

Planning Commission Resolution 2020-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEALDSBURG APPROVING AMENDMENTS TO MASTER CONDITIONAL USE PERMIT (CUP 2019-04.01); MAJOR CONDITIONAL USE PERMIT (CUP 2020-02.01) AND MAJOR DESIGN REVIEW PERMIT (DR 2020-09.01) FOR THE ENSO VILLAGE SENIOR LIVING COMMUNITY PROJECT LOCATED AT 1801 BOXHEART DRIVE

WHEREAS, on February 11, 2020, the Healdsburg Planning Commission approved an application by CCS Healdsburg, LLC, for a Master Conditional Use Permit (CUP 2019-04); and on April 6, 2020, the City Council approved a Development Agreement (DA 2020-01) with CCS Healdsburg, LLC, to authorize the specific uses and shared infrastructure for the North Village Project on an approximately 32-acre property located at 16977 Healdsburg Avenue, including the following uses on a 16.07 parcel ("Parcel 1") of the North Village Project site:

A Senior Living Community with 221 independent living units and ancillary facilities including dining facilities, meeting rooms, and administrative offices, including the following affordable units: 10 units reserved for households in the moderate-income range (<120% AMI) and 20 units reserved for workers and volunteers serving the Senior Living Community who are in the very low-income range (<50% AMI); and approximately 30 assisted living beds and 24 memory care beds (not to exceed 54 total beds) with a total floor area of the residential facilities of approximately 388,000 SF and a total commercial floor area (assisted living, memory care, clinic, etc.) of approximately 54,000 SF; and

WHEREAS, on November 17, 2020, the Planning Commission approved applications by Kendal at Sonoma, A Zen Inspired Community ("Applicant") for a major design review permit (DR 2020-09) and a major conditional use permit (CUP 2020-02) for development of the Enso Village Senior Living Community ("Project") on Parcel 1 of the North Village Project site (1801 Boxheart Drive) to include the following:

221 senior independent living units, 30 of which will be income-restricted (10 units targeted to households in the moderate-income range [<120% AMI] and 20 units targeted to workers and volunteers serving the Senior Living Community who are in the very low-income range [<50% AMI]), 54 assisted living and/or memory care beds, and ancillary facilities, including a total of 427,500 SF of space in multiple buildings or building wings connected by breezeways and covered walkways with exterior space including a variety of courtyards, gardens, and smaller focal structures, with onsite parking for 270 vehicles in surface parking, covered carports, and a car barn which uses a mechanized vehicle lift system.

WHEREAS, Applicant has submitted a request for amendments to project approvals to (1) modify master conditional use permit (CUP 2019-04.01) to change required affordability levels by converting five units of Very Low Income housing for employees/volunteers to Low Income housing and by converting five units of Very Low Income housing for employees/volunteers to Moderate Income

housing; and (2) to amend site-specific major conditional use permit (CUP 2020-02.01) and major design review permit (DR 2020-09.01) to authorize changes to on-site parking resulting in a net loss of 13 parking spaces and modifications to floor plan and facades of car barn to address recent Building Code and Fire Code requirements for mechanical smoke removal systems and use of a carousel vehicle lift system; and

WHEREAS, prior to taking action on the proposed amendments to the project approvals, and at a properly noticed public hearing on February 23, 2022, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the proposed amendments and took testimony; and received into the record all pertinent documents related to the proposed amendments.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission determines that the proposed amendments to the project approvals are consistent with the Project evaluated in the North Entry Area Plan Environmental Impact Report "NEAP EIR" and its Addendum which are available on the City of Healdsburg's website and in the agenda packet for major design review permit DR 2020-09 and major conditional use permit CUP 2020-02 and incorporated herein by reference.

BE IT FURTHER RESOLVED that the Planning Commission determines that no further environmental review would be required for the modifications to the conditional use permits and design review permit because (i) there are no changes involving new significant environmental effects or a substantial increase in the severity of previously identified significant effects/impacts, (ii) there are no changes with respect to the circumstances under which the project is taken which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects/impacts, and (iii) there is no new information of substantial importance that was not known at the time the EIR was certified which shows (a) the project will have one or more significant effects not discussed in the EIR, (b) significant impacts/effects will be substantially more severe than shown in the EIR, (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects/impacts, or (d) mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects/impacts on the environment.

BE IT FURTHER RESOLVED that the Healdsburg Planning Commission makes the findings required to approve amendments to the master conditional use permit (CUP 2019-04.01), major conditional use permit (CUP 2020-02.01) and major design review permit (DR 2020-09.01) as follows:

Design Review Permit Findings

A. The proposed development or use is consistent with all applicable policies and requirements of the General Plan and Land Use Code.

The proposed amendments (DR 2020-09.01) do not modify the approved uses for the Enso Village Project and the project remains consistent with the Mixed Use "MU" land use classification in the Healdsburg 2030 General Plan, the vision, guiding principles, policies and guidelines of the North Entry Area Plan (NEAP), and the requirements of the Mixed Use "MU" zoning classification and the North Entry Area Plan "NEAP" Overlay as established in the Land Use Code (Healdsburg Municipal Code, Title 20).

B. The proposed design of the development or use, and all appurtenant structures, is consistent with the policies set forth in the Citywide Design Guidelines, as may be amended from time

to time.

The Enso Village Project site is located within the planning area for the NEAP, which comprehensively addresses the design standards for the Project. The proposed amendments do not alter the Project's consistency with the design guidelines established in the NEAP. See discussion below for Finding E.

C. The proposed development or use is consistent with the purposes of the zoning district in which it is located.

The Enso Village Project is a senior living community with both independent living units and assisted living/memory care beds. The use was determined to be consistent with the special purposes of the MU District and the NEAP Overlay when the Planning Commission granted a master conditional use permit (CUP 2019-04). The proposed amendments do not alter the approved use.

D. The proposed development or use is consistent with all other conditions imposed by the Planning Commission or City Council with respect to any matter related to the purpose of design review.

The Enso Village Project was found to be consistent with the NEAP, the master conditional use permit for the North Village Project (CUP 2019-04), and the North Village Development Agreement (DA 2020-01) when site-specific major conditional use permit CUP 2020-02 and major design review permit DR 2020-09 initially were approved. The proposed amendments do not alter that consistency and all conditions of the previous approvals continue to apply, with modifications to the project description per the requested amendments.

E. For proposed developments or uses in the North Entry Area Plan Overlay, the design of the development or use, and all appurtenant structures, is consistent with the goals, policies, objectives and design guidelines set forth in the North Entry Area Plan, as adopted by the Healdsburg City Council on May 20, 2019, as may be amended from time to time.

As detailed in the staff report for major design review permit DR 2020-09, the proposed Enso Village Project is consistent with the Guiding Principles, Land Use & Development Standards, and Design Guidelines established in the NEAP. That consistency is not altered by the proposed amendments.

Conditional Use Permit Findings

A. The proposed location and operation of the conditional use is in accord with the Healdsburg general plan and any applicable planned development, specific or area plan.

The Enso Village Project site is designated Mixed Use (MU) in the Healdsburg General Plan and is subject to the policies and guidelines of the North Entry Area Plan (NEAP). The project is consistent with these plans and the proposed amendments (CUP 2019-04.01 and CUP 2020-02.01) do not alter the consistency.

B. The proposed location and operation of the conditional use is consistent with the applicable development standards of this Land Use Code.

The proposed Project has a use type designation of "residential care, general" in the Land Use Code and it is consistent with the Mixed Use (MU) District and the North Entry Area Plan (NEAP) Overlay. The proposed amendments do not alter the consistency.

- C. **The proposed location of the conditional use and the conditions under which it would be operated and maintained will not be detrimental to public health and safety or materially injurious to uses, properties or improvements in the vicinity.**

The location of the Enso Village Project site is in a Mixed Use (MU) District, surrounded by undeveloped land that is within the North Village Project site to the north, vacant land and the Simi Winery to the south, the NCRA railroad right-of-way, Healdsburg Avenue and the Montage Healdsburg development to the east, and U.S. 101 to the west. Prior project approvals determined that the Project will not result in or create a detrimental condition on the property, property vicinity or within the community. The proposed amendments will not alter that determination.

BE IT FURTHER RESOLVED that the Healdsburg Planning Commission does hereby approve amendments to the master conditional use permit (CUP 2019-04.01), major conditional use permit (CUP 2020-02.01) and major design review permit (DR 2020-09.01) subject to specific modifications to the Conditions of Approval for said permits as shown in Attachment A hereto, which is incorporated herein by reference.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase, or word of this Resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the Resolution. The Planning Commission hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

DULY AND REGULARLY ADOPTED by the Healdsburg Planning Commission on the 23rd day of February, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Jerry Eddinger, CHAIR

Scott Duiven, SECRETARY

ATTACHMENT:

A. Modified Conditions of Approval

MODIFIED CONDITIONS OF APPROVAL

ENSO VILLAGE SENIOR LIVING COMMUNITY

Address: 1801 Boxheart Drive
(APN: 091-060-037)

Modifications are shown with additions in underlined text and deletions in ~~strike through text~~.

MASTER CONDITIONAL USE PERMIT CUP 2019-04.01

14. The Project shall provide a mix of affordable housing in accordance with the Development Agreement, as shown on the North Village Use Table, below. In the event that a modification to the Development Agreement is approved by the City Council that conflicts with the affordability mix shown below, the Development Agreement shall control. On Parcel 2, the final mix of Affordable/Workforce Housing units in any given affordability category may vary, but in no event shall less than three (3) units be occupied by Very Low Income Households, nor shall more than fifteen (15) units be occupied by households between 80% and 120% of AMI.

DESIGN REVIEW PERMIT DR 2020-09.01 & CONDITIONAL USE PERMIT CUP 2020-02.01

9. Minor modifications to the uses and improvements authorized by Major Design Review Permit DR 2020-09 and Major Conditional Use Permit CUP 2020-02, as summarized in the Enso Village Development Limitations Table, below, may be approved by the Planning & Building Director; major modifications will require Planning Commission approval. Any additional floor area or site coverage granted must remain within the sitewide limitations prescribed by the NEAP and the NEAP Overlay (Land Use Code Chapter 20.12; Article IV).

Enso Village Development Limitations Table

Use type	Senior Living Community
Allowable uses	221 independent living units and ancillary facilities; Total of 54 assisted living and memory care beds; ancillary facilities
Floor Area	376,857 SF - senior independent living units and ancillary facilities; 50,643 SF - assisted living/memory care and ancillary facilities
Non-Residential Floor Area	54,643 SF
Site Coverage	153,958 SF
Affordable Housing	<u>As defined in the Development Agreement, as it may be modified from time to time</u> 30 units: very low (20)- moderate (10)-
<u>On-Site Parking</u>	270 parking spaces (including 37 EV parking spaces) 1 loading space <u>238 parking spaces</u>

Shared Parking	7 <u>22</u> spaces along south side of Street B <u>Dovetail Lane</u> 11 spaces along west side of Street A <u>Boxheart Drive</u>
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10. The Project shall provide for affordable housing in accordance with the "Assignment of Development Agreement" recorded by the Sonoma County Recorder's Office (August 21, 2020; instrument 2020071885, Official Records) and the "Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants" recorded by the Sonoma County Recorder's Office (June 23, 2020; instrument 2020049787, Official Records), as may be amended from time to time.