



MINUTES

Healdsburg Planning Commission

February 28, 2023 6:00 PM
401 Grove Street, Healdsburg
City Hall - City Council Chamber

1. ROLL CALL

Chair Luks called to order the meeting of the Planning Commission of the City of Healdsburg at 6:00 p.m.

Commissioners present: Barber, Breznikar, Luks, McKay, Wood

Commissioners present via Zoom: Gerlach, Hunt

City Staff present: Community Development Director Scott Duiven, Planning Consultant Linda Ruffing, and Administrative Technician Amanda Gray

2. ADMINISTRATIVE ACTIONS

A. Approval of March 14, 2023 Agenda

On a motion by Commissioner Breznikar, seconded by Commissioner Barber, the Commission voted 7-0-0 to approve the February 28, 2023 agenda as amended to hear Agenda Item 5A – Election of Officer, prior to Agenda Item 4A.

B. Approval of Minutes

- February 28, 2023 Regular Meeting Minutes

On a motion by Commissioner Barber, seconded by Commissioner Wood, the Commission voted 7-0-0 to approve the February 14, 2023 regular meeting minutes.

C. Acceptance of Communications and Correspondence

Agenda Item No. 4B:

- Kathryn Goldman Schuyler • Margaret Kaplan • David Lawrence
- Lynne Murphy

D. Declarations of Conflicts of Interest

Commissioner Hunt declared a conflict with Agenda Item 4A, Saggio Hills.

E. Disclosures of Ex Parte Communications

None.

3. PUBLIC COMMENTS

Adina Flores, spoke regarding Mayor Ariel Kelley, and shared her concerns with her seat on the Healdsburg City Council and her desire to have her removed from office.

Shelby Pryor, spoke regarding Mayor Ariel Kelley and shared his concerns with her seat on the Healdsburg City Council and her conflicts of interests.

5. NEW BUSINESS

A. Election of Officer

On a nomination by Commissioner McKay, seconded by Commissioner Barber, the Commission voted 7-0-0 to appoint Vesna Breznikar to the position of Vice Chair.

4. PUBLIC HEARINGS

Commissioner Hunt left the meeting prior to Agenda Item 4A.

A. Item

Description: Development Agreement (DA 2023-01)

Project

Description: Development Agreement between City of Healdsburg and Freebird Development Company, LLC to vest the existing project approvals for a 118-unit affordable housing project for up to ten (10) years. Planning Commission will consider making a recommendation to City Council on Development Agreement.

Location: 450 Parkland Farms Boulevard (Parcels 5 and 6 of the Saggio Hills project)

Applicant: Freebird Development Company, LLC

Environmental

Determination: An affordable housing project of up to 150 units on the project site was addressed at a programmatic level in the certified Final Environmental Impact Report ("FEIR") for the Saggio Hills Development Project (SCH #2003062025). An Addendum to the FEIR ("Addendum") was prepared for the Saggio Hills Affordable Housing Project. The FEIR and Addendum are available for review at the City of Healdsburg Community Development Center, 401 Grove Street, Healdsburg, CA.

Planning Consultant, Linda Ruffing, introduced the item and summarized the staff report. Ms. Ruffing provided a project overview and discussed the site plan, Tentative Subdivision Map, Development Agreement, environmental review, and the recommended action.

Commission and staff discussion ensued regarding questions on the number, shape, color schemes and height of buildings, parking, timeline for decision on whether there will be lower income rental units versus moderate income home ownership units, Development Agreement and the Disposition and Development Agreement, transfer of land, and open space/trail network maintenance and responsibility.

Chair Luks opened the hearing for public input. There being no speakers, Chair Luks closed the public input portion of the meeting.

Chair Luks discussed the Development Agreement and a provision that is included that grants the developer the exclusive right to change the phasing on the project development. He said that he feels the City should have a say in any changes and is the appropriate entity to decide which of the phases go forward. He requested that Section 4.8 of the Development Agreement (Timing of Development) be eliminated.

Vice Chair Breznikar spoke in support of the project.

On a motion by Commissioner McKay, seconded by Vice Chair Breznikar, the Commission voted 6-0-1-0 (Hunt abstained) to adopt Resolution No. 2023-03 recommending that the Healdsburg City Council approve the proposed Development Agreement by and between the City of Healdsburg and Freebird Development Company, LLC (DA 2023-01) with the elimination of Section 4.8 – Timing of Development.

B. Item

Description: DA 2020-01.04 (North Village Development Agreement amendment); CUP 2019-04.02 (North Village Master Conditional Use Permit amendment); DR 2021-07.01, CUP 2021-04.01 (Parcel 4 Design Review and Conditional Use Permit amendments); TM 2022-07 (Parcel 4 Tentative Map)

Project**Description:**

The project applicants are seeking approval of (a) amendments to the North Village Development Agreement and Master Conditional Use Permit to modify the affordability levels for residential uses on Parcels 2 and 4, and to modify the shared parking plan, (b) amendments to the Major Design Review and Conditional Use Permit for the mixed-use retail and residential development on Parcel 4 to address changes to the facades, building footprints, and landscaping, and (c) tentative map to establish a common parcel and three airspace parcels on Parcel 4.

Location:

Parcel 2: 201 Dovetail Lane

Parcel 4: 1830 Boxheart Drive; 1840 Boxheart Drive; 70 Dovetail Lane; 80 Dovetail Lane

Hotel: 101 Dovetail Lane

Enso Village: 1801 Boxheart Drive

Applicant:

Comstock Healdsburg, LLC (DA 2022-01.04; CUP 2019-04.02; TM 2022-07)
Burbank Housing Development Corporation (DR 2021-07.01; CUP 2021-04.01)

**Environmental
Determination:**

On May 20, 2019, the Healdsburg City Council certified the Final Environmental Impact Report (FEIR) for the North Entry Area Plan (SCH# 2018062041) and adopted related findings, a Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations. An Environmental Checklist & Addendum to the FEIR were prepared for the Master Conditional Use Permit for the North Village Project (MCUP 2019-04) that was approved by the Planning Commission on February 11, 2020; and the Development Agreement for the North Village Project (DA 2020-01) that was adopted by the City Council on April 6, 2020. In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), no further environmental review is required because the project components under consideration would not result in on-site, off-site or cumulatively significant effects on the environment that were not examined in the FEIR.

Planning Consultant, Linda Ruffing, introduced the item and summarized the staff report. Ms. Ruffing provided a project overview and discussed the background, purpose of proposed amendments, affordability mix, sitewide affordable housing mix, proposed changes to unit mix, shared parking plan, sitewide parking demand, mobility services and TDM Plan, Parcel 4 design modifications, mixed use project rendering, Parcel 4 exterior modifications, modifications to building footprint, proposed landscaping plan, plant palette and furnishings, play equipment/materials, Tentative Map and findings, Development Agreement findings, Conditional Use Permit findings, Major Design Review findings, environmental review and the recommended actions.

Debra Geiler, Vice President of Entitlement and Forward Planning at Comstock Development Company, introduced the team of individuals that were present to answer any questions. Ms. Geiler spoke regarding North Village Master Conditional Use Permit, Development Agreement and Amendments, project unit mix, and bond financing.

Karen Massey, Senior Project Manager at Burbank Housing, provided a presentation and discussed project objectives, approved versus refined project, design refinements, refined elevations, refined site plan, parking, preliminary income and rent levels, and next steps/timeline.

Commissioner, staff and applicant discussion ensued regarding questions on the Foss Creek Pathway Plan and connectivity, North Entry Avenue Plan, entry feature, elevation of Building 14, façade, architecture, screening of tenants, Area Median Income, bond measure, commercial space retainment, Development Agreement, town homes being rented and sold, design of the promenade, lot split process, HOA management, privacy screening at the playground, trees and shading, terms under the Reciprocal Easement Agreement, missing middle housing, number of affordable housing units included, financing through the 501c3 and Parcel 2 net buildable area opportunities.

Chair Luks opened the hearing for public input.

Kathryn Goldman Schuyler, Palo Alto Ave., San Francisco, spoke as a future North Village Enso Village resident, and said she supports the presence of affordable housing that integrates lower income residents within a village with a sense of community but said she does not believe the currently proposed amendments do this and she explained why. She said she does not support the suggested amendments as they have been presented.

Tegan Wilson, 1205 Grove St., said she is a resident of Healdsburg Glen, an affordable housing/subsidized housing complex, and spoke in support of the project. She shared her experience living in the Healdsburg Glen complex and said that it has afforded her and other residents the opportunity to live and work in Healdsburg and she discussed the importance of that.

Dora Ortega, Healdsburg Glen Apartments, spoke on behalf of her community, and asked the Commission to consider and take into account the people that work at the hotels, restaurants and fields stating that these are low-income individuals, and it is not the same as middle income individuals and she explained why. She said that it is these people that help keep tourism high in Healdsburg and attract more visitors by their devoted and hard work at their places of business.

Calum Weeks, Policy Director for Generation Housing, thanked the Commission for their interest and advocacy for affordable housing and discussed the importance of this. He expressed his appreciation to the two prior speakers and said they touched on many important issues that he would encourage the Commission to amplify and take into consideration. He expressed his excitement for the Metropolitan Transportation Mission funding that was granted and discussed the different elements that help create a community and feels that this project design does that.

Cristal Lopez, Community Advocacy Coordinator for Corazon Healdsburg, thanked the City for providing interpretation services at this meeting, and said Corazon Healdsburg is in full support of this project. She discussed her concerns with parking, public transportation, the City not being walkable/ bikeable, housing prices and the AMI. She also said she is very happy that laundry hookups will be provided in each of the units.

Nick, Parkland Farms resident, spoke in favor of the project and said he hoped the Commission would approve it as presented. He provided a brief background on his family and shared his concerns with people being able to afford to live in Healdsburg, especially those

who work here.

There being no further speakers, Chair Luks closed the public input portion of the hearing.

Commissioner Barber discussed the occupancy permit for the hotel and shared positive feedback on the ample bike storage, laundry hookups and the outdoor features that will be available.

Commissioner Wood spoke in support of the project and discussed the exterior façade changes.

Commissioner Hunt spoke in support of the project and recognized the challenges the applicants have had to address and how much work has gone into finding a solution. She discussed the waitlist for affordable housing units and the high demand and overwhelming need in Healdsburg. She also discussed the parking analysis, design, landscaping, and home ownership opportunities.

Commissioner McKay spoke in support of the project and discussed financing related to the preliminary income and rent levels spreadsheet presented and encouraged some type of additional articulation on Building 14, Elevation 2.

Commissioner Gerlach spoke in support of the project, and said he appreciated the work the applicants did to be aggressive in the bond market and discussed the significance of continuing to recognize the importance of public space and parking.

Vice Chair Breznikar spoke in support of the project and said that the applicants have been very thoughtful about the community that is going to live there. She shared positive feedback on laundry hook ups, bicycle storage, the promenade and praised the applicants for designing the extra parcels to be for sale units for middle income.

Chair Luks discussed the missing middle and said he is disappointed that this project is not going to make much of a dent in that. He said he is sensitive to the notion that this project is skewed towards the higher end of affordability and discussed the amount of affordable housing that will become available in Healdsburg through various project approvals. He also discussed home ownership verses rentals, Building 14 design and façade, and his concerns with parking.

Planning Consultant Ruffing said that the Resolution amending Major Design Review Permit (DR 2021-07.01) and Major Conditional Use Permit (CUP 2021-04.01) for the North Village Mixed Use Project (Parcel 4) could be amended to include language that says "with clarification that the permits will not become effective until the City Council adopts the Fourth Amendment to the Development Agreement."

On a motion by Commissioner McKay, seconded by Vice Chair Breznikar, the Commission voted 7-0-0 to approve Resolution No. 2023-04 recommending that the Healdsburg City Council approve the proposed Fourth Amendment to the Development Agreement by and between the City of Healdsburg and CCS Healdsburg, LLC, for the North Village Project (DA 2020-01.04).

On a motion by Commissioner Wood, seconded by Vice Chair Breznikar, the Commission voted 7-0-0 to adopt Resolution No. 2023-05 modifying the Master Conditional Use Permit for the North Village Project (CUP 2019-04.02) to conform housing affordability levels to the

Fourth Amendment to the DA and to authorize modifications to the sitewide Shared Parking Plan.

On a motion by Commissioner Breznikar, seconded by Commissioner Wood, the Commission voted 7-0-0 to adopt Resolution No. 2023-06 amending Major Design Review Permit (DR 2021-07.01) and Major Conditional Use Permit (CUP 2021-04.01) for the North Village Mixed Use Project (Parcel 4), based on the suggested findings and subject to the recommended conditions of approval, with clarification that the permits will not become effective until the City Council adopts the Fourth Amendment to the Development Agreement.

On a motion by Vice Chair Breznikar, seconded by Commissioner Barber, the Commission voted 7-0-0 to adopt Resolution No. 2023-07 approving a Tentative Map (TM 2022-07) for Parcel 4 of the North Village Project based on suggested findings and subject to the recommended conditions of approval.

The Commission took a recess at 9:29 p.m.

The Commission reconvened at 9:36 p.m.

C. Item

Description: Land Use Code Amendment 2023-01

Project

Description: Amendments to the Healdsburg Municipal Code including repealing Healdsburg Municipal Code Chapter 8.32: Medical Marijuana Dispensaries; amending Section 20.08.145: Permitted and Conditionally Permitted Uses in the Plaza Retail (PR), Downtown Commercial (CD), and Service Commercial (CS) Districts; amending Section 20.08.155: Permitted and Conditionally Permitted Uses in the Mixed Use (MU) District; amending Section 20.08.195: Permitted and Conditionally Permitted Uses in the Industrial (I) District; adding a new Section 20.20.095: Commercial Cannabis Uses and Requirements; amending Section 20.20.100: Marijuana Cultivation, Possession and Use; and amending Section 20.28.310: Definitions to allow for commercial cannabis uses in Healdsburg.

Location: Citywide

Applicant: City of Healdsburg

Environmental

Determination: Determine that the proposed Healdsburg Municipal Code amendments are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (the "common sense exemption") because it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Community Development Director, Scott Duiven, introduced the item and summarized the staff report. Director Duiven provided a project overview and discussed the proposed amendments to the Healdsburg Municipal Code to develop a regulatory framework for commercial cannabis uses. Mr. Duiven discussed the path forward which includes City Council review and approval of the proposed amendments, an application process for the selection of up to two retail dispensaries, establishing a commercial cannabis business permit fee to cover the costs of administering the program, and setting the annual rate of the cannabis business tax.

Commission and staff discussion ensued regarding the application and permit process, and whether or not cannabis retailers should be allowed in the downtown commercial district.

Chair Luks opened the hearing for public input.

Eli Melrod, Co-Founder of SolFul, provided information on their business, allowable locations for dispensaries in Healdsburg and the importance of foot traffic to this type of business. Mr. Melrod invited the Commission to tour one of their nearby stores.

Brandon Levine, Sonoma County resident, Founder and CEO of Mercy Wellness, shared his background and said that they have been instrumental in developing these ordinances in other cities all over the North Bay and that Healdsburg has done a great job. He said he is available to answer any questions the Commission may have related to Mercy Wellness.

There being no further speakers, Chair Luks closed the public input portion of the hearing.

Chair Luks stated that he had previously pushed for extending the prohibition on dispensaries in the downtown commercial district. He said he would like to withdraw his previous comments about the absolute limitation for dispensaries in the downtown commercial district. He said that the location criteria for dispensaries adequately addresses potential sensitive receptors, and that he sympathizes with the comments from operators regarding the importance of foot traffic.

Vice Chair Breznikar said it is a well-established business and the cannabis businesses have gone through a lot of trials and supports moving forward.

On a motion by Commissioner McKay, seconded by Vice Chair Breznikar, the Commission voted 7-0-0 to adopt Resolution No. 2023-08 recommending the City Council repeal Healdsburg Municipal Code Chapter 8.32: Medical Marijuana Dispensaries; amend Section 20.08.145: Permitted and Conditionally Permitted Uses in the Plaza Retail (PR), Downtown Commercial (CD), and Service Commercial (CS) Districts; amend Section 20.08.155: Permitted and Conditionally Permitted Uses in the Mixed Use (MU) District; amend Section 20.08.195: Permitted and Conditionally Permitted Uses in the Industrial (I) District; add a new Section 20.20.095: Commercial Cannabis Uses and Requirements; amend Section 20.20.100: Marijuana Cultivation, Possession and Use; amend Section 20.28.310: Definitions; and related CEQA Exemption.

6. COMMISSIONER AND SUBCOMMITTEE REPORTS

None.

7. DIRECTOR'S REPORT

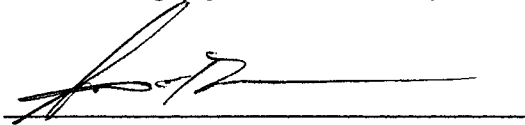
Director Duiven provided information regarding:

- Appointment of Commissioner Wood
- March 14, 2023, Planning Commission meeting agenda items
- Brown Act requirements changing March 1, 2023, regarding attendance in person and virtually

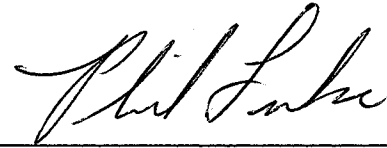
8.

ADJOURNMENT

The meeting adjourned at 10:15 p.m.



Scott M. Duiven, Secretary



Phil Luks, Chair

