

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DENIAL OF A TENTATIVE MAP FOR DUTTON MEADOWS SUBDIVISION - LOCATED AT 2650, 2666, 2684, DUTTON MEADOW AND 1112 AND 1200 HEARN AVENUE; FILE NUMBER MAJ18-006

WHEREAS, an application was submitted requesting the approval of a Tentative Map 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. 11944, denying a Tentative Map application to to subdivide an 18.4-acre site into 130 lots for the proposed Dutton Meadows Subdivision; and

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

WHEREAS, the City Council finds that the proposed Dutton Meadows Subdivision as shown on the Tentative Map is inconsistent with City policy documents including the General Plan and Roseland Area Specific Plan in that:

- A. The proposed map is inconsistent with the General Plan and the Roseland Area Specific Plan, as it is in direct conflict with the roadway network shown in Figure 4-1 and Table 4-1 in the Roseland Area Specific Plan, and a number of circulation goals and policies, as listed in the General Plan and Roseland Area Specific Plan.
- B. The proposed map 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 prepared for the proposed project 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 finds and determines said tentative map cannot be approved based on the aforementioned inconsistencies with the City's General Plan and Roseland Area Specific Plan.

BE IT FURTHER RESOLVED that the Council denies the appeal, upholding the Planning Commission's denial of the Dutton Meadows Subdivision Tentative Map, based upon the information submitted.

IN COUNCIL DULY PASSED this 9<sup>th</sup> day of July, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney