

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO CITY COUNCIL REZONING OF PROPERTIES LOCATED AT 900 & 910 SANTA ROSA AVENUE; 920, 930, 940, 950, 964, 972, 1014, 1026, 1038, 1110, 1212, 1240, 1310, 1316, 1320, 1400, 1426, 1452, 1540, 1576, 1580 PETALUMA HILL ROAD; 625 WARE AVENUE; ASSESSOR'S PARCEL NO. 038-155-016 (NO STREET ADDRESS ASSIGNED); 612 FRAZIER AVENUE; 611, 612 & 628 MILTON STREET; 636 & 1341 RUTLEDGE AVENUE; AND 614, 618 & 630 ASTON AVENUE TO THE CG (GENERAL COMMERCIAL) ZONING DISTRICT; FILE NUMBER PRJ18-055

WHEREAS, after public hearing, the Planning Commission of the City of Santa Rosa determined that the Policy Statement for the present PD (Planned Development, #73-001 (South Park)) zoning district limits commercial uses for the properties located at 900 & 910 Santa Rosa Avenue; 920, 930, 940, 950, 964, 972, 1014, 1026, 1038, 1110, 1212, 1240, 1310, 1316, 1320, 1400, 1426, 1452, 1540, 1576, 1580 Petaluma Hill Road; 625 Ware Avenue; Assessor's Parcel No. 038-155-016 (no address assigned); 612 Frazier Avenue; 611, 612 & 628 Milton Street; 636 & 1341 Rutledge Avenue; and 614, 618 & 630 Aston Avenue, otherwise known as Assessor's Parcel Nos. 009-334-011, -012, -013, -015; 038-154-003, -007, -010, -011, -012; 038-155-016, 022, -031, -032; 038-156-020; 038-161-015, -014, -020, -021; 038-163-015, -016, -021, -022, -024; 038-163-025, -027; 038-171-011, -014, -015; 038-172-003, -016, -018, -024; 038-172-026 and -027, that would otherwise be allowed in the CG (General Commercial) zoning district, which is one of the standard zoning districts that implements the General Plan land use designation of Retail and Business Services; and

WHEREAS, the Planning Commission of the City of Santa Rosa determined that the Policy Statement for the present PD (Planned Development, #73-001 (South Park)) zoning district allows industrial uses that are not consistent with the General Plan land use designation of Retail and Business Services; and

WHEREAS, the Planning Commission, pursuant to City Code Section 20-64.050 (Findings), hereby finds and determines:

- A. The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan in that the subject properties are designated Retail and Business Services on the General Plan Land Use Diagram, and the CG (General Commercial) zoning district implements that land use.
- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the zoning will be consistent with the General Plan land use designation; and
- A. The proposed amendment has been found in compliance with the California Environmental Quality Act (CEQA). It is consistent with the General Plan land use designation for which an Environment Impact Report (EIR) was certified by Council in 2009.

Pursuant to section 15183, subdivision (i), any rezoning action consistent with the general plan shall not require additional environmental review except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site.

The Cannabis Retail use has also been found in compliance with the California Environmental Quality Act (CEQA). The project is consistent with the General Plan for which an Environment Impact Report (EIR) was certified by Council in 2009. In December 2017, Council enacted comprehensive regulations for cannabis. Analysis concluded that cannabis-related uses were similar in terms of environmental impacts to other allowable uses in the CG zoning district. The following technical studies were completed, both concluding that impacts related to the cannabis retail use would be less than significant.

- A Traffic Study and Technical Memorandum, both prepared by Janice Spuller, TJKM, both dated April 16, 2019, conclude that “Based on the City impact criteria the project is expected to have a less-than-significant impact at all of the study intersections.”
- R & B Dispensary will have a professionally installed carbon filtration system to prevent odors from escaping the building. The odor mitigation plan, prepared by Warner Engineering, Inc., dated April 10, 2018, states that the odor control mitigation plan exceeds what is expected for a cannabis retail facility and is consistent with best available technologies designed to mitigate cannabis odors.

No further environmental review is necessary for the Project as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the project that were not analyzed and addressed in a prior EIR.

- D. The proposed amendment is internally consistent with other applicable provisions of the Zoning Code.
- E. The area to be rezoned (the east side of the Petaluma Hill Road/Santa Rosa Avenue corridor, spanning from Colgan Creek to Bennett Valley Road) is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested CG zoning designation and anticipated land uses/developments. All but three of the affected properties are currently developed and, with the exception of the subject project’s CUP for a Cannabis Retail facility, there are no changes in land use or new development being proposed within the scope of this Rezoning.

BE IT RESOLVED that the Planning Commission recommends to the City Council approval and adoption of the rezoning of properties situated at 900 & 910 Santa Rosa Avenue; 920, 930, 940, 950, 964, 972, 1014, 1026, 1038, 1110, 1212, 1240, 1310, 1316, 1320, 1400, 1426, 1452, 1540, 1576, 1580 Petaluma Hill Road; 625 Ware Avenue; Assessor’s Parcel No.

038-155-016 (no address assigned); 612 Frazier Avenue; 611, 612 & 628 Milton Street; 636 & 1341 Rutledge Avenue; and 614, 618 & 630 Aston Avenue, otherwise known as Assessor's Parcel Nos. 009-334-011, -012, -013, -015; 038-154-003, -007, -010, -011, -012; 038-155-016, 022, -031, -032; 038-156-020; 038-161-015, -014, -020, -021; 038-163-015, -016, -021, -022, -024; 038-163-025, -027; 038-171-011, -014, -015; 038-172-003, -016, -018, -024; 038-172-026 and -027, to the CG (General Commercial) zoning district for General Plan consistency.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 22<sup>nd</sup> day of August 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_

PATTI CISCO, CHAIR

ATTEST: \_\_\_\_\_

CLARE HARTMAN, EXECUTIVE SECRETARY