



## Legislation Text

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**File #:** 2022-0554, **Version:** 1

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**To:** Board of Supervisors

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

**Staff Name and Phone Number:** Claudette Diaz, Project Planner, (707) 565-7387

**Vote Requirement:** Majority

**Supervisory District(s):** Fourth

**Title:**

**1:30 PM** - PLP19-0009 Hyatt Place Wine Country Hotel Project at 3750 North Laughlin Road, Santa Rosa

**Recommended Action:**

The Permit Resource and Management Department (Permit Sonoma) recommends that the Board of Supervisors conduct a public hearing and take the following actions:

- A) Adopt a Resolution to adopt the Revised Mitigated Negative Declaration, adopt a parcel-specific policy amendment to the Airport Industrial Area Specific Plan and approve the Use Permit and Design Review subject to the Conditions of Approval.
- B) Adopt an ordinance to enter into a Development Agreement with the project applicant includes a funding contribution toward a new fire engine, road and intersection improvements, entryway improvements for the Sonoma County Airport, and, a dedication of public right of way along the subject site's frontage with Airport Boulevard.

(Fourth District)

**Executive Summary:**

The project proposes the development of a 165-room, six-story hotel with conference facilities, swimming pool and an estimated 176-seat rooftop restaurant within a single building. The building would have a gross floor area of 116,571 square feet. Parking for the hotel includes 212 onsite parking spaces. Access to the parking lot and hotel would be provided via two driveways off of North Laughlin Road with no direct access to Airport Boulevard proposed. The hotel would employ an estimated 45 employees with an estimated 30 employees for the rooftop restaurant.

An amendment to the Airport Industrial Area Specific Plan is requested to adopt a parcel-specific policy for flexibility in design standards in conformance with the project's Design Review approval proposed Use Permit, and the Federal Aviation Administration's (FAA) issuance of a No Hazard Determination. Specifically, the amendment is necessary to allow the proposed building to exceed the height limitation of 28 feet in proximity to Airport Boulevard required by the Specific Plan, and to allow a reduced setback from Airport Boulevard where 85 feet are currently required from the road right-of-way, and to allow for the proposed development to exceed 5% of commercial floor area on a parcel less than 15 acres.

The proposed Development Agreement includes a funding contribution toward a new fire engine, road and intersection improvements, entryway improvements for the Sonoma County Airport, and, a dedication of public right of way along the subject site's frontage with Airport Boulevard.

An Initial Study was prepared pursuant to the California Environmental Quality Act, and the project's potential environmental impacts have been analyzed. A Mitigated Negative Declaration (MND) is proposed which finds that potential environmental impacts have been fully mitigated to less-than-significant levels.

On March 10, 2022, the Planning Commission voted 5-0-0 to recommend approval to the Board of Supervisors with a modification to make the proposed specific plan amendment a parcel specific policy.

**Discussion:**Proposal:

The project includes a Specific Plan Amendment to adopt a parcel specific policy, Development Agreement, Use Permit, and Design Review for an 116,571 square foot, 85-foot-tall hotel with 165 guest rooms, conference facilities, and an estimated 176 seat rooftop restaurant located on a 3.52-acre site, southeast of the intersection of North Laughlin Road and Airport Boulevard.

Background:

The table below summarizes key project milestones and events.

Date	Project Event/Milestone
03/05/2019	Request for a use permit and design review to allow for a 116,571 square foot hotel and restaurant on a 3.52-acre parcel.
03/25/2019	Early neighborhood notification sent to neighboring parcels within 300 feet of parcel boundaries
03/15/2019	Project referred to applicable agencies and AB 52 referral
08/07/2020	Application is amended to include an amendment to the Airport Industrial Specific Plan for development and design standards.
08/07/2020	FAA provides a determination of No Hazard to Air Navigation to the project
06/16/2021	DRC grants preliminary approval, with recommendations for minor design improvements
06/18/2021	ALUC determination of consistency with Comprehensive Airport Land Use Plan and Approved Minor Amendments to the Airport Industrial Specific Plan
08/12/2021	Mitigated Negative Declaration Circulated
09/13/2021	Mitigated Negative Declaration Comment Period Closed
02/07/2022	Mitigated Negative Declaration Re-Circulated
03/09/2022	Mitigated Negative Declaration Comment Period Closed
02/28/2022	Public Notice for Planning Commission
03/07/2022	Mitigated Negative Declaration Amendment
03/10/2022	Planning Commission Hearing
05/03/2022	Board of Supervisors Hearing

Neighborhood/Public Comments:

One letter of support, dated September 15, 2021, was submitted by the Airport Commission.  
One letter of opposition, dated March 8, 2022, was submitted by Unite Here Local 2850.

During the Planning Commission public hearing held on March 10, 2022, three members of the public provided comments on the project. Two commenters provided support for the project. One commenter expressed concerns, referencing the Airport Area Specific Plan update and the project site. These concerns included the maximum density permitted by the Traffic Pattern Zone-A (TPZ-A) airport safety zone (explained below) and the plan for the project to reduce greenhouse gas emissions. The Airport Land Use Commission has reviewed this project, approved a minor amendment to the Specific Plan to accommodate this hotel project by the airport, and determined that it otherwise complied with the Comprehensive Airport Land Use Plan and the Airport Industrial Specific Plan.

On June 10, 2022, California River Watch provided comments on the Mitigated Negative Declaration for the proposed project.

On July 1, 2022, the applicant provided a response to the comments received on the Mitigated Negative Declaration (Att 11). The response includes a memo from AECOM dated June 27, 2022, on the Air Quality and Greenhouse Gas Emissions Technical Report used for the Mitigated Negative Declaration.

#### Planning Commission Recommendation:

On March 10, 2022, the Planning Commission held a public hearing to make a recommendation on the project to the Board of Supervisors. The Planning Commission voted 5-0-0 to recommend approval to the Board of Supervisors. The Planning Commission recommended approval of the project as recommended by staff with a revision to the Specific Plan Amendment to make it a parcel specific policy. The original proposed Specific Plan Amendment would have applied to all Industrial Park (MP) zoned parcels within the specific plan area and allowed the same flexibility in design standards subject to Use Permit approval and FAA No Hazard Determination. The Planning Commission recommended approval of the project as conditioned with a revision to the Specific Plan Amendment, to make it a parcel-specific policy due to concern over the scope of the amendment impacting the already limited availability of industrial zoned land in the County.

The MP zoning designation allows for the lodging, including hotel, motel and resorts in industrial zones, as long as it remains appropriate to and in conjunction with industrial development permitted in the zone. The revised amendment would be consistent with the goals for the Specific Plan to encourage private market implementation, support continued development of the Sonoma County Airport, and to provide adequate land for support commercial land uses. The industrial development in proximity to the project site includes the Sonoma County Airport, the Sonoma Marin Area Rail Transit (SMART) system, along with warehouse and office uses.

#### Airport Industrial Area Specific Plan Amendment:

Implementation of the proposed project as recommended for approval by the Planning Commission will require an amendment to the Sonoma County Airport Industrial Area Specific Plan to adopt a parcel-specific policy to allow for approval of the project. The amendment to the Specific Plan is in the public's interest because it would introduce the flexibility necessary to adapt to current markets and allow design to evolve to reflect contemporary practices, while still ensuring air travel and air safety are not negatively impacted. The unique attributes of the parcel at 3750 N. Laughlin, including its size, the fact that it remains undeveloped, its

location approximate to the airport, its direct access to the airport, and the fact that the site is already or can easily be served by utilities and other infrastructure, makes it appropriate to establish the parcel-specific policies enacted by this Specific Plan amendment. The Specific Plan amendment has been approved by the Airport Land Use Commission, with additional minor modifications made by the Planning Commission to limit the amendment to this unique parcel.

Specifically, the proposed Specific Plan amendments are set forth below:

Section V. Land Use and Open Space Element, B. Industrial Park Areas, 2. Allowable Uses (on page 37) of the Specific Plan is amended to add the text shown here in bold and underlined:

In addition to these uses, certain commercial support activities such as finance, retail, and service businesses (including restaurants and lodging) which are directly related to needs generated within the planning area and the County airport may be allowed under a conditional use permit. **Except for the 3.52-acre parcel at 3750 N. Laughlin Road that may be developed into a hotel**, such commercial support uses shall be allowed only as components of industrial park development plans of 15 acres or more in area, and should comprise no more than 5 percent of the total floor space in such development plans.”

Section V. Land Use and Open Space Element, B. Industrial Park Areas, 4. Site Development Standards (on page 39) of the Specific Plan is amended to add the text shown here in bold and underlined:

The following standards are established by this plan to provide minimum guidelines for development of planning area parcels. They are intended to create a uniformity of quality design within the industrial park area while allowing enough flexibility to encourage innovative building and site design. **Exceptions to these standards may be allowed for the 3.52-acre parcel at 3750 N. Laughlin Road upon Design Review approval and issuance of a Use Permit provided a valid Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration Commission is obtained prior to the Design Review hearing.**

Section IX. Specific Plan Relationship to Local Policies, A. Sonoma County Airport Land Use Commission Policies #2 (on page 127) is amended to add the text shown here in bold and underlined:

2. No structure may exceed the height limits or building coverage allowed by the plan, even with special use permit approval. **Exceptions to these standards may be allowed for the 3.52-acre parcel at 3750 N. Laughlin Road, provided the project has obtained a valid Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration, Design Review approval and issuance of a Use Permit.**

The Airport Industrial Area Specific Plan includes broad goals and policies related to the economic importance (in particular, “development including activities which provide for the convenience goods and services needs of the airport industrial area”), and visual and natural resource preservation standards that apply to projects in the area.

The proposed project includes design features that would generally be consistent with these the following Airport Industrial Area Specific Plan standards:

- The project is not located in a visual or scenic corridor, riparian corridor, or unique biotic resource area.
- The project would minimize alterations or damage to identified natural values including specimen trees.
- The structure would provide an effective visual buffer between heavy manufacturing activities and Airport Boulevard.
- The proposed project would be designed to be harmonious with the local setting and with neighboring developments and would be subjected to in multiple design reviews.
- Lighting would be consistent with the Airport Industrial Specific Plan, offsetting glare and used to highlight the entrances to the project site, and
- Parking would not be allowed on any public streets and would be screened from public view by vegetation planting around the vicinity.

The current designs standards do not allow for flexibility within the plan area, however, flexibility for the project as proposed through the Specific Plan Amendment would be consistent with the stated goals for the plan to encourage private market implementation, support continued development of the Sonoma County Airport, and provide adequate land for supporting commercial land uses.

For the proposed project an exception to the Specific Plan standards is proposed to allow for a 40 foot front yard setback with a 25 foot minimum setback reserved for landscaping. The proposed policy allows for an exception to the maximum height restriction provided the project obtains a determination of No Hazard to Air Navigation from the Federal Aviation Administration (FAA) and does not exceed allowable building intensity. Structures are proposed to be up to 85 feet in height. The FAA provided a determination of No Hazard to Air Navigation for a structure up to 85 feet tall, on August 8, 2020. The determination also stated that mitigating measures such as marking/lighting are not required. The proposed structure will not exceed allowable building intensity as described below.

The ALUC reviewed and approved the proposed amendments on June 18, 2021, and recommended approval of the project to the Planning Commission. The ALUC found the request to amend the Airport Industrial Area Specific Plan consistent with the Comprehensive Airport Land Use Plan. The project is consistent with allowed building intensity and within the maximum population density for TPZ-A as calculated using the allowed populations density calculations provided in CALUP *Appendix D "Methods for Determining Concentrations of People"*. The proposed structure falls under the maximum allowed building intensity using the most conservative height limit of 28 feet from the Specific Plan.

Any future increase in intensity or modifications to setbacks and height approved by PLP19-0009 shall be dependent upon review and approval of a Use Permit and Design Review and in conformance with this parcel specific policy.

#### Comprehensive Airport Land Use Consistency:

On June 18, 2021, the Airport Land Use Commission held a duly noticed public hearing reviewed the proposed Specific Plan Amendment, Use Permit and Design Review for the Hyatt Hotel Project and made a determination that the proposed amendment to the Airport Industrial Specific Plan is consistent with the Comprehensive Airport Land Use Plan and consistent with the General Plan.

### *Airport Safety Zones*

The project is located approximately 2,000 feet from the nearest runway, Runway 14/32, and is located within the Traffic Pattern Zone (TPZ) -A. TPZ allows for a maximum population density of 150 person per acre within structures, a maximum of 200 persons per acre not within structures, but no more than 800 persons total within a single acre, which shall not be exceeded by the proposed development. TPZ-A requires a minimum of 15% amount of usable open space, while also discouraging schools, auditoriums, amphitheaters, and stadiums. TPZ-A limits large day care centers, hospital, and nursing homes. The proposed use is compliant with the current configuration of the airport safety zones.

### *Height*

The project lies within the horizontal surface per F.A.R. Part 77 Airspace surfaces, which limits structures to 150 feet from above airport elevation of 128.8 feet. The proposed project will be 85 feet tall, above ground level, which does not exceed obstruction standards.

### *Noise*

The proposed project lies partially within the 55-60 CNEL noise contour. Under this contour, the proposed use, which falls under the hotel and motels category, is an acceptable and compatible use.

### *Open Space*

The Traffic Pattern Zone-A requires a minimum of 15% of the gross area to be used as usable open space. Usable open space must be at least 300 feet long by 75 feet wide to be considered usable. Parking lots or recreation areas are considered acceptable. The proposed parking lot meets the open space requirement by providing parking and associated landscaping on-site, totaling approximately 130,000 square feet of open space of the 3.52 acres.

### *Zoning Consistency*

The project is consistent with Sonoma County Code Section 26-12-030 through 040 (Industrial Zones.) which allows for the development of hotel, motel, and resort lodging as a conditional use in the MP zone district.

### *Combining Zones*

The project site is within the Valley Oak Habitat (VOH) combining zone. The project is consistent with Article 67 (Valley Oak Habitat Combining District) of the Sonoma County Code as it does not propose the removal of any Valley Oaks and would comply with the County's Tree Protection Ordinance.

### *Building Intensity*

The proposed structure falls under the allowed Building Intensity by both the Specific Plan and zoning code. Although the structure exceeds the maximum heights allowed by the Specific Plan and zoning code, the increased height could be allowed by adoption of the proposed parcel specific policy.

### *Height*

The subject parcels zoning, MP (Industrial Park), allows for an increased building height under Section 26-16-040 Supplemental Development Standards of the Sonoma County Code, as long as the building does not exceed the maximum allowed building intensity allowed in the underlying zoning district. The maximum building height for structures within MP zoning is 65 feet, however, additional height may be permitted subject to building intensity. The project is within the building intensity required to allow additional building

height within the zoning district.

The Specific Plan limits Structures to 28 feet in height at any building setback line. Between the 25-foot minimum and 40-foot setback lines, structures shall not exceed 28 feet in height. For each foot of setback interior to the 40-foot building setback line, an additional 6 inches of building height shall be permitted; the total height shall not exceed 50 feet. Additional height may be permitted under stringent special use permit procedures only, however amendment to the Specific Plan is needed to allow for consideration of a height exception for the proposed project.

#### Lot Coverage

The maximum lot coverage in MP zoning is 50%. The proposed project will cover 24,426 square feet of the 153,331 square foot lot, equating to a lot coverage of 15.9%, which is below the maximum lot coverage allowable by the zoning district. Approximately 21 percent of the site is proposed for landscaping.

#### Parking

A total of 212 parking spaces will be provided to serve the proposed project, which includes 8 electric vehicle charging station spaces, 7 ADA accessible spaces, as well as a total of 20 bicycle parking spaces. Approximately 220 parking spaces would be required to meet Article 86 of the Sonoma County Code. Section 26-86-010 (i) Parking Regulations of the Sonoma County Code, allows for a reduction when it has been satisfactorily demonstrated to the planning director or applicable decision-making body that fewer spaces will adequately serve the specific use or that the applicant has encouraged transit opportunities through one or more of the following:

- Participation in a comprehensive travel demand management (TDM) program including, but not limited to, provision of flex-time, carpooling, and transit passes such that VMT generated by the project is reduced;
- Provision of transit stops and/or turnouts developed in cooperation with and approved by Sonoma County Transit;
- Provision of amenities for bicyclists, bus riders, carpoolers and pedestrians beyond those required by this section.

The provided traffic impact study, dated February 17, 2021, and supplemental Vehicle Miles Traveled (VMT) analysis provides a parking analysis summary which is compliant with the standard rates published by Institute of Transportation Engineers (ITE) in Parking Generation, 5th Edition, 2019. The anticipated peak parking demand of the project was estimated using the published standard rates for Hotel (ITE LU #310) and Quality Restaurant (ITE LU#931). A total demand of 207 parking spaces was determined using these standard rates. The proposed project includes 212 parking spaces and 20 bicycle parking spaces, which will accommodate the anticipated peak parking demand for the project.

Section 26-86- 010(m) allows for a twenty percent (20% reduction of total required spaces when it has been satisfactorily demonstrated to the planning director or applicable decision-making body that:

- Adequate parking for the projected use is provided such that the public health and safety is not compromised; and
- That such design provides greater sustainability through the incorporation of amenities to encourage

alternative modes of transportation and VMT reduction to offset GHG emissions from vehicle trips; and/or that

- The reductions are required in order to implement Low Impact Development (LID) parking lot design, including onsite retention and treatment of stormwater.

The applicant has provided 212 parking spaces including 8 electric vehicle charging stations, and 20 bicycle parking spaces. The project is located within 1.0 miles from the Sonoma Marin Area Rail Transit (SMART) station and less than 0.5 miles from the Airport. In addition to this, the applicant will be contributing to improvements to the bus station located near the northern portion of the parcel, within the County right-of-way. With the 20 percent reduction, a minimum of 177 parking spaces would be required.

### **Development Agreement**

The provisions of the Development Agreement are consistent with the objectives, policies, and program specified in the General Plan, and the Airport Industrial Specific Plan as amended by this project. Development agreements can provide a developer with greater certainty in the development approval process by vesting certain development rights and provide the County with public benefits by requiring the developer to provide certain public improvements and benefits. The Development Agreement is in the public interest in that it will strengthen the planning process, promote private participation in comprehensive planning and reduce the economic risk of development as envisioned and promoted by Government Code Section 65854 and Sonoma County Code Section 26-100-080. Further, the Development Agreement provides public improvements and benefits consisting of funding towards a fire truck, funding for future improvements to the Airport Boulevard and North Laughlin Road intersection and Sonoma County Airport entranceway, and dedication of public right of way and maintenance of public improvements that would not otherwise be obtained through other applicable development approval processes. The Development Agreement has been approved as to form by County Counsel.

### **Recommendation**

Staff recommends that the Board of Supervisors take the following actions:

1. Adopt the Resolution to adopt the Revised Mitigated Negative Declaration, amend the Airport Industrial Area Specific Plan as shown in Exhibit B of the Draft Resolution, and approve the use permit and design review subject to the Conditions of Approval that include the Mitigation Monitoring Program.
2. Adopt the ordinance to enter a development agreement with the project applicant to provide for additional public benefits, including contributions for a fire engine.

### **Strategic Plan:**

Not Applicable

### **Prior Board Actions:**

Not Applicable

### **FISCAL SUMMARY**

Not Applicable

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

Not Applicable



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

Not Applicable

**Attachments:**

- Att 1. PLP19-0009 Draft Conditions of Approval
- Att 2. PLP19-0009 Ordinance Approving the Development Agreement
- Att 3. PLP19-0009 Planning Commission Staff Report
- Att 4. PLP19-0009 Planning Commission Actions
- Att 5. PLP19-0009 Project Plans
- Att 6. PLP19-0009 Development Agreement
- Att 7. PLP19-0009 Public Comment
- Att 7a. PLP19-0009 Public Comment - GeoPraxis Response
- Att 8. PLP19-0009 Proposed Initial Study/Mitigated Negative Declaration
- Att 9. PLP19-0009 Board of Supervisors Resolution
- Att 10. PLP19-0009 Staff Power Point
- Att 11a. PLP19-0009 Applicant Response to Public Comment
- Att 11b. PLP19-0009 Applicant Response to Public Comment
- Att 11c. PLP19-0009 Applicant Response to Public Comment

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

Air Quality & Greenhouse Gas Emissions Report, August 2, 2021  
Biological Assessment, May 12, 2020  
Bound Low Impact Design (LID) Report, February 26, 2019  
Geotechnical Investigation, January 16, 2019  
Geotechnical Investigation Update, February 1, 2021  
Phase 1 Environmental Site Assessment, December 7, 2016  
Preliminary Storm Water Low Impact Design (SWLID) Report, April 20, 2020  
Preliminary Storm Water Low Impact Design (SWLID) Report Attachment, April 20, 2020  
Preliminary Storm Water Low Impact Design (SWLID) Report Revised, February 5, 2021  
Sanitation System Capacity, August 28, 2019  
Solid Waste Management Plan, June 6, 2020  
Traffic Scope, March 20, 2019  
Traffic Study, April 29, 2020  
Traffic Study, February 17, 2021  
Vehicle Miles Traveled Analysis, February 17, 2021  
Water Use and Conservation Plan, February 5, 2021