

RESOLUTION NO. RES-2023-125

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION APPROVING A ONE-YEAR EXTENSION OF TIME FOR THE TENTATIVE MAP FOR THE TIERRA DE ROSAS FORMERLY KNOWN AS ROSELAND VILLAGE NEIGHBORHOOD CENTER SUBDIVISION LOCATED AT 665 AND 883 SEBASTOPOL ROAD, ASSESSOR'S PARCEL NUMBERS 125-111-037 AND 125-101-031, FILE NUMBER EXT22-0019

WHEREAS, on March 23, 2023, the Planning Commission, by Resolution 2023-007, approved the Tentative Map application for the Tierra de Rosas Subdivision, formerly known as Roseland Village Neighborhood Center; and

WHEREAS, on March 30, 2023, an appeal of the Planning Commission's action was filed by John Paulsen, President of the Roseland Village Corporation (Appellant), seeking review by the City Council pursuant to City Code Chapter 20-62; and

WHEREAS, on June 25, 2019, the City Council, by Resolution RES-2019-085, denied an appeal and upheld the Planning Commission's approval of the Tentative Map for Tierra de Rosas; and

WHEREAS, on March 23, 2023, the Planning Commission, by Resolution, approved a one-year extension of time for the Tentative Map for Tierra de Rosas for the properties located at 665 and 883 Sebastopol Road. The project extended included subdividing the 7.41 acre parcel into 175 multi-family units, including 75 affordable units, a 25,000 square foot civic building, a 5,000 square foot marketplace, and a .86-acre public plaza; and

WHEREAS, the Tierra de Rosas formerly known as Roseland Village Neighborhood Center Tentative Map and associated entitlements remained valid until June 25, 2021; and

WHEREAS, on September 29, 2020, Assembly Bill 1561 became effective and automatically extended the expiration of all housing development entitlements issued and in effect prior to March 4, 2020 by eighteen months, extending the expiration date for Tierra de Rosas to December 25, 2022; and

WHEREAS, on December 16, 2022, prior to the expiration of the Tierra de Rosas Tentative Map, the subject time extension application was submitted to the Planning and Economic Development Department, requesting to extend the expiration of the Tentative Map and associated entitlements to December 25, 2023; and

WHEREAS, the Planning Commission considered the request to extend the period for filing the final map for the Tierra de Rosas subdivision from December 25, 2022, to December 25, 2023; and

WHEREAS, there is no change of conditions that would preclude an extension of the time to file the final map for Tierra de Rosas subdivision; and

WHEREAS, the Tierra de Rosas Tentative Map was originally approved on June 25, 2019 by City Council and the proposed Tentative Map extension does not result in any meaningful changes in the project, no significant changes in the circumstances of the project, and no new information that would require further environmental review under CEQA Guidelines Section 15162. Therefore, additional environmental review is not required for the Tentative Map extension; and

WHEREAS, the density, design, and infrastructure planned under the proposed project is consistent with the adopted Specific Plan in that the level and intensity of the proposed developments and the locations of the developments are consistent with the Specific Plan. No special circumstances or potential new impacts related to the Project has been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the Specific Plan EIR (SCH #2016012030). The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property; and

WHEREAS, the proposed project is exempt from CEQA pursuant to CEQA Guidelines section 15182 and Government Code section 65457 which applies to land subdivisions for residential, commercial, and mixed-use projects that are consistent with a specific plan for which an EIR was prepared.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the appeal and the reports, documents, testimony, and other materials presented, and pursuant to the requirements of the Subdivision Ordinance of the City of Santa Rosa, (Title 19, City Code), and the Subdivision Map Act (Government Code Section 66410, et seq.) the Council of the City of Santa Rosa denies the appeal, affirms the decision of the Planning Commission approving the subject Tentative Map Extension, and the developer must comply with the following conditions of approval:

1. The project is subject to all conditions of City Council Resolution RES-2019-085 dated June 25, 2019, which initially approved the Tentative Map.
2. Compliance with Engineering Development Services Exhibit "A," dated February 10, 2023, attached hereto and incorporated herein.
3. Compliance with the Development Advisory Committee (DAC) Report conditions, dated January 3, 2019 and revised February 25, 2019, attached hereto and incorporated herein.

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BE IT FURTHER RESOLVED that the Council finds and determines that the said tentative parcel map Time Extension would not be approved 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 conditions are determined invalid, this tentative parcel map Time Extension would not have been approved without requiring other valid conditions for achieving the purposes and intent of such approval.

IN COUNCIL DULY PASSED this 11th day of July, 2023.

AYES: (7) Mayor N. Rogers, Vice Mayor MacDonald, Council Members Alvarez, Fleming, Okrepkie, C. Rogers, Stapp

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A - Engineering Development Services DAC Report Conditions, dated January 3, 2019, and revised February 25, 2019 and Exhibit "A," dated February 10, 2023