



## Legislation Details (With Text)

<b>File #:</b>	2020-1079	<b>Status:</b>	Agenda Ready
<b>Type:</b>	Regular Calendar Item	<b>In control:</b>	Permit and Resource Management
<b>File created:</b>	10/13/2020	<b>Final action:</b>	
<b>On agenda:</b>	11/17/2020		
<b>Title:</b>	3:15 P.M. -Boyes Springs Food Center Mixed Use Project at 12 Calle Del Monte, Boyes Springs. File No. PLP18-0013		
<b>Sponsors:</b>	Permit and Resource Management		
<b>Indexes:</b>			
<b>Attachments:</b>	1. PLP18-0013 Summary.pdf, 2. Attachment 1 Draft BOS Resolution.pdf, 3. Attachment 2 Conditions Of Approval.pdf, 4. Attachment 3 Draft Ordinance.pdf, 5. Attachment 4 Planning Commission Staff Report.pdf, 6. Attachment 5 Planning Commission Resolution.pdf, 7. Attachment 6 Affordable Housing Program.pdf, 8. Attachment 7 Preliminary and Precise Development Plan.pdf, 9. Attachment 8 Tentative Map.pdf, 10. Attachment 9 Architectural Plans.pdf, 11. Attachment 10 Mitigated Negative Declaration.pdf, 12. Attachment 11 Public Comments.pdf, 13. PLP18-0013 PowerPoint.pdf, 14. Boys Springs Food Center - Applicant Presentation.pdf		

Date	Ver.	Action By	Action	Result
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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Doug Bush 565-5276

**Vote Requirement:** Majority

**Supervisory District(s):** First

### Title:

**3:15 P.M. -Boyes Springs Food Center Mixed Use Project at 12 Calle Del Monte, Boyes Springs. File No. PLP18-0013**

### Recommended Action:

Approve a Resolution to adopt the Mitigated Negative Declaration and grant the requested General Plan Amendment, Major Subdivision, and Planned Development Use Permit; and adopt an Ordinance approving the Zone Change for a mixed use project located at 18201, 18271, 18275, 18279 and 18285 Highway 12, 30 and 320 Arroyo Rd, and 12, 14, 15 and 16 Calle Del Monte, Boyes Springs, APN 056-415-016, -017, -018, -020. (First District)

### Executive Summary:

The proposed project is a mixed use and affordable housing project comprised of 7,000 square feet of local serving commercial space and 37 housing units. Eight units are deed restricted affordable units. The project would redevelop an existing mixed use development at the site of the Boyes Springs Food Center in the Sonoma Valley.

The 1.26 acre site currently includes seven detached single family dwellings and one two story mixed use building. The mixed use building contains a 3,000 square foot market and deli as well as accommodations for

five residential tenants. The project would remodel the existing mixed use building, demolish the detached residences, construct two new townhouse buildings with eight dwellings total, and construct a second detached mixed use building with ground floor commercial uses and residences on the second and third floor. Demolition and construction is proposed to be phased to limit impacts to existing tenants. A tenant relocation plan is included in the proposed affordable housing plan, including temporary on-site or off-site relocation if necessary, including matching of current rents during relocation. All existing tenants would be offered new accommodations on-site. Of the 37 proposed dwellings, eight would be deed restricted affordable for rent at low income levels including one townhome and seven apartments.

On August 6, 2020 the Planning Commission voted 5-0 to recommend approval of the project and adoption of the Mitigated Negative Declaration to the Board of Supervisors.

### **Discussion:**

The 1.26 acre site currently includes seven detached single family dwellings and one two story mixed use building. The mixed use building contains a 3,000 square foot market and deli as well as accommodations for five residential tenants. The project would remodel the existing mixed use building, demolish the detached residences, construct two new townhouse buildings with eight dwellings total, and construct a second detached mixed use building with ground floor commercial uses and residences on the second and third floor. Demolition and construction is proposed to be phased to limit impacts to existing tenants. A tenant relocation plan is included in the proposed affordable housing plan, including temporary on-site or off-site relocation if necessary, including matching of current rents during relocation. All existing tenants would be offered new accommodations on-site. Of the 37 proposed dwellings, eight would be deed restricted affordable for rent at low income levels including one townhome and seven apartments.

### **Residential**

The project would result in 37 residential dwelling units: seven for-sale and one for-rent townhome and 29 apartments for rent distributed between two mixed-use buildings. The rental units would be available as studios, 2-bedroom, and 3-bedroom units. None of the dwellings would be used as vacation rentals. Townhomes would have private outdoor space for each unit while apartments would share 3,500 square feet of common outdoor space. Eight of the dwellings (21.6%) including one townhome and seven apartments would be deed restricted for rental affordability at low income levels.

### **Commercial**

The project would result in 7,000 square feet of commercial retail/restaurant space; maintaining 3,000 square feet on the ground floor of the existing food center building and adding 4,000 square feet of new commercial retail/restaurant use within a new mixed-use building to the north. The project would also provide pedestrian amenities including a pedestrian promenade, public plaza, and associated site improvements. Hours of operation would be seven days per week from 8am to 8pm for the commercial retail uses and 6am to 10pm for the restaurant use. Refurbishment of the existing Boyes Springs Food Center building would include restoration of the exterior of the building to reflect its historical character as well as relighting and maintaining the existing neon “Boyes Springs Food Center” sign as an architectural feature.

### **Parking**

The residential, retail, and restaurant uses would share common parking facilities located to the rear of the mixed-use buildings. This design visually screens the parking from Highway 12 and adjacent residential uses.

The townhomes have attached garages (1-car for 2-bedroom units and 2-cars for all other units) and 3 guest parking spaces, providing 17 parking spaces for the townhomes. The common at grade parking lot located to the rear of the new mixed-use building and the existing food center provides 33 surface parking spaces. An enclosed parking garage located within the new mixed-use building and accessed from the common parking lot provides 37 parking spaces, a majority of which would be operated by mechanical lifts. An additional six off-site parking and loading spaces would be improved within the public right of way. Forty two bicycle parking spaces are provided throughout the site. Seventy nine total parking spaces are required and 87 are proposed.

#### Construction Phasing

To minimize disruption of the existing residents, the construction of the eight townhomes on the eastern portion of the project site is anticipated to occur first; as soon as the townhomes can be occupied, tenants in the remaining cottages would be given the option to relocate into the new townhomes prior to construction of the new three-story mixed-use building and the larger site improvements on the remainder of the property. This new mixed-use building fronting Highway 12 would include 4,000 sf of commercial retail/restaurant use, twenty-one apartments and indoor parking. The refurbishment of the existing Food Center including 3,000 square feet of commercial retail and eight apartments is anticipated to follow, also timed to allow for tenant relocation.

#### Affordable Housing Plan

Article 89 of the Zoning Code contains affordable housing requirements for commercial and residential uses in the proposed project. The project required to either provide affordable and workforce housing on site, pay into an affordable housing fund, or propose an Alternative Equivalent Action. The applicant has proposed an alternative equivalent action to 1) allow for completion and occupancy of some market rate units in advance of some of the deed restricted affordable units and 2) to allow for a different level of affordability than otherwise required. The applicant has proposed an Alternative Equivalent Action to instead provide 8 rental units available at low income levels as an alternative to the baseline requirement of 2 rental units available at low income levels, and 2 units available at very-low income levels. The Planning Commission found that the proposed Alternative Equivalent Action furthers affordable housing opportunities in the County to a greater extent than meeting the standard requirement by providing 200%, or an additional four affordable units, of what is otherwise required.

#### General Plan and Area Plan Consistency

The existing General Plan Land Use Designations for this site do not conform to the existing lot lines. The current designations include Limited Commercial Traffic Sensitive on the western portion of the lot and Urban Residential 5 on the eastern portion of the lot. The project proposes General Plan Amendments to change Limited Commercial Traffic Sensitive to Limited Commercial, and Urban Residential 5 to Urban Residential 12. The proposed land use designations would conform to the proposed lot lines that would be established under the proposed Major Subdivision. The Limited Commercial designation would apply to the two mixed-use buildings, while the remainder of the site accommodating townhomes would be designated Urban Residential 12.

#### Zoning Consistency

Similar to the application of the land use designations described above, the zoning designations also do not conform to the existing parcel boundaries. The western portion of the site is zoned Limited Commercial Traffic Sensitive (LC TS) and the eastern portion of the site is zoned Low Density Residential (R1 5). The Scenic Resources (SR) and Vacation Rental Exclusion (X) apply throughout the site. The project proposes to rezone the

entire site to Planned Community District (PC) while retaining the SR and X Combining Districts. Under the proposed PC zoning, the proposed uses are Conditionally Permitted and require a Use Permit (also called a Precise Development Plan in this context).

Conditionally Permitted Uses vary depending upon the underlying General Plan Land Use Designation. Where the General Plan Land Use is Limited Commercial, the following proposed uses are all conditional uses: mixed use development, restaurants and retail and service uses. Where the land use designation is Urban Residential, multifamily housing is a Conditional Use. A Precise Development Plan is included with this application to permit the proposed conditional uses.

## **PRIOR REVIEW AND RECOMMENDATIONS**

The project received unanimous support from the Sonoma Valley Citizens Advisory Commission, Sonoma County Project Review and Advisory Committee, and the Sonoma County Planning Commission. The table below summarizes prior review and recommendations made on the project.

Date	Review Authority	Action
March 7, 2018	Design Review Committee	Preliminary Review, recommendations provided
April 25, 2018	Sonoma Valley Citizens Advisory Commission	Recommendation for Approval (9-0)
June 4, 2020	Project Review and Advisory Committee	Recommendation for Approval (5-0)
August 6, 2020	Planning Commission	Recommendation for Approval (5-0)

### **Planning Commission Discussion**

On August 6, 2020 the Planning Commission reviewed the project and unanimously approved a resolution recommending that the Board of Supervisors approve the project. A brief summary of the Planning Commission's discussion points and responses from staff are included below:

1. **Street Trees.** The Planning Commission encouraged the applicant to explore the feasibility of street trees along the project frontage. Conditions of approval #92, 93 and 98 require the applicant to provide a landscape plan through the Design Review process, including street trees if feasible, as determined by Permit Sonoma staff. The applicant indicated interest in providing street trees if determined feasible in consultation with the California Department of Transportation. Design Review will occur at a future Design Review Committee meeting which has not been schedule but which will occur following the Board of Supervisors review, including public noticing.
2. **Work Hours.** With the support of the applicant, Staff recommended that Mitigation Measure NOISE-4 be modified to prohibit construction on Sundays and Holidays unless prior consent is provided by Staff or in case of emergency. This further restriction of work days would reduce impacts on tenants and neighboring residents and was recommended by the Planning Commission. Recirculation of the

Mitigated Negative Declaration is not necessary because this modification creates an even greater restriction beyond the measure included in the circulated documents.

3. Signage. The proposed Sign Program will be reviewed through the Design Review Committee at a future hearing that has yet to be scheduled. The current Sign Program does not propose any large freestanding signs. Even so, the Planning Commission made it clear in their discussion that freestanding signs should be avoided.
4. Provide non-substantive clarification within the Mitigated Negative Declaration. The Planning Commission requested that staff carry over certain language from the Traffic Study into the Mitigated Negative Declaration to further clarify the degree of traffic impacts anticipated from the project. The following language was clarified in the Mitigated Negative Declaration:

*“A Traffic Study for the project prepared by DKS, Transportation Engineers (August 2018) determined that the project would not cause a significant traffic impact to the studied intersections of Highway 12 and the side streets of Vallejo Avenue, Arroyo Road, Calle del Monte, and Thomson Avenue. The report found that the existing study intersections and roadway segments currently meet County operational standards. Furthermore, the report determined that pedestrian and transit facilities were adequate to serve the project site given its location and anticipated demand.*

*The proposed development is expected to generate approximately 30 (15 in and 15 out) AM peak hour trips and 38 total (23 in and 15 out) PM peak hour trips, representing less than 1% of existing and forecasted volumes. The proposed land uses are not expected to generate any additional heavy vehicles in the AM or PM peak hours because the generated trips consist of residents and customers. Any potential truck traffic, such as commercial deliveries, would likely occur outside of the peak AM and PM commuter periods. Therefore, the same heavy vehicle percentages as the existing conditions were assumed. All the study intersections and roadway segments meet the operating standards for the existing and future project scenarios. For the highest volume facility, southbound Highway 12 during the AM peak hour, an additional 55% of demand, or almost 700 additional vehicles per hour over the 2040 forecasted volumes, could be added before meeting any operational thresholds for deficiency based on County standards.”*

Because the preceding language was included in the circulated document and its attached reports, it is not considered new information that would necessitate recirculation of the Mitigated Negative Declaration.

## **NEIGHBORHOOD/PUBLIC COMMENTS**

All letters received in response to public notices for this project, including the Board of Supervisors and Planning Commission hearings, and Notice of Intent for the Mitigated Negative Declaration are included in Attachment 11. A majority of the comments provided in writing and at prior hearings have been supportive of the project. These comments speak to: support for additional housing and the provision of affordable housing, enthusiasm for new retail spaces, and the potential for new jobs. Many commenters expressed support for the applicants’ investment in the site and see this project as an improvement to the neighborhood as a whole. Several members of the public thanked the applicant for their outreach before the application was submitted as well as their continued responsiveness throughout the process. Some commenters shared concerns about parking, noting that existing parking is not adequate and that additional dwellings would make this problem

worse. One commenter shared that the general plan should not be amended on a case by case basis, while another spoke to concerns of future gentrification and the potential for future dining or grocery options that would not be affordable.

**Prior Board Actions:**

N/A

**FISCAL SUMMARY**

N/A

**Narrative Explanation of Fiscal Impacts:**

N/A

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Attachment 1: Draft Board of Supervisors Resolution  
Attachment 2: Conditions of Approval  
Attachment 3: Draft Ordinance  
Attachment 4: Planning Commission Staff Report  
Attachment 5: Planning Commission Resolution  
Attachment 6: Affordable Housing Program  
Attachment 7: Preliminary and Precise Development Plan  
Attachment 8: Tentative Map  
Attachment 9: Architectural Plans  
Attachment 10: Mitigated Negative Declaration  
Attachment 11: Public Comments

**Related Items “On File” with the Clerk of the Board:**

N/A