

RESOLUTION NO. 2021-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL
RECOMMENDING APPROVAL OF A ZONING AMENDMENT TO MODIFY THE ZONING
FROM MULTIFAMILY RESIDENTIAL (R7) TO A PLANNED COMMUNITY (PC);
A CONDITIONAL USE PERMIT FOR A RESIDENTIAL DEVELOPMENT IN A PLANNED
COMMUNITY (PC) ZONE DISTRICT; AND
A TENTATIVE MAP
FOR THE PROPERTY AT 7950 BODEGA AVENUE
(APN 004-350-024)

WHEREAS, an application for a zoning amendment to modify the zoning from Multifamily Residential (R7) to a Planned Community (PC), a Conditional Use Permit, and a Tentative Map for a 10-Unit townhome project known as Huntley Square (the "Project"), was filed on January 21, 2020, by Bob Massaro, which consists of subdividing a vacant 0.39 acre parcel (APN 004-350-024) into 10 lots and four common areas, to be developed with 10 townhome-style studio units, landscaped areas, and parking. Parking will be provided via a surface parking lot on a common area lot; and

WHEREAS, with the approval of the Conditional Use Permit, the proposed Project will be consistent with the subject property's General Plan designation of High Density Residential and proposed Zoning Designation of Planned Community; and,

WHEREAS, the Project, as conditioned, is consistent with the High Density Residential Land Use designation of the General Plan and General Plan goals and policies, as follows:

- a) Goal LU 6 as it provides a housing option that is smaller and therefore more affordable to a wider range of household types.
- b) Policy LU 6-2 as it promotes compact urban form that provides residential opportunities in close proximity to various community services and transit.
- c) Policy LU 6-3 as it supports the construction and occupation of very small houses.
- d) Housing Goal A-1 as it is an adequate site for housing development in the City of Sebastopol.
- e) Housing Action A-1 as it helps ensure sufficient developable land is planned and zoned to accommodate the City's RHNA.
- f) Housing Goal C-1 as it facilitates new housing production.
- g) Housing Policy C-4 as it provides new housing to meet a range of income levels, including market-rate housing, and a variety of housing sizes and types.

- h) Housing Goal F-1 as it promotes energy conservation in residential development through its numerous energy efficient features as described in the application.
- i) Housing Goal G-1 as it promotes land use policies and development standards to facilitate housing production.
- j) Housing Goal G-3 in that if the rezoning is approved, the Project removes government constraints that affect the amount of land required for new housing.
- k) Housing Policy G-1 in that if the rezoning is approved, the Project provides provisions for a greater range of housing types, such as tiny houses to encourage opportunities for special needs and affordable housing.
- l) Goal CIR 2 in that as part of the Project improvements, Bodega Avenue will be widened along the project frontage to accommodate bike lanes and a new sidewalk, which helps maintain and expand a safe and efficient pedestrian and bicycle network connecting neighborhoods with key destinations and encouraging travel by non-automobile modes while also improving public health.
- m) Goal COS 9 as it promotes conservation of energy and other natural resources through its numerous energy efficient features as described in the application.
- n) Policy COS 9-1 as it will meet and comply with CALGreen Tier 1 standards.
- o) Policy COS 9-2 as energy conservation is an important criterion in the development review process.

WHEREAS, granting a zoning amendment to modify the zoning from R7 to PC is appropriate as in accordance with SMC 17.445.030(B)(2), the Project:

- a) Is compatible with the general objectives of the General Plan, as it implements residential development in a residential zone; the units are smaller units which will provide additional variety to the City's housing stock by providing smaller for-sale units; and
- b) Is in conformity with public convenience, general welfare and good land use practice, in that the site is zoned for the proposed residential use and density; and
- c) Will not be detrimental to the public health, safety and general welfare, as the use will not have significant environmental impacts with the incorporation of mitigation measures and conditions of approval, including construction management requirements; and
- d) Will not adversely affect the orderly development of property, as the site will be residential within a block of other residential development of similar scale.

WHEREAS, granting a Conditional Use Permit for the Project is appropriate as it complies with SMC 17.415.030 as detailed below:

- a) The proposed use is consistent with the General Plan and all applicable provisions of SMC Chapter 17 as detailed above.
- b) The establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City as it complies with the PC District Development Criteria (SMC 17.40.040) as follows:
 - i. The Project will utilize existing fencing, or provide new as needed, and provide landscaping to serve as a buffer and provide compatibility between adjacent properties.
 - ii. The Project will provide sufficient amenities including landscaping, the required number of parking spaces, private yards, and storage space for each unit.
 - iii. The lot is 16,972 sq. ft. and exceeds the 12,000 sq. ft. minimum lot size.
 - iv. As shown in the Lot & Unit Area Calculations table on sheet A1.0 of the site plan, the Project will provide 1,989 sq. ft. of open space, so the 50 square feet of open space per unit requirement is met.

WHEREAS, granting a Tentative Map for the Project is appropriate as it complies with SMC 16.28.070(A) in that:

- a) The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan as detailed above, and other applicable provisions of SMC Chapter 16 and the State Subdivision Map Act (SMA); and
- b) The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as described in the State Subdivision Map Act and any guidelines promulgated by the City Council.
 - i. The Project is required to comply with the California Green Building Standard Code (CalGreen) requirements for energy efficient buildings and appliances, including Tier 1 standards required by the City of Sebastopol (which are higher than the base State requirements for green design). CalGreen Standards require that buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant - emitting finish materials. The project also incorporates many sustainable features which help reduce energy consumption, such as:
 - A highly insulated, tightly sealed building envelope, with heat recovery fresh air ventilation
 - High quality windows

- Solar photovoltaic system
- LED lighting throughout
- Energy efficient appliances and low flow water fixtures
- Durable and low maintenance exterior materials
- There will be No Natural Gas installed at the site, which coupled with the solar array will push the project to true “Zero Net Energy” which are homes that produce as much energy as they consume

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 from September 28, 2021, to October 27, 2021, including CEQAnet and the Federated Indians of the Graton Rancheria, consistent with local and State CEQA requirements, and complies with CEQA Guidelines Section 15074 as detailed in the CEQA resolution.

WHEREAS, on April 21, 2021, the Design Review Board conducted a preliminary review of the proposed Planned Community zoning for the Project and provided a recommendation to the Planning Commission to approve the proposed Planned Community Zoning as proposed; and

WHEREAS, the applicant made adjustments to the proposal based on Design Review Board and community comments as follows:

- Concerns about no parking space for guests
 - The City has no guest parking ordinance, but the applicant added nine public parking spaces on Bodega Avenue that can be used by guests.
- Concerns over the mature oak tree on the adjacent property to the east
 - The applicant will hand dig for piers as recommended by the City’s Arborist.
- Concerns about delivery trucks using the access easement
 - The applicant has included site signage prohibiting delivery trucks on the easement and has created a delivery zone on Bodega Avenue.
- Concerns about garbage trucks using the access easement
 - The applicant reworked how trash will be collected so that it will be rolled out to Golden Ridge Avenue and garbage trucks will not enter the Project site.
- Concerns over damage to the access easement by construction vehicles
 - The applicant has committed to repairing any damage caused during construction and will abide by the easement maintenance agreement signed in 1993, attached to the staff report.
- Neighbors requested that residents and guests of the Project have access to the Project site by a means other than the easement
 - The applicant added stairs to the retaining wall along Bodega Avenue so guests can walk up the stairs to the homes from the street;

and

WHEREAS, the Project has been considered at additional previous preliminary review public meetings including Planning Commission preliminary review on October 25, 2016 and October 8, 2019; City Council Preliminary review on February 7, 2017 and October 29, 2019; and

WHEREAS, on November 9, 2021, the Planning Commission conducted a duly-noticed Public Hearing, received a staff report, heard public testimony and considered the applications for a zoning amendment to modify the zoning from R7 to PC; a Conditional Use Permit for development in a PC district; a Tentative Map; and a Mitigated Negative Declaration; and unanimously adopted PC Resolution 21-02 recommending approval of the Project to the City Council; and

WHEREAS, The City of Sebastopol Planning Commission has recommended the adoption of a Mitigated Negative Declaration (MND) for the "Huntley Square" Project (the "Project") located at 7950 Bodega Avenue in a separate Resolution based on the findings of fact of the Adopting of Resolution No. 21-02.

NOW, THEREFORE, BE IT RESOLVED THAT, The Planning Commission of the City of Sebastopol, California, does hereby recommend approval, based on the findings above and subject to the Conditions of Approval in Exhibit B:

1. A zoning amendment to modify the zoning from R7 to PC;
2. A Conditional Use Permit to permit a development in a PC district;
3. A Tentative Map, included in Exhibit A, to subdivide a vacant 0.39-acre parcel into 10 lots and four common areas, to be developed with 10 townhome-style studio units, landscaped areas, and parking.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the Planning Commission on the 9th day of November, 2021, by the following vote:

VOTE:

Ayes: Commissioners Burnes, Douch, Fernandez, Vice Chair Oetinger, Chair Fritz
Noes: none
Abstain: none
Absent: none

Certified:  _____

Kari Svanstrom, Planning Director