



## Legislation Text

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**File #:** 2019-1096, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Resource and Management Department

**Staff Name and Phone Number:** Brian Millar, (530) 902-9218

**Vote Requirement:** Majority

**Supervisorial District(s):** Fourth

**Title:**

2:00 PM -Zone Change, Use Permit and Design Review (PLP18-0015) for a new mixed-use retail and residential development project.

**Recommended Action:**

Adopt a Mitigated Negative Declaration, adopt an Ordinance for a zone change, and grant a Use Permit with Design Review for a mixed-use development for retail and residential uses on a 6,750 square foot parcel located at 21010 Highway 101 (Geyserville Avenue), Geyserville. (Fourth District)

**Executive Summary:**

The proposed project is a mixed-use development on a 6,750 square foot parcel in downtown Geyserville located at 21010 Highway 101 (Geyserville Avenue) (APN: 140-100-008). The proposal includes a new building with 1,342 square feet of commercial retail on the bottom floor and two 671 square foot residences on the upper floor above the retail space. The project also includes a Zone change from the C3 (General Commercial) SR (Scenic Resources) district to the C2 (Retail Business and Service) SR (Scenic Resources) district or other appropriate district to allow the mixed-use development. On April 4, 2019, the Planning Commission recommended the Board of Supervisors approve the request for a zone change and Use Permit with Design Review.

**Discussion:**

**Background:**

The project site was previously used as a gas station, removed in 1999, including the associated tanks and piping. The site underwent environmental remediation for soil contaminants and was issued a "No Further Action Required" letter by the PRMD Health Division on October 14, 2016. Since that time, the property has remained vacant.

The application for the project was submitted to PRMD on February 20, 2018. A referral letter was sent to the appropriate local, state and federal agencies and interest groups soliciting comments on the proposed project. As part of the project review process, the project was presented by the applicant, Mr. Torano, to the Geyserville Planning Committee (GPC) on several occasions for their consideration and comment. At its publicly held meeting on May 22, 2018, the GPC unanimously approved the project. Refer to Issue #4 for details.

On July 18, 2018, the project received preliminary approval from the Design Review Committee. Final design

review will be required as a Condition of Approval (Refer to Attachment 3, Condition No. 87).

On April 18, 2019, the Planning Commission held a public hearing and adopted a Resolution recommending Board of Supervisors approval of the Zone change and Use Permit. An overview of the staff analysis provided to the Planning Commission is included below and further details are available in Attachment 13.

**Project Description:**

The applicant is requesting a Zone change from C3 (General Commercial, Highway) SR (Scenic Resources) to C2 (Retail Business and Service) SR (Scenic Resources), and a Use Permit and Design Review for a mixed-use development consisting of 1,342 square feet of enclosed ground floor retail/support spaces, divided into three separate retail areas. The space would include a mechanical room and public restroom. Currently, one tenant space is designated for wine tasting and retail wine sales; a second tenant space is designated for retail clothing sales; and a third tenant space for general retail. Two residential units are proposed on the second floor above the retail space. The residential units would be approximately 671 square feet each, both with an open area living room/kitchen, a bedroom, bath and an outdoor private deck. In addition, the units share an outdoor, common deck area. The parcel is 6,750 square feet and is served by public sewer and water.

Proposed site improvements include perimeter and interior landscaping, a 12-ft wide one-way driveway aisle (with entrance off Geyserville Avenue and exit onto Highway 128) and six on-site parking spaces.

The proposed mixed-use development project is located in the town center of Geyserville, surrounded by a mix of retail, general commercial, visitor serving and residential uses. Public water and public sewer service are currently available to the project site, along with necessary public services.

**Site Characteristics:**

The project site is located at the corner of Geyserville Avenue and Highway 128 in downtown Geyserville. The existing parcel size is 6,750 square feet (0.15 acre) and is currently vacant. The parcel has generally level terrain. The parcel is served by public water and public sewer.

**Surrounding Land Use and Zoning:**

The property is bordered to the north east by an existing commercial business (zoned Limited Commercial), to the North West by an existing commercial business (zoned General Commercial District), and on the south east and west corner by Geyserville Avenue and Highway 128. The adjacent parcel to the northwest is zoned General Commercial (C3); the adjacent parcel to the northeast is zoned Limited Commercial (LC); the parcels across Geyserville Avenue to the southwest and southeast are zoned Limited Commercial (LC).

**General Plan Consistency:**

The General Commercial land use designation allows intense commercial uses that primarily serve a mix of business activities. These uses provide for comparison shopping and services. This designation is also intended to provide opportunities for a mix of residential and commercial use in Urban Service Areas.

Both the existing zoning (C3 - General Commercial) and proposed zoning (C2 - Retail Service and Business District) are consistent with the General Plan land use designation of General Commercial.

The Planning Commission determined the request to be consistent with key applicable General Plan

Objectives and Policies listed below.

*Objective LU-13.2: Accommodate new commercial uses primarily in Cloverdale and secondarily within Geyserville's Urban Service Boundary.*

*Policy LU-13a: Use the following criteria for approving discretionary projects in the "Limited Commercial" and "General Commercial" categories within Geyserville's Urban Service Area:*

- (1) The use is in keeping with the scale and character of the community,*
- (2) The proposed use specifically serves local area needs or the needs of visitors and tourism, and*
- (3) The design of any structure is compatible with the historic architecture of the community*

*Objective LU-3.3: Encourage "infill" development within the expansion areas of the cities and unincorporated communities.*

The proposed mixed-use development and its scale are in keeping with the established character of development in the town center of Geyserville. The design of the proposed 2,684 square foot building has been reviewed by the Geyserville Planning Committee (GPC), and the project design received preliminary approval from the Design Review Committee. The applicant is proposing corrugated metal siding, exposed timber beams and a flat roof design which will be compatible with the range of both historic and more modern buildings in the town center.

The proposed use would create two rental housing units along with employment opportunities in the ground-floor retail lease spaces, consistent with the General Plan's goals and objectives for infill development at this location.

### **Zoning Code Consistency**

The project site is currently zoned C3 - General Commercial, SR - Scenic Resources. The SR Combining District would not be changed. The applicant is requesting a zoning change to C2 - Retail Business and Service District, to allow for the proposed mixed-use development project. Zoning Code Section 26-32-20(b) allows the use with the approval of a Use Permit. The SR district requires design review for new development. The C-2 Zone is intended for retail and business services.

This request is considered spot zoning since there is no other C2 zoning district in the immediate area (see attached Attachment 6). The zoning change approval should include consistency consideration with the community's comprehensive plan, surrounding land use compatibility, the nature of the proposed development, as well as compliance with General Plan Land Use designation and related policies. The Planning Commission recommended that the Board of Supervisors approve the Zone change, finding the Zone change from C-3 to C-2 consistent with the site's General Commercial General Plan land use designation, and compatible with the range of land uses in Geyserville town center. The Commission and staff noted the mix of zoning districts in the Geyserville town center, reflecting the mix of land uses: C3 - General Commercial; LC - Limited Commercial, K - Recreation and Visitor Serving Commercial, and R2 - Medium Density Residential. Immediately north of the project site is a parcel zoned C3, while the adjoining parcel to the east is zoned LC. There are no other lands zoned C2 in the area, though the proposed C2 zone would be consistent with the General Plan's General Commercial land use designation as noted above. The GPC supported the project because it provides both retail and residential components, and the requested C2 zoning only allows mixed-

use development with approval of a discretionary use permit while the existing C3 zone does not. Further, the diversity of land uses in Geyserville town center, including retail, general commercial, service commercial and housing developments, were found to be compatible with the proposed C2 Zone change.

The proposed residential units would comprise approximately 50 percent of the total gross project floor space, consistent with Mixed Use zoning requirements. The project also complies with applicable design and development standards for the C2 Zone. Private open space for the residential units is provided (each residential unit includes a private outdoor patio measuring 104 square feet (8 ft x 13 ft). In addition, there is a “shared” outdoor space (second story deck) of 200 square feet. All development standards for the C2 Zone would be met, including building height (24 feet at its peak, below the C2 zoning district limit of 35 feet), setbacks, and lot coverage (28% proposed, with a C2 limit of 50%).

A covered trash enclosure will serve both the residential and commercial uses of the development. The enclosure is located at the southeast corner of the project site, away from the residential use.

Additionally, a noise assessment of the project was conducted by the applicant’s consultant, Illingworth & Rodkin (January 2018). The study concluded that the proposed windows, with a minimum Sound Transmission Class (STC)2 rating of 28, and the proposed forced-air mechanical ventilation, ensure that the County's residential interior noise threshold of 45 dBA Ldn can be achieved with an adequate margin of safety.

The project was reviewed by the Design Review Committee on July 18, 2018, which recommended final design changes be incorporated prior to filing building and grading permits.

### **Traffic and Parking**

A Traffic Study for the project was prepared by W-Trans (May 2018). The study area consisted of the project’s street frontages and driveways, as well as the intersection of Geyserville Avenue and SR128. The total expected trip generation potential for the proposed project was 73 trips per day. The traffic study concluded that with the addition of project-generated traffic the intersection of Geyserville Avenue/SR 128 would continue operating at LOS A or B during peak hours on weekdays and weekends.

The project site includes two driveways. The traffic study found that sight distance from the “outbound” driveway on SR 128 east of Geyserville Avenue would fall short of recommended criteria for safety. The study recommended the curb frontage between the driveway and the neighboring property to the east be marked with red curb striping to offset parking activity from the driveway, and that this provision would result in the driveway functioning acceptably.

The project requires nine parking spaces under County parking standards (two for the apartments, and seven for the retail). The project proposes six on-site parking spaces, including one ADA accessible space, with three additional spaces of on-street parking proposed. The traffic study identified that there would be an anticipated parking demand of 7 vehicles on weekdays between noon and 8 pm, 8 spaces on weekends for a one-hour period between 5 and 6 pm, and otherwise 7 or fewer vehicles. The project proposes six on-site parking spaces, and under these circumstances, the site could accommodate parking demand for all but one or two vehicles during limited other peak periods, with the “overflow” accommodated by on-street parking.

The applicant has indicated that public parking is also available on the street (three spaces on the property frontage) and in the general town center area.

Caltrans had responded to the project referral noting that the driveway onto Highway 128 would need to be designed consistent with State standards, and an encroachment permit obtained.

Two bicycle parking racks are shown on the site plan, which would meet County regulations.

### **Geyserville Planning Committee Review**

Geyserville Planning Committee (GPC), which is advisory to the County, held several meetings on the proposed project. At its May 22, 2018 meeting, the GPC unanimously approved the following analysis and recommendations:

1. The GPC supports new mixed-use projects in its small downtown area, especially if new housing is included. The proposed project represents such a project and is located on a highly visible and central parcel at the corner of Geyserville Avenue and Highway 128.

Staff analysis: The project proposes mixed-use development (ground-floor retail tenant spaces, and two apartment units on the second floor).

2. Assure that all County Code-based parking spaces required for the project, plus any loss of existing on-street parking, including any counted toward meeting the projects parking requirement, are provided on-site or designated off-site spaces nearby.

Staff analysis: On-site parking would meet the parking demand for the mixed-use project at most times. On-street parking spaces by the project site and in the public parking lot located across the street from the project site would provide for any needed additional parking for the project.

3. Assure that this project by virtue of its construction, does not trigger requirements for a bike lane extending beyond the project site on Highway 128 and related loss of on-street parking spaces, which would negatively affect business throughout the downtown area.

Staff analysis: As noted above, there are no immediate plans for construction of a bicycle lane along Highway 128.

4. Explore the possibility of under-grounding existing aerial utilities in existing underutilized conduits that border the project site.

Staff analysis: The undergrounding of new utilities is required as a condition of approval.

5. Assure the final design of the building and the materials used are consistent with the design themes and characters of the buildings existing in downtown Geyserville. Current illustrative drawings were a topic of discussion by some members of the public, for not meeting these criteria.

Staff analysis: The project's Conditions of Approval require final Design Review before the Design

Review Committee.

### **Planning Commission Review**

The Planning Commission considered the project at a public hearing on April 18, 2019. At the conclusion of the hearing, the Commission voted 5-0 recommending to the Board of Supervisors adoption of the Mitigated Negative Declaration and approval of the Rezone, Use Permit with Design Review. Copies of the Planning Commission Resolution, minutes and staff report are attached as Attachments 11, 12, and 13. As part of their action, the Commission directed staff to make a correction to the Initial Study regarding the applicable Air Quality District (completed by staff). The Commission also directed an amendment to condition of approval #95 (Mitigation Measure GHG-1) to focus the specific greenhouse gas reduction measures that would be applicable to the project. Findings to substitute the mitigation measure are included in the draft Resolution and recirculation is not required pursuant to the CEQA guidelines because the substitute mitigation measure is equally effective at reducing greenhouse gases (Attachment 2).

### **Environmental Determination**

A Mitigated Negative Declaration (MND) including mitigations was prepared for this project. Mitigations Measures were provided for the following environmental factors: Aesthetics, Air Quality, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Transportation/Traffic. Based on the analysis in the MND and its source documents, and with further clarification provided in the staff report, the proposed project will not have a substantial adverse impact on the environment provided that the identified mitigations are included as conditions of approval for the project.

### **Neighborhood Compatibility**

The proposed project design will be compatible with the range of historic and more modern building designs in the Geyserville town center, using a mix of corrugated metal and exposed wood beams for the two-story building. The range of requested retail and general commercial uses on the ground floor, and the two residential units on the second floor, will be consistent with the range of existing land uses in the town center.

### **Staff Recommendation:**

Staff recommends the Board of Supervisors adopt the Mitigated Negative Declaration, adopt the zone change, and approve the project.

### **Prior Board Actions:**

None

### **FISCAL SUMMARY**

#### **Narrative Explanation of Fiscal Impacts:**

The full cost of application processing for the project is borne by the applicant.

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

None

### **Attachments:**

- ATT 1 PLP18-0015 Sectional District Ordinance
- ATT 2 PLP18-0015 Draft Resolution

- ATT 3 PLP18-0015 Draft Conditions of Approval
- ATT 4 PLP18-0015 Applicant's Project Description
- ATT 5 PLP18-0015 General Plan Map
- ATT 6 PLP18-0015 Zoning Map
- ATT 7 PLP18-0015 Site Plan
- ATT 8 PLP18-0015 Elevation Plans
- ATT 9 PLP18-0015 Floor Plans
- ATT 10 PLP18-0015 Landscape Plan
- ATT 11 PLP18-0015 Planning Commission Resolution
- ATT 12 PLP18-0015 Planning Commission Draft Minutes
- ATT 13 PLP18-0015 Planning Commission Package
- ATT 14 PLP18-0015 Public Staff Analysis
- ATT 15 PLP18-0015 Assessor's Parcel Map
- ATT 16 PLP18-0015 Project Site and Area Photos

**Related Items "On File" with the Clerk of the Board:**

PLP18-0015 Initial Study and Mitigated Negative Declaration Package