

RESOLUTION NO. 6622-2024

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL APPROVING A USE PERMIT AND TENTATIVE MAP FOR THE PROPERTY AT 7621 HEALDSBURG AVE (APN 004-291-019)

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016; and

WHEREAS, the City of Sebastopol completed a Housing Element Update to the General Plan with adoption of a new Housing Element on January 3, 2023, and Certified by the State of California Department of Housing and Community Development (HCD) on March 7, 2023; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA, codified at Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 CCR, § 15000 et seq.), on November 15, 2016, the City Council certified and adopted an Environmental Impact Report (EIR) for the Sebastopol General Plan (the "Project"; State Clearinghouse No. 2016032001); and

WHEREAS, an application for a Conditional Use Permit for residential development in a Commercial Office district and a Tentative Map for an 12-Unit townhome project and 12 unit apartment building known as Pacific Knolls (the "Project"), was filed on May 8, 2024, by Kathy Austin / Pacific Knolls LLC, which consists of subdividing one vacant parcels into 12 townhome lots and one parcel to include; to be developed with 12 townhome units, landscaped areas, and parking. Parking will be provided via a surface parking lot on site as well as garage parking for all of the units; and

WHEREAS, the project, as conditioned, is consistent with the General Plan, in that it conforms to the following goals and policies:

- *Goal LU1 - Maintain Sebastopol as a unique, charming, and environmentally sensitive small town that provides residents, businesses, and visitors with opportunities to enjoy a high quality of life, in that the project will provide housing opportunities that are environmentally friendly with the low water landscape, and improvements to existing pedestrian facilities.*
- *Policy LU 1-2: Avoid urban sprawl by concentrating development within the City limits; favor infill development over annexation, in that the project is an infill development as it intends to develop a vacant parcel within city limits.*
- *Policy LU 1-7: Encourage new development to be contiguous to existing development, whenever possible, in that the project reflects similar characteristics to the existing development of the building to the west as it's the same owner and developer.*
- *Policy LU 5-5: Strongly encourage residential development in a balanced and efficient pattern that reduces sprawl, preserves open space, and creates convenient connections to other land uses, in that the project provides pedestrian access to an adjacent bus line, and is within walking distance of a major shopping center.*
- *Policy LU 6-1: Promote increased residential densities in that the project provides 12 townhome units on the R7 Multifamily zoned portion of the lot and also provides 12 apartments on the Commercial Office zoned portion of the site.*

- *Policy LU 6-2: Promote compact urban form that provides residential opportunities in close proximity to jobs, services, and transit, in that the project is a compact design of townhomes located in close proximity to a large shopping center, bus stop and two schools.*
- *Policy CIR 1-5: When analyzing impacts to the circulation network created by new development or roadway improvements, consider the needs of all users, including those with disabilities, ensuring that pedestrians, bicyclists, and transit riders are considered preeminent to automobile drivers in that the project provides connectivity to an adjacent to a bus transit line.*
- *Housing Element Goal D-1: Promote Housing Affordability for both Renters and Homeowners; Housing Element Policy C-4: The City will encourage development of new housing to meet a range of income levels, including market-rate housing, and a variety of housing sizes and types. The project is consistent with this Goal and Policy in that it includes both market-rate and affordable housing units and both rental and ownership opportunities. The number and affordability level of the units offered as affordable will be not less than required by the City's Inclusionary Housing program, with final numbers determined at the time of or prior to final map recordation and guaranteed affordable in perpetuity.*

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

1. The proposed use is consistent with the General Plan and all applicable provisions of this title in that residential development in a Commercial Office zoning district is allowed with the approval of a Conditional Use Permit.
2. 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 in that:
 - i. The proposed use of a residential development is compatible with the surrounding uses of residential and office.
 - ii. The Project maintains the existing trees and screening to the adjoining residential areas, as well as appropriate setbacks from adjoining properties.
 - iii. The Project is consistent with the R7 Multi-family housing zoning requirements.
 - iv. The Project, with the approval of a Use Permit, is consistent with the Commercial Office Zoning District.
 - v. The Project underwent a Traffic Study to ensure that traffic effects on the Healdsburg and Murphy Avenue intersection would not warrant a new traffic signal.

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

1. 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

2. 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 2 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:
 - Low water use landscape
 - Native Plant materials
 - Accessible/adaptable features in all buildings

WHEREAS, on May 3, 2022, the Development Review Team which consists of the Planning Director, Police Chief, Fire Chief, Building Official, City Engineer, Public Works Superintendent and Associate Planner conducted a preapplication conference of the proposed project and provided comments to the applicant; and,

WHEREAS, on December 21, 2022, the Design Review Board conducted a preliminary review of the proposed project and provided comments to the applicant; and,

WHEREAS, on January 10, 2023, the Planning Commission conducted a preliminary review of the proposed project; and,

WHEREAS, on August 27, 2024, the Planning Commission held a duly noticed public hearing to review the proposed residential development with the including entitlements of a use permit and tentative map, heard a staff report and public testimony, and deliberated; and,

WHEREAS, on August 27, 2024, the Planning Commission adopted Resolution 24-06 recommending the City Council approve the Conditional Use Permit and Tentative Map subject to Exhibit A, Findings in Resolution 24-06, Exhibit B Specific Conditions of Approval, and Exhibit C Standard Conditions of Approval.

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

1. A use permit for residential development in a Commercial Office district.
2. A tentative map for the creation of 12 Townhome units, one building including 12 apartment units, common areas, and on-site parking as shown in Exhibit A.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the following vote.

VOTE:

AYES: Councilmembers Hinton, Maurer, McLewis, Vice Mayor Zollman and Mayor Rich
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:

Signed by:
Diana Rich
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Mayor Diana Gardner Rich

ATTEST:

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Mary C Gourley
44C0774260FE430...
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

Signed by:
Alex Mog
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Alex Mog, City Attorney