

RESOLUTION NO. 11800

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
APPROVING A DENSITY BONUS FOR OAK PARK VILLAGE LOCATED AT 1550  
RIDLEY AVENUE, ASSESSOR'S PARCEL NUMBER 036-191-052; FILE NO. PRJ16-003

WHEREAS, an application has been submitted by Phil Natoli for an eight-parcel small lot subdivision including a Density Bonus to increase the maximum allowable density nine percent (9%), effectively raising the allowable density from seven to eight parcels, for the development of one for-sale property designated for moderate-level income owners for a period of 55 years, for the property located at 1550 Ridley Avenue, Assessor's Parcel No. 036-191-052; and

WHEREAS, on December 8, 2016, 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 at the same time considered written and oral reports of staff, testimony, and other evidence presented by all those who wished to be heard on the matter and made findings in connection therewith; and

WHEREAS, the project has been reviewed and found in compliance with the California Environmental Quality Act (CEQA) and has been found to be consistent with Article 19, Categorical Exemption, Class 32, in that:

- It is consistent with the General Plan land use designation of Low Density Residential (2-8 units per acre) and complies with the R-1-6 (Single-family Residential) zoning district requirements.
- It occurs on a site that is less than five acres within City limits, and is surrounded by residential uses.
- The site has no value as habitat for endangered, rare or threatened species. An environmental evaluation, prepared by Wiemeyer Ecological Sciences, dated July 1, 2016, concluded that the site does not provide suitable habitat for any special-status plant or animal species. It further concluded that the site may provide suitable nesting habitat for native birds, including raptor species. The project has been conditioned to require a survey for nesting birds within 14 days of construction related activities should they occur during nesting season.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality that weren't previously considered in the scope of review of the General Plan 2035 EIR, certified by City Council Resolution No. 26949, dated October 9, 2007.
- The site can be adequately served by all required utilities and public services.

WHEREAS, State Density Bonus Law, California Government Code Section 65915 requires that when a housing developer meets certain criteria for a density bonus that the local jurisdiction must grant regulatory concession (unless the city makes a written finding that the

concessions or incentives are not required in order to provide for affordable housing costs as defined by state law); and

WHEREAS, 14% of the units proposed for Oak Park Village are affordable and, pursuant to Section 20-31.060 of the Zoning Code of the City of Santa Rosa (the Code), the applicant is entitled to one incentive or concession, and has requested it be applied to the reduced open space on Lot 2; and

WHEREAS, California Government Code Section 65915 requires that when a housing developer meets certain criteria for a density bonus, the local jurisdiction must grant regulatory concessions (unless the City makes a written finding that the concession(s) or incentive(s) is not required in order to provide for affordable housing costs as defined by State law); and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Chapter 20-31 (Density Bonus), the Planning Commission of the City of Santa Rosa finds and determines:

1. The Oak Park Village Density Increase is consistent with the General Plan in that it implements the following goals and policies:

Goal LUL-F	Maintain a diversity of neighborhoods and varied housing stock to satisfy a wide range of needs.
Goal H-C	Expand the supply of housing available to lower income households.
Policy H-A-1	Ensure adequate sites are available for development of a variety of housing types for all income levels, throughout the City, such as single- and multi-family units, mobile homes, transitional housing, and homeless shelters.
Policy H-A-2	Pursue the goal of meeting Santa Rosa's housing needs through increased densities, when compatible with existing neighborhoods.
Policy H-F-4	Continue to implement the City's Density Bonus Ordinance, consistent with state law.
2. Oak Park Village will provide eight single-family homes and one second dwelling unit. Lot 2, which will contain one single-family dwelling and a second dwelling unit above a detached garage, will be designated for moderate-level income ownership/occupants.
3. Community facilities are adequate to serve Oak Park Village in that existing and future neighborhood parks, schools and public transit are located within walking distance of the project site.

4. Utilities are available and adequate to serve Oak Park Village in that the site is located in an area surrounded by similar residential development.
5. The proposed density increase will not have an adverse impact on the neighborhood, and the proposal is compatible with the surrounding residential uses in that Oak Park Village will implement the General Plan land use designation for the area and is consistent with the Zoning Code.

NOW, THEREFORE BE IT FURTHER RESOLVED, that this entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

1. The developer shall designate as part of the development one parcel, Lot 2 on the Oak Park Village Tentative Map, for moderate-level income owners/occupants as defined by California Health and Safety Code Section 50105.
2. The developer shall enter into a Housing Agreement pursuant to City Code Section 20-31.100, ensuring the continued affordability of the designated parcel for a period of 55 years.
3. The density increase Housing Agreement shall be recorded concurrently with the Final Map for the Oak Park Village subdivision.
4. All density increase requirements (i.e. location of density increase unit(s), affordability level, term of agreement, etc.) shall be included on the supplemental information sheet of the Final Map.
5. Lot 2 shall be clearly designated as an affordable parcel on the Final Map.
6. Lot 2 shall be made available for occupancy not later than the time at which the first non-targeted parcel of the Oak Park Village subdivision is made available for occupancy.
7. Compliance with all Conditions of Approval for the Oak Park Village Tentative Map, Resolution No. \_\_\_\_\_, approved by the Planning Commission on December 8, 2016.

BE IT RESOLVED that the Planning Commission authorizes the Housing Authority to execute a Density Bonus Agreement with Phil Natoli, Natoli Group 1, LLC, or the current developer, for the Oak Park Village subdivision, subject to approval by the City Attorney.

BE IT FURTHER RESOLVED that the Planning Commission approves this Density Bonus, from seven maximum residential dwelling units per acre to eight units per acre and the requested concession of reduced private open space area, to accommodate the development of affordable housing for moderate-income property owner/occupants, for 1550 Ridley Avenue, Assessor's Parcel Number 036-191-052. If conditions have not been met or if work has not commenced within two years from approval date, this approval shall automatically expire and shall be invalid

unless an application for time extension is filed prior to the expiration. The approval is subject to appeal within ten calendar days from the date of approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on this 8<sup>th</sup> day of December, 2016, by the following vote:

AYES: (5) Chair Cisco, Vice Chair Stanley, Commissioners Crocker, Duggan, and Groninga.

NOES: (0)

ABSENT: (1) Commissioner Dippel

ABSTAIN/RECUSED: (1) Commissioner Edmondson

APPROVED:   
CHAIR

ATTEST:   
EXECUTIVE SECRETARY