

RESOLUTION NO. 19-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL  
RECOMMENDING APPROVAL OF A TENTATIVE SUBDIVISION MAP, PLANNED COMMUNITY  
ZONING DESIGNATION, USE PERMIT FOR SOLELY-RESIDENTIAL DEVELOPMENT IN A  
COMMERCIAL ZONE, ENVIRONMENTAL AND SCENIC OPEN SPACE STUDY APPROVAL AND  
ADOPTION OF A MITIGATED NEGATIVE DECLARATION  
FOR THE PROPERTY AT 6737 SEBASTOPOL AVENUE  
(APN 004-063-036)

WHEREAS, an application for a Tentative Subdivision Map, Use Permit to allow a fully residential project in a commercial zone; Planned Community Zoning designation; and, approval of an Environmental Scenic Open Space (ESOS) study modification and approval of ESOS requirements (the "Project"), was filed on August 15, 2018, by Dan Davis. This proposal consists of subdividing a vacant 1.74 acre parcel (APN 004-063-036) parcel, into 19 lots, to be developed with 18 townhomes and a common area lot. Parking will be provided via a surface parking lot on the common area lot.

WHEREAS, with the approval of a Use Permit, the proposed residential-only development will be consistent with the subject property's General Plan designation of Central Core and Zoning Designation of Downtown Core; and,

WHEREAS, with the approval of an Ordinance, the zoning for the property will be changed from Downtown Core to a Planned Community zoning district; and,

WHEREAS, the Project, as conditioned, is consistent with the Central Core Land Use designation of the General Plan and General Plan policies, in that:

*The proposal is consistent with Policy LU 1-7 as the site is located at the edge of the Downtown Core District and is surrounded on three sides by existing residential and commercial developments.*

*The proposal is consistent with Policy LU 6-2 as it provides much needed housing located in close proximity to various community services and transit.*

*The proposal is consistent Policy COS 12-9 as only one tree is slated for removal. Additionally, Condition of Approval have been added in regards to the 50' Railroad Forest setback which require this area to be maintained in its natural state, and which requiring buffer plantings / mitigation planting in said 50' setback.*

*The proposal is consistent with Policy COS 12-12 as the development is clustered in the center of the project site, with the townhomes in arranged in the three clusters with open space located in the center, and around the perimeter of the property. The southern edge of the site will have the largest open space, with a 50' setback from the*

*Railroad Forest property. As conditioned, an open space easement shall be required on this section of the property which would prevent disturbance of this area with the exception of restoration and removal of invasive species.*

*The proposal is consistent with Policy CD 1-7 as it an infill development which provides much needed housing located in close proximity to pedestrian and bicycle trails and has convenient access to local amenities and transit. The project includes the requirement to construct a bicycle/pedestrian connection to the existing connector trail located at the west side of the site.*

*The proposal is consistent with Policy CD 3-4 as the project was subject to a Cultural Resource Evaluation which found that the site did not contain any known or evident cultural, archeological or historic resources. In the event that any unanticipated artifacts or cultural features are discovered during grading or underground excavations all work in the vicinity of the find shall be stopped until the discovery area can be evaluated by an archaeologist and appropriate actions are taken.*

*The proposal is consistent with the City's Housing Element, in that the site is identified as a site in the Site Inventory as land suitable for residential development.*

*The proposal is consistent with the City's Housing Element, in that, as conditioned, the proposal would meet the City's Inclusionary Housing requirements by providing on-site Inclusionary Unit(s) and providing housing opportunities at a variety of income levels.*

WHEREAS, on March 13, 2018, the Planning Commission conducted a preliminary review with the Planning Commission to review the project; and

WHEREAS, on October 23, 2018, the Planning Commission conducted a duly-noticed Public Hearing, heard public testimony, deliberated, and approved a reduction of the Environmental Scenic Open Space (ESOS) study to require a Visual Analysis only, and approved a reduction in the ESOS buffer setback to be 50 feet; and

WHEREAS, the applicant made adjustments in the proposal based on community comments and Planning Commission review of the ESOS reduced setback request; and

WHEREAS, on November 14, 2018, the Design Review Board reviewed the Planned Community zoning designation request, Policy Statement and Development Plan, and provided recommendations for the Planning Commission to consider; and

WHEREAS, a Visual Analysis was prepared in compliance with the requirements of the ESOS overlay zoning and considering the preliminary review comments from the public comments and Planning Commission and Design Review Board reviews held on October 23, 2018 and November 14, 2018; and

WHEREAS, the project was the subject of an Initial Study and Mitigated Negative Declaration prepared in compliance with the California Environmental Quality Act (CEQA), which was circulated for public comment, including the California State Clearinghouse and the Federated Indians of the Graton Rancheria, consistent with local and State CEQA requirements, which the Planning Commission has reviewed and considered, as well as comments made on it during its public review period; and the Commission has further considered additional information provided in the staff report, and included conditions of approval relating to that topic; and

WHEREAS, the Mitigated Negative Declaration identifies potentially significant impacts regarding aesthetics, biological resources, and hydrology/water quality issues related to the Environmental and Scenic Open Space designation and proximity to the Laguna de Santa Rosa, cultural resources, construction period air quality issues, and traffic, and

WHEREAS, there are available feasible mitigation measures that would reduce these impacts below a level of significance and, as conditioned, which would be applied to the project; and

WHEREAS, on April 9, 2019, the Planning Commission conducted a duly-noticed Public Hearing, heard public testimony and considered the applications for a Tentative Subdivision Map, Planned Community Zoning designations, Use Permit for a solely-residential development in a commercial zone, and Visual Analysis for an ESOS overlay district, and

WHEREAS, on April 9, 2019, the Planning Commission held a duly noticed public hearing, received a staff report, accepted public testimony, and duly considered the application, including, but not limited to, the application materials, Mitigated Negative Declaration, staff report, resolution, and public comments, and duly considered the application.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY ADOPT THIS RESOLUTION recommending the City Council:

1. Adopt a Mitigated Negative Declaration
2. Review and approve the proposed Tentative Map, Use Permit to permit a solely-residential development in a commercial zone, ESOS visual resources analysis subject to the Findings in Exhibit A "Recommended Findings for Approval" and the mitigation measures and conditions included in Exhibit B "Recommended Conditions of Approval"; and,
3. Introduce and waive the first reading of an Ordinance to rezone the parcel as a Planned Community Zoning District, subject to the zoning regulations included in Exhibit A "Findings".

Approved on April 9, 2019 by the following vote:

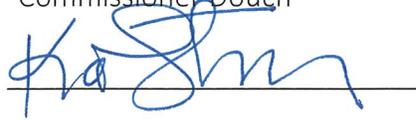
AYES: Chair Wilson, Vice-Chair Doyle, Commissioners Fernandez, Fritz, Glaser,  
Kelly, Oetinger

NOES: None

ABSTAIN: None

ABSENT: Commissioner Douch

Certified:



Kari Svanstrom, Planning Director