

CITY OF SANTA ROSA
DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT FOR PLANNING COMMISSION
April 14, 2011

PROJECT TITLE

North Village II

APPLICANT

Fulton Road Investors

ADDRESS/LOCATION

2406 Fulton Road

PROPERTY OWNER

Fulton Road Investors

ASSESSOR'S PARCEL NUMBER

034-030-088

FILE NUMBER

MJP07-003

PROJECT SITE ZONING

Planned Development

GENERAL PLAN DESIGNATION

Low Density Residential

APPLICATION DATE

January 23, 2007

APPLICATION COMPLETION DATE

January 23, 2007

PROJECT PLANNER

Noah Housh

RECOMMENDATION

Approval

PROPOSAL

The applicant has filed Tentative Map, Conditional Use Permit, and Design Review applications proposing to subdivide the existing 17.89 acre parcel located at 2406 Fulton Road into 70 individual lots to accommodate the construction of 120 residential dwelling units (proposed as single family and multi-family homes), an on-site community center, and private open space.

SUMMARY

The project involves the subdivision of one 17.89 acre parcel into 70 lots to construct 120 residential units, primarily single family and duplex units but does also include one 6 unit apartment building. Additionally, the project proposes to develop a community center and private open space to be used jointly between the project residents, and those in the North Village I development directly to the south. Vehicular access to the site is proposed from Fulton Road but the project does provide pedestrian access to the Jack London Elementary School and future neighborhood park to the east.

The project complies with the General Plan and Planned Development zoning requirements for the project site and is subject to the requirements of the Housing Allocation Plan (HAP). Environmental analysis for the proposed project was previously included in the North West Santa Rosa 3-97 Annexation Environmental Impact Report

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and a Supplement to this EIR was prepared to analyze and address environmental impacts not included in that document due to modifications to the project itself and changes to State and local regulations.

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: PLANNING COMMISSION
SUBJECT: NORTH VILLAGE II
AGENDA ACTION: APPROVAL OF RESOLUTIONS

ISSUE(S)

Should the Planning Commission, by resolution, approve the proposed Supplemental Environmental Impact Report, Tentative Map, and Conditional Use Permit to allow the subdivision of an existing 17.89 acre parcel located at 2406 Fulton Road into 70 individual lots to accommodate the construction of 120 residential dwelling units (proposed as both single family and multi-family homes), an on-site community center, and private open space?

BACKGROUND

1. Surrounding Land Uses

North: The property directly north of the subject site is a 3.84 acre parcel with characteristics similar to that of the subject property. It is mainly a flat grassy field with some wetland characteristics and several trees along the southern property line. It is developed with one single family home, and several residential out buildings and is also within the PD 3683 zoning district.

East: Directly east of the subject property is Jack London Elementary School an 11.98 acre parcel, also in the PD 3683 District, containing the school facility buildings, playgrounds, and recreation fields. These fields are proposed to be used by the City of Santa Rosa Recreation and Parks Department for after school and weekend recreation activities. South east of the subject property is an approved neighborhood park that is yet to be constructed.

South: The property directly to the south of the project site is the site of North Village I, a recently built single family development with two remaining undeveloped parcels. This approved project is a 100+ unit subdivision of attached and detached residential housing. This site also had similar characteristics to the North Village II site, being a flat grassland field with identified and delineated wetlands onsite however this project design did not preserved and/or maintain these existing wetlands as part of project development.

West: The property is bordered along the entire western frontage by Fulton Road. This road has been widened to four lanes as required by the NWSR Annexation EIR mitigation measures. Fulton Road serves as the western edge of the City of Santa Rosa's urban growth boundary. Beyond Fulton Road are large (multi-acre) residential and agricultural lots primarily developed with single family homes located outside of the

City of Santa Rosa.

2. Existing Land Use - Project Site

The site is a relatively flat semi-rural pocket with minimal topography and few trees surrounded by semi rural residential housing and agricultural lands to the west and north, and residential development similar to what is proposed with the project to the south. The zoning designation is Planned Development, specifically PD 3683. It is designated by the General Plan as a site for Low Density Residential development. Environmental surveys have identified and delineated pockets of wetlands and some associated Special Status Species (NWSR 3-97 EIR EIP Survey Results).

Historically the site was used for dryland farming for hay or grazing by cattle and horses. The site was originally part of an agricultural preserve under the Williamson Act, but non-renewal notices were filed for the parcels in 1984 and the contracts expired in 1994.

3. Project History

March 2003-The City of Santa Rosa circulated a Draft EIR analyzing the potential impacts of the Northwest Santa Rosa 3-97 Annexation. This was a proposal to annex 26 parcels totaling approximately 154 acres from the County of Sonoma to the City of Santa Rosa. A Policy Statement, including a development plan, for the proposed Planned Community (PC, now termed Planned Development or PD districts) zoning district was also submitted for a portion of the annexation area as a component of the annexation project. This Development Plan and Policy Statement identified three development sub-areas of the Northwest Santa Rosa Annexation 3-97 one of which included the North Village II subdivision.

December 21, 2006-Project was taken before the Design Review Board as a concept item for preliminary board comments.

January 2007-Applications to develop the North Village II subdivision were submitted by the developer. During the review process of the North Village II project, the developer requested processing be frozen because of changes in the housing market.

September 2010-The project review was re-activated after a request was filed by the developer, and reprocessing fees paid, to initiate the review of a slightly modified project design.

December 8, 2010-A neighborhood meeting was held to notify the neighbors that the project had been re-activated and allow them an opportunity to review the proposed project.

March 11, 2011-The City of Santa Rosa posted a Supplement to the previously completed EIR to address changes to both the project design and state law. These changes triggered the need for further environmental review and analysis, not included in the original EIR prepared for the North Village subdivisions.

ANALYSIS

1. Project Description

Project proposes subdivision of one 17.89 acre parcel into 70 individual parcels to allow the construction of 120 residential units of varying types. The units proposed include 24 detached single family units, 90 attached single family units (duets), 26 of which are proposed to be restricted to low income buyers, and 1 six-plex apartment building, also proposed to accommodate low income residents (proposed as compliance with the requirements of the HAP). Additionally, the project includes the construction of a 4,000 square foot community center/recreation building that includes a meeting room, childcare center, pool, and exercise area and is intended to serve both the proposed project, and the existing homes developed as a part of the North Village I subdivision directly to the south.

The overall proposed density is 6.71 units per acre in an area designated for Low Density Residential Development (2-8 units per acre) by the City of Santa Rosa 2035 General Plan. The zoning designation of the project site is Planned Development (PD) 3683. This zoning designation allows for the variety of units proposed, as well as the other community serving uses, with Conditional Use Permit approval. The applicant is also seeking an Environmental Determination, Design Review, and a Tentative Map approval to allow the project to move forward and submit for building permits.

Although the project site has multiple identified and delineated wetlands, the project seeks to avoid and preserve these wetlands by establishing approximately 11 acres of private open space in conjunction with a wetland management plan. This plan will be based on an updated species and habitat survey and the most current and applicable preservation trends. The project design allows pedestrian access to the adjacent school, future park site, and community center but also provides a buffer from the park and school uses with the private open space that surrounds the proposed project.

2. General Plan

The project site is designated as Low Density Residential by the City of Santa Rosa 2035 General Plan. This designation allows residential development at a density of 2-8 units per acre. Some of the most applicable General Plan policies pertaining to the project are listed below.

LUL-E Promote livable neighborhoods by requiring compliance with green building programs to ensure that new construction meets high standards of energy efficiency and sustainable material use. Ensure that every day shopping, park and recreation facilities, and schools are within easy walking distance of most residents.

LUL-F Maintain a diversity of neighborhoods and varied housing stock to satisfy a wide range of needs.

LUL-F-3 Maintain a balance of various housing types in each neighborhood and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood. Downtown is excepted.

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-G-6 To promote social interaction, houses in new developments should contain porches, front gardens, and windows overlooking front yards and sidewalks.

UD-G-7 Ensure that garages do not dominate streetscapes by setting them back from the front of houses, locating them at the rear of the site, accessed by an alleyway, or clustering them on shared driveways.

OSC-D-1 Utilize existing regulations and procedures, including Subdivision Guidelines, Zoning, Design Review, and environmental law, to conserve wetlands and rare plants. Comply with the federal policy of no net loss of wetlands using mitigation measures such as:

- Avoidance of sensitive habitat;
- Clustered development;
- Transfer of development rights; and/or
- Compensatory mitigation, such as restoration or creation.

OSC-I-4 Consider water conservation measures in the review of new residential development projects.

The project complies with many of the policies of the general Plan in that it provides green building materials and methods above and beyond those required by the City of Santa Rosa building code including provisions to conserve water and energy. Additionally the project provides a variety of housing types in one development all within walking distance of a school and park. The proposed home designs provide porches, windows, and sidewalks in front of the residences, placing garages and parking at the side and rear of structures. Final, the project design clusters the proposed development while avoiding and maintaining the onsite wetlands, utilizing a majority of the project site for private open space.

3. Zoning

North: Planned Development (PD) 3683

South: Planned Development (PD) 3683

East: Planned Development (PD) 3683

West: County of Sonoma

The project site is zoned Planned Development (PD) 04-007, which is a PD zoning district covering 155 acres in north west Santa Rosa. This zoning district allows single

family and multifamily residential land uses as principally permitted as long as the proposed multifamily units are indicated on development plans or tentative maps. The district further allows community centers, child care centers, schools, and other similar uses subject to use permit approval.

While many zoning districts specify specific development criteria the PD 04-007 district leaves many of the standards such as setbacks, lot coverage, lot size, width, etc, to be set by the proposed development plan, or conditional use permit. The district does specify a maximum building height of 35 feet and identifies specific parking standards for individual land use types allowed by right (discussed below).

The project proposes lots sizes range from 1,700 sq feet to 4,400 square feet some to be developed with single family homes and some with duplex (or duet) units. The total number of single family homes proposed with the project is 24. The total number of duplex/duet units is 90. The project also proposes 6 apartment units, in a 6-plex structure with parking adjacent.

The development plan proposes using building envelopes to specify the lot coverage and building setbacks for each of the lots in the proposed project. Average lot coverage is approximately 50 percent with some lots proposing greater percentages and some proposing less. Total area proposed to be covered with development is less than 15 percent of the project site. These envelopes allow development very close to the property lines. Specific setbacks of these envelopes as identified on the plans but a summary is listed below.

Front Setback-10 feet - 11.5 feet (often including a sidewalk and/or front porch)
Side Setback- 1foot – 6 feet (most are proposed at 3 feet – 6 feet)
Rear- 1foot – 3 feet with no driveway, 22 feet - 24.5 feet with a driveway (accessing a garage)

These setbacks are similar to those allowed in a small lot subdivision which allows 10 foot minimum front yard setbacks, 4 foot minimum side yard setbacks, and a 3-5 foot rear yard setback for garages and a 15 foot setback for main dwellings.

The project complies with the limits of the 35' building height identified in the policy statement. All other specific land use criteria are proposed with the Conditional Use Permit and Development Plan and are subject to approval by the Planning Commission.

4. Parking

The PD 04-007 Policy Statement identifies residential parking requirements based on individual unit type. Single family and duplex units are only required to provide 1 covered parking space per unit. Multifamily uses require 1.5 spaces per studio and/or 1 bed room, 2 spaces per 2 bedroom, and 3 spaces per three bedroom units, all of which require one covered space.

Approximately 48 units are proposed with 1 onsite parking space, 66 are proposed with 2 or more on site spaces, and the proposed 6-plex apartment building (2bd per unit) is proposed with 1 onsite parking space for each unit. Per the PD zoning district parking standards the project requires a total of 126 parking spaces. The proposed design provides 177 on-site parking spaces, and 59 on street parking spaces which are included toward residential parking requirements. This totals 236 parking spaces (on and off street) proposed for the residential units (1.96 spaces per residential unit) meeting the PD zoning requirements.

The proposed community center, which contains a 20 child daycare center and an exercise facility, as well as a 1000 square foot community room would require 14 on site vehicular parking spaces. The proposed design provides the required spaces.

5. Environmental Review

This project was originally included in the Northwest Santa Rosa Annexation 3-97 (SCH# 2003022085, adopted December of 2003) Environmental Impact Report (EIR), and a supplement to this EIR was prepared pursuant to Section 15163 of CEQA. The role of the Planning Commission will be to approve the proposed Supplemental EIR, should they find it adequate.

The original included analysis of the potential environmental impacts associated with the development of North Village II. However, since it was adopted changes in state law have occurred requiring analysis of potential Green House Gas impacts. Additionally, the original EIR analysis of the projects biological impacts assumed wetlands may be filled to accommodate development of the site. The project has been designed to avoid all onsite wetlands and eliminate impacts anticipated from filling, altering, or discharging into these waterways. Therefore the original impact analysis and subsequent mitigation measures based on the potential filling of wetlands are no longer valid. Finally, the City of Santa Rosa Initial Study Checklist has been updated since the completion of the NWSR 3-97 EIR making several changes to the format and adding new areas of potentially significant environmental impacts. These include Agriculture, Hazards and Hazardous Materials, Green House Gasses, and Mineral Resources.

To address these changes, a supplemental EIR has been written (and posted) to provide an analysis of the projects potential to impact the environment through the emission of Green House Gasses, the potential biological impacts to wetland and other biological resources, and to augment the original analysis (conducted as a part of the NWSR 3-97 EIR) to include new areas of potential environmental impact now included in the initial Study. New mitigation measures have been required to ensure the green house gas impacts are less than significant and biological resources are not significantly impacted.

Most of the original project impact analysis and subsequent mitigation measures originally included in the NWSR 3-97 EIR remain valid and the project has been conditioned to comply with these measures. The supplemental document is only

intended to address changes in project design, in State law, and modifications to the City of Santa Rosa Initial Study checklist. Copies of both the original NWSR 3-97EIR and the Supplemental EIR have been provided as attachments to identify the environmental analysis, project specific impacts, and required mitigation measures.

Statements of Overriding Consideration

The original NWSR 3-97 EIR identified several significant and unavoidable impacts associated with the annexation itself, and the proposed development projects included in the annexation. At the time of adoption, these were identified as a part of the environmental review and Statements of Overriding Consideration were adopted to certify the original document.

These previously identified significant and unavoidable impacts were:

Impact 3.3-2- Traffic generated by development within the annexation area, when added to existing plus approved development would change the service level of the intersection of Piner and Coffey Lane from LOS E to LOS F during the peak PM hour.

Impact 3.3.6- In the year 2020 the urban street level of service on Fulton Road north of Piner Road would decrease to LOS E for southbound traffic during the peak PM hour with or without traffic resulting from the annexation and development.

Impact 3.4-1- Annexation and development of the annexation area would require increased police protection services at build out. The Santa Rosa Police Department would need an additional three police officers to maintain the Citywide service level of 1.14 officers per 1,000 population and adequate response times to the annexation area.

Impact 3.10-1- Build out of the annexation area would result in the loss of an estimated 128 acres of grassland habitat that is important to foraging bird of prey.

Impact 3.10-4- The development of grasslands within the annexation area would result in the loss of habitat and the fragmentation of remaining habitat because site development of residences, pathways, and roads would interfere with the movement and sustainability of resident wildlife, including sensitive species such as the California Tiger Salamander (CTS).

Impact 3.10-5- The creation of new roads throughout the annexation area may result in the loss of sensitive species as they are struck by vehicles and injured or killed while attempting to cross roads, both during and after construction.

Since these impacts were identified, additional mitigation mechanisms to address impacts to police services have been identified. Specifically the creation of Special Tax Districts within the City of Santa Rosa has allowed impacts to public safety to be mitigated. The project has been conditioned to annex to the special tax district to address the potential impacts to police services bringing these impacts to less than significant levels.

Additionally, while some of the onsite grass land habitat will be fragmented by the development, the Fish and Wildlife Service has identified that development of the project will not result in a taking of CTS. The original EIR analysis of Biological Impacts assumed the project would result in a taking of either species or habitat and mitigation

measures were written to address this. Since the EIR was completed, the project has been designed to avoid all impacts to wetland resources, species, and habitat. A supplemental Biological Assessment was completed to identify the projects potential to impacts biological resources, and to recommend mitigation measures necessary to bring any impacts to less than significant levels.

Mitigation Measures required to address the projects impacts to the environment originate from the both the original Northwest Santa Rosa 3-97 Annexation EIR and the supplemental analysis included in the Supplemental EIR. Required mitigation measures necessary to address impacts associated with the changes to the project are identified in the Mitigation Monitoring Plan in the Supplemental EIR while those associated with the original EIR are included in that Mitigation Monitoring Plan.

6. Comments/Actions by Other Review Boards/Agencies

In order for the project to proceed to building permits, preliminary and final design review must be granted by the Design Review Board. The project was reviewed at a conceptual level prior to the freeze in processing. If the tentative map is approved, the project will be scheduled for preliminary review by the Design Review Board.

The project will be required to obtain a general construction and storm water permit from the Regional Water Quality Control Board prior to construction.

7. Neighborhood Comments

On February 22, 2007 an email was received from John Herrick representing the milo Baker chapter of the California Native Plant Society. His letter expressed concerns regarding the project potential to impact wetland habitat, endangered species, and the proposed mitigation measures for the project.

On December 8, 2010 a neighborhood meeting was held to notify the neighbors that the project had been re-activated and minor modifications had been made to the design. Four neighbors attended and reviewed the proposed project. Neighbors voiced general support for the project but identified that there was a potential for some of the units to block some views established for North Village I. Additional issues voiced were regarding the lack of parking in their neighborhood and the impacts associated with residential developments which provide limited parking. The developer responded to these concerns by eliminating four of the proposed homes from the development plan.

On January 9, 2011 an email was received from the property owner to the north (Bob) expressing some concerns regarding potential impacts to his property from the proposed development. The developer responded to the neighbor identifying measures he was willing to incorporate into the project design to address the concerns and these satisfied the neighbor and have been required as conditions where appropriate.

On March 11, 2011 an email was received from Ms. Marsha Chevalier voicing her general support for the proposed development.

8. Public Improvements/On-Site Improvements

The project is proposing numerous public and private improvements including the improvement of the Fulton Road street frontage to the Boulevard Street Standard, construction of two new public Minor Streets, and a private street developed to the Minor Standard. Additional onsite improvements include the construction of a community center providing daycare and gym services, access into the adjoining private open space, and restoration of the onsite wetlands to be avoided by construction. On-going management of these wetlands is also required to ensure impacts to their biological function are avoided.

Additionally, the developer has entered into an agreement with the parks department to design and construct a 2.09 acre neighborhood park adjacent to the south east boundary of the project site as identified in the City of Santa Rosa 2035 General Plan.

9. Issues

Housing Allocation Plan (HAP)

Residential development projects over 15 acres are required to designate 15 percent of their proposed units for low income buyers or renters (or 20 percent if proposing off site units) in order to comply with the requirements of the City of Santa Rosa's HAP policy. The developer is proposing an alternative to these requirements whereby the HAP units dedicated for the North Village I project be 'traded' for additional units to be provided in the North Village II project, resulting in the same number of affordable units overall, but shifting the low income units to North Village II. This is to accommodate changes in the housing market and to allow the developer a financial mechanism to aid in the development of the project.

Section 21-02.122 of the HAP policy encourages innovation in meeting the objectives of the HAP policy and in projects providing on site affordable housing. The proposal has been reviewed by the City Attorney's office and the Director of Community Development, both of whom agree that the project meets the requirements of the HAP policy. If the Tentative Map is approved, it will be contingent on City Council approval of the alternative HAP proposal. See the December 13, 2010 email from the developer identifying the request and December 23, 2010 response from the Director of Community Development.

Parking for Multi-Family Housing

The proposed 6-plex provides two bedroom units which require 2 on-site parking spaces per dwelling unit. This project proposes to provide 1 onsite space per unit with the additional required spaces to be provided on street. While on street spaces are

typically counted for residential units, they typically are required to be adjacent to the proposed units seeking to use them to meet their required parking. The location of the structure on an alley with no parking precludes it from providing adjacent parking, and seeks to count the parking proposed on "Street A" in their required parking numbers. The developer is requesting support for this proposal based on the innovative design of the project and the availability of the required number of parking spaces on site.

RECOMMENDATION

It is recommended by the Department of Community Development that the Planning Commission approve the Supplemental Environmental Impact Report, Tentative Map, and Conditional Use Permit allowing the subdivision of the 17.89 acre parcel located at 2406 Fulton Road into 70 individual lots to accommodate the construction of 120 residential dwelling units (proposed as single family and multi-family homes), an on-site community center, and private open space.

Attachments:

- Location map
- Disclosure form
- Neighborhood context map
- Site analysis
- Draft resolutions: Environmental (Supplemental EIR), Tentative Map, Conditional Use Permit
- DAC Report
- Project Plans (Title Sheet, Vicinity Map, Architectural Site Plan, Parking Example, Color and Material, Streetscape Elevations, Community Center Floor Plans and Elevations, Landscape Plan, Fulton Road Streetscape, Tentative Map, Layout Plan, Grading Plan, Utility Plan)
- Supplemental EIR
- Northwest Santa Rosa 3-97 Annexation EIR
- Greenhouse Gas Analysis-Urbemis and BGM Spreadsheet
- Traffic Analysis/Trip Generation
- Supplemental Biological Assessment/Wetland Impact Analysis
- Noise Assessment
- Second Year CTS Survey Results
- Tree Planting and Removal Summary