

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DENIAL OF A CONDITIONAL USE PERMIT FOR DUTTON MEADOWS SUBDIVISION - LOCATED AT 2650, 2666, 2684, DUTTON MEADOW AND 1112 AND 1200 HEARN AVENUE; FILE NUMBER CUP18-101

WHEREAS, an application was submitted requesting the approval of a Conditional Use Permit for Dutton Meadows Subdivision, to be located at 2650, 2666, 2684 Dutton Meadow and 1112 and 1200 Hearn Avenue, also identified as Sonoma County Assessor's Parcel Number(s) 043-071-007, -022, -023 & 043-191-016, -024; and

WHEREAS, on February 28, 2019, the Planning Commission adopted Resolution No. 11943, denying a Conditional Use Permit application to subdivide and develop an 18.4-acre site based on inconsistency with the General Plan and Roseland Area Specific Plan which emphasize the need for adequate regional circulation and connection; and

WHEREAS, on July 9, 2019, the City Council conducted a hearing in consideration of a Conditional Use Permit for the proposed Dutton Meadows Subdivision; and

WHEREAS, the City Council has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

WHEREAS, the City Council, after due consideration, investigation and study made by itself and in its behalf, and after due consideration of all evidence and reports offered at said meeting, does find and determine the following:

- A. The design, location, size, and operating characteristics of the proposed activity would be incompatible with the existing and future land uses in the vicinity in that the development is inconsistent with the General Plan and the Roseland Area Specific Plan, as it is in direct conflict with the roadway network as shown in Figure 4-1 and Table 4-1 in the Roseland Area Specific Plan, and is in conflict with the General Plan and Roseland Area Specific Plan Goals and Policies indicated below:

General Plan:

- T-C-1 Minimize through traffic in residential neighborhoods and avoid excessive traffic volumes greater than that dictated by street design and classification, by providing attractive regional/arterial streets to accommodate cross-town traffic.
- T-F-3 Explore alternative circulation network improvements to accommodate regional through-traffic, focusing on regional/arterial street circulation and regional transportation routes.

Roseland Area Specific Plan:

RN-1 Improve connectivity and traffic flow.

RN-1.1 Improve connections by creating new streets or extensions of existing streets, as identified in Figure 4-1 and Table 4-1.

RN-1.2 Require dedication of right-of-way and related street improvements or new streets as identified in the Circulation Plan when properties develop.

RN-1.5 Support the planned construction of a new US Highway 101 overpass at Bellevue Avenue and a widened overpass at Hearn Avenue to improve east–west multimodal connectivity to and from the Roseland area.

B. The proposed circulation would be detrimental to the public interest and convenience of the City by reducing the functionality of two planned connections (southeast to northwest – Dutton Avenue extension) and (southwest to northeast – Dutton Meadow northern extension to Dutton Avenue) for the region, thus creating increased congestion along Hearn Avenue, a heavily utilized and impacted regional street. In addition, the proposed roadways would introduce a high volume right turn where a school crossing will be very active, specifically from residents of this proposed residential development, reducing the ability for traffic to flow by constructing sharp 90 degree turns where a larger sweeping roadway alignment is currently approved. Further, although the traffic analysis demonstrates that the affected intersections would operate acceptably, the overall impact to the area is anticipated to negatively affect circulation for the existing and planned development, as identified in the Roseland Area Specific Plan. As much of this area is undeveloped, and the traffic analysis which identified the necessary infrastructure, or lack thereof, is based on the through movements of the two streets identified for reconfiguration, the proposal cannot be supported without a more comprehensive traffic and infrastructure analysis.

C. Further, a draft addendum to the 2005 Dutton Meadows Project Subsequent Environmental Impact Report was submitted to the Planning and Economic Development Department but was not reviewed and finalized. As the California Environmental Quality Act (CEQA) does not apply to projects that an agency rejects or disapproves (Pub. Resources Code § 21080 (b)(5)), the City is not required to complete environmental review before rejecting a project. Rather, CEQA is inapplicable once the City determines not to proceed with a project (*Las Lomas Land Co, LLC.v. City of Los Angeles* (2009) 177 Cal.App.4th 837), as is the case currently.

///

///

///

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa denies the appeal, upholding the Planning Commission's denial of a Conditional Use Permit for the Dutton Meadow Subdivision, based upon the information submitted.

IN COUNCIL DULY PASSED this 9th day of July, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney