

Resolution 5846

STATEMENT OF OFFICIAL ACTION, PROJECT 2010-08

A STATEMENT OF OFFICIAL ACTION OF THE CITY COUNCIL
OF THE CITY OF SEBASTOPOL CERTIFYING CEQA DOCUMENTATION
FOR THE CVS-CHASE PROJECT AT
6877 SEBASTOPOL AVENUE
APN 004-063-002, 13-15, 24- 27
APPLICANT: William McDermott for Armstrong Development

WHEREAS, an application for an Alcohol Use Permit, abandonment of Barnes Avenue, and Design Review was filed on March 12, 2010 by William McDermott for Armstrong Development. This proposal consists of the redevelopment of a 2.45 acre property with two new single-story buildings for a retail pharmacy and a bank. Existing on-site buildings would be demolished. The acreage figure includes Barnes Avenue, a narrow street proposed for abandonment. The pharmacy building (a CVS/pharmacy) would be 14,576 sq. ft.; the bank (Chase Bank) would be 4,327 sq. ft., for a total of 18,903 sq. ft. The pharmacy would have a 'drive-through' component and the bank has an ATM accessible to vehicles. The retail pharmacy would include the off-site sale of alcohol.

WHEREAS, the proposed development is consistent with the subject property's General Plan designation of Downtown Core and is supported by the following General Plan Goals and Policies including but not limited to:

Land Use Goal 1 Phase future growth so that City resources are not exceeded. *The project is within adopted Level of Service standards, including traffic and infrastructure as documented by the Initial Study and staff reports.*

Land Use Goal 2 Maintain Sebastopol as a small town. *The proposed project does not involve expansion of the town or an overscale development. It is an infill development on a previously developed site. It proposes less square footage than is on the site currently. It would not recategorize Sebastopol as a large town.*

Land Use Goal 4 Emphasize, develop, and establish Sebastopol's role as a market and service center for the West County. *By renewing and redeveloping a key but inactive downtown property, the project will help maintain Sebastopol's role as a market and service center. Pharmacies and banks are traditional downtown uses.*

Land Use Goal 5 Increase the city's retail sales tax base. *The relocation of the CVS store will activate a downtown site that has had no activity for a period of years, and would allow for additional commercial uses to occur at the Redwood Marketplace. The project would provide local-serving pharmacy, retail, and banking services.*

Land Use P.17 Encourage Mixed-Use Development: Encourage mixed-use developments in the Downtown and other selected areas of the city; maintain non-residential uses on the ground floor. *The project is consistent with this policy. 'Encourage' is non-mandatory language; under the Zoning Ordinance, which does allow (and thereby encourages) mixed-use projects, neither a mix of uses nor a particular mix of uses is required. The General Plan Glossary defines 'Mixed-use' as including mixes "...of various uses, such as office, commercial, institutional and residential..." Although not required to be a mix of uses, the project is comprised of a mix of retail and service uses and is consistent with the policy.*

Transportation Goal 3 Regard the quality of life in Sebastopol and maintaining community identity as more important than accommodating traffic. *The proposed project does*

not require extensive street widening or other circulation measures that would affect quality of life or community identity. The General Plan Transportation Element specifically discourages 'extensive street widening to accommodate development projects;' the project does not necessitate and would not result in extensive street widening. The project does include abandonment of Barnes Avenue which presently has a substandard width, and effective relocation of its function in a safer location and with more adequate dimensions. The project will be subject to Design Review to ensure its compatibility with community identity.

Transportation Goal 7 *Make it easier and safer for people to travel by bicycle. The project site plan includes a bicycle rest area and will also include bike racks.*

Transportation Goal 8 *Make it easier and safer for people to walk. The project includes 'Street Smart Sebastopol' –type crossing improvements at two crosswalks; the project would reconstruct deteriorated sidewalks; the project would provide street trees, providing sidewalk shade and a sense of separation from adjacent traffic.*

Transportation P. 16 **Level of Service Standards: Establish Level of Service (LOS) Standards.** *As documented in the MND, the project would maintain consistency with LOS standards.*

Conservation Goal 5 *Conserve, protect and enhance trees and native vegetation. The 2.45-acre site has only one tree presently. The project would provide over 60 trees, as well as other landscaping.*

Conservation Goal 6 *Conserve energy. The project is subject to the most current energy conservation codes enacted by the State of California and the City of Sebastopol.*

Community Identity Goal 12 *Retain and enhance the quality of life and environment in the Downtown area. The project includes replacement of deteriorated sidewalks, demolition and replacement of outmoded and deteriorating buildings, undergrounding of utilities, installation of street trees, and pedestrian crossing improvements that will enhance the downtown area. The project is subject to Design Review, which will ensure an acceptable design quality.*

Community Identity Goal 15 *Support Public Art and Sculpture. The project is required to comply with the City's percent for art ordinance by either paying an in-lieu fee or providing approved on-site art.*

Community Identity P. 22 **Shopping Centers Outside the Downtown: Regulate the expansion of existing shopping centers outside of the Downtown Area.** *The proposed project is consistent with this stated policy intent, by locating retail development downtown. This policy clearly does not relate to the proposed project, which is in the downtown, not outside of the downtown, and which, with one 'retail' use and one 'service' use would not normally be considered to be a 'shopping center' which is generally understood to have more than just two businesses. The General Plan provides an elaboration on the policy, which states: "Future retail development should be focused Downtown, rather than in outlying areas. The Land Use Designations and Map implements this policy by indicating areas for future expansion of commercial and retail uses."*

Economic Vitality Goal 5 *Protect and increase the economic vitality of the Downtown. The 2.45-acre site has been inactive for years, contributing nothing to the economic activity of the downtown. Its abandoned visual appearance, including boarded up windows and expanses of empty asphalt have a blighting influence on the downtown. The project would reactivate and renew the site with retail and banking uses, and the project would perform improvements to the*

public right of way that would enhance the pedestrian and downtown environment.

Safety Goal 5 Reduce fire hazards. *The existing buildings do not have modern fire suppression and other safety features, putting the City's firefighters at higher risk in the event of a fire. The new buildings will include such systems, improving community safety.*

WHEREAS, the Sebastopol Planning Commission held a duly noticed public hearing on May 24, 2011, received public testimony, considered the staff report and CEQA documentation; and requested additional information which was provided in the staff report for the June 14, 2011 meeting of the Commission, and following a Public Hearing on that date, was considered by the Commission; and

WHEREAS, on June 14, 2011 the Planning Commission approved a motion to deny certification of the CEQA documentation, but failed to make required findings supporting this action; and

WHEREAS, on July 5, 2011 the City Council conducted a duly-notice public hearing on an appeal of the Planning Commission's action, received public testimony, considered the staff report and CEQA documentation; and

WHEREAS, the proposed project was the subject of an Initial Study/Mitigated Negative Declaration has been prepared for the project. Notice of the proposed Mitigated Negative Declaration was provided by published, mailed, and posted notices. A 30-day public review period was conducted. Two significant traffic, and one greenhouse gas impacts were identified. Based on an alternate trip generation analysis which was identified in the Initial Study, an identified impact at Bodega/High Street would not occur, and no mitigation is therefore necessary at that intersection. With recommended mitigation measures for the remaining impacts, no significant environmental impacts would occur. The City Council has reviewed, considered, and finds adequate the Initial Study/Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the City Council has made appropriate findings of fact and hereby certifies the Initial Study/Mitigated Negative Declaration as adequate under the California Environmental Quality Act, subject to the following mitigation measures:

MITIGATION MEASURES

PROJECT 2010-08: ALCOHOL USE PERMIT

AND BARNES AVENUE ABANDONMENT

6877 SEBASTOPOL AVENUE

APN: 004-063-002, 13-15, 24-27

Mitigation Measures:

- A. GHG emission reduction of 170 MT CO₂e/yr. for a calculated 40-year period shall be achieved by the following:
 1. Subject to City review and approval, the applicant shall perform an improvement in Sonoma County resulting in a reduction in GHG emissions. Examples of such potential improvements include, but are not limited to: replacement of aging water or sewer pumps with more efficient pumps; installation of alternative energy systems; energy conservation improvements; alternative transportation improvements; lighting efficiency projects; or other measures providing the required offset mitigation. The

Applicant shall be responsible for providing verification of proposed measures acceptable to the City Council of the City of Sebastopol. City approval of a Building Permit for the Project shall not be granted unless the City has approved the measure, with any such measure required to be funded prior to issuance of a Certificate of Occupancy for the first building in the project. The funding for this measure will be provided through a contract that requires the improvement will be implemented within 5 years and if not, the funding will revert to the City of Sebastopol which will use the funding to implement another GHG reduction project or purchase offset credits.

- B. At North Main/Bodega, the traffic signal timing shall be re-optimized during the weekday PM peak period to eliminate the identified significant traffic impact. This intersection is under Caltrans jurisdiction. Caltrans has indicated that this adjustment is feasible, with the specific adjustments requiring review and approval under an Encroachment Permit. No project Building Permit for a project building shall be issued unless such Encroachment Permit including the signal timing improvement has been secured by the project applicant. No Occupancy Permit shall be issued unless such improvement has been completed, and the City receives verification from Caltrans of such completion.

IN COUNCIL DULY ADOPTED by the Sebastopol City Council on this 5th day of July 2011, by the following vote:

VOTING AYE: Councilmembers Slayter, Shaffer, Vice Mayor Kyes and Mayor
VOTING NO: Councilmember Gurney
ABSENT: None
ABSTAIN: None



Mayor Guy Wilson

Certified: 

Mary Gourley City Clerk

**Mitigation, Monitoring, and Reporting Program
for the 6877 Sebastopol Avenue CVS-Chase Project in Sebastopol, California**

Impact	Mitigation Measure	Enforcing Party	Level of Significance After Mitigation
<p>Air Quality: Greenhouse Gas (GHG)</p>	<p>GHG emission reduction of 170 MT CO₂e/yr. for a calculated 40-year period shall be achieved by the following:</p> <p>Subject to City review and approval, the applicant shall perform an improvement in Sonoma County resulting in a reduction in GHG emissions. Examples of such potential improvements include, but are not limited to: replacement of aging water or sewer pumps with more efficient pumps; installation of alternative energy systems; energy conservation improvements; alternative transportation improvements; lighting efficiency projects; or other measures providing the required offset mitigation. The Applicant shall be responsible for providing verification of proposed measures acceptable to the City Council of Sebastopol. City approval of a Building Permit for the Project shall not be granted unless the City has approved the measure, with any such measure required to be funded prior to issuance of a Certificate of Occupancy for the first building in the project. The funding for this measure will be provided through a contract that requires the improvement will be implemented within 5 years and if not, the funding will revert to the City of Sebastopol which will use the funding to implement another GHG reduction project or purchase offset credits.</p>	<p>City Planning Department and City Council</p>	<p>Less than significant</p>
<p>Transportation/Traffic</p>	<p>At North Main/Bodega, the traffic signal timing shall be re-optimized during the weekday PM peak period to eliminate the identified significant traffic impact. This intersection is under Caltrans jurisdiction. Caltrans has indicated that this adjustment is feasible, with the specific adjustments requiring review and approval under an Encroachment Permit. No project Building Permit for a project building shall be issued unless such Encroachment Permit including the signal timing improvement has been secured by the project applicant. No Occupancy Permit shall be issued unless such improvement has been completed, and the City receives verification from Caltrans of such completion.</p>	<p>City Planning Department</p>	<p>Less than significant</p>