

RESOLUTION 2021-05

CITY OF PETALUMA PLANNING COMMISSION

**APPROVING SITE PLAN AND ARCHITECTURAL REVIEW FOR
THE CASA GRANDE RESIDENTIAL PROJECT
LOCATED AT 240 & 250 CASA GRANDE ROAD
APNs: 007-040-020 & -059
FILE NO. PLMA-19-0006**

WHEREAS, Doyle Heaton of Falcon Point Associates, LLC submitted an application for the Casa Grande Project, including a Zoning Map Amendment, Zoning Text Amendment, Vesting Tentative Subdivision Map, and Site Plan and Architectural Review for a 36-unit residential project within the Residential 4 (R4) and Flood Plain Combining (FP-C) zones, located on a 45-acre site at 240 and 250 Casa Grande Road (APN 017-040-020 and 017-040-059) (the "Project"); and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 27, 2020 to consider the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Zoning Map Amendment, Zoning Text Amendment, and Vesting Tentative Subdivision Map for the Casa Grande Residential Project; and

WHEREAS, at the October 27, 2020 hearing the Planning Commission approved Resolutions recommending City Council approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Resolution No. 2020-15), Zoning Map Amendment (Resolution No. 2020-16), Zoning Text Amendment (Resolution No. 2020-17), and Vesting Tentative Subdivision Map (Resolution No. 2020-18) for the Project; and

WHEREAS, the City Council held a duly noticed public hearing on December 7, 2020 to consider the Planning Commission recommendation for approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Zoning Map Amendment, Zoning Text Amendment, and Vesting Tentative Subdivision Map for the Project; and

WHEREAS, at the December 7, 2020 hearing the City Council adopted Resolutions approving the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Resolution No. 2020-181) and Vesting Tentative Subdivision Map (Resolution No. 2020-182) and introduced Ordinances (first reading) approving the Zoning Map Amendment (Ordinance No. 2753) and Zoning Text Amendment (Ordinance No. 2754) for the Project; and

WHEREAS, the City Council held a duly noticed public hearing on December 21, 2020 and adopted (second reading) Ordinance 2753, approving the Zoning Map Amendment, and adopted (second reading) Ordinance No. 2754, approving the Zoning Text Amendment for the Project; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider Site Plan and Architectural Review for the Project on February 23, 2021, at which time all interested parties had the opportunity to be heard; and

WHEREAS, public notice of the February 23, 2021 Planning Commission hearing was published in the *Petaluma Argus-Courier* and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law; and

WHEREAS, a public hearing sign was posted on site at least 17 days prior to the Planning Commission meeting, consistent with the City Council Resolution No. 18-107; and

WHEREAS, at said hearings, the Planning Commission considered the staff report, dated February 23, 2021 and all public testimony provided prior to and at the public hearing; and

WHEREAS, on February 23, 2021, the Planning Commission approved Site Plan and Architectural Review for the Project.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETALUMA AS FOLLOWS:

- A. The foregoing recitals are true and correct and incorporated herein by reference.
- B. Based on its review of the entire record herein, the Planning Commission makes the following findings:

California Environmental Quality Act

- a. An Initial Study was prepared in compliance with the California Environmental Quality Act for the proposed project and it was determined that it could result in potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards, Hydrology, Land Use/Planning, Noise, Transportation, and Tribal Cultural Resources. However, the Initial Study found that project impacts would be mitigated to a less-than-significant level through implementation of mitigation measures, compliance with existing Municipal Code requirements, and other City standards. The Planning Commission approved Resolution No. 2020-15 on October 27, 2020, recommending City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project and the City Council subsequently approved Resolution No. 2020-181 on December 7, 2020 adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

General Plan

- b. The Project is consistent with the Medium Density Residential General Plan Land Use Designation in that it provides a residential project on a property designated for residential uses with a density range of 8.1 to 18.0 dwelling units per net acre.
- c. The Project is, for the reasons discussed in the February 23, 2020 Planning Commission staff report, consistent with the following General Plan policies:

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| Policy 1-P-2 | Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses. |
| Policy 2-G-16 | Encourage the enhancement of older neighborhoods in the South East General Plan Subarea through development of improved streetscapes, trail connections, and introduction of new neighborhood compatible uses. |
| Policy 4-P-1 | Create setbacks for all tributaries to the Petaluma River extending a minimum of 50 feet outward from the top of each bank, with extended buffers where significant habitat areas, vernal pools, or wetlands exist. Development shall not occur within this setback, except as part of greenway enhancement (for example, trails and bikeways). Where there is degradation within the zone, restoration of the natural creek channels and riparian vegetation is mandatory at time of adjacent development. |
| Policy 4-P-6 | Improve air quality through required planting of trees along streets and within park and urban separators and retaining tree and plant resources along the river and creek corridors. |

- Policy 5-P-15 Implement the bikeway system as outlined in the Bicycle and Pedestrian Plan and expand and improve the bikeway system wherever the opportunity arises.
- Policy 5-P-20 Ensure that new development provides connection to and does not interfere with existing and proposed bicycle facilities.
- Policy 5-P-22 Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well-connected pedestrian network linking new and existing developments to adjacent land uses.
- Policy 5-P-22.A Improve the pedestrian experience through streetscape improvements where there is the greatest need, and by orienting development toward the street.
- Policy 5-P-22.B Improve street crossing and complete gaps in the sidewalk system through development review and capital improvement projects.
- Policy 5-P-23 Require the provision of pedestrian site access for all new development.
- Policy 5-P-26: Require all new development and those requiring new city entitlements with "frontage" along creeks and the river to permit through travel adjacent to creeks and the river with access points from parallel corridors spaced at minimum intervals of 500–1,000 feet.
- Policy 5-P-31 Make bicycling and walking more desirable by providing or requiring development to provide necessary support facilities throughout the City.
- Policy 6-P-2.A Provide public access and recreational opportunities along the length of the Petaluma River and its tributaries to every extent possible.

Implementing Zoning Ordinance

- d. The project as proposed and conditioned is consistent with Section 3.040 (Inclusionary Housing) as it will provide a minimum of 15 percent of on-site units affordable to households at the low- and moderate-income levels.
- e. The project as proposed and conditioned is consistent with Chapter 6 - Floodway and Floodplain Districts of the Implementing Zoning Ordinance as follows:
 - i. Consistent with Section 6.070 of the Implementing Zoning Ordinance, the lowest habitable floor of residences will be elevated a minimum of 12 inches above the base flood elevation or depth number specified on the Flood Insurance Rate Map (FIRM) and upon completion of the structures, the elevation of the lowest floor shall be certified by a registered professional engineer or surveyor, to be properly elevated.
- f. The project is consistent with Implementing Zoning Ordinance §24.010 – Site Plan and Architectural Review, in that all required findings found in §24.010(G) can be made as follows:
 - i. The project incorporates a variety of exterior materials used to differentiate the four architectural styles used throughout the project. Materials and features of the Bungalow style include stucco and cementitious siding, heavy columns with a stone base, half-timbers, and out-lookers, and a composition shingle roof. The Craftsman style includes cementitious lap siding accented with either staggered edge shingle siding or cementitious panel and batt siding at the gables with a composition shingle roof. The Spanish style includes stucco walls, simulated clay tile vents, shutters, and concrete tile roofs, and the Traditional style includes walls of cementitious lap siding with brick accents, wood shutters and a composition shingle roof. The materials proposed are consistent with those typically found in non-custom home development and represent cost effective low maintenance materials that will be harmonious

with the proposed subdivision as well as with the adjacent residential subdivision to the south. As such, the project is consistent with this finding.

- ii. The project is located immediately adjacent to the Del Oro Subdivision which includes existing one- and two-story single-family residences of varying size and architectural styles. The proposed project includes the construction of 36 two-story single-family residences in four different sizes configurations, and architectural styles. The project is typical of a low density single-family subdivision and is compatible with the overall low density character of the neighborhood. Therefore, the project is consistent with this finding.
- iii. The development standards for the Casa Grande subdivision were approved through City Council Ordinance 2754 and include specifications for setbacks and height of proposed residences. The approved PUD provides setbacks and height that are compatible with the adjacent Del Oro Subdivision and as such the project is consistent with this finding.
- iv. No signs are proposed as part of the project. Any future signage associated with home occupations that may utilize the residential units will be required to meet all criteria as outlined in IZO Section 7.050 to ensure compatibility with the overall residential character of the neighborhood. As such, the project is consistent with this finding.
- v. The height of the proposed two-story residences ranges from 23 to 29 feet as measured from finished grade to the midpoint of the structures' pitched roofs. The Casa Del Oro Subdivision allows for a maximum height of two and a half stories, which is greater than that permitted by the approved Casa Grande PUD Guidelines. Furthermore, the proposed project includes between 10 to 16 foot setbacks for lots located along the southern property boundary (lots 23 - 36) and adjacent to the existing Casa Del Oro Subdivision. The project includes six different earth-toned color palettes that are compatible with surrounding residential uses and typical of the proposed architectural styles. As such, the project is consistent with this finding.
- vi. The proposed landscape palette includes a variety of trees, shrubs, grasses, perennials, and groundcover. Though the project proposes removal of seven existing trees, none are identified as protected and none are located within the riparian corridor of Adobe Creek. Landscaping will be incorporated throughout the site including along the street frontages, within the front setback areas of residential lots, and in the common parcel that will be utilized for the bioretention basin. All proposed planting species require low to moderate water use consistent with City requirements. Landscaping is typical of residential subdivisions and particular emphasis has been given to street frontages along Casa Grande Road, the new public street bisecting the site, and Del Rancho Way. As such, the project is consistent with this finding.
- vii. The overall ingress, egress, and internal circulation for bicycles, pedestrians, and vehicles was thoroughly considered as part of the Vesting Tentative Subdivision Map and the Mitigated Negative Declaration both of which were approved by the City Council on December 7th. The project incorporates bicycle and pedestrian facilities within the project site and on the adjacent Casa Grande Road frontage. Additionally, the Pedestrian and Bicycle Advisory Committee reviewed the project prior to initial Planning Commission review and subsequent City Council review, and recommendations provided by the Committee are included as conditions of the Vesting Tentative Subdivision Map and restated as conditions in Exhibit 1 of Attachment A.


Vehicular parking is provided for each unit in attached one- and two- car garages and bicycle hooks are provided and conditioned in each garage. As such, the project provides internal circulation for bicycles and automobiles and incorporates automobile, bicycle, and pedestrian facilities that promote safety and convenience and conform to approved City standards consistent with this finding.

- C. Based on its review of the entire record herein, including the February 23, 2021 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby approves Site Plan and Architectural Review to construct 36 two-story single-family residential units, 13 junior accessory dwelling units (JADUs), and associated site improvements, subject to the conditions of approval attached hereto as **Exhibit 1**.

ADOPTED this 23rd day of February 2021, by the following vote:

Commission Member	Aye	No	Absent	Abstain
Councilmember Fischer	X			
Chair Bauer	X			
Vice Chair Alonso	X			
Hooper	X			
Marzo	X			
Potter	X			
Vacant				

DocuSigned by:



Heidi Bosoff, Chair

ATTEST:

APPROVED AS TO FORM:

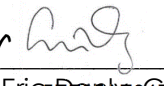
DocuSigned by:



Heather Hines, Planning Manager

Heather Hines, Commission Secretary

DocuSigned by:



Eric Deane, City Attorney

Eric Deane, City Attorney

SPAR CONDITIONS OF APPROVAL
CASA GRANDE RESIDENTIAL PROJECT
240 & 250 CASA GRANDE ROAD
APN: 007-040-020 & -059
FILE NO. PLMA-19-0006

Planning Division

1. Plans submitted to the City of Petaluma for purposes of construction shall be in substantial conformance with the Architectural Plans on file with the Planning Division dated January 8, 2021 and Civil Plans dated January 7, 2021 except as modified by these conditions of approval.
2. No building permits shall be issued for any buildings on the site until a Final Map has been approved and recorded except as allowed by Section 66499.30(a) of the Subdivision Map Act which allows construction of model homes prior to approval of a final map.
3. The colors and materials shall be in substantial conformance with those noted on the architectural plans except as modified by these conditions of approval.
4. For residences with stucco finish, the application used shall be a smooth, hand-troweled stucco. This application shall be specified in plans submitted for construction of the residential units.
5. Prior to issuance of a building permit plans shall be modified to clearly include option for construction of an accessory dwelling unit in proposed garages for 11 of the lots containing a detached single-family dwelling to be implemented as an owner option.
6. Prior to the issuance of a building permit the plans shall be updated to remove the "lock-out" door, eliminating the internal connection between the 13 junior accessory dwelling units and the principal dwelling.
7. This approval is granted for and contingent upon construction of the project as a whole, in a single phase, with the construction and/or installation of all features approved and required herein. Modifications to the project, including but not limited to a change in construction phasing, shall require Site Plan and Architectural Review in accordance with IZO §24.010.
8. Consistent with Implementing Zoning Ordinance Section 3.040 and Program 4.3 of the 2015-2023 Housing Element, the project shall provide at least 15 percent, no less than five, of the dwelling units on-site as inclusionary affordable units at the low- and moderate-income levels. Three of the required inclusionary units shall be deed restricted to low income affordability and the other two inclusionary units shall be deed restricted for moderate income affordability. The affordability covenants must stipulate that the inclusionary affordable units shall be affordable for a period of 99 years. Inclusionary units must be constructed and occupied prior to or concurrent with the market-rate units and must be distributed throughout the project site to the fullest extent practicable. The design, appearance and general quality must be comparable and compatible with the market-rate units.
9. Lots specified as inclusionary units shall be as shown on the approved plans including attached units on lots 4, 13, 14, and 34 and the detached unit on lot 22. Any change to the inclusionary units including a change in location or architectural style shall be reviewed by the Housing Manager for consistency with this approval.

10. Upon building permit submittal for construction of the residential units, plans shall clearly demonstrate that the project will be all electric including but not limited to all electric construction, electric vehicle charging stations in each garage, roof-mounted photovoltaic panels with energy storage capabilities, energy-efficient appliances, and high-performance building envelopes with increased insulation and high-performance windows.
11. Consistent with the adopted Casa Grande Planned Unit Development Guidelines, development shall be all-electric and natural gas infrastructure shall be prohibited throughout the life of the project.
12. Upon submittal of a building permit for construction of residential units, the Casa Grande Planned Unit Development Guidelines adopted by City Council Ordinance No. 2754 shall include an updated Exhibit E showing public access and associated amenities to Parcel A.
13. All public access amenities to the bioretention and Adobe Creek area on Parcel A of the Vesting Tentative Map shall be installed prior to the project's first certificate of occupancy. Amenities shall include, but not be limited to those shown on the approved landscape plan including the walking path, benches, picnic tables, and informational signage. Final plan details shall be shown on the project's public improvement plans at the building permit stage.
14. Final Public Improvement plans shall include modification to the path and amenity layout to extend the perimeter of Parcel A, providing a trail loop to maximize public access and provide linkage to potential Creekside pathway to the east.
15. This approval is effective for a twelve (12) month period unless the permit has been exercised or unless an extension of time is approved in compliance with IZO §24.010(J).
16. All exterior lighting shall conform to the standards at IZO 24.040 (D) (Glare).
17. Both construction and post-construction operations shall comply with all performance standards of Implementing Zoning Ordinance Chapter 21.
18. The applicant shall be subject to all applicable development impact fees in effect at time of building permit issuance. Said fees are due prior to final inspection or certificate of occupancy.
19. The site shall be kept cleared at all times of garbage and debris. No outdoor storage shall be permitted.
20. All plantings shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to ensure continued regular watering of landscape areas, and health and vitality of landscape materials.
21. All standpipes, check valves, and other utilities shall be placed underground or fully screened from view by decorative screening structures or landscaping to be reviewed and approved by the Planning Manager.

22. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Petaluma's Subdivision Ordinance (#1046, Title 20, Chapter 20.04 of the Petaluma Municipal Code). An erosion and sediment control plan will be required for the subdivision grading plans. The proposed subdivision grading and subsequent development phases that are over one acre in size will be required to prepare a SWPPP in accordance with City and State regulations, and all future development will be subject to City grading and erosion control regulations.
23. In the event that human remains are uncovered during earthmoving activities, all construction excavation activities shall be suspended, and the following measures shall be undertaken consistent with Mitigation Measure CUL-1 and Conditions of Approval 13 and 24 of the Vesting Tentative Subdivision Map:
 - a. The Sonoma County Coroner shall be contacted.
 - b. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.
 - c. The project sponsor shall retain a City-approved qualified archaeologist to provide adequate inspection, recommendations and retrieval, if appropriate.
 - d. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American and shall contact such descendant in accordance with state law.
 - e. The project sponsor shall be responsible for ensuring that human remains and associated grave goods are reburied with appropriate dignity at a place and process suitable to the most likely descendent.
24. All mitigation measures contained in the Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program, approved by City Council Resolution 2020-181 are included by reference and shall be satisfied consistent with the approved Mitigation Monitoring and Reporting Program.
25. All Conditions of Approval of the Vesting Tentative Subdivision Map approved by City Council Resolution 2020-182 are included by reference and shall be satisfied as noted therein.
26. All Conditions of Approval and Mitigation Measures shall be listed on the first sheet of the office and job site copies for all building permit plans prior to issuance.
27. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul any of the approvals of the project, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so appellant shall reimburse City for attorneys' fees by the City.

Fire Department

28. All Fire Department Conditions of Approval of the Vesting Tentative Subdivision Map approved by City Council Resolution 2020-182 are include by reference and shall be satisfied as applicable prior to approval of a building permit to construct new residences as permitted through this action.

Public Works & Utilities Department

29. All Public Works and Utilities Department Conditions of Approval of the Vesting Tentative Subdivision Map approved by City Council Resolution 2020-182 are included by reference and shall be satisfied as applicable prior to approval of a building permit to construct new residences as permitted through this action.