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DATE: May 21, 2024

TO: Planning Commission

FROM: Emmanuel Ursu, Principal Planner  
Larissa Alchin, Associate Planner

SUBJECT: Recommendation to the City of Petaluma Planning Commission to conduct a study session to solicit input and provide non-binding comments on a conceptual proposal from Gallaher Senior Living to develop a Residential Care Facility for the Elderly located at 1221 Petaluma Blvd North; APN: 006-450-001; City Record No. PLPR-2024-0002

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## **RECOMMENDATION**

It is recommended that the Planning Commission receive an informational presentation from Planning staff and conduct a study session to solicit input and provide non-binding comments on a conceptual proposal from Gallaher Senior Living to develop an approximately 120-unit (plus 12 memory care studios) Residential Care Facility for the Elderly at 1221 Petaluma Blvd. North. Required discretionary Planning entitlements would include General Plan and Zoning Map Amendments, Planning Unit Development (P.U.D.) approval, and Site Plan and Architectural Review (SPAR). Depending on the project's timeline, these entitlements may be presented for public review in two phases, with the amendments and P.U.D presented in Phase 1 and SPAR presented in Phase 2.

## **BACKGROUND**

### **Project Location and Context**

The project would be proposed on a ±4.19-acre parcel located on the west side of Petaluma Blvd. North, near the intersection of Sycamore Lane, Shasta Avenue, and Petaluma Blvd North. The project site is immediately adjacent to fully tenanted one- and two-story commercial buildings and a large single-family attached residential development. In the immediate vicinity are commercial retail and service uses such as auto body shops, a kitchen and bath showroom, restaurants & cafes, and Lucky's grocery store, as well as Burbank Housing's Logan Place multi-family affordable housing development, which is located directly across the Boulevard.

Existing site development includes an 18,468-square-foot corrugated metal industrial primary building and several accessory buildings surrounded by surface parking or driveways. The site's interior is sparsely vegetated, with various trees located along the perimeter, including oak trees. The partially paved front parking lot and entry are also planted with palm trees. The scope of the project would include 100% redevelopment of the site. An arborist report, a Phase 1 environmental site assessment, an air quality and health risk assessment, a greenhouse gas assessment, a biological resource, a historic resource, and a geotechnical report would be required for Phase 1 entitlements. Figures 1, 2, and 3 below reflect the site's existing conditions.

**Figure 1: Bird's Eye View**



*Source: Google Image Capture 2024*

**Figure 2: Petaluma Blvd N. Street View**



*Source: Google Image Capture March 2023*

**Figure 3: Project Site Context Map**



*Source: Pre-Application Materials*

The site is also located within the ***Petaluma Blvd. North*** Planning Sub Area south of Cinnabar Avenue. This sub-area is envisioned with fairly high intensities to create a bustling urban corridor and act as a transition from the northern rural section of Petaluma Blvd. N. to Downtown.

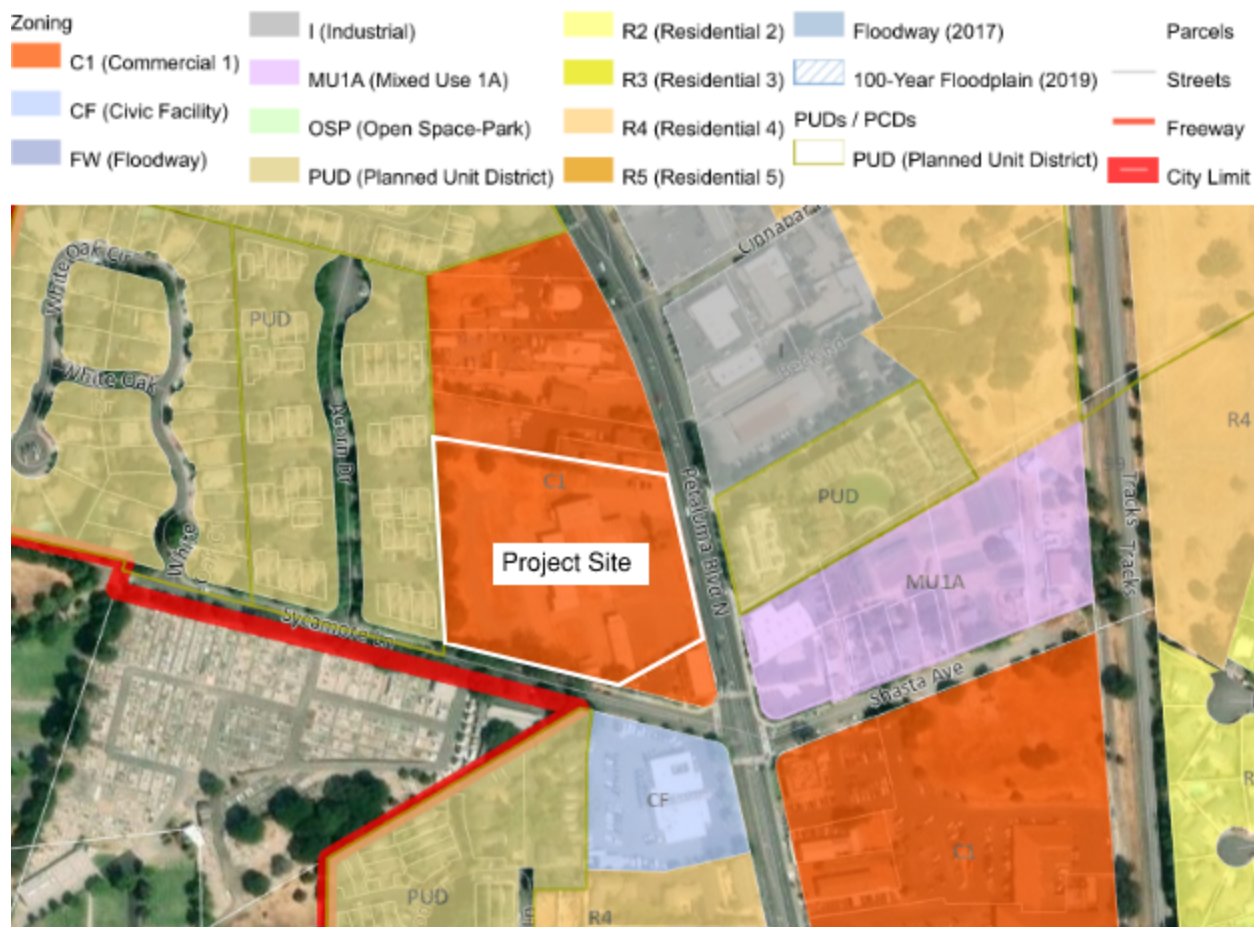
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As illustrated in Figure 5 below, the project site is zoned *C1* and is immediately adjacent to commercial sites also zoned *C1* to the north and south. Acorn Terrace, a P.U.D. residential development to the west; Logan Place, a P.U.D. multi-family residential development across

Petaluma Blvd N. to the east; and Magnolia Hills, a P.U.D. townhouse development located across Sycamore Ave. complete the existing development pattern in the surrounding areas. The nearby P.U.D.s have a General Plan Land Use Designation of either **High Density Residential** or **Mixed-Use**. The purpose of a P.U.D. is to “allow inclusion within its boundaries a mixture of uses, or unusual density, building intensity, or design characteristics which would not be permitted in a single-use district.” The presence of other P.U.D.s in the area highlights and emphasizes the unusual density, intensity, and design characteristics, illustrating how the proposed P.U.D. aligns with existing land development patterns. Likewise, the zoning districts along Petaluma Blvd N. and immediately beyond are diverse in their allowed land use and development potential.

Nearby land uses include Civic Facilities (Petaluma Police Department), Calvary Catholic Cemetery (Sonoma County), Mixed Use 1A, Industrial, and C1 zoned Town and Country Shopping Center.

**Figure 5: Zoning District**



Source: City GIS, May 9, 2024

## Site History

The following timeline chronicles the entitlements and uses at the subject property:

- 1987: Eagle Towing receives approval of a conditional use permit (CUP) from the Petaluma Planning Commission for “vehicle storage” use on a 17,800-sf. area in the southwest portion of the site.
- 1996 - 2010: Hansel RV Center maintained a business license for a recreational vehicle (RV) sales and parts store.
- 1998: A&M Towing requests a CUP for open storage of towed vehicles in the southwest corner of the subject site. This application was withdrawn.
- 2008: The City of Petaluma changed the site's zoning from Highway Commercial to C1.
- 2010 - 2021: Marine Unlimited uses the building and site to operate a business described as “boat sales, RV and boat storage, service, sales, repair,” and a “mega dealer of Ranger boats.”
- The site is currently vacant, with Marine Unlimited no longer in operation.

## Proposed Land Use and Development Activity

Continuing Care Retirement Communities (CCRCs) and Residential Care Facilities for the Elderly (RCFEs) serve different purposes and cater to different levels of care for seniors. Continuing Care Retirement Communities (CCRCs) offer persons 60 years of age or older a long-term continuing care contract that provides for independent living units, residential care/assisted living services, and skilled nursing care, usually in one location and usually for a resident’s lifetime. As proposed, the CCRC appears to offer services to residents consistent with the State of California Department of Social Services (CDSS) requirements for eventual licensing as a Residential Care Facility for the Elderly (RCFE), including but not limited to (a) licensed nursing staff, (b) housekeeping and laundry service, (c) transportation and activities, and (d) meals service. Pursuant to information provided by the California Department of Social Services (CDSS), the Community Care Licensing District Office will issue a Residential Care Facility for the Elderly (RCFE) License following the construction of the CCRC facility and after meeting all licensing requirements.

Based upon the project description, and after receiving the required licensing, the proposed land use would be categorized as a Residential Care for the Elderly (RCFE) land use, which is defined in the IZO as follows:

**Residential Care Facilities for the Elderly (RCFE).** Provide care, supervision, and assistance with activities of daily living, such as bathing and grooming. They may also provide incidental medical services under special care plans.

The facilities provide services to persons 60 years of age and over and persons under 60 with compatible needs. RCFEs may also be known as assisted living facilities, retirement homes and board and care homes. The facilities can range in size from six beds or less to over 100 beds. The residents in these facilities require

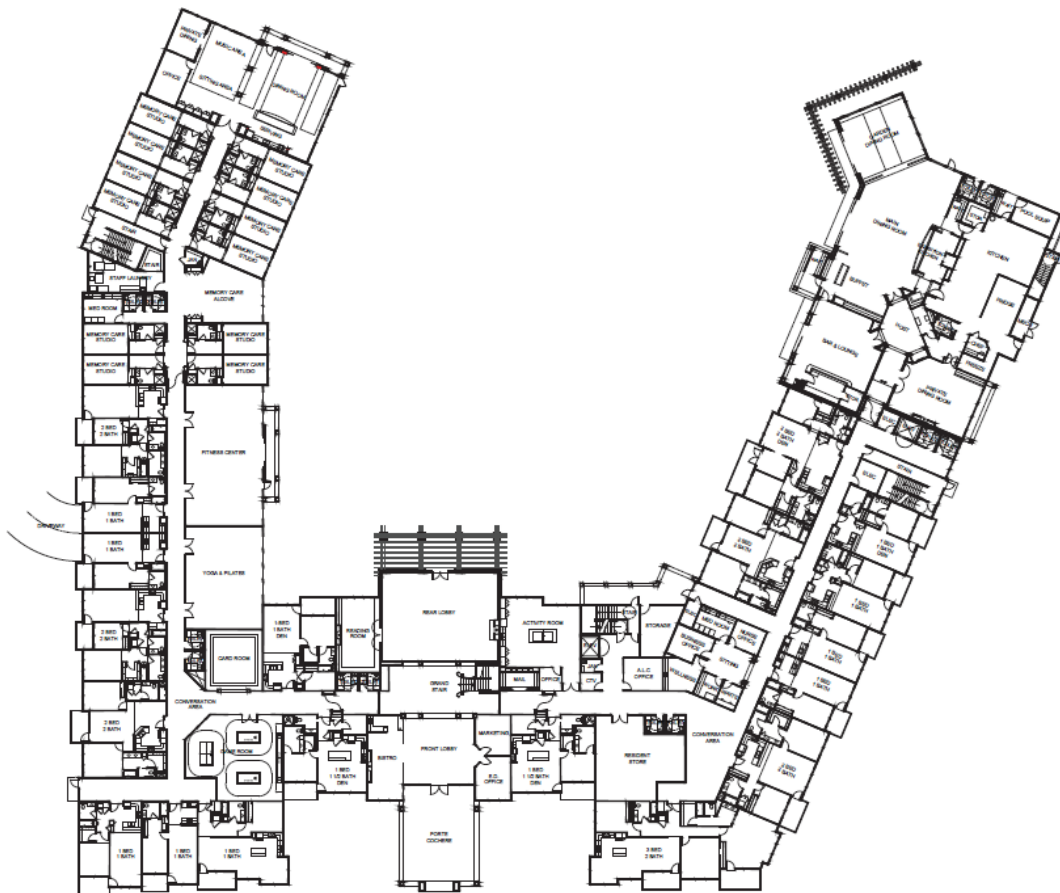
varying levels of personal care and protective supervision. Because of the wide range of services offered by RCFEs, consumers should look closely at the programs of each facility to see if the services will meet their needs.

As a part of Gallaher Senior Living's due diligence, their conceptual proposal is being presented as a study session to solicit feedback from the Planning Commission and members of the public. Feedback and comments are non-binding, as no formal application has been submitted. The Planning Commission will take no action at tonight's meeting.

### Conceptual Development Proposal

The project would include 120 residential units, consisting of 1-bedroom, 2-bedroom, and 2-bedroom + den configurations, varying in size from 600 to 1,800 square feet, and 12 memory care studios. **(Figure 6)** The residential units would be housed within a 4-story main building, providing assisted living services including, but not limited to, full-time nurse care, meal services, fitness programs, and care plans. The proposed development would achieve a floor-area ratio (FAR) of 1.26, with a maximum building height of 51'-4.5" and 31.95% lot coverage.

**Figure 6: First Floor Plan**



*Source: Pre-Application Materials*

A porte cochère courtyard is proposed to provide access for residence drop-off and pick-up from Petaluma Blvd North. Additional access to an uncovered parking lot with fire turnaround to the rear of the project and a secure underground car park for residents is proposed from Sycamore Lane.

The conceptual design includes various outdoor amenities clustered behind the street fronting facade, including sports courts, bocce, gardens, pool, spa, pond, walkways, and outdoor setting and eating areas. On-site pathways are connected to the public sidewalks on Petaluma Blvd N. and Sycamore Lane (see **Figures 7a and 7b** below).

**Figure 7a: Site Plan**



*Source: Pre-Application Materials*

**Figure 7b: Conceptual Front Elevation**



*Source: Pre-Application Materials*

## **DISCUSSION**

### **General Plan**

The proposed project involves a single four-story building with an anticipated FAR of 1.26, which exceeds the maximum FAR allowed for the NC designation. Therefore, a General Plan Amendment would be required to change the land use designation from Neighborhood Commercial (NC) to Mixed Use (MU), which permits a FAR of up to 2.0.

During the Planning Commission meeting held on April 9, 2024, various land use alternatives were introduced for the Petaluma Blvd N. corridor and the Lucky's & Magnolia "Town Center." The ideas discussed, which will be presented to the public, include intensifying land use, establishing 15-minute centers, and considering economic factors.

Based on the arrangement of and relationships between existing land use designations along and adjacent to the Petaluma Blvd. North corridor and the recently released General Plan Land Use Alternatives for the Lucky's & Magnolia "Town Center," staff anticipates that it would be able to make findings to support the change of the site's land use designation to MU and the corresponding required rezoning.

According to the 2023-2031 Housing Element, in 2019, there were almost 10,673 city residents aged 65 years or older and 2,534 (23.7%) 65 years or older with a disability. The Housing Element notes that efforts are needed to help seniors maintain independent lifestyles, and there is a need for congregate or group housing that provides small individual units without kitchens or with minimal provision for cooking, and some common facilities and services, including shared arrangements for meals and housekeeping services when independent living becomes difficult. (Housing Element p. A-22)

For purposes of calculating the number of housing units developed toward meeting the Regional Housing Needs Allocation (RHNA), CA Department of Housing and Community Development relies on the US census definition of a housing unit. The US Census defines Housing Units as follows:

*A housing unit is a house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants do not live and eat with other persons in the structure and which have direct access from the outside of the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible. If the information cannot be obtained, the criteria are applied to the previous occupants. Tents and boats are excluded if vacant, used for business, or used for extra sleeping space or vacations. Vacant seasonal/migratory mobile homes are included in the count of vacant seasonal/migratory housing units. Living quarters of the following types are excluded from the housing unit inventory: Dormitories, bunkhouses, and barracks; quarters in predominantly transient hotels, motels, and the like, except those*

*occupied by persons who consider the hotel their usual place of residence; quarters in institutions, general hospitals, and military installations except those occupied by staff members or resident employees who have separate living arrangements.*

As described in the project narrative and is typical for Residential Care Facilities for the Elderly, the development will have staff on-site 24/7. The project includes multiple floor plan types with 120 units intended for independent living that meet the definition of “housing unit” and 12 rooms intended for individuals in need of greater care (memory care studio) do not meet the definition of “housing unit.”

The programs and policies of the Housing Element to consider in determining the appropriateness of the conceptual proposal are listed below.

**Policy 1.1** Promote residential development within the Urban Growth Boundary, especially near transit and services and areas of high resource, as defined under Affirmatively Furthering Fair Housing legislation.

**Policy 5.4** Promote the construction and maintenance of housing for the elderly and provide housing choices to allow older residents to age in place.

**Policy 5.5** Promote the development of housing that is designed to accommodate the needs of persons with disabilities, including supportive housing with on- or off-site services.

**Policy 6.2** Promote housing mobility by expanding housing choices and increasing housing opportunities in high resource areas.

**Policy 6.4** Promote the integration of affordable and special needs housing projects in existing neighborhoods.

Programs and policies of other elements of the 2025 General Plan to consider are listed below.

**Policy 1-P-1** Promote a range of land uses at densities and intensities to serve the community needs within the Urban Growth Boundary (UGB).

**Policy 1-P-2** Use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.

**Policy 1-P-7** Encourage flexibility in building form and in the nature of activities to allow for innovation and the ability to change over time.

**Policy 2-P-53** Permit a mix of uses, with high intensities to create the ambiance of a bustling urban corridor.

### **Implementing Zoning Ordinance**

As conceptually proposed, the project does not comply with the quantitative development standards of the C1 zone for ground-floor use, floor area ratio, and building height or the quantitative development standards of the MU1A zone for ground-floor street-fronting use and building height.

Tables 1 and 2 summarize the development standards for the C1 and MU1A zones, respectively. As conceptually proposed, the project does not comply with the Mixed Use 1A (MU1A) zoning district standards for ground-floor street fronting use or building height, as noted in Table 2.

**Table 1: C1 Zoning District Standards**

| <b>Regulation</b>   | <b>Code Criteria</b>  | <b>Conceptual Proposal</b>                | <b>Compliance Status</b>                       |
|---------------------|---|---|--|
| Land Use            |   |   |  |
| RCFE                | CUP required and allowed only on floors above ground floor  | Proposed on all floors                    | <b>Noncompliant at ground floor</b>            |
| Setbacks            |   |   |  |
| Front               | 0 ft  | >0 ft                                     | Compliant                                      |
| Side - interior     | 0 ft  | >0 ft                                     | Compliant                                      |
| Side - Street       | 0 ft  | >0 ft                                     | Compliant                                      |
| Rear                | 48 ft (15 ft + 1ft for each foot of building height >20 ft) | ~130 ft                                   | Compliant                                      |
| FAR – max.          | 0.8   | 1.26                                      | <b>Noncompliant</b>                            |
| Height limit – max. | 30 ft   | ~54 ft                                    | <b>Noncompliant</b>                            |
| Open Space          | n/a   | n/a                                       | Compliant                                      |
| Parking             | Determined by Zoning Administrator                          | 30 open space + unspecified garage spaces | To be determined based on parking demand study |

**Table 2: MU1A Zoning District Standards**

| <b>Regulation</b> | <b>Code Criteria</b>   | <b>Conceptual Proposal</b>                                 | <b>Compliance Status</b>            |
|-------------------|--|--|-------------------------------------|
| Land Use          |  |  |                                     |
| RCFE              | CUP required and allowed only on an upper floor or behind a ground floor street fronting use | Proposed on all floors including ground floor street front | <b>Noncompliant at ground floor</b> |
| Setbacks          |  |  |                                     |
| Front             | 0 ft   | >0 ft  | Compliant                           |
| Side - interior   | 0 ft   | >0 ft  | Compliant                           |
| Side - Street     | 0 ft   | >0 ft  | Compliant                           |
| Rear              | 48 ft (15 ft + 1ft for each foot of building height >20 ft)                                  | ~130 ft  | Compliant                           |
| FAR – max.        | 2.5  | 1.26   | Compliant                           |
| Height limit      | 30 ft  | ~54 ft   | <b>Noncompliant</b>                 |

|            |                                     |   |  |
|------------|-------------------------------------|---|--|
| Open Space | 30 sf/unit (3,960 sf for 132 units) | >3,960 sf                                 | Compliant                                      |
| Parking    | Determined by Zoning Administrator  | 30 open space + unspecified garage spaces | To be determined based on parking demand study |

The establishment of a Planned Unit District (PUD) is a viable option for the site and is recommended by staff. The purpose of a PUD is to “allow inclusion within its boundaries a mixture of uses, or unusual density, building intensity, or design characteristics which would not be permitted in a single-use district.” (IZO section 19.010).

PUDs are legislative acts of the City Council subject to a recommendation of the Planning Commission. Findings for approval of a PUD are set forth in IZO section 19.030 as follows:

- A. That any P.U.D. is proposed on property which has a suitable relationship to one (1) or more thoroughfares, and that said thoroughfares are adequate to carry any additional traffic generated by the development.
- B. That the plan, or modification thereof, for the proposed development presents a unified and organized arrangement of buildings and service facilities which are appropriate in relation to adjacent or nearby properties and that adequate landscaping and/or screening is included if necessary to insure compatibility.
- C. That the natural and scenic qualities of the site are protected, with adequate available public and private spaces designated on the Unit Development Plan.
- D. That the development of the subject property, in the manner proposed by the applicant, will not be detrimental to the public welfare, will be in the best interests of the City, and will be in keeping with the general intent and spirit of the zoning regulations of the City of Petaluma, with the Petaluma General Plan, and with any applicable plans adopted by the City.

Alternatives to establishment of a PUD could include the following:

1. Modifications to the building design to comply with the C1 or MU1A district ground floor use standards and quantitative development standards,
2. Modification to the ground floor use to comply with the C1 or MU1A standards and approval of variances to allow relief from the quantitative development standards, or
3. Amendment of the IZO standards for ground floor uses and development standards in either the C1 or MU1A zones to allow the proposed development.

Staff does not recommend any of these alternatives because the proposed conceptual project is on a relatively large parcel with frontage on a major thoroughfare. This presents the opportunity to develop the site in a manner that is appropriate in relation to existing adjacent uses and to future development patterns envisioned for the area in the pending General Plan update.

Development of the project would also require Site Plan and Architectural Review per Chapter 24.050 of the IZO. The qualitative standards of Site Plan and Architectural Review are:

- a. The architectural style is appropriate for the project, and compatible with the character of the neighborhood.
- b. The siting of the structures on the property is appropriate for the site and as compared to the siting of other structures in the neighborhood.
- c. The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures is in accordance with all applicable requirements of this Zoning Ordinance and appropriate for the site and compatible with the character of the neighborhood.
- d. The bulk, height, and color of any proposed structure is appropriate for the site and as compared to the bulk, height, and color of other structures in the neighborhood.
- e. Landscaping in accordance with applicable City standards and that is appropriate for the site and compatible with the character of the neighborhood will be provided on the site. Existing trees shall be preserved wherever possible, and shall not be removed unless approved by the Planning Commission.
- f. Ingress, egress, internal circulation for bicycles and automobiles, off-street automobile and bicycle parking facilities and pedestrian ways are designed so as to promote safety and convenience and conform to applicable City standards. Any plans pertaining to pedestrian, bicycle, or automobile circulation have been routed to the Pedestrian and Bicycle Advisory Committee for review and approval or recommendation.
- g. The design is of good character and has been prepared by a professional designer, such as an architect, landscape architect or other practicing urban designer or person with equivalent skill and qualifications.
- h. The application and the project for which it seeks approval are exempt from the California Environmental Quality Act (CEQA), or the environmental impacts of the project, are avoided, or are mitigated by conditions imposed by the reviewing authority so as to be less than significant or are approved based on overriding considerations in accordance with all applicable CEQA requirements.
- i. The proposed project conforms with the applicable requirements of the Zoning Ordinance and General Plan.

At the staff's request, the applicant provided images of other Petaluma projects to illustrate the existing context of the project, which could provide design cues and inspiration for the 1221 Petaluma Boulevard North site. These images are included as Figures 8-11 on the following pages.

**Figure 8: Logan Place at 1200 Petaluma Blvd N.**



**Figure 9: MidPen Affordable Housing at 414 Petaluma Blvd N.**



**Figure 10: Quality Printing Services at 90 Sycamore Lane**



**Figure 11: La Via Apartments at 350 Water Street**



## **Public Outreach**

Notice of this Planning Commission item was posted in compliance with the Brown Act, and in an effort to solicit initial public comments, public notice of this item was mailed to property owners and tenants within 1,000 feet of the project site, published in the Argus and posted to the project site on May 10, 2024.

If a formal application is submitted, a neighborhood meeting will be required prior to a Planning Commission hearing, and public notice in compliance with the Brown Act and local noticing requirements will be provided.

## **Public Comments**

As of the publishing of this staff report, three comments have been received. One comment was in support of the project. Other comments opposed the project, citing concerns about traffic, noise, pollution, water usage, and street parking.

## **Input and Feedback Request**

The Planning Commission is invited to offer non-binding comments about the following items, as well as any other input and feedback that Commissioners feel would support further conceptual design of the project:

1. General Plan Amendment to change land use from Neighborhood Commercial (NC) to Mixed Use (MU) as a separate action and within the context of proposed land use alternatives to be included in the General Plan Update.
2. Zoning Amendment to change from Commercial 1 (C1) to Planned Unit Development (P.U.D.)
3. It is appropriate to locate Residential Care Facility for the Elderly support functions, including administration, kitchen, and dining facilities, in the ground-floor street frontage spaces of the RCFE.
4. Site design and development characteristics:
  - a. Is the building massing appropriate?
  - b. Are the porte-cochere and the large front yard setback to accommodate the vehicular turnaround along the PBN frontage appropriate?
5. Connecting the project to the Petaluma community:
  - a. Programming that brings community members into the project (such as including a small-scale theatre with movie nights open to the public, establishing opportunities for inter-generational activities with pre-school and school-aged children);
  - b. Opportunities for residents of the project to engage off-site in the community; and
  - c. Project design that encourages and facilitates pedestrian access to nearby uses.
6. Including the adjacent property at the northwest corner of PBN and Sycamore Lane in the General Plan land use amendment from Commercial to Mixed-use.

## **CASE STUDIES**

There are no case studies associated with this project.

## **ENVIRONMENTAL REVIEW**

No action is proposed at this time; therefore, this item is not a project as defined by the California Environmental Quality Act (CEQA), 14 California Code of Regulations Section, 15378, and is not subject to CEQA requirements for environmental review.

If a project application for an RCFE is submitted, the City will determine the appropriate level of environmental review that may be necessary under the California Environmental Quality Act.

## **CITYWIDE GOALS & PRIORITIES**

Based upon the information presented in this staff report, the proposed project would be consistent with and implement Citywide goals and priorities contained in the City of Petaluma General Plan 2025. In addition to the project's consistency with adopted policy documents, the project would also implement the following Citywide Goals and Priorities:

- Item 100 – Increase efforts to help seniors remain engaged, active and independent.
- Item 103 – Prioritize and incentivize sustainable infill development.

## **FURTHER RECOMMENDATION**

No further recommendations are made beyond those provided in the RECOMMENDATIONS section of this staff report.

## **ATTACHMENTS**

Attachment 1 Project Narrative

Attachment 2 Conceptual Project Plans

Attachment 3 Public comments received thru May 16, 2024