

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A MINOR
CONDITIONAL USE PERMIT FOR EMERALD ISLE CONDOMINIUMS, AN 82-UNIT
CONDOMINIUM DEVELOPMENT FOR RESIDENTS AGED 55 AND OLDER - LOCATED
AT 0 THOMAS LAKE HARRIS DRIVE, APN 173-670-016 AND 173-670-004 - FILE
NUMBER CUP19-019

WHEREAS, the Fountaingrove Ranch Planned Community District Policy Statement, PD 72-001, adopted per Ordinance No. 2196, September, 1981, and as amended per Ordinance No. 1546 dated January 25, 1972, and as amended per Ordinance No. 2955 dated May 26, 1992, requires Use Permit approval by Community Development staff for all proposed uses on parcels which are subject to PD 72-001; and

WHEREAS, an application was submitted requesting the approval of a Minor Conditional Use Permit for Emerald Isle Condominiums, an 82-unit condominium development for residents aged 55 and older, to be located at 0 Thomas Lake Harris Drive, also identified as Sonoma County Assessor's Parcel Numbers 173-670-004 and 173-670-016;

WHEREAS, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission 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 Planning Commission has considered the approved and adopted a subsequent Mitigated Negative Declaration for this use and project; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. 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 in that the proposed use, multi-family residential at a density of 6.5 units per acre, is allowed within the PC-CR (Planned Community-Cluster Residential) district, which allows densities up to 8 units per acre, as regulated by Fountaingrove Ranch Planned Community Policy Statement and Development Plan PD72-001 and complies with all other applicable provisions of this Zoning Code and the City Code;
- B. The proposed use is consistent with the General Plan and any applicable specific plan in

Resolution No. _____

that the site is designated Low Density Residential (2.0 to 8.0 units per acre) and the project proposed density is 6.5 dwelling units/acre. The project as designed would maintain neighborhood diversity and varied housing stock to satisfy a wide range of needs (Goal LUL-F), as well as maintain a balance of various housing types and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood (Policy LUL-F-3) and providing a variety of housing types throughout the City (Policy H-A-1), and the project would further the goals and policies of the General Plan by designing hillside development to be sensitive to existing terrain and views (Goal UD-H) and minimizing vegetation removal in hillside areas and preserve large trees that partially screen development or help blend new development into views, and conserving significant vegetation and trees (Goal OSC-E);

- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity in that the proposed project is consistent with the Fountaingrove Ranch Planned Community District Development Plan PD 72-001 which envisions cluster residential development in this area which would include single-family attached and detached units on small lots, as well as multi-family dwellings, and project approval is subject to the City's hillside development and design standards;
- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints in that the project complies with General Plan objective criteria for land use and density, as well as all site development and use standards contained in applicable Planned Development and Zoning Code regulations. It is located in a developed area with access to City services and has been reviewed by City staff and conditioned to include improvements as necessary to support the project and its associated uses. The project design incorporates a dedicated Emergency Vehicle Access roadway that would provide an alternative route to Thomas Lake Harris Drive in the event of an emergency, and the project would implement a Defensible Space Plan consisting of four zones in which vegetation would be modified to prevent the rapid transmission of fire(s) from wildland to structures or from structures to wildland.;
- E. 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 proposed project is located within an area zoned for residential uses and through working with neighbors and staff, the applicant has revised the proposed project to minimize impacts to its proposed tenants as well as surrounding businesses and residences. An Emergency Preparedness and Evacuation Plan that would provide emergency contact information to residents, collect emergency contact information from residents, establish protocols for communication in the event of an emergency, and includes roadway emergency evacuation routes to locations outside the Fountaingrove area has been submitted, and the project has been conditioned to require installation of an emergency generator to provide sufficient power to light the recreation center for at least 12 hours; and

- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) in that an Initial Study was prepared, which resulted in the adoption of a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the project.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for Emerald Isle Condominiums, to be located at 0 Thomas Lake Harris Drive, is approved subject to each of the following conditions:

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

1. Compliance with Planning Commission Resolution No. [insert reso number 2 here].
2. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
3. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 10th day of October, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
CHAIR

Resolution No. _____

ATTEST: _____
EXECUTIVE SECRETARY