

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR DESIGN REVIEW BOARD
FEBRUARY 6, 2025

PROJECT TITLE

Appeal - Tierra de Rosas Public Plaza

ADDRESS/LOCATION

883 & 665 Sebastopol Road

ASSESSOR'S PARCEL NUMBER

125-101-031 & 125-111-037

APPLICATION DATES

August 30, 2022

REQUESTED ENTITLEMENTS

Minor Design Review

PROJECT SITE ZONING

CG – General Commercial

PROJECT PLANNER

Kristinae Toomians

APPLICANT

Sarah McIntire, MidPen, Housing Corp.

PROPERTY OWNER

Sonoma County Community Development
Commission

FILE NUMBERS

DR22-041

APPLICATION COMPLETION DATES

November 14, 2024

FURTHER ACTIONS REQUIRED

Building Permit

GENERAL PLAN DESIGNATION

Retail/Medium Density Residential

RECOMMENDATION

Deny appeal and grant Minor Design
Review approval

For Design Review Board Meeting of: February 6, 2025

CITY OF SANTA ROSA
DESIGN REVIEW BOARD

TO: CHAIR AND MEMBERS OF THE DESIGN REVIEW BOARD
FROM: KRISTINAE TOOMIANS, SENIOR PLANNER
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

SUBJECT: TIERRA DE ROSAS PUBLIC PLAZA APPEAL

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Design Review Board, by resolution, deny the Appeal and grant Minor Design Review for the Tierra de Rosas Public Plaza, a 1.01 acre privately maintained park that is part of the master development for Tierra de Rosas (formerly known as Roseland Village).

BACKGROUND

1. Project Description

On November 21, 2024, the Zoning Administrator granted Minor Design Review for the Tierra de Rosas Public Plaza, a 1.01 acre privately maintained park that will serve as an outdoor public gathering place for the community and will be part of the master development for Tierra de Rosas. It will replace the Plaza Temporal – Mitote Food Park, a temporary plaza and gathering space. On December 2, 2024, John Paulsen filed a timely appeal of the Zoning Administrator's decision.

Project context:

The Project is a component of the approved Tierra de Rosas mixed use development (formerly known as Roseland Village), which will occupy five lots on a 7.41-acre site consisting, located at 665 and 883 Sebastopol Road (Assessor's Parcel Numbers 125-111-037 and 125-101-03). The Tierra de Rosas Masterplan includes four multi-family residential/commercial lots and one common parcel (Lot A). Casa Roseland, an entitled, 75-unit, affordable housing apartment building is planned for Lot 1; two market rate apartment buildings with 175-units are planned for Lot 2; a civic building is planned for Lot 3 and a Mercado Food Hall is planned for Lot 4.

Tierra de Rosas		
Lot	Acres	Planned Use
1	1.53	One Apartment Building - Affordable Housing – 75 Units (Casa Roseland)
2	2.10	Two Apartment Buildings - Market Rate Housing with ground floor Retail – 175 Units
3	0.35	Civic Building
4	0.22	Mercado Food Hall
A	1.01	Public Plaza (Plaza Temporal - Mitote)

2. Surrounding Land Uses

North: Joe Rodota Trail/Highway 12 Corridor

South: Commercial retail and restaurants

East: Commercial retail and restaurants

West: Restaurant/gas station/industrial uses

The project site is surrounded on three sides by developed properties of differing uses and intensities primarily featuring single-story commercial development and commercial uses such as retail and restaurants. The Joe Rodota trail borders the project site immediately to the north. The nearest residential uses can be found approximately 250 feet south of the project site. Industrial uses and outdoor storage areas can be found further afield to the west of the project site on the north side of Sebastopol Road.

3. Existing Land Use – Project Site

The 7.41-acre project site was annexed into the City in November 2017 and is comprised of two parcels owned by the Sonoma County Community Development Commission (CDC). The larger parcel, 665 Sebastopol Road (APN 125-111-037), is a 6.81-acre property, with a single-story commercial retail building, which is currently occupied by a retailer and the Mitote Food Park. The smaller parcel (883 Sebastopol Road/APN 125-101-031) is a 0.60-acre flat property site that is developed with a commercial building and a parking lot.

4. Project History

- On February 28, 2019, the Planning Commission approved a tentative map, MAJ17-006, and density bonus, DB19-030 (PRJ17-075).
- On March 7, 2019, an appeal was filed with the City Clerk's Office regarding the recorded reciprocal access and parking easement over Roseland Village Neighborhood Center.

TIERRA DE ROSAS PUBLIC PLAZA APPEAL

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- On June 25, 2019, City Council denied the appeal and upheld the Planning Commission's approval for DB19-030 and MAJ17-006 (PRJ17-075).
- On October 3, 2019, the applicant submitted an application for Improvement Plans and a Final Map (ENG19-011).
- On January 16, 2020, at a requested Public Hearing, the Zoning Administrator approved the Mitote Food Park (DR19-030) as the first Phase of the Roseland Village Neighborhood Center.
- On January 23, 2020, an appeal was filed with the City Clerk's Office regarding the recorded reciprocal access and parking easement over Roseland Village Neighborhood Center.
- On June 18, 2020, the Design Review Board denied the appeal and upheld the approval for DR19-030 for the Mitote Food Park.
- On June 1, 2021, the Zoning Administrator approved the Minor Design Review for Casa Roseland (DR21-001).
- On June 10, 2021, an appeal was filed with the City Clerk's Office regarding the recorded reciprocal access and parking easement over Roseland Village Neighborhood Center.
- On August 3, 2021, City Council denied the appeal and upheld the Zoning Administrator's approval of DR21-001.
- On August 29, 2022, the Applicant applied for Building Permits to construct 75 affordable housing units as part of Casa Roseland and for the grading and site work for the location.
- On August 30, 2022, the Applicant applied for Minor Design review for the Tierra de Rosas 1.01-acre Public Plaza (DR22-041).
- On December 16, 2022, the Applicant applied for a timely extension of the Tentative Map (EXT22-0019).
- On March 23, 2023, the Planning Commission approved the Tentative Map Extension for EXT22-0019, the first of five potential one-year discretionary extensions. Approval of the requested extension would allow the applicant until December 25, 2023, to record the Final Map.
- On July 11, 2023, the City Council denied an appeal and upheld the Planning Commission's decision to approve a one-year time extension (EXT22-0019) for the Tierra de Rosas Tentative Map.

- On July 20, 2023, the Applicant applied for a timely extension for DR21-001 for a 75-unit, 4-story multi-family affordable housing project on a 1.53-acre site, known as Casa Roseland (EXT23-0006).
- On November 15, 2023, the applicant applied for a timely extension for the approved Tentative Map (MAJ17-006) to subdivide a 7.41-acre site into five lots and a Density Bonus with three concessions to allow the planned development of the Roseland Village mixed-use project with 175 multi-family units, including 75 affordable units, a 25,000-square-foot civic building, a 5,000-square-foot marketplace, and a 1-acre public plaza.
- On November 21, 2024, the Zoning Administrator granted Minor Design Review for the Tierra de Rosas Public Plaza.
- On December 2, 2024, John Paulsen filed a timely appeal of the Zoning Administrator's decision to grant Minor Design Review for the Tierra de Rosas Public Plaza.

ANALYSIS

1. Appeal Statement: Project is on land that has a recorded parking and circulation easement encumbering it. No building(s) or structure can be built on land that has a recorded parking easement on it. And or circulation easement!

Staff Response:

The Roseland Village Shopping Center (Center) was developed in 1954 on five parcels totaling approximately 8.9 acres. The Grant of Reciprocal Easement recorded September 12, 1956 (easement), includes the main parking lot and driveways that provide access to the commercial buildings within the Center. The CDC now owns the 6.7-acre (+/-) parcel (APN 125-111-37) on the west side of the Center. This parcel is entirely within the easement and was once developed with five buildings, totaling approximately 85,000 square feet. Two buildings, totaling 35,000 square feet (+/-), remain on the CDC property at this time. Mr. Paulsen (Appellant) owns the east side of Center, which consists of four parcels that total 4.5-acres (+/-). The easement occupies about half or 2.14 acres (+/-) of his property, which extends further east. Three of the five buildings on his property occupy about 34,000 square feet of the easement area. The other buildings are located outside the easement.

The original construction of the Center included a large multi-tenant commercial building straddling the CDC Property and Paulsen Property. The portion of this building located on the CDC parcel was demolished in 2014. The remainder of the Center is currently developed with smaller commercial buildings around the perimeter, and existing parking spaces and driveways serve the businesses located within the Center.

The CDC Property and Paulsen Property owners share access to and use of the Center's parking lot and driveways by and through the easement. The easement is a private agreement between the property owners, the CDC and Paulsen, to share access and parking within the Roseland Village Shopping Center. The City is not party to the agreement, nor is the City's authority to regulate land use limited by the easement. MidPen and the CDC, as applicants, are required to disclose all easements or other covenants that may restrict development or use the property at the time of the tentative map and density bonus application. The applicants and their legal counsel have stated that the easement does not restrict the applicants' ability to proceed with project development on the CDC Property.

The easement states as follows: *"the parties hereto desire to grant to each other reciprocal easements over that portion of said real property which has been, and will be in the future, set aside for vehicular parking lots and driveways."* By and through this language, the parties granted each other a, *"non-exclusive easement to use and to allow the use of vehicular parking lots and driveways which presently exist or will be developed hereafter."* By its plain language, the easement contemplates future development of the Center and describes a scenario under which the parties will share non-exclusive access over each other's properties. The easement does not describe a specific location for vehicular parking or driveway uses on the CDC Property or Paulsen Property. No prescriptive easement has been established.

The easement grants reciprocal rights to use the parking lots and driveways, *"which presently exist or will be developed hereafter,"* on the CDC Property and Paulsen Property for the mutual *"ingress, egress, and parking of motor vehicles, [and] for all proper purposes connected with the operation of retail business establishments"* on both properties. By its terms, the easement allows ingress, egress and parking across the Center and allows any other *"proper purposes"* connected with operation of the retail Center. There is no express restriction on the use of either the CDC Property or Paulsen Property. In fact, the easement contemplates future development of the Center, granting use of the parking lots and driveways *"which presently exist, or will be developed hereafter."*

The lot configuration and circulation for the Tierra de Rosas Tentative Map shows continued reciprocal access and shared parking between the CDC property (project site) and the appellant's property. The recorded easement does not specify the number, nor does it describe the location, of shared parking spaces that must be maintained or offered on either property. When the Planning Commission approved the Tentative Map, the Commission considered parking and other Zoning Code development standards associated with the Tierra de Rosas project to determine whether the lots are configured to provide adequate vehicle circulation and parking necessary to support the development of future land uses allowed in the Zoning District.

The approved tentative map includes a parking and circulation plan that shows 324 parking spaces and public streets on the project site. The easement neither designates nor requires a specific number of shared parking spaces. Patrons of uses located on the Paulsen side of the Center have unrestricted, reciprocal access to the streets and 108 parking spaces on the CDC Property. It should be noted that all future development on the CDC Property, including the proposed Tierra de Rosas Project, is subject to City Design Review which will ensure adequate parking and other needed site improvements are provided pursuant to the approved Tentative Map project in 2019.

The approved tentative map for the Tierra de Rosas project (Project) requires the CDC to maintain access between the CDC Property and Paulsen Property by providing a new 24-foot-wide commercial driveway entrance at the corner of two new public collector streets: Street B and Street C. The access being maintained indicates that there will be a continued agreement for circulation and parking. The driveway entrance is aligned with the parking lot driveway on the Paulsen Property. The extension of West Street from Sebastopol Road to the Joe Rodota Trail and the new public collector streets provided by the Project will maintain access and circulation over the CDC property. The tentative map also shows a row of new parking spaces on Lot 2 will block an existing gated driveway that now runs along the north side of the main building on the Paulsen Property. The City will require the applicant to quitclaim or remove any easement over this driveway, should one exist, before site improvements may be constructed on Lot 2 (Engineering Condition Number 3, Exhibit A, Tentative Map Resolution).

For Additional Information:

- Please see Attachment 8 for a copy of the Recorded Easement.
- Please see Attachment 9 for the City Council Staff Report for all information related to the appeal of the original Planning Commission decision to approve the Tentative Map for Tierra de Rosas.
- Please see Attachments 10 and 11 for a previous legal opinion on the matter from the Office of the County Counsel regarding the easement and correspondence with the appellant.

As expressed above staff recommends that the Design Review Board deny the appeal and approving the Design Review for the Tierra de Rosas Public Plaza.

2. General Plan

The General Plan specifies a Retail and Business Services/ Medium Density (8-18 units per acre) land use designation for the Project site to accommodate retail and service enterprises, offices and restaurants and/or residential neighborhoods with medium and higher residential densities. The Project furthers the following General Plan goals and policies:

Land Use and Livability:

LUL-G	Promote mixed use sites and centers
LUL-1	Maintain vibrant, convenient, and attractive commercial centers.
LUL-I-1	Provide a range of commercial services that are easily accessible and attractive, that satisfy the needs of people who live and work in Santa Rosa, and that also attract a regional clientele.
LUL-Y	Create a pedestrian friendly streetscape with a distinctive ambiance on Sebastopol Road from Stony Point Road to Olive Street.
LUL-GG	Support a vibrant commercial corridor along Sebastopol Road with a mix of uses and activities that celebrate the area's uniqueness.
LUL-MM	Provide new social and cultural services and amenities to meet the needs of the Roseland Area/Sebastopol Road Specific Plan area and the larger community.

Urban Design:

UD-D	Avoid strip patterns of commercial development. Improve the appearance and functioning of existing commercial strip corridors, such as Santa Rosa Avenue and Sebastopol Road.
UD-D-2	Maintain a uniform setback of structures from the street. Require parking areas to be placed to the side or rear of structures, not in front.
UD-E	Create a framework of public spaces at the neighborhood, city, and regional scale.
UD-E-1	Provide for new open space opportunities throughout the city, especially in neighborhoods that have less access to public spaces.
UD-G-1	Establish a defined center – such as a park, school, neighborhood shopping center, or a transit stop – at the core of large residential projects.

3. **Other Applicable Plans**

The Project is located within bounds of the [Roseland Area/Sebastopol Road Specific Plan](#) (Specific Plan) planning area and the Roseland Priority Development Area. The Specific Plan was adopted in November 2016, in support of a unified, vital, healthy, and livable Roseland Community. The Specific Plan, in conjunction with the General Plan and the Zoning Code, provides a framework for development of properties in the Roseland/Sebastopol Road area. The

Specific Plan incorporates community preferences regarding land use plan and streetscape improvements from the Sebastopol Road Urban Vision Plan. The Tierra de Rosas Plaza portion and the overall Tierre de Rosas master plan project furthers the following Specific Plan visions, goals, and policies:

Visions

- 2.1 Create a welcoming community that is clean, safe, affordable, and inviting.
 - Enhance vitality, the area's multicultural identify, and the sense of community.
- 2.2 Enhance pedestrian, bicycle, and transit connections throughout the Specific Plan area.
 - Accessible to all transportation modes and users, especially pedestrians, cyclists, and transit users.
 - Convenient to get around by foot, bike, bus, and automobile.
 - Vibrant and engaging with pedestrians walking along tree-lined sidewalks, perusing attractive storefronts, or enjoying outdoor dining.
- 2.4 Provide community gathering spaces, parks, recreational opportunities, and healthy food options.
 - Community gathering spaces where residents can relax, be active, and/or attend social events.
- 2.5 Encourage economic development with good local jobs and prosperous, locally owned businesses.
 - Unique, locally owned small businesses flourish.
 - Vibrant storefronts and dining establishments line the Sebastopol Road corridor.
- 2.6 Celebrate the area's diversity by promoting cultural opportunities.
 - A unique place in the region as a diverse, colorful, and vital community.

Goals and Policies

Retail Land Use:

- | | |
|----------------|---|
| GOAL RET-2 | Enhance quality of life by providing community amenities in commercial areas. |
| Policy RET-2.1 | Provide social gathering places in commercial areas. |

- | | |
|----------------|--|
| Policy RET-2.2 | Encourage small-scale, local-serving, and active retail uses, that encourage, walking, browsing, and social interaction. |
| GOAL RET-3 | Retain and encourage businesses that promote Roseland's unique identity. |
| Policy RET-3.1 | Preserve the rich cultural uniqueness and sense of place as new development occurs through encouragement of site and architectural design that is unique to the Roseland area. |

Sebastopol Road Land Use

- | | |
|---------------|--|
| GOAL SR-2 | Encourage local small-scale businesses that celebrate the area's uniqueness. |
| Policy SR-2.1 | Celebrate the multicultural identity of the area and create a unique sense of place with an international village and marketplace. |

The Project implements the vision of the General Plan and the Roseland Area/Sebastopol Road Specific Plan in that it will a social gathering places, among others.

4. Zoning

The site is located within the General Commercial (CG) zoning district.

Zoning districts for surrounding properties include:

North: R-3-18 (Multi-family Residential) zoning district.

South: General Commercial (CG) zoning district

East: General Commercial (CG) zoning district

West: R-3-18 (Multi-family Residential) zoning district and General Commercial (CG) zoning district.

Zoning Code Section 20-23.020(B) describes the CG zoning district as appropriate for a range of retail and service land uses that primarily serve residents and businesses throughout the City, including shops, personal and business services, and restaurants. The CG zoning district is consistent with the General Plan Retail and Business Services land use classification.

Development Standards

The CG zoning district does not provide for a minimum or maximum lot size or lot dimension, and there are no required setbacks for projects that are not adjacent to a residential zone. Maximum lot coverage within a CG zone is 100-percent, and the maximum height limit is 55-feet. The Tierra de Rosas Public Plaza will

replace the Plaza Temporal – Mitote Food Park that is currently located on Lot A of the approved Tierra de Rosas Tentative Map and will comply with required development standards.

Parking

The Zoning Code establishes parking minimums based on land use and area. On June 25, 2019, City Council affirmed the Density Bonus parking concession approved by the Planning Commission on February 28, 2019, for the Roseland Village project. The Tierra de Rosas project in its entirety was granted an 18% parking reduction from 393 to 323 spaces.

5. Design Guidelines

The [Design Guidelines](#) are the primary design criteria under which discretionary review is conducted. The most relevant applicable Design Guidelines goals and policies include:

The Zoning Administrator and staff reviewed the project and determined it to be consistent with the following City of Santa Rosa Design Goals and Guidelines:

Neighborhood Design

- 1.2 I F To encourage all elements of the streetscape; adjacent buildings, medians, vehicle lanes, bikeways, parking, intersections, sidewalks, tree canopies, landscaping, street furniture, lighting, and signs to be thought of as a complete package that works together.

Retail Centers & Commercial Districts

- 3.3 II B 4 Provide attractive and inviting pedestrian scale features, spaces and amenities. Configure entrances and parking lots to be functional and inviting with walkways, conveniently tied to logical destinations. Consider bus stops and drop-off /pick-up points as integral parts of the configuration.
- 3.3 II B 7 Building materials adjacent to pedestrian walkways are to be pedestrian friendly, authentic, rich in detail with visual interest, and durable.
- 3.3 II B 9 Provide barriers to protect the pedestrian from moving vehicles between walkways, driveways and streets.
- 3.3 II F 1 Provide a uniform lighting level which assures safety and security at night.
- 3.3 II F 5 Illuminate pedestrian pathways with a light source that is closer to the ground than parking lot lighting.

- 3.3 III A 1 Design buildings specifically for the sites they are intended to occupy.
- 3.3 III A 2 Design buildings to fit into the character and context of the surrounding area in terms of scale, style, use of materials, form, and so on.
- 3.3 III A 9 Design main entries to be prominent and easy to identify and that are distinguishable from the storefront.
- 3.3 III A 15 Develop a sense of architectural continuity.
- 3.3 III B 1 Use high quality, durable, and low maintenance materials.
- 3.3 III B 2 Select building colors to establish continuity and compatibility with the neighborhood.
- 3.3 III B 3 Use complimentary buildings, materials, colors, and textures within a retail center.
- 3.3 III D 1 Areas for outdoor storage, truck parking, trash collection or compaction, and loading, shall be screened from customers, abutting streets, and adjacent uses.
- 3.3 III D 8 Screen all exterior trash and recycling from view wherever possible.

Special Design Considerations

- 4.1 I B To provide visual enhancement of sites by creating a harmonious visual composition in combination with the architecture.
- 4.1 I E To develop landscaping that is easily maintained and conserves water.
- 4.1 I F To provide visual screening where applicable
- 4.1 II 1 Integrate landscaping into all site development.
- 4.1 II 2 Provide special attention to incorporation of trees in all landscape design.
- 4.1 II 3 Provide landscaping that exhibits a strong design concept and creates a harmonious composition.
- 4.1 II 5 Landscaping incorporated in a development should reflect or improve on the landscaping already present in the neighborhood.
- 4.1 II 6 Select landscape materials and plants that are appropriate in scale and function to the locations in which they are placed.

- 4.1 II 8 Utilize planting areas to break up large expanses of paving, to visually separate masses of parked cars, and to provide a shade canopy
- 4.1 II 10 Select planting materials that are appropriate for local climactic conditions and historic continuity.
- 4.1 II 12 Maintainability is an important consideration in landscape design. To this end care should be taken to ensure that plants are selected which, at maturity, do not outgrow their planting site. Other factors to be considered include exposure, microclimate, soil condition and type, irrigation to be used, and the impact of plantings on pedestrian traffic.
- 4.2 II A 6 Provide for bicycle parking

Required Design Review Findings

Design Review decisions are based on the seven discretionary standards found in Zoning Code Section 20-52.030(J) as follows:

- 1) The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans);

Staff Response: The project as proposed is consistent with the General Plan and the Roseland Area/Sebastopol Road Specific Plan. The site complies with all applicable Zoning Code standards for restaurants in that the General Commercial zoning district and incorporates elements of the Design Review Guidelines for Retail Centers & Commercial Districts.

- 2) The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the framework of Design Review (Design Guidelines, Introduction, subsection C);

Staff Response: The site is located in an area developed with commercial, institutional, and residential uses and the Project includes gateways to a public space for socializing and gathering. The use of landscaping, public furniture, community programming, play areas, seating areas, and bicycle parking help to create a vital community hub for the Roseland area.

- 3) The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments;

Staff Response: The project as proposed is consistent with the General Plan and the Roseland Area/Sebastopol Road Specific Plan. The primary entrance to the Project is street facing and will be integrated with the overall Tierra de Rosas master planned development, which includes the development of a 75 affordable unit affordable multi-family housing project, a 100-unit market rate housing project.

- 4) The architectural design of the proposed development is compatible with the character of the surrounding neighborhood;

Staff Response: The proposed landscaping, public furniture, play areas, and seating areas provide unique and uniform designs without clashing with the surrounding redeveloping area.

- 5) The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained;

Staff Response: The future public plaza will serve as a passive cooling mechanism by removing nearly one-acre of hardscape and replacing it with planted areas that will reduce urban heating that occurs on paved areas. The plaza will also feature shaded areas that will allow its users to access naturally shaded outside areas.

- 6) The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity; and

Staff Response: The Project has been reviewed by City staff and conditioned to minimize potential impacts. Parking and circulation will provide adequate fire access, and entry and exit to the site is provided via an existing signaled intersection. Project lighting will meet City requirements for safety pursuant to Santa Rosa Zoning Code Section 20-30.080 Outdoor Lighting, and the design is compatible with the Roseland Area/Sebastopol Road Specific Plan guidelines for the site.

- 7) The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff Response: Please, see the Environmental Impact Section below.

6. Summary of Public Comments

Prior to the Zoning Administrator Hearing on November 21, 2024, staff did not receive any public comments on this item.

At the Zoning Administrator Meeting, the appellant, John Paulsen spoke in opposition to the project. Similar to his written complain, Paulsen asserted that the proposed location of the improvements is in violation of a recorded parking and circulation easement.

Another attendee at the Zoning Administrator meeting complained that there was a promise to build a library on the project site, as part of the master plan.

7. Public Improvements

The public sidewalk along Sebastopol Road will be brought into compliance with Americans with Disabilities Act (ADA) regulations and the designated parking area will be repaved and restriped. Street frontage and other onsite improvements required by the Tentative Map are not required until permanent improvements are installed.

Engineering Development Services has provided a comprehensive list of required improvements which are included as Conditions of Approval to the resolution for this Project.

FISCAL IMPACT

Approval or denial of the appeal will not have a direct fiscal impact on the General Fund. The Project, however, will contribute to the City's Sales Tax and create jobs and economic growth from activation of the site.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15183, the Project was determined to be exempt from further review pursuant to CEQA Guidelines section 15183, in that:

- a. The Project will support mixed commercial, institutional and residential uses at the intensity called for by the Roseland Area/Sebastopol Road Specific Plan.
- b. There are no project specific effects which are peculiar to the Project or its site, and which the General Plan or Specific Plan EIRs failed to analyze as significant effects. The subject property is no different than other properties in the surrounding area, and there are no Project specific effects which are peculiar to the Project or its site. The project site is located in an area developed with commercial, institutional, and residential uses. The property does not support any peculiar environmental features, and the Project would not result in any peculiar effects. In addition, all Project impacts were adequately analyzed by the specific plan and general plan EIR.
- c. There are no potentially significant off-site and/or cumulative impacts which the General Plan or Specific Plan EIRs failed to evaluate. The proposed Project is consistent with the use characteristics of the development considered by the General Plan or Specific Plan EIRs. The General Plan or Specific Plan EIRs considered the incremental impacts of the future development, such as the Project and planned Roseland Village project, and no potentially significant off-

site or cumulative impacts have been identified which were not previously evaluated.

- d. There is no substantial new information which results in more severe impacts than anticipated by the General Plan or Specific Plan EIRs. No new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the General Plan or Specific Plan EIRs.
- e. The project will undertake feasible mitigation measures specified in the General Plan or Specific Plan EIRs. The mitigation measures will be undertaken through Project design, compliance with regulations and ordinances, or through the Project's conditions of approval.

Pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines section 15182, The project is consistent with the Roseland Area/Sebastopol Road Specific Plan. On November 2016, the City Council, concurrent with the adoption of the Roseland Area/Sebastopol Road Specific Plan, certified the Roseland Area/Sebastopol Road Specific Plan EIR (SCH 2016012030). The density, design, and infrastructure plan 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. The Specific Plan EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject property.

Pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines section 15162 provides that no additional review is required where an EIR is certified or a negative declaration has been adopted for a project and there are no substantial changes to the project or changed circumstances which will result in new or more severe environmental impacts and there is no new information showing the project will have significant effects not discussed in the negative declaration.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Please see project history section, above.

PUBLIC NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners and occupants, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio

amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

LEVINE ACT

This project is subject to the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$250 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. Please see the attached Disclosure Form for information on individuals interested in the proposed land use action and any monetary contributions to city officials. For more information see the FPPC website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

ISSUES

There are no unresolved issues remaining with the project.

ATTACHMENTS

Attachment 1 - Disclosure Form

Attachment 2 - Neighborhood Context Map

Attachment 3 – Approved Tentative Map and Development Plans

Attachment 4 – Color Photographs of the Site

Attachment 5 – Plans

Attachment 6 – Zoning Administrator Resolution ZA-2024-043

Attachment 7 – Appellant's Appeal Form, dated received December 2, 2024

Attachment 8 – Reciprocal Parking and Driveway Easement

Attachment 9 - City Council Appeal Staff Report 2019-06-25

Attachment 10 - County Counsel Legal Opinion

Attachment 11 - County Counsel and Appellant Correspondence

Attachment 12 - Paulsen v. MidPen Housing Corp

Resolution 1/Exhibit A, dated November 14, 2024

CONTACT

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