

Board of Supervisors

July 11, 2023

Appeal of Planning Commission's Decision to Uphold Design Review Committee Approval for West County Transportation Agency's Phase II

3300 Juniper Avenue

DRH22-0008

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West County Transportation

- WCTA is a joint powers authority operating bus transportation services for 17 public school districts in Sonoma County.
- Phase I is currently operational and is located at 367 West Robles Avenue, in the Industry West Business Park in Southwest Santa Rosa. Phase II would be located adjacent at 3300 Juniper Avenue.
- Project was approved recognizing that the new facility would provide the opportunity to consolidate existing facilities, including an existing bus yard on Sebastopol Road.

Today's Presentation



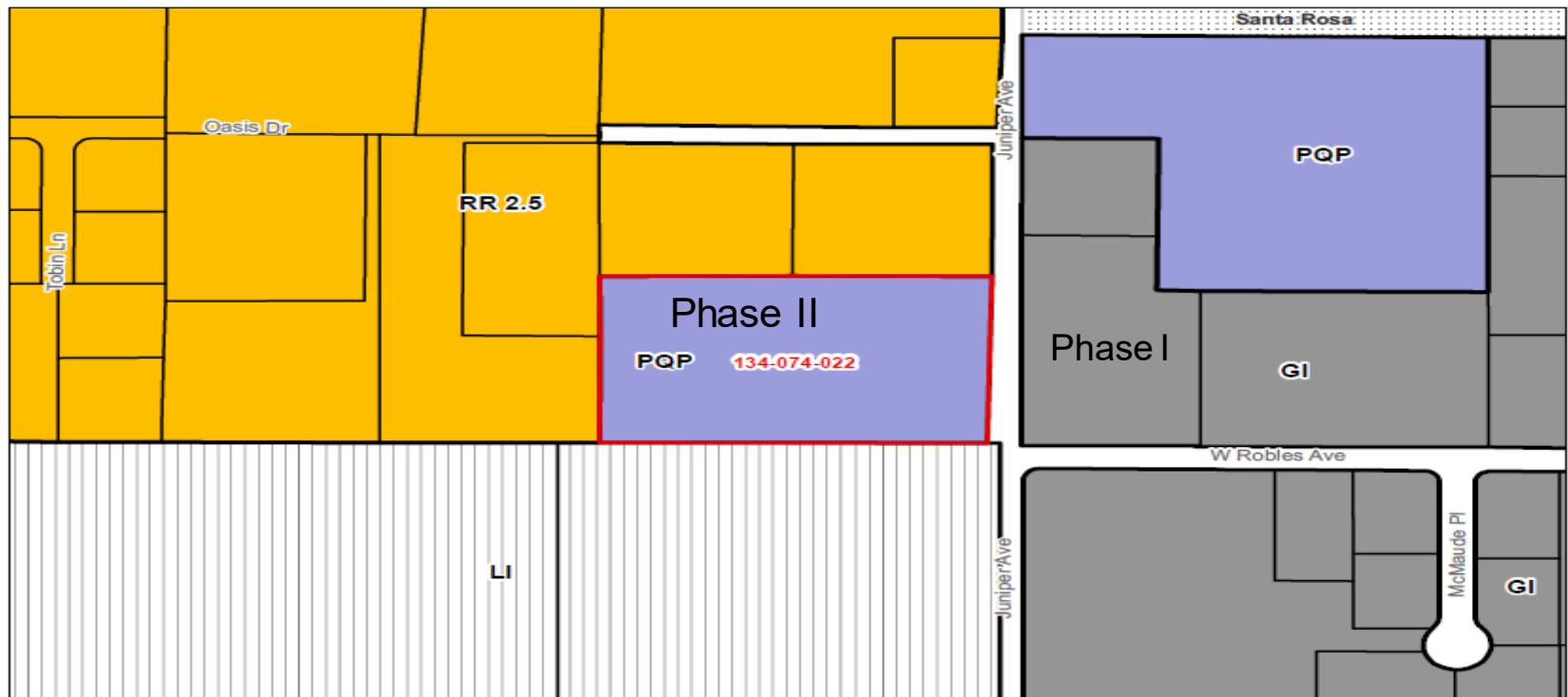
- Provide background on the BOS 1999 approval of the WCTA project approved to be constructed in two phases.
- Summarize the DRC and PC determinations on the approved Phase II design review project component.
- Summarize the claims of the Appeal
- Conclude with staff's analysis and recommendations on the appeal of the Planning Commission's decision.

PLP98-0050 Background

- 1999 – Board of Supervisors adopted a Mitigated Negative Declaration and approved a General Plan Amendment, South Santa Rosa Area Plan Amendment, Zone Change, and Use Permit for WCTA for a bus storage yard, maintenance and administrative facilities on three parcels totaling 9.14 acres. The project was approved to be constructed in two phases.
- Phase I was approved as an administrative, maintenance and bus storage facility on 3.87 acres on the east side of Juniper Avenue and within the Industry West Business Park. Phase I was constructed in 2002.
- Phase II was approved as a bus storage yard with no more than 80 vehicles at one time on 5.27 acres located on the west side of Juniper Avenue.

General Plan Land Use

Phase II Site Designated Public/Quasi Public



General Plan Land Use

- Rural Residential
- General Industrial
- Public / Quasi-Public
- Limited Industrial

Base Map Data

- Parcel
- City Boundary



1 inch equals 300 feet

Numbers on map indicate maximum density in Acres/Unit, except Urban Residential where numbers indicate Units/Acres.

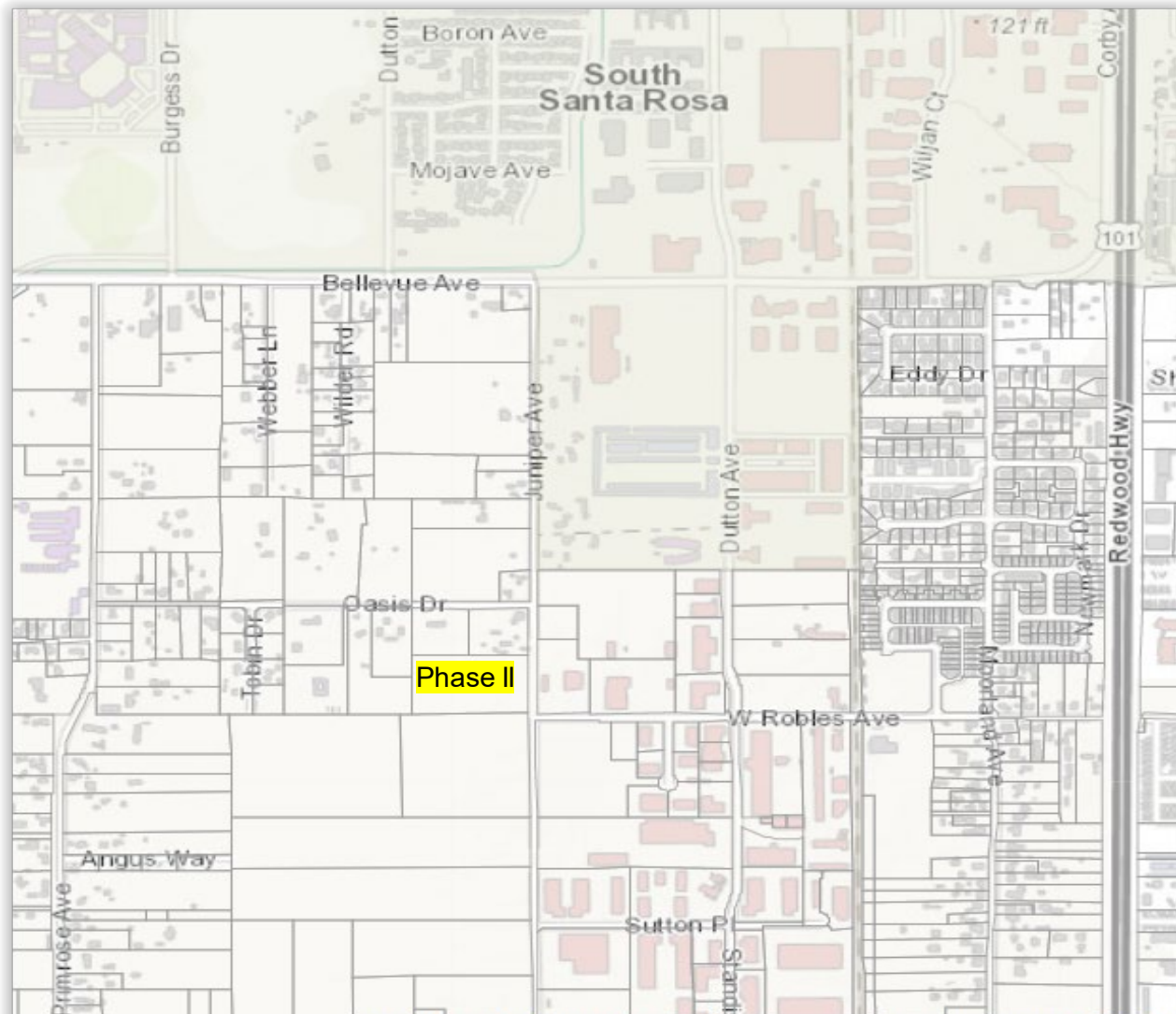
Phase I and II Sites Approved by BOS in 1999 PLP98-0050



More Current Aerial

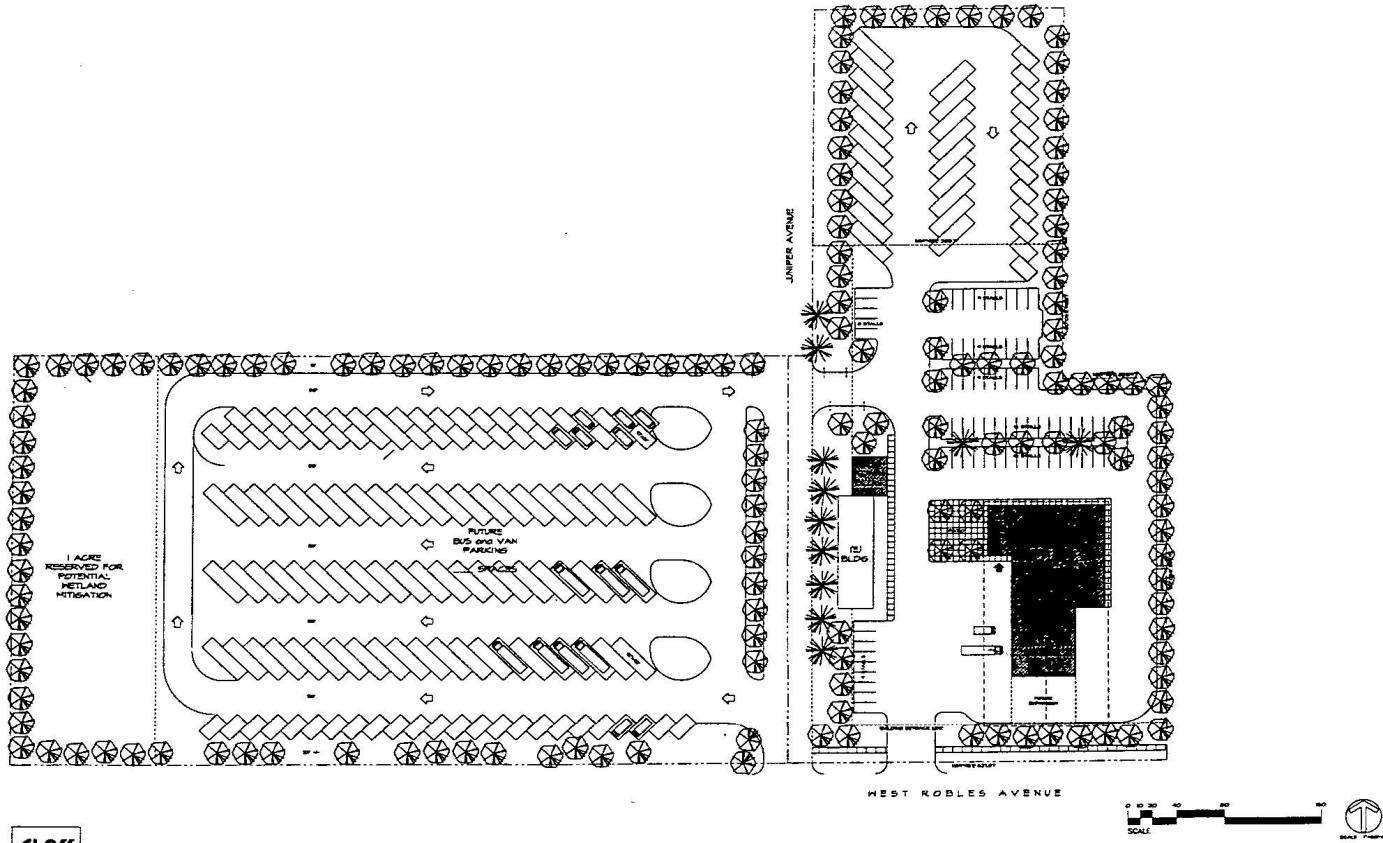


Vicinity Map



The official Assessor Parcels reside with the Clerk-Recorder

1999 Concept



CONCEPTUAL SITE / MASTER PLAN

WEST COUNTY TRANSPORTATION
NOVEMBER 3, 1999

Background – 1999 Use Permit

- 1999 Use Permit contains 57 COA and numerous operational and design requirements specific to the Phase II site including:
 - Limited hours (6 a.m. to 6 p.m.) Monday - Friday
 - Limitation of 80 vehicles at any one time
 - No stationing of employees
 - No work on vehicles or equipment
 - No refueling or storage of hazardous materials
 - Design Restrictions to avoid backup beepers during the early morning hours
 - Perimeter berms minimum of six feet in height/north berm setback 50 feet
 - Dense evergreen landscape screening to screen the buses from view
 - Fencing to shield views not otherwise shielded by the berm.
 - Security Lighting directed internal to the site

Timeline for Phase II

- The grading and site improvements plans for Phase II were issued in May 2022. After grading commenced and a complaint was filed, it was determined that the grading permit had been issued in error because the Phase II plans had not received Design Review Committee Approval. Also, the berm height did not meet the minimum 6-foot height as shown on the plans. A stop work was issued for the project and continues to be in affect.
- A design review application was filed for Phase II in July 2022 and approved by DRC on August 3, 2022
- Appealed to PC on August 15, 2022

Phase II Timeline continued



- Appeal of Design Review considered by PC on 12/1/22
- Continued by PC to 1/26/2023
- Appealed to BOS 2/6/2023

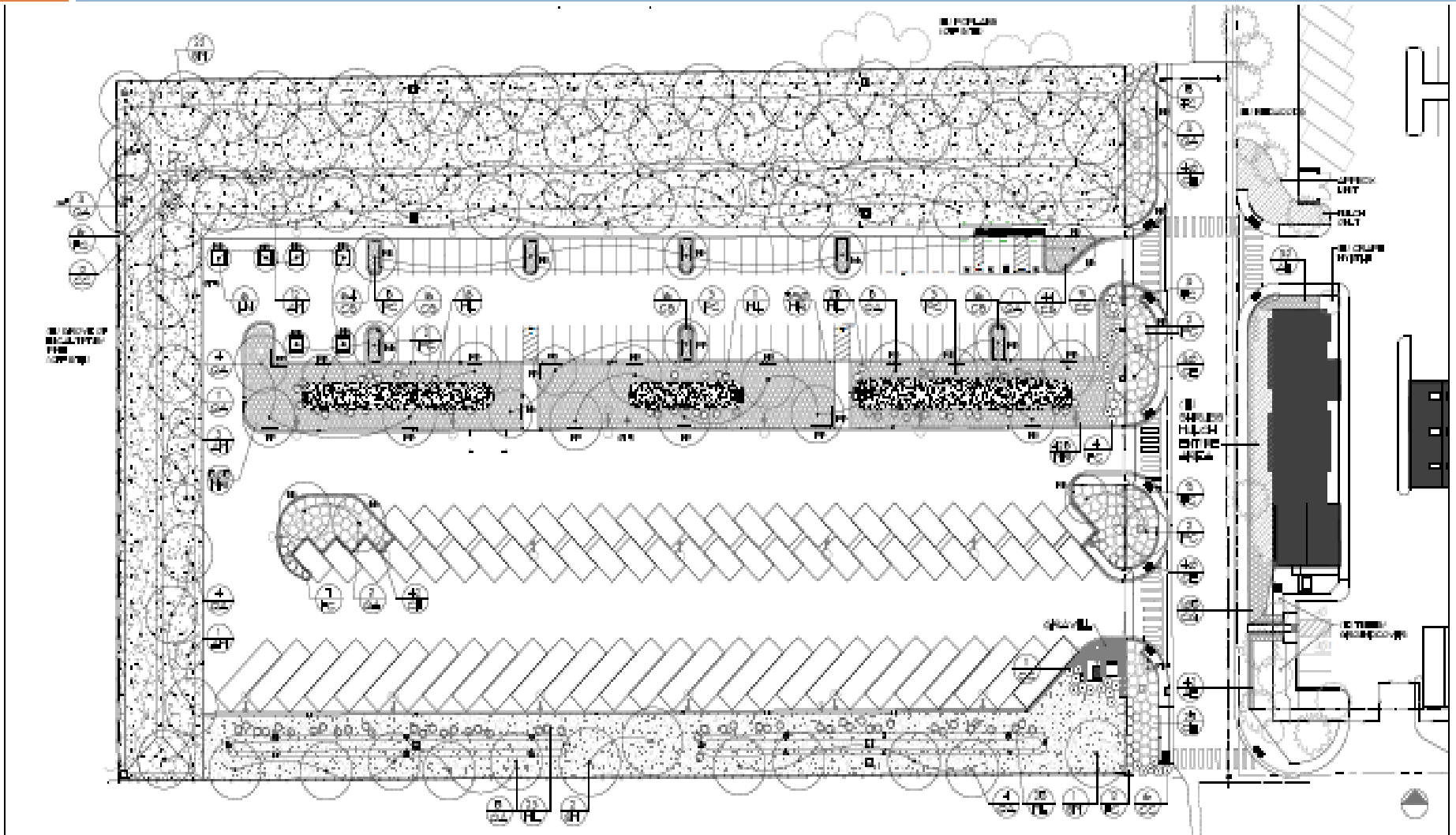
Appeal Comments

- Appeal comments to be considered by the Board are generally the same as those considered by the DRC and PC, however the Board's review is de novo and not necessarily dependent on the prior design review decisions for Phase II.

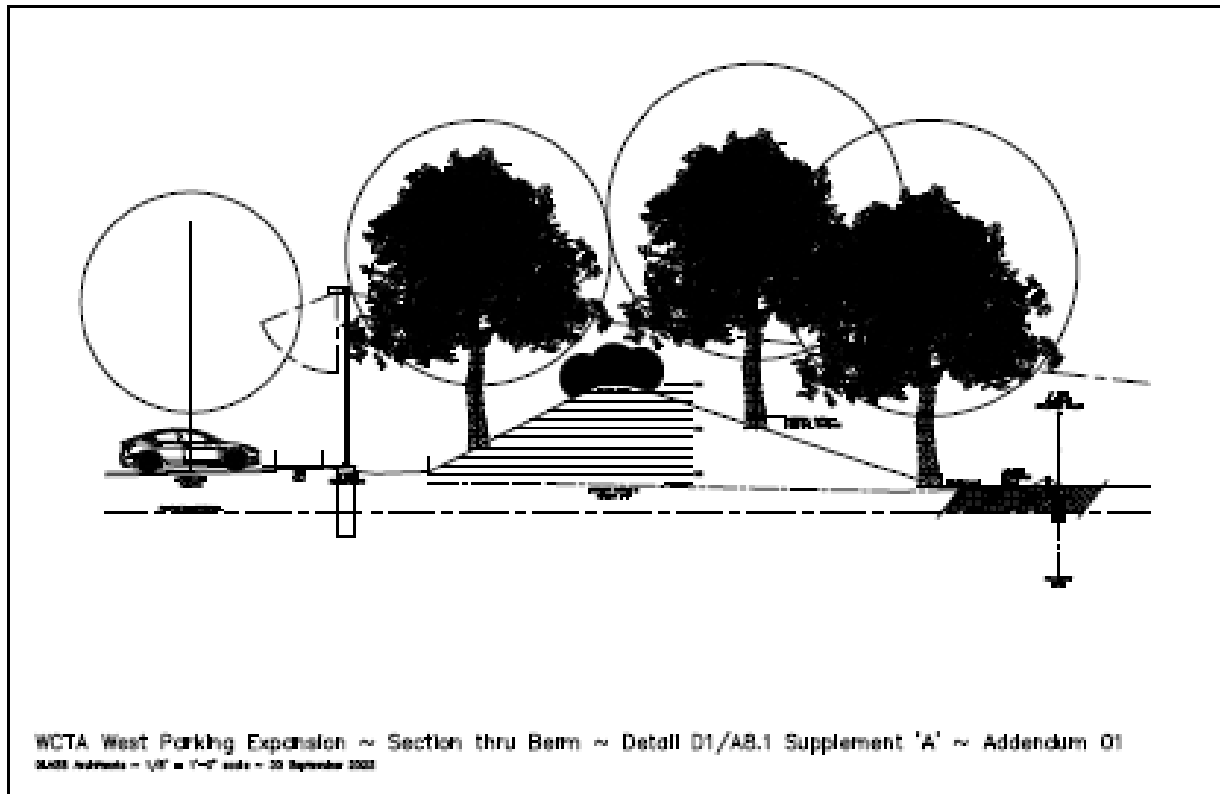
DRC Decision

- Determined that Phase II was consistent with 1999 COA, including 80 bus parking spaces and 80 bus driver parking spaces.
- DRC Approval:
 - Plant additional trees along north berm and at northeast corner of site;
 - Include shrub planting along the berm at northeast corner;
 - Open wire security fencing ok on property line.
 - Lower light fixtures in employee parking area from 27 feet to 14 feet.
 - Lower light fixtures in bus parking area from 30-35 feet to 16 feet.
 - Lower color temperature of lights from 3000 to 2700 degrees Kelvin.
 - Auto dimming on all lights and power shut off on employee parking side.

Phase II Site Plan/Landscape Plan



Berm with proposed landscaping and lighting



Existing Berm to be landscaped



PC consideration of DRC Appeal on 12/1/22

□ Included:

- Review of 1999 COA
- 80 vehicle limit on Phase II and 110 bus limit on both phases
- Circulation and backup beepers
- Berm design and landscaping
- Perimeter Fence location
- Employee Lighting: 20' considered (27' originally proposed) vs. 14' (DRC Approval)
- Bus Lighting: 27' considered (30-35' originally proposed) vs 16' (DRC Approval)
- Electric vehicle charging stations
- Drainage and erosion
- Wetland Mitigation

PC Continued Hearing with Direction

- Site Plan: Provide updated site plan for Phase II showing how the limit for 80 vehicles and 110 buses total would be met.

- Fencing: Directed staff to modify COA requiring fencing be relocated on the inside of the berm. No slats. COA 37.

- Lighting: Provide an updated lighting plan addressing shutting lighting for bus driver parking off between 6 p.m. and 6 a.m.
 - Determined that limited motion activated security lights at lower heights in bus driver parking area could be considered.

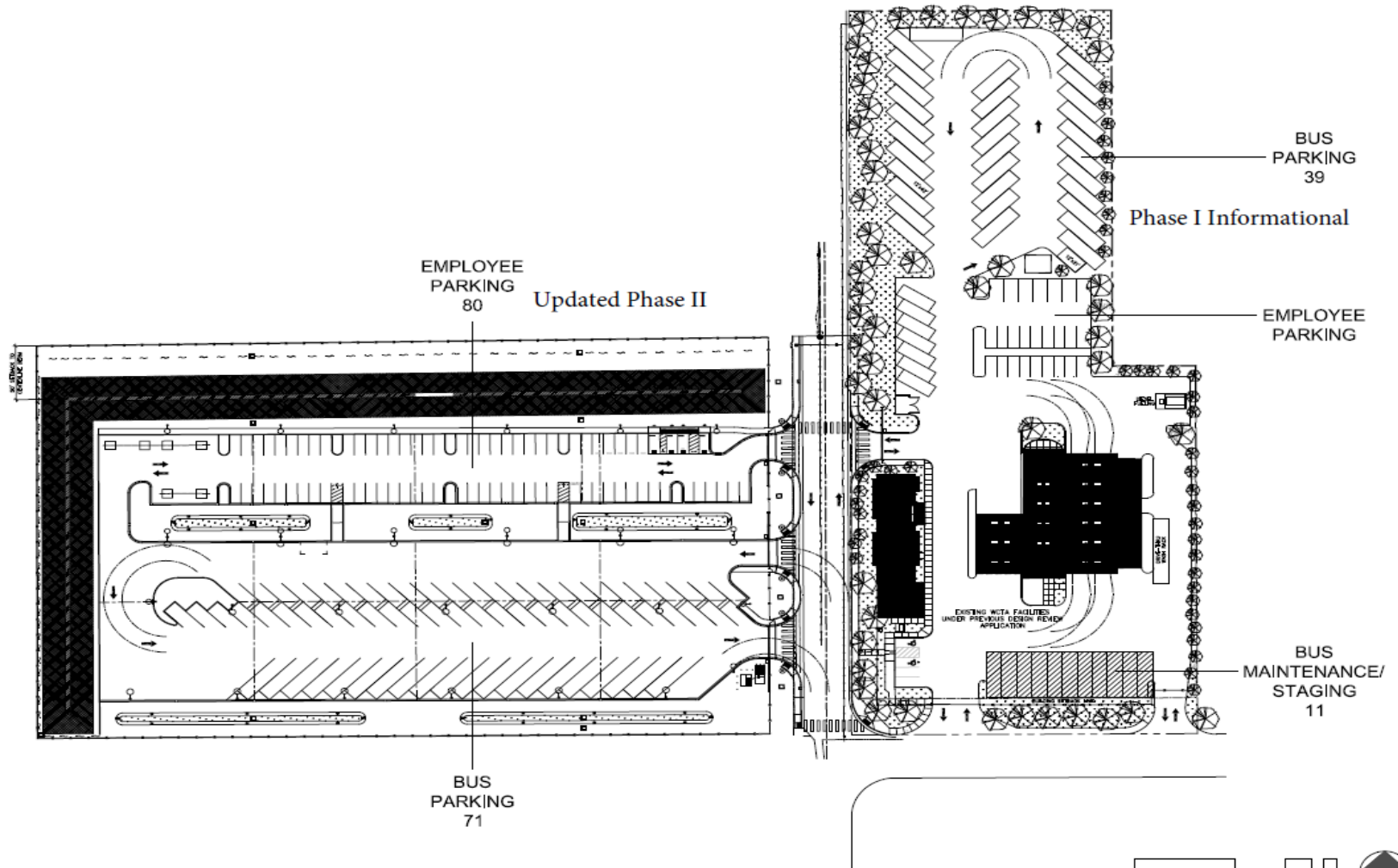
Applicants Response to 12/1 PC direction

- Applicant Response:
 - a. Updated Phase II site plan reduced bus parking on Phase II from 80 to 71 spaces
 - b. Confirmed site lighting in bus driver parking area would be shut off from 6 pm to 6 am.
 - c. Provided additional documentation on fencing, lighting and drainage

- Applicant continued to request property line security fencing due to insurance costs and potential liability from trespass.

- Requested 5 security lights in center row of busses toward south side of property as necessary to protect buses from vandalism and theft as documented in site photos

Updated Approved Phase II Site Plan



PC Approval

- Wire fencing at property lines, except Juniper Avenue/no slats except on south property line. Remove crossbar if feasible.
- Lighting approved in bus driver parking at 20' in height to be shut off from 6 p.m. to 6 a.m.
- Lighting approved in bus parking at 27' in height using motion activated fixtures. Lower lights if feasible.
- Lighting cut-offs and back shields required.

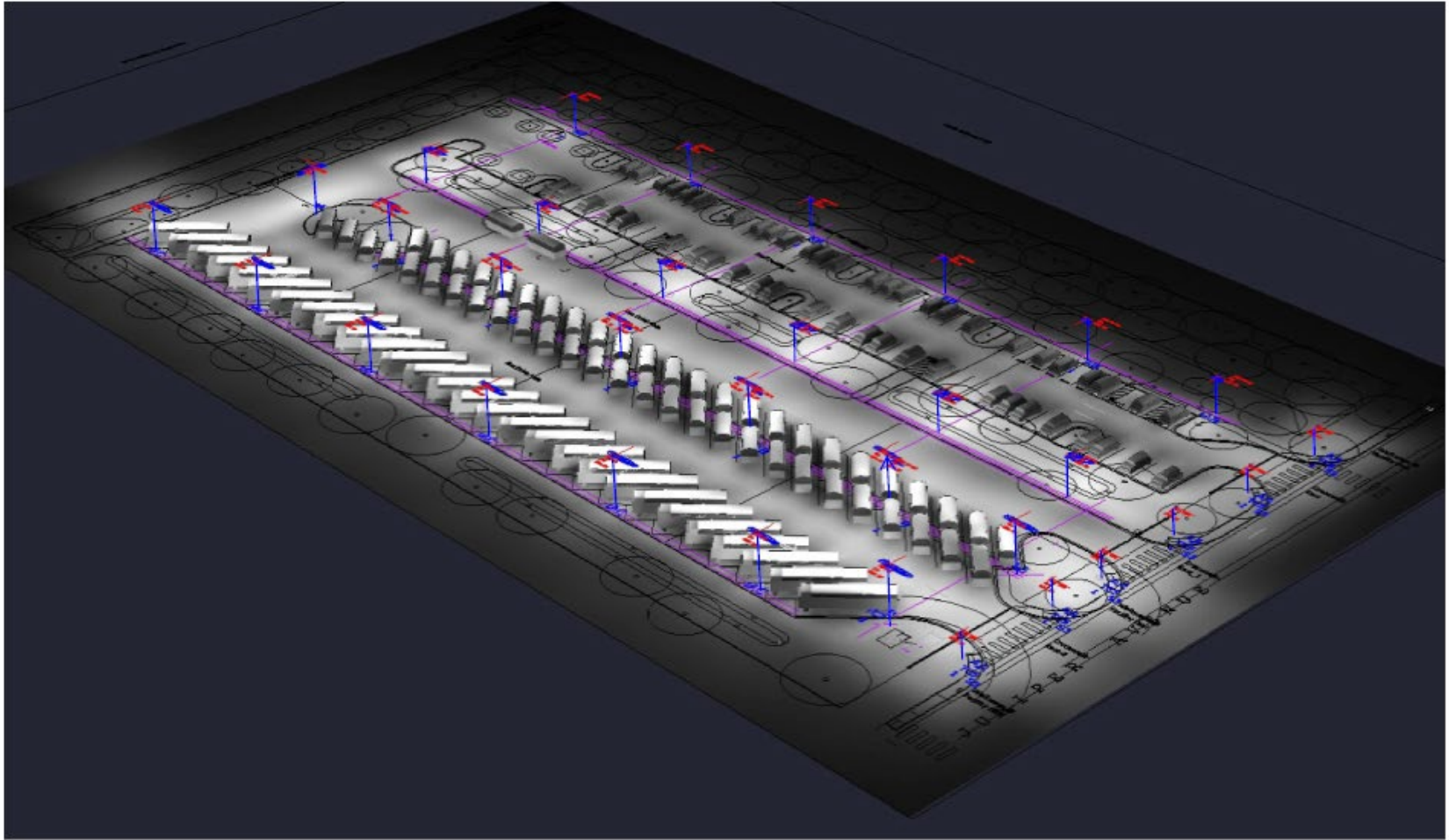
Wire Fence to North



Wire Fence and Drainage along North P/L



Bus Parking Lighting



BOS Appeal Item Claims

1. Revocation for non-compliance.

- *Start of work prior to DRC approval was due to staff error. Hearing is on Appeal of Design Review.*

2. Permit for Phase II should be void because it was not used within two years.

- *Approved as a phased project/no time limit was specified for the project to be carried out. With construction of Phase I, permit has been used and not expired.*

3. Condition 31 permits a school bus storage yard and prohibits employee parking.

- *1999 Use Permit does not expressly authorize or prohibit employee parking but establishes an operational limit of 80 vehicles at one time. The revised site plan which shows 71 bus parking spaces and 80 bus driver parking spaces on the phase II site demonstrates that the operational limits can be met.*

Appeal Claims 2

4. 110-bus limit for both phases violated.

- *COA 32 is an operational limit on buses, not bus parking spaces. However, the updated site plan shows 71 bus parking spaces on Phase II and 39 existing bus spaces on Phase I demonstrating that operational limits of 110 buses will be met.*

5. Proposal violates the 80-vehicle limit on the Phase II site.

- *The updated site plan with 71 bus spaces and 80 bus driver spaces demonstrate that the operational limit of 80 vehicles can be met because bus drivers would arrive in a personal vehicle and leave in a bus, with the pattern reversed at the end of each shift.*

6. Proposal violates Condition 37 which limits paving to that needed for bus parking and other areas be landscaped for dust control.

- *The entire site is either paved for parking and circulation or landscaped to avoid dust generation.*

Appeal Claims 3

7. Lighting violates lighting restrictions pursuant to Condition 46 because only security lighting is permitted and may only be located at the periphery.
 - *All proposed lighting is for security of bus drivers or buses parked overnight. No flood lights are proposed and all lighting is required to have cut-offs and back shields. Lighting is designed to be internal and avoid lighting beyond the property lines. Bus driver parking would be shut off from 6 pm to 6 am and bus security lighting is limited to 5 motion activated fixtures at maximum 1 candle power.*

8. Landscaping violates Condition 42, which requires a dense evergreen landscape screening.
 - *The landscape plan has been enhanced and provides a triple row of evergreen trees to screen the site and buses from surrounding properties. Trees were added at the northwest corner of the site. Redwood trees are not suitable given the current climate.*

9. Berm Design violates Condition 42 because it is too steep, too narrow and too close to the property line.
 - *Northerly berm design meets the 50-foot setback and both berms exceed the minimum 6-foot height requirement. No other design parameters were prescribed in the COA.*

Appeals Claim 4

10. Berm Design violates Grading Ordinance Chapter 11 due to the absence of slope rounding

- *Berm design complies with the COA and the grading ordinance because Grading and Stormwater has used their discretion in permitting the berm design in accordance with Chapter 11 determining that the absence of slope rounding would not diminish health, safety, and environmental protection.*

11. Drainage Plan does not comply with the Grading Ordinance requirement to maintain existing drainage patterns.

- *historic drainage patterns from surrounding properties are accommodated by the approved on-site system, which includes perimeter drainage swales and retention areas that have been engineered to County standards.*
- *Due to concerns of the appellant, the applicant has surveyed the pre and post grades along the westerly property line.*
- *Based on a few minor grade deviations, the applicant proposes to remove fence spoils to improved drainage flow across the shared property line. Permit Sonoma Grading and Stormwater has issued a correction notice to ensure restoration of property line grades to prior to grading final.*

Appeal Claims 5

12. Perimeter fences should be located to inside of the berms.

- *COA 42 requires fencing for screening where berms would not screen the site. The COA do not prohibit other fencing. Therefore, proposed perimeter fencing around the entire site is consistent with the COA.*

13. Electric Vehicle charging should be prohibited per COA 31

- *EV charging stations would potentially be used by bus drivers for their personal vehicles and are required by building and electrical codes. EV charging stations do not constitute liquid refueling as contemplated in COA 31.*

14. Additional conditions should be considered to address noise.

- *Consistent with COA Installation of a minimum 6-foot tall berm, setback 50 feet from the north P/L is required.*
- *Buses will be backed into parking spaces during the daytime so they would not utilize back up beepers when departing in the morning. Other currently required noise mitigating factors include daytime hours of operation (6 a.m. to 6 p.m.) and prohibition of potential noise intensive activities such as refueling and working on equipment or vehicles.*

Appeals Claim 6

15. Additional CEQA review should be required due to changes in the project and circumstances.

- *The 1999 Use Permit project description estimated approximately 95 bus drivers and 20 administrative staff and did not specifically prescribe or limit employee parking.*
- *The updated site plan is consistent with the project description and COA and no element constitutes a substantial change in the project.*
- *Expansion of the service area was anticipated when the project was approved and there would not be substantial changes due to phase II. The number of anticipated employees and buses is not changing.*
- *While there has been a move to use smaller buses in place of larger buses in some cases due to special transportation needs, this is not a substantial change to the project as the overall number of trips has not substantially changed over anticipated levels.*
- *Climate change and potential groundwater impacts are not new information and no evidence shows a new or more severe environmental impact.*
- *Consolidation of existing facilities in the area is consistent with the 1999 Use Permit, and producing similar VMT, there would not be substantial impact to climate or GHG emissions.*

Appeal Claim 7

- *As originally anticipated, Phase II would likely result in the consolidation of the WCTA bus yard on Sebastopol Road, resulting in similar or less localized traffic patterns and VMT to/from local schools. Given various completed infrastructure improvements, including the widening of Hwy. 101, center turn lanes on Stony Point and portions of Todd Road, and pedestrian improvements associated with safe routes to schools, evidence shows that impacts associated with traffic would not be more severe.*

Recommendation

- Conduct public hearing to consider Appeal
- Adopt a resolution finding the project to be within the scope of the previously adopted Mitigated Negative Declaration and consistent with Use Permit PLP98-0050
- Deny the appeal and uphold the PC's Final Design Review approval as conditioned.

Questions?

