March 2015. The revised projects allowed the development of a total of 67 single-family residential units in two proposed subdivisions. Smith Village was approved for 51 of the 67 the units and allows for the development of detached single family homes. Up to 16 attached single-family units were allocated to the Pantoja Lane project that allowed the development of attached single-family row houses constructed as duets fronting onto Sebastopol Road.

Following approval of the aforementioned entitlements, building permits were submitted in March of 2018, to construct the duet units on each of the subject lots in the Pantoja Lane project. In June 2019, the waiver of the parcel map and subsequent certificate of compliance to create 16 lots from eight existing lots in the Pantoja Lane project was submitted. The waiver of the parcel map and subsequent certificate of compliance would allow each of the attached units in the project to be on its own individual lot for a total of 16 lots. No additional development or changes to the entitled project are proposed.

Section 66428(b) of the Subdivision Map Act, and Section 19-16.030 of the Santa Rosa City Code, provide a process for a designated review authority within the City to waive the requirement for a parcel map. If the Subdivision Committee, Planning Commission, or City Council makes the finding that the proposed division of land meets all City requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection, and that sufficient record and survey data are available to

determine the location of the parcels, a waiver can be granted. A certificate of compliance, the document that delineates the boundaries of the approved lots, is required whenever the parcel map requirement is waived by the Subdivision Committee, Planning Commission or City Council. Furthermore, Subdivision Map Act Section 66426 (a) & (f) allows the processing of this subdivision resulting in 16 lots as a Parcel Map since it is less than five total acres, abuts upon a maintained public street, and no dedications or improvements, other than those minor improvements that are appropriate for an Encroachment Permit, are required.

Conditions of Approval

PLANNING:

1. The developer, to the extent feasible, shall consolidate ownership for the 19-units subject to the Housing Allocation Plan Contract and the Density Bonus Agreement for the respective terms.

ENGINEERING:

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Engineering Development Services 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. Developer's engineer shall comply with all requirements of the City Storm Water Low Impact Development Technical Design Manual in effect at the time this application was deemed complete.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the approved exhibit labeled Pantoja Lane Subdivision stamped received 6/28/18:

MAPPING AND PRIVATE EASEMENT DEDICATION

1. All Conditional Certificates of Compliance shall comply with all currently adopted ordinances, resolutions, and policies of the City of Santa Rosa and the State Subdivision Map Act.
2. All costs associated with Conditional Certificates of Compliance, plan, easement, plat, legal description, and/or support document preparation shall be the sole responsibility of the developer.
3. Prior to recordation of Conditional Certificates of Compliance for the resulting parcels all public and common infrastructure conditioned in the subdivision committee report for the parcel map waiver and any remaining elements of Pantoja Lane Subdivision Improvement Plans, City File Number 2017-0038 shall be installed to the satisfaction of the City Engineer. To the extent that this results in the need for new or amended private joint maintenance agreements or CC&Rs

these shall be included with the plan review submittal. Any new or amended private joint maintenance agreements or CC&Rs shall be recorded by separate instrument to the satisfaction of the City Engineer.

4. Prior to recordation of Conditional Certificates of Compliance, any needed private easement between the resulting parcels (including but is not limited to cross lot drainage, egress, driveway and parking easements) as determined during the plan review shall be recorded by separate instrument as private Covenants of Easement to the satisfaction of the City Engineer. Conformed copies shall be provided to the Planning & Economic Development Department.

PUBLIC STREET IMPROVEMENTS

5. An Encroachment Permit must be obtained from Engineering Development Services of the Planning and Economic Development Department prior to beginning any work within the public Right-of-Way or for any work on utilities located within public easements.
6. Existing streets being cut by new services will require edge grinding per City Standard 209, in addition to trenching and an asphalt concrete overlay both per Standard 215.
7. Any new or modified driveway apron shall be per City Standard 250 B.
8. New services (electrical, telephone, cable or conduit) to new structures shall be underground.

STORM DRAINAGE

9. Drainage facilities and drainage easements, if required, shall be provided to the satisfaction of the City Engineer or the Chief Engineer of the Sonoma County Water Agency at the developer's expense.

WATER AND WASTEWATER

10. Water and sewer systems and appurtenances thereto shall be designed to serve the project in accordance with the City of Santa Rosa Design and Construction Standards and shall be constructed to the satisfaction of the City Engineer.
11. All shared and public water and sewer improvements shall be completed prior to recordation of Conditional Certificates of Compliance.
12. The design of all onsite water and sewer shall be to the satisfaction of the Water Department.
13. This project is subject to the latest fees in effect at the time of connection or Building Permit issuance.
14. Any existing sewer lateral that will not be used must be abandoned at the main per City Sewer System Design Standards Section XII, Abandonment of Sewer Mains and Services and City Standard 507 under an encroachment permit.

15. Water services and meters must be provided for each proposed parcel per Section X of the Water System Design Standards and shall be sized to meet domestic, irrigation and fire protection uses. Any services placed in driveway areas shall have meters with traffic rated boxes.
16. Backflow prevention devices shall be designed and installed in accordance with current City Standards, State Health Code Title 17, and as required by the Director of Utilities.
17. Any existing water service that will not be used must be abandoned at the main per City Water System Design Standards Section XVIII, Abandonment of Water Mains and Services and City Standard 507 under an encroachment permit. The existing meter must be collected by the City Meter Shop. Call Water Engineering Services at 543-3950 to arrange pick up.

FIRE

18. Fire Department access roads shall be provided to within 150 feet path-of-travel distance of all portions of the proposed building pads for future construction. Access roads shall be designed to current Fire Department standards: 20 feet wide minimum, paved, with an inside radius of 20 feet and outside of 40 feet.
19. Future residential structures shall be protected by automatic fire sprinklers.
20. Future residential structures shall be provided with addressing in compliance with City of Santa Rosa Fire Department standards and CA Fire Code Ch. 5.

Public Meeting

The public hearing was opened.

The Subdivision Committee of the City of Santa Rosa, based upon the evidence presented and the records herein, hereby determines that the proposed parcel map waiver, 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:

1. The proposal to create 16 residential lots from eight existing residential lots, where 16 attached single-family residential units have been entitled, but not yet constructed, has been found consistent with a parcel map in that it meets the criteria under Subdivision Map Act Section 66426(a). No additional residential density would be achieved based on the subdivision of the existing lots. Consistent with Subdivision Map Section 66426(a), each parcel created by the division abuts a maintained public street, including Pantoja Lane and Sebastopol Road. In addition, no additional dedications or improvements would be required

as the existing parcels are part of an existing subdivision which was fully conditioned, with approved improvement plans.

2. The proposed division of land meets all City requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and sufficient record and survey data are available to determine the location of the parcels. Specifically, the proposed lots will not result in any physical changes to the approved project or allow for additional development. The previously approved project was reviewed and conditioned to meet all City Code requirements related to the topical areas above, and to mitigate all environmental impacts to the extent feasible. Further, the proposed subdivision creates lots which meet area requirements indicated in the Zoning Code and Planned Development Policy Statement, and the attached proposed certificate of compliance depicts the location of the proposed parcels; and
3. The proposed parcel map and the design of the proposed subdivision are consistent with the Santa Rosa General Plan in that the subdivision would create 16 parcels in a General Plan area designated Low Density Residential and the uses permitted by the parcel map and by the required zoning for the property on which it is situated are allowable under the General Plan designation. No specific plan applies to the subject property.
4. The site is physically suitable for the type of existing development shown on the parcel map in that the parcels are of a shape and size and have topographical characteristics which easily lend themselves to the existing and future allowed uses by the applicable Planned Development Statement and Zoning Code.
5. The site is physically suitable for the proposed intensity of development in that it will accommodate the parcels as shown on the proposed parcel map.
6. Neither the design of the proposed subdivision nor the improvements will cause substantial environmental damage or will substantially and avoidably injure fish or wildlife habitat. A Mitigated Negative Declaration was previously adopted by the City that provided mitigation so the project would result in less than significant impacts to the environment including fish and wildlife habitat. The Subdivision Committee has determined that the proposed subdivision would create no adverse environmental effects including those described above.
7. Neither the design of the subdivision 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.
8. Neither the design of the subdivision 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 the proposed subdivision.

9. The proposed subdivision meets the residential needs of the city and the public service needs which will be generated by the subdivision's users are within the available fiscal and environmental resources of the city.
10. The proposed subdivision 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.
11. The proposed subdivision would be in compliance with the California Environmental Quality Act, in that the residential development project was analyzed in a Mitigated Negative Declaration (MND) adopted on January 8, 2015, and creation of 16 lots would not create any additional environmental impacts beyond those analyzed in the adopted Mitigated Negative Declaration as new development is not proposed.

Furthermore, 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 MND was 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 waiver of parcel map and certificate of compliance.

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

Action

☒ Approval with conditions as set forth in this report.

☐ Denial - Major Reasons:

☐ Continuance

<u>Vote</u>			
<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Continue</u>
<u>Commissioner Groninga</u>	_____	_____	
<u>Aaron Hollister</u>	_____	_____	
<u>Jesús McKeag</u>	_____	_____	

CLARE HARTMAN
Deputy Director of Planning
Planning & Economic Development Department

Attachment 1 – General Plan and Zoning Map
Attachment 2 – Neighborhood Context Map
Attachment 3 – Proposed Certificate of Compliance/Waiver of Parcel Map
Attachment 4 – Approved Planning Commission MND Resolution No. 11689
Attachment 5 – Approved Planning Commission Tentative Map Resolution No. 11691
Attachment 6 – Approved City Council Rezoning Ordinance 4039