

RESOLUTION NO. 19-06

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL
RECOMMENDING THE CITY COUNCIL CONSIDER A PROPOSAL FROM
HUNTLEY SQUARE, LLC, REGARDING AN AGREEMENT FOR HUNTLEY SQUARE
DEVELOPMENT

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016, that recognized the need for improvements to the City's circulation network, including improvements for pedestrian and bicycle safety; and,

WHEREAS, the City of Sebastopol received an application for a Development Agreement from Bob Massaro/Huntley Square, LLC (the "Applicant"), on September 16, 2019 for the parcel located at 7950 Bodega Avenue (APN 004-350-024) ; and

WHEREAS, the Development Agreement request included a request for financial assistance in the amount of \$135,000, and for an exemption from the underground utility requirements for the project; and,

WHEREAS, the Planning Commission held a duly-noticed public hearing on November 12, 2019, and heard a staff report and public testimony and deliberated the request, and continued the public hearing to the December 10th 2019 Planning Commission meeting; and,

WHEREAS, the Planning Commission found that the circumstances of the proposed development are unique, in that:

- 1) the topography of the site includes significant elevation above the roadway;
- 2) the length of the property frontage of the site is unusually wide compared to the width of the site, with approximately 75 feet of frontage on the western side that is not developable;
- 3) that these impediments present a financial difficulty for any development of the site; and

WHEREAS, the Planning Commission found that improvements to the Bodega Avenue sidewalk improvements would be a benefit to the community, in that:

- 1) this is the only section of Bodega Avenue which remains undeveloped and does not have a sidewalk constructed along the frontage; and
- 2) the existing pathway connecting the sidewalks on the east and west side of the site is a informal dirt pathway that is difficult for pedestrians to travel and is not compliant with ADA requirements; and,
- 3) the need for improvements to this section have been recognized by the City and construction of curb, gutter, and sidewalk improvements at this location are included in planned improvements to the Bodega Avenue corridor,

regardless of whether the Huntley Square development project moves forward or not; and,

WHEREAS, the Planning Commission found that the proposed pedestrian and circulation improvements are consistent with the General Plan, in that they are consistent with the following policies:

Policy CIR 1-2: Ensure that the City's circulation network is a well-connected system of streets, roads, sidewalks, multi-use trails, routes, and paths that effectively accommodates vehicular and non-vehicular traffic in a manner that considers the context of surrounding land uses and the needs of all roadway users.

Policy CIR 1-9: Through the development review process, CEQA process, and through long-range infrastructure planning efforts, identify circulation network improvements and mitigation measures necessary to maintain the City's vehicle, transit, bicycle and pedestrian objectives.

Goal CIR 2: *Maintain and Expand a Safe and Efficient Pedestrian, Bicycle, and Transit Network that Connects Neighborhoods with Key Destinations to Encourage Travel by Non-Automobile Modes while also Improving Public Health*

WHEREAS, the Planning Commission further found that there are mutual benefits to the City and the Applicant in coordinating the development, in that:

- 1) if Huntley Square development project did not move forward, the City would bear all costs to construct these improvements, as well as potential additional costs for purchase of right-of-way acquisition from the Applicant and construction of a retaining wall necessary for the sidewalk improvements; and
- 2) if the Huntley Square project were constructed after the City's improvements, a retaining wall would need to be reconstructed for the sidewalk project, but would not include the required stairway access to the site or public parking along Bodega Avenue, which would need to be reconstructed at the time of the development of the parcel, resulting in a waste of resources for both the City and Applicant; and
- 3) coordination of the project and construction of the improvements by the applicant would result in potential cost savings to the City for the Bodega Corridor improvement project including purchase of right-of-way and construction of a retaining wall that would otherwise be necessary for sidewalk improvements ; and

WHEREAS, the Planning Commission found that it would be appropriate for the City to utilize funding from the Traffic Impact Fee, and that the Utility Underground Fee reduction to this project may also be appropriate, but that use of Park Impact Fees would not be an appropriate source of funding; and,

WHEREAS, Planning Commission further found that a cost sharing arrangement with the Applicant could provide for mutual benefit and cost savings for both parties, however the ratio of cost between the Applicant and the City should be more mutually shared given the City's requirement for a developer to construct public improvements when part of a typical development, as required by the General Plan and Municipal Code (12.28); and

WHEREAS, Planning Commission further found that, if an appropriate cost sharing proportioning can be agreed to, the improvements would be consistent with the general plan policy CIR 2-4:

Policy CIR 2-4: Require development projects to construct frontage sidewalks, missing sidewalk sections, paths, and nearby enhanced crosswalks in a manner that is consistent with the City's goals and policies in this General Plan and the Sebastopol Bicycle and Pedestrian Plan, and as dictated by the location of other activity centers, transit stops and common pedestrian destinations.

WHEREAS, the Applicant submitted a revised request on November 24, 2019 to the Sebastopol Planning Department; and,

WHEREAS, Planning Commission reopened the public hearing at its December 10, 2019 meeting to further deliberate the Applicant's new information, and found that Option 2 would provide the most benefit to the City:

- Financial assistance in the amount of \$69,550 of \$160,000 of the improvements (43% of the total cost)
 - Funded through waiver of the Traffic Impact fee of \$23,140 and reduction of the Underground Utility Fee of \$92,500 to half, or \$46,250)
- No provision of an income-restricted housing unit

NOW, THEREFORE, THE PLANNING COMMISSION, recommends that the City Council consider the application with the above findings.

Approved on December 10, 2019 by the following vote:

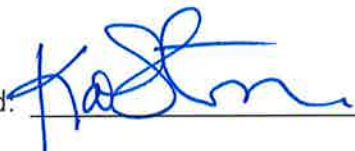
AYES: Chair Wilson, Vice Chair Doyle, Commissioners Douch, Fritz, Glazer, Oetinger

NOES: None

ABSTAIN: Commissioners Fernandez, Kelley

ABSENT: None

Certified: _____



Kari Svanstrom, Planning Director