

RESOLUTION NO. RES-2025-088

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING AN ADDENDUM TO THE DUTTON AVENUE RESIDENCES MITIGATED NEGATIVE DECLARATION (STATE CLEARINGHOUSE NO. 2005092141) FOR THE DUTTON AVENUE DEVELOPMENT PROJECT, LOCATED AT 3150 DUTTON AVENUE, ASSESSOR'S PARCEL NUMBER 043-133-013; FILE NUMBER PRJ24-019 (GPAM24-002 & REZ24-002)

WHEREAS, on March 14, 2006, the City Council adopted Resolution No. 26520, changing the General Plan land use designation for the property located at 3150 Dutton Avenue from General Industry to Medium Density Residential; and

WHEREAS, on March 21, 2006, the City Council adopted Ordinance No. 3771, approving a rezoning of the subject site from General Industrial to Multi-Family Residential (R-3-18); and

WHEREAS, on October 18, 2018, the Design Review Board adopted a Mitigated Negative Declaration (MND) and granted Design Review for 5-structure, 107-unit apartment complex in compliance with the California Environmental Quality Act (Pub. Resources Code § 21000 et seq), the State CEQA Guidelines (Cal. Code Regs., tit. 14 § 15000 et seq.) and the City's local CEQA Guidelines (collectively, "CEQA"); and

WHEREAS, on September 25, 2024, the Planning and Economic Development Department accepted applications for a General Plan Amendment, to change the General Plan land use designation for 3150 Dutton Avenue from Medium Density Residential to General Industry, and a Rezoning from R-3-18 to IG. Applicable fees were paid on October 3, 2024; and

WHEREAS, pursuant to Public Resources Code Section 21067 and CEQA Guidelines Section 15367, the City is the Lead Agency for the proposed Project; and

WHEREAS, CEQA Guidelines Section 15162 provides that when a project was previously analyzed and approved pursuant to an adopted negative declaration, an addendum to the negative declaration may be appropriate to analyze proposed modifications to the project; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, an addendum is appropriate where the proposed Project requires some changes and additions to the previously adopted MND; and

WHEREAS, CEQA Guidelines Section 15164 also provides that an addendum to an approved MND is appropriate when only minor technical changes or additions are made but none of the conditions described in section 15162 have occurred; and

WHEREAS, an Addendum to the previously adopted MND, prepared by Environmental Science Associates (ESA), dated March 2025, analyzed impacts of conceptual development based on uses allowed in the IG zoning district, including aesthetics, agriculture & forestry resources, air quality, biological resources, cultural resources, energy, geology & soils, greenhouse gas emissions, hazards & hazardous materials, hydrology & water quality, land use & planning, mineral resources, noise, population & housing, public services, recreation, transportation & circulation, tribal cultural resources, utilities and service systems, and wildfire. The Addendum did not identify any project-specific impacts stating that, “the analyses conducted, and the conclusions reached in the 2018 IS/MND remain relevant and valid;” and

WHEREAS, the Addendum concluded that the proposed Project would not cause new significant environmental impacts or substantial increases in the severity of significant effects beyond those previously identified in the MND and none of the circumstances under CEQA Guidelines Section 15162 were triggered, therefore, no additional analysis is required; and

WHEREAS, pursuant to CEQA Guidelines Section 15164(c), the Addendum is not required to be circulated for public review but can be attached to the adopted Dutton Avenue Residences MND; and

WHEREAS, on March 13, 2025, the Planning Commission (Commission) of the City of Santa Rosa held a duly noticed public hearing and considered the Addendum together with the previously adopted MND and the proposed Project, at which time the Commission considered the proposed Project materials, public comments received, if any, staff reports, written and oral, and the testimony and other evidence of all those wishing to be heard; and

WHEREAS, on March 13, 2025, the Planning Commission voted unanimously to adopt a resolution (Resolution No. PC-RES-2025-003) recommending that the City Council adopt an Addendum to the previously adopted MND for the Dutton Avenue Development Project, located at 3150 Dutton Avenue; and

WHEREAS, on June 3, 2025, the City Council (Council) of Santa Rosa held a duly noticed public hearing and considered the Addendum together with the previously adopted MND and the proposed project, at which time the Council also considered the proposed Project materials, public comments received, staff reports, written and oral, and the testimony and other evidence of all those wishing to be heard; and

WHEREAS, having reviewed and considered the information contained in the Addendum together with the previously adopted MND, all comments made at the public hearing, and all other information in the administrative record, the City Council has determined that all potentially significant environmental effects of the proposed Project were examined and mitigated in the previously adopted MND and the Addendum prepared for the project concluded there were no new or more significant impacts; and

WHEREAS, the Addendum was prepared pursuant to CEQA and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the City Council has before it all of the necessary environmental information required by CEQA to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, based upon the findings and the records and files herein, and the findings above made, hereby determines as follows:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein by reference.

SECTION 2. Compliance with CEQA. CEQA Guidelines Section 15164 requires lead agencies to prepare an Addendum to a previously adopted ND/MND if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent MND are present. The Council has reviewed and considered the Addendum for the proposed Project and the adopted MND and finds that those documents taken together contain a complete and accurate reporting of all of the environmental impacts associated with the proposed Project. The Council further finds that the Addendum and administrative record have been completed in compliance with CEQA and the Addendum reflects the City's independent judgment.

SECTION 3. Findings Regarding Environmental Impacts. Based on the substantial evidence set forth in the record, including but not limited to the Addendum, the Council finds that an Addendum is the appropriate document for disclosing the minor changes and additions that are necessary to account for the proposed Project. The Council finds that based on the whole record before it, including but not limited to the Addendum, the Dutton Avenue Residences MND, all related and supporting technical reports, and the staff report, that none of the conditions identified in CEQA Guidelines Section 15162 requiring the need for further subsequent environmental review has occurred because:

- a. The proposed Project does not constitute a substantial change that would require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- b. There have been no substantial changes with respect to the circumstances under which the proposed Project will be constructed that would require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- c. There has been no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Dutton Avenue Residences MND was adopted that has come to light, and

that shows any of the following: (i) that the proposed Project would have one or more significant effects not discussed in the adopted MND (ii) that significant effects previously examined would be substantially more severe than shown in the adopted MND; (iii) that mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

SECTION 4. Approval of Addendum. The City Council of the City of Santa Rosa hereby approves and adopts the Addendum to the Dutton Avenue Residences MND (Exhibit A), which incorporates the mitigation measures set forth in the Dutton Avenue Residences MND (Exhibit C) and the previously approved 2018 Mitigation Monitoring and Reporting Program (Exhibit B). Exhibits A, B and C are attached hereto and incorporated herein.

SECTION 5. Notice of Determination. The City Council hereby directs staff to prepare, execute and file a Notice of Determination with the Sonoma County Clerk-Recorder's Office within five (5) working days of the approval of this Resolution.

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SECTION 6. Custodian of Records and Location of Documents. The documents and materials that constitute the record of proceedings upon which this Resolution is based are located at the City of Santa Rosa, Planning and Economic Development Department, 100 Santa Rosa Avenue, Room 3, Santa Rosa, California, 95404. The custodian of records is Susie Murray, Supervising Planner.

IN COUNCIL DULY PASSED this 3rd day of June, 2025.

AYES: (6) Mayor Stapp, Vice Mayor Alvarez, Council Members Bañuelos, Fleming, MacDonald, Rogers

NOES: (0)

ABSENT: (1) Council Member Okrepkie

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
Deputy City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A: Addendum to the previously approved Dutton Avenue Residences MND, dated March 2025

Exhibit B: Previously approved Mitigation Monitoring and Reporting Program (MMRP), dated October 9, 2018,

Exhibit C: The Dutton Avenue Residences Mitigated Negative Declaration (State Clearinghouse No. 2005092141)