

RESOLUTION NO. 11802

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A SMALL LOT  
SUBDIVISION CONDITIONAL USE PERMIT FOR OAK PARK VILLAGE - LOCATED AT  
1550 RIDLEY AVE., ASSESSOR'S PARCEL NO. 036-191-052 - FILE NUMBER PRJ16-003

WHEREAS, an application was filed with the Planning and Economic Development Department requesting the approval of a small lot Conditional Use Permit for Oak Park Village, to be located at 1550 Ridley Avenue, also identified as Sonoma County Assessor's Parcel Number 036-191-052; 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 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

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, including Section 20-42.140 (Residential Small-Lot Subdivisions) in that the proposed project has been reviewed by City staff and, as conditioned, has no outstanding issues;
- B. The proposed small lot subdivision is consistent with the Low Density Residential General Plan land use designation and any applicable specific plan. The project designates one parcel for moderate-level income occupants and includes a request for Density Bonus. Pursuant to General Plan Policy H-F-4, the project is consistent with both the City's density bonus regulations (Code Chapter 20-31) and the State's (Government Code Section 65915) and is allowed a nine percent density increase and one concession related to development standards for which the developer has requested be applied to the private open space requirement on Lot 2.
- C. The design, location, size, and operating characteristics of the project would be compatible with the existing and future land uses in the vicinity in that, as conditioned, the proposed small lot subdivision will improve circulation and the transportation network in the general area, and has been conditioned to minimize impacts to surrounding development;
- D. The site is physically suitable for the type, density, and intensity of the small lot subdivision being proposed, including access, utilities, and the absence of physical

constraints in that the proposed subdivision has been reviewed by City staff and conditioned to include improvements as necessary to support the use;

- 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 as the area is targeted for residential use and the proposed project has been conditioned to minimize impacts that could be associated with small lot subdivisions; and
- F. The proposed project has been reviewed 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.

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 small lot Conditional Use Permit for Oak Park Village, to be located at 1550 Ridley Avenue, is approved subject to each of the following conditions:

1. Compliance with all conditions as specified by the Oak Park Village Tentative Map Resolution Number 11801.

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 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