

RESOLUTION NO. PC-2024-024

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL
USE PERMIT FOR PHASE TWO OF THE LANCE DRIVE HOUSING DEVELOPMENT, A
98-UNIT RESIDENTIAL SMALL LOT SUBDIVISION - LOCATED AT 0 AND 1696
LANCE DRIVE - FILE NUMBER PRJ24-005

WHEREAS, on July 31, 2012, the Council of the City of Santa adopted the North Station Area Specific Plan and certified its Environmental Impact Report (EIR) (SCH No. 2011122034).

WHEREAS, the North Station Area Specific Plan pre-zoned 0 and 1696 Lance Drive into the R-3-18-SA zoning district, which is intended for multifamily residential development.

WHEREAS, the North Station Area Specific Plan designated 0 and 1696 Lance Drive Medium Density Residential, which allows for residential development at a density between eight and 18 unit per acre.

WHEREAS, on April 4, 2024, an application was submitted requesting the approval of a Conditional Use Permit for Phase Two of the Lance Drive Housing Development, which includes a 98-unit residential small lot subdivision to be located at 0 and 1696 Lance Drive, also identified as Sonoma County Assessor's Parcel Number(s) 036-111-009 and 036-111-010 (Project Site);

WHEREAS, on August 7, 2024, Sonoma County Local Agency Formation Commissions (LAFCO) approved the annexation of the Project Site into the City of Santa Rosa.

WHEREAS, the project site is located in the North Station Priority Development Area (PDA), and Zoning Code Section [20-16.060](#) reduces the permit requirement for small lot subdivisions from the approval of a Major Conditional Use Permit to the approval of a Minor Conditional Use Permit when proposed within a PDA; and

WHEREAS, Zoning Code Section [20-42.140](#) establishes development standards for residential small lot subdivisions subject to Conditional Use Permit approval; 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

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, as allowed by Zoning Code Section 20-42.140(F)(4), the applicant proposed different setbacks from those established in Subsection (F)(4), and the proposed setbacks are shown on the proposed site plan and include identification of proposed building areas; and

WHEREAS, pursuant to Subsection (F)(4) the Planning Commission may approve different setbacks and design features proposed by the applicant after first determining that the alternative approach is more appropriate to the characteristics of the site and surroundings; and

WHEREAS, the applicant proposed four-foot second-story setbacks, where eight-foot setbacks would ordinarily be required, which is more appropriate to the characteristics of the site and surroundings because the number of lots in the small lot subdivision result in each lot having a narrow width, which inherently limits the livable space of each unit. The reduction of interior second-story side setback maintains the Project's ability to meet the minimum density of the Medium Density Residential designation of eight units per acre (11.5 units per acre) while maximizing the livable space of each unit.

WHEREAS, the applicant proposes a reduced open space dimension of four feet where 15 feet is required pursuant to Zoning Code Section 20-42.140(F)(5) in order to maximize the livable space of each unit which would be placed on narrow lots in a small lot subdivision. The Project integrates a wide variety of shared open space both in Phase 2 and throughout the Project site, in addition to providing a direct connection to Northwest Community Park on the western Project site boundary.

WHEREAS, the applicant proposes second- and third-story floor area ratios that exceed those established by Zoning Code Section 20-42.140(F)(8) in order to increase the livable space of the units and provide a great number of housing units in the City without reducing the Project's livability.

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 residential small lot subdivision is allowed with Conditional Use Permit approval as regulated in Zoning Code Section 20-42.140 and complies with all other Zoning Code and City Code regulations. The Project requires Planning Commission approval of modified development standards through the Conditional Use Permit process, pursuant to Zoning Code Section 20-42.140(F)(4), related to second-story setbacks and the minimum setback requirement for private open space. Specifically, the Project proposes a second-story setback of four feet where eight feet is required by the Zoning Code. This alternative approach is more appropriate to the characteristics of the site and surroundings because the number of lots in the small lot subdivision result in each lot having a narrow width, which inherently limits the livable space of each unit. The reduction of interior second-story side setback and alternate building design maintain the Project's ability to meet the minimum density of the Medium Density Residential designation of eight units per acre (11.5 units per acre) while maximizing the livable space of each unit. In addition, the standard requirement for private open space on individual lots within a small

lot subdivision is 400 square feet, of which no dimension should be less than 15 feet. While all lots comply with the minimum of 400 square feet of private open space, for the reasons noted above related to the second story setbacks, the minimum open space dimension for the Project will be four feet. The reduced setback is necessary in order to maximize the livable space of each unit which would be placed on narrow lots in a small lot subdivision. The Project integrates a wide variety of shared open space both in Phase 2 and throughout the Project site, in addition to providing a direct connection to Northwest Community Park on the western Project site boundary;

- B. That the proposed map is consistent with the General Plan and any applicable specific plans as specified in Government Code Sections 65451 and 66473.5 in that the project site is located in an area designated by the General Plan Land Use Diagram as Medium Density Residential, Medium High Residential, and Retail and Business Services. As shown in the table below, the Project is consistent with the allowable density ranges for each of the General Plan Land Use designations of the Project Site.

<u>General Plan Land Use Designation</u>	<u>Number of Units</u>	<u>Site Area (acres)</u>	<u>Allowable Density Range</u>	<u>Proposed Density</u>
Medium Density Residential	194	13.52	8-18 units per acre	14.01 units per acre
Medium High Density Residential	576	25.74	18-30 units per acre	22.38 units per acre

The Project also implements various General Plan and Specific Plan policies related including, but not limited to, developing transit-supportive land uses, fostering walkable and livable neighborhoods, and increasing the diversity of housing stock to that satisfies a wide range of needs, among others as noted in the Staff Report;

- 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 land use is consistent with the Zoning Code and General Plan Land Use designation, which both envision residential development in this area which would include detached residential units in a small lot subdivision. The Project site is located within walking distance to an elementary school, the North Santa Rosa SMART station, Coddington Mall, and other daily needs of future residents. The site would be accessed from Lance Drive from the east, Iroquois Street from the north, and Guerneville Road from the south. The Project respects the existing single-family development to the north of the Project site by respecting the maximum building height established by the North Santa Rosa Specific Plan for Medium Density Residential land use designations. The site plan provides circulation, setbacks, and design features compatible with the surrounding neighborhood and similar to the surrounding single- and multi-family residential uses;
- 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 Zoning Code regulations. The project site is located in a developed area within the City that has 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;

- 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 scale, scope, and operations of the Project has been thoroughly analyzed and reviewed by the North Station Area Specific Plan Environmental Impact Report and the Environmental Checklist prepared by ICF, dated October 2024. Additionally, the Project has been reviewed and conditioned by City departments, undergone technical analysis including a Traffic Study, and is required to comply with the City's Noise Ordinance both during construction and operation. ; and
- F. The Project has been found in compliance with the California Environmental Quality Act (CEQA). The Project and its potential environmental impacts were fully evaluated by the EIR prepared for the North Santa Rosa Station Area Specific Plan certified by the City Council on July 31, 2012 (SCH No. 2011122034). The City has determined, based upon substantial evidence contained in the record including the Environmental Checklist included as Attachment 5 to this staff report, that the project is within the scope of the Specific Plan EIR, all feasible mitigation measures in the Specific Plan EIR have been incorporated into the project and no new environmental analysis is required (CEQA Guidelines section 15168). In addition, the proposed project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15182 and Government Code 65457 as a residential project that is consistent with the Specific Plan. An Environmental Checklist (Checklist), prepared in accordance with CEQA by ICF and dated October 2024, determined that the proposed project is consistent with the Specific Plan and there is no new information that would require subsequent review of the Specific Plan EIR. Pursuant to CEQA Guidelines Section 15182 and Government Code Section 65457, which provides for an exemption for certain residential, commercial, and mixed-use projects that are consistent with an adopted specific plan for which an EIR was certified, the project is statutorily exempt from CEQA.

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 Phase Two of the Lance Drive Housing Development, to be located at 0 and 1696 Lance Drive, is approved subject to each of the following conditions:

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. All work shall be done according to the final approved plans dated October 3, 2024.
3. 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.
4. 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.
5. Compliance with all conditions of approval as set forth by Planning Commission Resolution No. PC-2024-XX, which approved the Tentative Map for the Lance Drive Housing Development, and Resolution 1 Exhibit A – Engineering Development Services, dated November 6, 2024.
6. The developer is required to comply with City Code Chapter 21-02 (Inclusionary Housing). The developer shall provide at least 20 on-site units available for Very Low Income households in Phase 1, and at least 14 on-site units available for Very Low Income households in Phase 3. Phase 2 shall comply with the inclusionary requirements outlined in City Code Section 21-02.050.

BE IT FURTHER 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 14th day of November, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
KAREN WEEKS, CHAIR

ATTEST: _____
JESSICA JONES, EXECUTIVE SECRETARY

DEVELOPMENT ADVISORY COMMITTEE
(October 30, 2024)

LANCE DRIVE HOUSING DEVELOPMENT

Project Description

LOCATION0, 1601, 1680, 1696, and 1705 Lance Dr

APN.....036-111-002, -009, -010, -011, -016

GENERAL PLAN LAND USEMedium Density Residential, Medium
High Residential, and Retail and Business Services

ZONE CLASSIFICATION

EXISTINGR-3-18-SA
.....R-3-30-SA

OWNER/APPLICANT

ADDRESS1815 Clement Ave, Alameda, CA,
94501

ENGINEER/SURVEYOR

ADDRESS2633 Camino Ramon, Suite 350, San
Ramon, CA 94583

REPRESENTATIVE

ADDRESS1815 Clement Ave, Alameda, CA,
94501

FILE NUMBERPRJ24-005

CASE PLANNER.....Conor McKay

PROJECT ENGINEER.....Cleve Gurney

Background

On April 4, 2024, the Project's applications were submitted.

On January 25, 2024, the Project received Concept Design Review by the Design Review Board.

On August 7, 2024, Sonoma LAFCo approved the annexation of the Project site.

Conditions of Approval

The following summary constitutes the recommended conditions of approval from City departments on the subject application/development based on plans stamped received October 3, 2024.

Building Conditions

1. Obtain a demolition permit for structures to be removed.
2. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
3. Obtain building permits for the proposed project.

Planning Conditions

1. The Project's construction phasing shall occur as described on the plans, with Phase 1 occurring first, Phase 2 occurring second, and Phase 3 occurring third.
2. Compliance with all Environmental Conditions of Approval in Chapter 6 of the Environmental Checklist prepared by ICF, dated October 2024.
3. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080).
4. The project shall comply with the Noise Ordinance, City Code Chapter 17-16.
5. A qualified biologist shall conduct pre-construction surveys for nesting birds if construction occurs within the typical nesting bird season (February 1 to August 31). Pre-construction surveys shall also be completed for special-status bats. These surveys shall be conducted within 14 days prior to development or ground disturbing activities and may be combined as appropriate. If development does

not commence within 14 days of the pre-construction surveys, or halts for more than 14 days, additional surveys are required prior to resuming or starting work.

6. If the surveys show that there is no evidence of active nests or occupied special-status wildlife habitat, then a letter report(s) should be prepared to document the survey results and provided to the Project proponent and no additional measures are recommended.
7. If active nests or occupied special-status wildlife are found, a qualified biologist shall establish species-specific buffer zones to prohibit development activities and minimize disturbance until the biologist determines that a buffer is no longer necessary.
8. A qualified biologist shall conduct an environmental awareness training to all Project-related personnel prior to the initiation of work. The training shall cover all special-status wildlife species with the potential to occur within the Study Area.
9. All required landscaping and irrigation for each phase must be installed prior to operation of that phase per the approved final plans.
10. Construction drawings submitted for issuance of a building permit shall include final landscape and irrigation plans, except where not required.
11. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans. Dead and dying plant materials shall be replaced with healthy specimens as necessary.
12. All parking lots and required parking areas shall be constructed to City standards.
13. All parking lots shall be provided with concrete curbing around all planter areas unless an alternative is approved by the Department of Community Development in writing.
14. All parking lots shall be striped according to City standards and all handicapped and compact spaces shall be identified and marked accordingly.
15. Bicycle parking shall be provided in accordance with Zoning Code requirements. The location and number of spaces shall be shown on the site plan submitted for issuance of a building permit.
16. Advisement: The applicant, its successors, heirs, assigns or transferees are advised in writing that this approval or permit prior to the start of any construction may be subject to certain other clearances, approvals, permits, or authorizations by state and/or federal agencies. The applicant shall acknowledge in writing receipt of the above advisement.

17. Mitigation requirement. The City's approval or permit is valid only if the applicant, its successors, heirs, assigns or transferees, comply with the terms, conditions and mitigations set forth in any clearance, permit or approval except that any permit condition or mitigation that requires project redesign shall trigger a review by the City of Santa Rosa Director of Planning and Economic Development to determine if the project as redesigned is consistent with the original approval. A project that the City determines is not consistent with the City approval shall not be granted subsequent entitlements, such as approval of improvement plans and final maps, but excluding grading or building permits of any type. Such a project would have to be resubmitted to the City and reviewed by the City as a new project, including the submittal of a new application and fees.
18. Power to stop work if violation occurs. Nothing in this approval shall prevent the City of Santa Rosa from exercising its power to stop work in instances where a violation of state or federal law is brought to the City's attention.
19. No building or grading permit of any type shall be issued by the City until any required federal or state, as applicable, clearance or authorization, with or without conditions, has been filed with the City.
20. If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation of any impacts to those resources.
21. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Sonoma County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
22. Tree Preservation notes and protection during construction notes shall be shown on the improvement plans and building plans for each phase. The tree driplines shall also be shown on each drawing with the attendant protection instructions.
23. Prior to issuance of a grading or building permit for any clearing, excavation, construction, or other work on the site for each phase, a protection zone shall be

established to protect natural vegetation and trees from construction activities. The following conditions and restrictions shall apply:

- a) The zone shall encompass the "protected perimeter" which shall be either the root zone or other limit as established in this approval.
- b) The zone shall be delineated with a brightly colored construction fence. Such fences shall remain continuously in place for the duration of all work undertaken on the site.
- c) No storage or construction activities (including trenching, grading or filling) shall be permitted within the protected zone.
- d) No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
- e) All brush, earth, and other debris shall be removed in a manner which prevents injury to the protected trees and/or shrubs.
- f) No oil, gas, chemicals, or other substances that may be harmful to trees shall be stored or dumped within the protected perimeter or any other location from which substances might enter the perimeter of a protected tree.

- 24. The contractor(s) shall be notified in writing by the developer of the "Protection Zone." Copies of the letter shall be provided to the Planning and Building Divisions prior to issuance of a building or grading permit for any site work for each phase.
- 25. The protection zone delineated with the brightly colored construction fence shall be posted with signs which state "Tree/Vegetation Protection Zone -- No Construction or Storage Permitted."
- 26. Irrigation systems and plant varieties which require regular watering shall not be permitted within the dripline of any heritage tree which is to be preserved.
- 27. No concrete or asphalt paving or compaction of soil shall be permitted within the root zones of protected trees.
- 28. Any special work, including mitigation, within the "Protection Zone" must be done under the supervision of a City approved certified arborist.
- 29. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit for each phase.
- 30. Light sources shall be concealed from public view.
- 31. All lighting shall be directed toward the subject property and away from adjacent properties.
- 32. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.

33. Compliance with Zoning Code Section 20-30.080 (Outdoor lighting).
34. Compliance with City Code Chapter 21-02 (Inclusionary Housing).

Engineering Development Services Conditions

1. Compliance with all conditions listed on the "Exhibit A" prepared by Engineering Development Services (EDS) dated November 6, 2024.

Fire Conditions

1. Emergency Access roads serving buildings where the vertical distance between the grade plane and the lowest point of a roof (eave of a pitched roof) exceeds 30 feet, aerial access will be required.
 - Roads for Aerial access must be a minimum of 26 feet and located 15' < 40' from the building where aerial access is required.
2. Emergency Access roads shall be provided to within 150' from all portions of the first floor of any structure.
3. Emergency Access Roads:
 - 20'- 27' No parking either side
 - 28'-35' Parking allowed on one side
 - 36'+ Parking allowed on both sides
 - Where No Parking is allowed on Emergency Access Roads, those areas shall be identified per Fire Department Fire Lane Marking Standard.
4. Hydrants will need to be placed every 500' for the single family developments and spaced at 300' for multi-family.
5. Fire service features for buildings, structures and premises shall comply with all City adopted building standards, [California Code of Regulations Title 24 Building Standards](#) and [Santa Rosa City Code](#).
6. SFD will be required to install a Residential Fire Sprinkler system in accordance with NFPA 13D.
7. MFD will be required to install a Residential Fire Sprinkler system in accordance with NFPA 13R.

Recreation and Parks Conditions

1. Street trees will be required and planted by the developer. Selection will be made from the City's approved master plan list. Planting shall be done in accordance with the City's Standards and Specifications for Planting Parkway Trees. Tree planting locations shall be marked by the Recreation and Parks Department, Tree Division personnel. Call 707-543-3422 for information.
2. Park acquisition and/or park development fees shall be paid at the time of building permit issuance, unless a later time is otherwise allowed by City Code. The amount shall be determined by the resolution in affect at the time.

The Development Advisory Committee is an administrative committee designed to inform the Planning Commission of technical aspects of various matters which the Commission is to consider. The report of the Committee in no way constitutes approval or denial of the item under decision. Final approval or denial rests with the Planning Commission and/or City Council and may or may not be subject to terms of this report.

Recommendation

_____ Approval with conditions as set forth in this report

_____ Continuance

_____ Denial – Reasons:

_____ Final action referred to the Planning Commission

Jessica Jones
Deputy Director - Planning
Planning and Economic Development Department