

**RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION
APPROVING SITE PLAN AND ARCHITECTURAL REVIEW
WITH ASSOCIATED WARRANTS
FOR THE HAYSTACK PACIFICA MIXED-USE PROJECT**

Located At 215 Weller, East Washington, Copeland, East D Streets

**APNs 007-143-003, 004, 007, 014, and 015
File No. PLMA-16-0001**

WHEREAS, Pacifica Companies filed an application requesting Site Plan and Architectural Review with associated Warrant request for approval for the Project summarized as follows:

- a) Approval of Site Plan and Architectural Review for the construction of 178 total dwelling units, approximately 24,855 square feet for commercial use (e.g., commercial, restaurant, office), and additional tenant amenity areas (e.g., bike storage and repair room, small craft storage room, mail rooms, etc.), leasing and utility areas, interior-lot two-story parking garages capped by resident courtyards, as well as first floor residential courtyards and public pocket plazas; the construction of a new transverse street within the boundaries of the project site, adding a connection from Copeland to Weller Streets; and associated on- and off-site improvements including wide sidewalks, street trees, and bike lanes; and
- b) In accordance with Central Petaluma Specific Plan, SmartCode §8.10.020(H), Warrant approval to allow: (1) modification of the Courtyard Building Type standards in the following ways: (a) each of the transverse street fronting courtyards to exceed the 50 foot maximum width, being instead 54.5 and 73 feet wide (SmartCode §4.80.130(I)); (b) four of the 15 ground-floor courtyard-facing units to not have a main entry door directly off the courtyard or street (SmartCode §4.80.130(F)); (c) the perceived south block (Courtyard B) lot depth to exceed 100 feet to accommodate the allowed 108 foot depth of the courtyard (SmartCode §4.80.130(B & I)); (d) modification of the Dooryard Private Frontage standards as applied to the midblock section of the transverse street to accommodate the raised courtyard design (SmartCode §4.40.090); and (2) modification of the Stoop Private Frontage standard permitting placement of 7 of the 8 Copeland Street-facing stoop entry doors to be perpendicular to, rather than facing, the street (SmartCode §4.40.070(C)).

WHEREAS, the Project is located at 215 Weller Street, bounded by East Washington, Copeland, East D, and Weller Streets (but excluding 15 Copeland/APN 007-143-008) within the Urban Center (T5), Urban Core (T6), and Urban Core-Open (T6-0) Zones at Assessor's Parcel Numbers 007-143-003, 004, 007, 014, and 015; and

WHEREAS, the project proposes to provide 27 on-site multi-family unit affordable units (15% of the total units); and

WHEREAS, the City prepared a California Environmental Quality Act (CEQA) Analysis (Attachment B of the Staff Report) which evaluates environmental impacts from the proposed

Haystack Mixed-Use Project. The CEQA Analysis was prepared pursuant to California Public Resources Code Section 21083.3 (Community Plan Exemption (15183)), Government Code Section 65457(a), and with CEQA Guidelines Sections 15168 (Consistency with Program EIRs) and 15332 (Infill Development Projects) and found the project exempt from further CEQA review. Exhibit 1 of this Resolution incorporates those conditions identified through the CEQA Analysis to ensure implementation of applicable mitigation measures and policies set forth in the CPSP and its EIR and in the General Plan and its EIR; and

WHEREAS, prior to acting on this Site Plan and Architectural Review application, public notice was published in the *Petaluma Argus-Courier*, mailed to residents and occupants within 1000 feet of the Project site, and posted on the site in compliance with state and local law; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on May 28, 2019, at which time all interested parties had the opportunity to be heard; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PETALUMA AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. Based on its review of the entire record herein, the Planning Commission makes the following findings:

General Plan

The Project is, as conditioned, consistent with the Petaluma General Plan, as follows:

Land Use Map

The Project includes residential and non-residential land uses proposed at a location designated Mixed Use by the General Plan Land Use Map. The Mixed Use designation requires, in relevant part, “a robust combination of uses, including retail, residential, service commercial, and/or offices. Development is oriented toward the pedestrian, with parking provided, to the extent possible, in larger common areas or garages.”

Consistency Analysis: The Project includes both residential and non-residential land uses within an urban building oriented to pedestrians through shallow setbacks at abutting public streets and includes off-street parking within two common garages located at the interior of the blocks. The Project includes 24,855 square feet of ground-level commercial areas, particularly at the seven corners of the project, two of which shall be provided with restaurant infrastructure, and three ground floor live/work spaces, along with ground-floor and upper level residential units, which together has the potential to further enhance the existing mix of uses of the immediate area. For these reasons, the Project is consistent with the Mixed-Use designation.

Goal 1-G-1: Land Use: “Maintain a balanced land use program that meets the long-term residential, employment, retail, institutional, education, recreation, and open space needs of the community.”

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

Policy 1-P-6: Encourage mixed-use development, which includes opportunities for increased transit access.

Policy 1-P-11: Allow land use intensification at strategic locations along the arterial corridors leading to Downtown and Central Petaluma, including aging commercial and industrial sites.

Policy 1-P-12: Encourage reuse of under-utilized sites along East Washington Street and Petaluma Boulevard as multi-use residential/commercial corridors, allowing ground-floor retail and residential and/or commercial/office uses on upper floors.

Consistency Analysis: The project would demolish one warehouse building of approximately 5,700 total square feet on the largely undeveloped 4.1 gross acre site, and construct 178 new residential dwellings and 24,855 square feet of commercial area (approximately 342,800 square feet of total floor area) within 25 sub-buildings arranged around two urban blocks, which will be three and four stories in height. Surrounding properties include undeveloped land and commercial and industrial buildings one to two stories in height and, thus, of a significantly lower intensity.

The proposed project is a mixed-use infill development on a key opportunity site immediately adjacent to transit and at an intensity and density higher than other properties in the immediate vicinity. The project includes a mix of uses with key infrastructure improvements including construction of the transverse street, installation of tree-lined wide sidewalks, and bike facilities (as discussed at Goal 5-G-5 below) to enhance access to the SMART train station and the transit transfer station on Copeland. Additionally, the project provides improvements to further enhance and connect bike and pedestrian facilities to the larger network. The project has been designed with a density and intensity that is appropriate under the property's General Plan designation and to capture the development opportunity of this site given its key location in the downtown area and along arterial corridors.

For the above-stated reasons, the project is consistent with Policy 1-P-2, 1-P-6 and 1-P-11.

Goal 1-G-5: Petaluma River: "Develop land uses in proximity to the Petaluma River that ensure the restoration of the natural River corridor, provide for adequate storm flow capacities, and enable public access and stewardship."

Policy 1-P-43: Development shall incorporate the River as a major design focal point, orienting buildings and activities toward the River and providing water access, to the extent deemed feasible.

Policy 1-P-44: Develop the Petaluma River as a publicly accessible green ribbon,

fronted by streets, paths, access points, and open spaces.

Consistency Analysis: Recognizing the Project's location across Weller Street from Cavanaugh Landing's Petaluma River access and docks, the Project was designed to emphasize that connection by siting a pocket plaza opposite Cavanaugh Landing and linking the two areas together via a mid-block crosswalk with a rectangular rapid flashing beacon. The landscaping and public amenity added by the Weller Street pocket plaza will help to highlight Cavanaugh Landing and increase its potential as a gathering area. The Project design also includes a ground-level commercial space that includes café infrastructure fronting the Weller St pocket plaza, and a commercial space fronting the mid-block crosswalk. A small craft/kayak storage room, for use by residents, located near the mid-block crosswalk will give residents a proximate place to store their equipment and increase river use.

Goal 2-G-1: City Form and Identity: "Preserve Petaluma's setting as an urban place surrounded largely by rural land uses and densities, agriculture and open space."

Policy 2-P-1: As depicted on the Land Use Map allow for urban development at defined densities and intensities to prevent the need to extend outward beyond the Urban Growth Boundary.

Policy 2-P-5: Strengthen the visual and aesthetic character of major arterial corridors.

Consistency Analysis: The Project is located within the Central Petaluma Specific Plan (CPSP) boundary, and, pursuant to General Plan Page 1-7, densities and floor-area-ratio (FAR) shall be undertaken in accordance with the CPSP. The CPSP regulates density and FAR indirectly through building height, mass and bulk development standards embodied in Appendix A (SmartCode). As proposed, the Project is substantially consistent with those development standards.

The project contains undeveloped lands along East Washington and East D Streets, between downtown and the SMART station. The project will redevelop this void in the urban fabric, strengthening the visual and aesthetic character of the corridors with articulated buildings, at a density and intensity appropriate under the property's General Plan designation, set close to the sidewalks and oriented to the street. As a result, the Project furthers the subject policies.

GOAL 3-G-1: Historic Preservation: Identify, recognize and protect Petaluma's unique and irreplaceable cultural heritage through the implementation of policies and programs that maintain the character and identity of the community, enhance the quality of the built environment, encourage awareness and appreciation for its history and culture, and contribute to its economic vitality. Ensure that future plans, ordinances, and City programs are complimentary to the historic preservation goals and policies contained within this plan.

Policy 3-P-5: The protection of historic resources shall be a key consideration and an equal component in the development review process.

Consistency Analysis: The site currently contains one existing circa 1953 simple warehouse building which will be demolished as part of the subject project. The Project will develop around a circa 1949 simple warehouse building (APN 007-149-008, not part of the Project). Neither structure was determined to meet the criteria for listing as a historic resource (see Attachment B, CEQA Analysis).

The nearest identified historic resource is the Burns-Farrell House (a 1903 Queen Anne) located at 222 Weller Street, which was relocated to its current location from 500 E Washington Street and listed as City Historic Landmark No. 3. The P&SR Ticket Office & Depot relocated to 226 Weller Street (relocated from the project site along East Washington Street in the 1990's) and the circa 1938 warehouse structure addressed as 224 Weller Street are potential resources. All three are located a sufficient distance and across Weller Street from the proposed Haystack Mixed-Use Project site such that no direct or indirect impacts are anticipated. For these reasons, the project is consistent with Policy 3-P-5.

GOAL 4-G-3: Air Quality: Improve air quality and meet all Federal and State ambient air quality standards and goals by reducing the generation of air pollutants from stationary and mobile sources.

Policy 4-P-9: Require a percentage of parking spaces in large parking lots or garages to provide electrical vehicle charging facilities.

Consistency Analysis: As provided at the Greenhouse Gases condition, which the CEQA Analysis applied to ensure implementation of applicable mitigation measures and policies set forth in the CPSP and its EIR and the General Plan and its EIR, the Project would comply with the California Green Building Standards Code mandatory requirements and, in accordance with Policy 4-P-9, include electrical vehicle charging stations in at least 1% of the total on-site parking spaces and capability to support future electric vehicle supply equipment in at least 3% of the total spaces. Also, as specified by the Conditions of Approval, the applicant proposes to exceed the requirements of Mitigation Measure GHG-1 by installing a total of 9 electric vehicle charging stations (rather than 3). For these reasons, the Project is consistent with Policy 4-P-9.

GOAL 4-G-4: Energy: Reduce reliance on non-renewable energy sources in existing and new development.

Policy 4-P-20: Continue to participate in undergrounding of public utility lines; whenever appropriate, require conversion of overhead lines to underground in conjunction with public and private projects.

Consistency Analysis: The Project site includes overhead utility lines within its boundaries. Pursuant to Condition of Approval No. 46, on-site and adjacent overhead utility lines (excluding those high-voltage lines along East D Street) will be placed underground, as required by Policy 4-G-4.

GOAL 5-G-1: Mobility Framework: To improve Petaluma's mobility system to increase efficiency for all modes of travel.

Policy 5-P-1: Develop an interconnected mobility system that allows travel on multiple routes by multiple modes.

Policy 5-P-4: New development and/or major expansion or change of use may require construction of off-site mobility improvements to complete appropriate links in the network necessary for connecting the proposed development with existing neighborhoods and land uses.

Policy 5-P-6: Ensure new streets are connected into the existing street system and encourage a grid-based network of streets.

Consistency Analysis: As proposed, the Project fulfills the circulation improvement requirements of the General Plan, Central Petaluma Specific Plan, and Station Area Master Plan. The Project proposes construction and dedication of the transverse street providing another connection between Weller and Copeland Street as well as dedication and reconstruction of all the abutting public streets as specified by the cross sections specified by the SmartCode. Therefore, for the reasons stated above, the proposed project is consistent with the circulation policies of the General Plan, CPSP, and SAMP.

GOAL 5-G-5: Bicycle and Pedestrian Improvements: Create and maintain a safe, comprehensive and integrated bicycle and pedestrian system throughout Petaluma that encourages bicycling and walking and is accessible to all. Implement General Plan Figure 5-2: Proposed and Existing Bicycle Facilities which (mirrors the Pedestrian and Bicycle Plan and) shows the planned addition of both Class II and Class III facilities around the project site.

Policy 5-P-15: Implement the bikeway system as outlined in the Bicycle and Pedestrian Plan, and expand and improve the bikeway system wherever the opportunity arises.

Policy 5-P-20: Ensure that new development provides connections to and does not interfere with existing and proposed bicycle facilities.

Consistency Analysis: As proposed, the Project would construct the specified Class III bike lane on Copeland Street and the Class II on East D Street. Development of the proposed Project also accommodates the future implementation of the Class III on East Washington. Based on recommendations by the Pedestrian and Bicycle Advisory Committee (PBAC), the Traffic Impact Study, and the City Engineer, the project will install a protected Class IV bike lane on the project frontage of East D Street rather than the Class II lane, as well as install Class III facilities on Weller Street and the transverse street.

GOAL 5-G-6: Public Transit: Promote the expansion of the transit system and the intensification of use by the public.

Policy 5-P-43: Support efforts for transit-oriented development around the Petaluma Depot and along the Washington Street, Petaluma Boulevard, McDowell Boulevard, Lakeville Street, and other transit corridors.

Consistency Analysis: The Project is located across the street from the Copeland Street transit center and near the SMART Station. The Project proposes additional commercial square footage, residential units, and enhancement of the linkages between the SMART Station/transit center and the downtown, all of which are anticipated to lead to the intensification of public transit use by the public and by residents and users of the Haystack Pacifica site.

Housing Element Goal 1: Housing Supply: “Provide adequate residential development opportunities to accommodate projected residential growth and facilitate mobility within the ownership and rental markets.”

Policy 1.1: Promote residential development within the Urban Growth Boundary.

Programs 1.1: Utilize sites within the UGB to accommodate anticipated long-term residential growth.

Policy 1.2: Encourage the development of housing on underutilized land that is appropriately zoned.

Program 1.2: Utilize the Central Petaluma Specific Plan to facilitate the development of vacant and underutilized land at the heart of the City.

Consistency Analysis: The project is located within the Urban Growth Boundary (UGB), within the CPSP, and on property that is underutilized, and is zoned for urban development of significant residential density and building intensity. The project proposes a mix of residential unit types including studios and 1, 2, and 3-bedroom units ranging in size from 574 square feet to 1,338 square feet, as well as three live-work units ranging in size from 1,057 and 1,724 square feet. The SmartCode has created a reduced parking requirement for this central site as compared to suburban locations, and the Project complies with the SmartCode parking requirements. The project includes construction of 27 affordable residential units on-site, 15% of the total 178 project units, consistent with IZO Section 3.040 and implementing Housing Element Policy 4.3. For these reasons, the Project is consistent with the aforementioned Housing Element policies.

Central Petaluma Specific Plan

CPSP Policies

The Project is within the Turning Basin East sub-area of the CPSP and is, as conditioned, consistent with the Central Petaluma Specific Plan Turning Basin East Land Use policies, as follows:

Objective 2: Create an intense mixed-use district oriented to the river and the proposed

transit station. To this end, the plan calls for a mixture of retail, office, residential, and transit uses developed at higher densities in order to promote a lively pedestrian and transit environment. It is envisioned that the Petaluma riverfront will become a significant public activity center ... and the car will not be seen as a necessity.

Policy 2.1: Create an active, publicly oriented commercial center at the riverfront.

Policy 2.5: Encourage residential development on upper floors of commercial buildings”.

Policy 2.6: Provide for the development of structured parking facilities hidden by ground floor uses, to create an intense pedestrian oriented district.

Consistency Analysis: While not located directly on the River, the project creates an active development with ground floor commercial uses at strategic locations and residential on the upper floors. The project creates wide sidewalks and implements the transverse street mid-block connection to provide a welcoming pedestrian-scaled access between the riverfront and ultimately the SMART Train Station. Additionally, public plaza amenities proposed on Weller Street will provide connection between the commercial areas of the development and existing Cavanaugh Park, the City’s floating docks, and the future boat rental facility in the Turning Basin. The project design provides onsite parking in two-level parking garages at the center of each block and buildings that wrap around the perimeter of the block to screen the parking and create a strong urban edge along the street frontages with ground floor commercial uses and pedestrian scale features and amenities.

CPSP: Architectural Guidelines (Appendix B)

For purposes of the CPSP Architectural Guidelines, the Project is within the areas 3, 6, and 7, and is consistent with the recommended design approach for new projects in these areas, as follows:

Along East Washington Street (Area 3), the following design approach is recommended:

“The Specific Plan envisions this as a gateway boulevard, fronted on both sides of the street with continuous three to six story building built close to the street edge, and with tree-lined and covered sidewalks. New patterns of development are required in this area consistent with the envisioned higher densities and urban character. In developing the project scale... look to patterns present in the Downtown, particularly in the three-story buildings. Buildings should have at least sufficient detail to be evocative of the rhythm (placement) and richness (shape) of forms present on the Downtown buildings, but detailing need not be elaborate. Because this area includes larger parcels with longer street frontages, there is also the possibility of developing wider building facades with have common materials, fenestration and detailing.”

Along East D Street (Area 6):

At the project site, the “Specific Plan envisions continuous building facades at the sidewalk edge.” But noting that the land south of D Street is currently industrial in nature, and that one parcel is designated as River Dependent Industrial, the text states that significant sections of D Street may remain unchanged for some time and that flexibility is key to development along D Street.”

Along for the bulk the of the project site (Area 7),

“So many possibilities exist for buildings of mixed use and densities in this area, that there are few existing Petaluma buildings that provide cues and precedents. Some buildings of comparable scale do exist on Western Avenue, Petaluma Boulevard and Washington Street, and these may prove valuable in establishing patterns of building scale, articulation, light and shadow and relating the new development to exiting context of the Downtown. However, new patterns of development and building form will be required and expected. Developers and designers may look to other cities and resources in creating architectural character in this area. Where feasible, private outside space should be provided for each residential unit. Where residential units are constructed, it is required that landscaped and developed open space for use primarily by residents be provided. This may include gardens, courtyards, terraces, roof gardens, plazas, walks, and other outside amenities.”

Consistency Analysis: In designing the Project the applicant team looked to larger traditional buildings of Petaluma’s downtown to establish patterns and articulation. The resulting design choices create an overall architectural approach that is contemporary with modern interpretation of traditional detailing and architectural style and does not seek to mimic or replicate the surrounding historic fabric found in the area.

The Project fronts both East Washington with four story buildings and East D Streets with three and four-story buildings, built close to the street edge and with tree-lined sidewalks, as recommended. The proposed buildings have detail including articulation, differing roof details, bay windows, awnings, and courtyards, as recommended. Wider building facades are utilized, as acknowledged, but these are broken up to read as narrower building components, evocative of the rhythm of the forms present in the Downtown buildings. As recommended, landscaped outside space is provided for residential users, including courtyards, roof gardens, and pocket plazas.

Station Area Master Plan

The Project is, as conditioned, consistent with the Station Area Master Plan, as follows:

The long-term vision of the downtown SMART station area is that of a walkable extension of the downtown, with limited parking where the majority of the riders arrive by transit, bicycle, walking, or water. To that end,

Page 2-6 states “Within the Downtown Petaluma SMART Station Area, there are

3 catalyst sites (Golden Eagle/River Plaza Shopping Center, the Haystack Parcel, and the SMART parcel) which present the best opportunity for transforming the Station Area, meeting the goals of the General Plan and CPSP, and the community's vision." The SAMP specifically prioritizes development of this city-center site between the SMART station and the downtown.

Page 2-7 continues that the new street required to bisect the Haystack block, will serve as an important piece of the pedestrian connection linking the station, the river-front, and Downtown.

Consistency Analysis: The Project would result in a pedestrian-oriented, mixed-use project developed on this SAMP-identified catalyst site and priority opportunity site and would result in construction of the required transverse street.

SmartCode (Compliance with Standards)

- A. Thoroughfare Regulating Plan: The Project proposes each of the thoroughfares as specified by the Thoroughfare Regulating Plan. The project is proposed to dedicate 0.57 acres of it 4.1 acres to the City, to accommodate the dedications necessary to comply with the specifications of the Thoroughfare Regulating Plan, including 50 feet of right of way (and 10 feet of sidewalk easement) for the required 'new transverse street' bisecting the existing large block into two pedestrian scaled blocks, 11 feet of right-of-way along Copeland Street, and 5 feet of right-of-way along Weller Street. The City finds the five street sections, detailed in the plan set at Sheets C-6 through C-8, to be consistent with the layout detailed in Section 5.10, specifically 5.10.070A (East Washington Street), 5.10.070B (East D Street), 5.10.070C (Copeland Street), 5.10.070H (Weller Street), and 5.10.070I (new transverse street between Weller to Copeland), as conditioned and as discussed in the staff report pursuant to the site context.
- B. Regulating Plan serving as Zoning Map: As proposed, the Project is consistent with the Urban Center (T5) regulation in that it is comprised of higher density mixed-use buildings that accommodate both commercial and residential uses. The project areas with Urban Core (T6) and Urban Core-Open (T6-O) zones are consistent with those two designations as the buildings form a continuous street wall (allowing for articulation of design) and provide the highest pedestrian and transit activity, aided by the Project's close proximity to the Petaluma Downtown SMART Station and the Copeland Street transit center. The project also provides wide sidewalks, steady street tree planting, and buildings set close to the sidewalks and oriented to the street. The proposed buildings, which are 4-stories with lower story components, are within the specified building height range for these zones, which are 2 to 6-stories. The Project complies with the "Corner Element Required" designation noted at the corner of Copeland Street and East Washington Street by designing the building itself to be the corner element. To this end, the building at the corner of East Washington and Copeland Streets was designed to be prominent and articulated with gable roofing details, "L" angle metal trusses at the gable, and balconies resulting in a gracious, covered entry to the Copeland facing commercial space entry. The abutting pocket plaza was also created to emphasize the corner building and its importance; the pocket plaza is also anticipated to enliven the exterior of the corner building.

- C. Table 3.1: Building Function: As proposed, the Project would accommodate the following land uses: Multi-family housing (including uses accessory thereto; e.g., bike shop and storage, small craft/kayak storage, and courtyards), live/work, office, general retail, personal services, and restaurant-café-coffee shop. All of these uses are permitted by right at the project site, pursuant to Table 3.1, except that each live/work use will require a Minor or Conditional Use Permit.
- D. Section 4: Urban Standards: The Project is consistent with the urban standards at SmartCode Chapter 4 as outlined at Attachment C, including Lot Occupation, Build to Line, Setback, Percentage of Building Frontage, Building Placement, Allowed Building Types, Private Frontage, Building Height, Ground Floor Ceiling, Ground Floor Space Depth, Distance between Entries, Parking Location, and Parking Requirement, except as noted below under findings pertaining to Warrants. The project provides the Gallery private frontage type where it is required at the Weller and transverse street corners.
- The Project is also consistent with the other Urban Standards of Section 4, including but not limited to the three pocket plazas being allowed in the transects proposed, and their final review being subject to the Music, Recreation, and Parks Committee. (Findings specific to SmartCode §4.70.030 (Mixed-Use Projects) are provided below.) The project is consistent with §4.70.040 (Building Material Guidelines) including that natural building materials will be used, only true or simulated divided lights will be used, vinyl windows will be used in a manner such that they match the shopfront windows and are minimized on the ground floor, and the Project shall meet the requirements of CALGreen Tier 1.
- E. Section 5: Thoroughfare Standards: As proposed, the Project is consistent with the urban standards at Section 5: Thoroughfare Standards, including but not limited to, those relating to thoroughfare design of Weller Street, East Washington Street, Copeland Street, D Street, and the new transverse street, intersections, public frontages, public planting, and public lighting.
- F. Section 6: Parking Standards: As proposed, the Project conforms to the urban standards at Section 6: Parking Standards pertaining to parking design and development standards as well as bicycle parking. The Project also conforms to parking location standards at SmartCode §6.10.020, as each garage entry is set more than 20 feet behind the primary building façade line.

SmartCode: Warrants

SmartCode §8.10.020 provides for the issuance of either a Warrant or Variance to deviate from requirements of the code. Each type is described, as follows:

“A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Code but is justified by the provisions of the Intent at the beginning of this code.

A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted in accordance with Section 24.050 (Variances) of the Zoning code.” Variances are for deviations from the specifics of the Code in a manner that is not consistent with the Intent

of the SAMP.

While the Project is highly conforming to the SmartCode generally (as outlined above and in the staff report), there are project specifics that do not conform to standards in the SmartCode and therefore necessitate warrants:

SmartCode: Warrant 1 - To allow design modification to the Courtyards fronting the transverse street, consisting of four components:

- a. SmartCode §4.80.130(I) specifies that courtyard width not exceed a 50 foot maximum;
The courtyard on the south side of the transverse street is designed to be 54.5 feet wide and the courtyard on the north to be 73 feet wide.
- b. SmartCode §4.80.130(F) specifies that the main entry of ground floor courtyard units be directly off a courtyard or street;
Four of the 15 ground-floor courtyard-facing units to not have a main entry door directly off the courtyard or street.
- c. SmartCode §4.80.130(B & I) specifies that (perceived) lot depth not exceed 100 feet; and
The south courtyard depth, and therefore the depth of the lot as perceived by public viewing the courtyard building, is 108 feet deep.
- d. SmartCode §4.40.090 details the Dooryard Private Frontage, an allowed and proposed frontage type of mid-block transverse street.
The raised courtyard design of this frontage requires modifications to these standards to accommodate the raised and the communal nature of the proposed residential courtyard.

The Planning Commission finds a Warrant to be the appropriate permit type for deviations relating to specifics in design of the courtyard on each side of the transverse street and also finds that approval is justified since:

1. The courtyard, raised approximately two feet above the public sidewalk level and on each side of the transverse street, provides a common residential open space that functions as a middle ground between the urban public environment and the individual residential units, an area for residents to witness the activity of the street (like a residential front porch).
2. The courtyards also serve a beneficial function to the pedestrian realm, both in greening the transverse street and providing additional texture to the streetscape, and also in that resident use of those courtyards will add liveliness and an increased sense of safety to the streetscape;
3. The wider courtyard dimensions maintain the intended pedestrian-oriented, vibrant, engaging urban environment. They are wider than the listed maximum by 4.5 and 23 feet respectively, but the wider courtyards are successful in creating a courtyard environment which will serve as a residential common area and an enhancement to the environment of the transverse street by greening and enlivening it;
4. Ensuring that residential units fronting the courtyard will have direct and convenient access to the courtyard is a means of promoting the courtyard's use and thereby creating an enlivened pedestrian-oriented environment. In this case, the applicants found that

they were unable to provide access to four of the fifteen courtyard units while also ensuring privacy to the bedroom of the abutting corner unit. Still, use of the courtyard can be ensured with direct and convenient access to the other 11 courtyard units and by ensuring courtyard design to attract use by both the abutting units and interior units (Condition of Approval 17d);

5. As §4.80.130(I) allows courtyard depth to be 150 feet, it is unexpected that the listed maximum lot depth (in this case, the perceived lot depth) is specified as 100 feet, creating an internal inconsistency within the code section, at least in application of this Project. Regardless, the proposed 108 foot depth is only an 8% difference from the listed maximum, not a distance anticipated to have any negative impact on the function or aesthetics as experienced by residents using the courtyard or by pedestrians from the public (sidewalk) realm; and
6. While a courtyard building type is permitted generally, 4.40.140 requires that the midblock transverse street have either a Stoop or Dooryard Frontage type. The Project proposes a Dooryard frontage, but there are components of this frontage type that are not compatible with the courtyard building type. As the courtyard is an allowable building type, a Dooryard frontage type modified to be compatible with the courtyard design is consistent with the Intent of the Code.

SmartCode: Warrant 2 - Modifications to allow the proposed ground-floor residential entry door orientation on Copeland Street, consisting of one component:

- a. SmartCode §4.40.070(C) specifies that, in the case of building utilizing the Stoop Private Frontage type, all doors must face the street.

As the mid-block sections of Copeland Street utilizes the Stoop Private Frontage type, the eight ground-floor residential stoop units along Copeland are directed to have front facing doors. Seven of the eight stoop residences have an entry door accessed via a covered stoop, but with an entry door oriented perpendicular to the street.

The Planning Commission finds a Warrant to be the appropriate permit type for a deviation relating to the orientation of the Copeland Street stoop entry doors. Planning Commission finds that the intention of this standard is to ensure that stoop entries engage the sidewalk. The Planning Commission finds that approval is justified since the proposed placement of front doors, while not facing perpendicular to the sidewalk, engage pedestrians as they travel north along the sidewalk and extensive glazing is proposed within the recessed stoop, fronting the street and providing articulation similar to a front-facing doorway. In order to ensure an engaging stoop, Condition of Approval 17e requires that the stoop design is further detailed to depict an engaging arrangement from the sidewalk perspective.

SmartCode: Mixed-Use Projects

SmartCode §4.70.030 requires that:

A mixed-use project shall comply with the following requirements.

- A. Intent. A mixed-use project shall be intended to: (1) Provide a blend of commercial space and residential units; (2) Minimize the need for automobiles and promote transit

use; (3) Concentrate high density residential dwellings and commercial operations in the downtown or other urban/commercial districts; (4) Provide a diverse range of housing types, unit sizes, and price points within the downtown or other urban/commercial districts; (5) Promote continued activity in the evening and on weekends; and (6) Increase the economic vitality of the neighborhood.

Consistency Analysis: The Project proposes multiple ground floor commercial spaces totaling 24,855 square feet of area in total, as well as residential units and 3 ground floor live/work units. The project location within blocks of the SMART station, the bus center, promotes convenience use of transit. Similarly, its location abutting Petaluma's downtown, including restaurants, grocery stores, services, and more, minimizes the need for automobiles. The project concentrates high density residential dwellings downtown and adds to the downtown's diversity in housing types, unit sizes, and relative price points with studio to 3-bedroom units as well as live/work units. The Project also adds commercial spaces between downtown and the SMART station. The influx of residents will promote continued activity in the evening and on weekends as well as increase the economic vitality of the neighborhood.

B. Design objectives. A mixed-use project shall be designed to: (1) Provide shopfronts along street frontages to maintain a pedestrian orientation at the street level. Residential developments, including live/work, shall be designed such that ground floor units may be converted to retail/commercial shopfronts and to establish a clear, functional design relationship with the street front; (2) Provide for internal compatibility between the different uses within the project; (3) Minimize the effects of any exterior noise, odors, glare, vehicular and pedestrian traffic, and other potentially significant impacts on the occupants of the residential portions of the project; (4) Include specific design features to minimize the potential impacts of the mixed-use project on adjacent properties; (5) Ensure that the residential units are of a residential character, and with appropriate privacy; and (6) Be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of site planning, scale, building design, color, exterior materials, roof styles, lighting, landscaping, and signage.

Consistency Analysis: The Project includes shopfronts where the SmartCode specifics, including at all seven project corners, and proposes three live/work units front East D Street designed to be able to flex to commercial uses retail/commercial uses. The 8 residential units mid-block on Copeland, permitted by 4.40.140, have direct access to the street promoting interactivity. The Project generally locates non-residential uses on the ground floor and residential uses on floors above; thereby, creating compatibility between them; residential uses on the ground floor are raised up approximately two feet to separate them from the street level. The CEQA analysis prepared for the Project demonstrates that potential noise levels would not exceed maximum permitted levels. Potential sources of odor related to the project are limited to trash/recycling areas and which are located within each building's off-street refuse terminal. No potential impacts to adjacent properties are necessary to address with design features. The Project's residential units are, as

mentioned, above the ground floor or have raised windows and not in proximity to any building or land use that would compromise privacy. The residential units are urban in nature; the transverse street facing courtyards and the interior, third floor courtyards are provided to offer shared outdoor areas when further privacy is desired. The Project consists of an overall design that is substantially consistent with the SmartCode development standards and, thus, reflective of the intended urban character.

- C. Location of residential uses. In the T5 and T6 Transect Zones. A mixed-use project that provides commercial and/or office space on the ground floor with residential units above (vertical mix) is encouraged over a project that provides commercial structures on the front portion of the lot with residential uses placed at the rear of the lot (horizontal mix).

Consistency Analysis: The Project includes a vertical mix of uses, as recommended by this criterion.

- D. Loading areas. Commercial loading areas shall be located to minimize their impact on residential units.

Consistency Analysis: Pursuant to SmartCode 6.10.050.H, no loading spaces are required. To serve the Project's needs, one loading bay is proposed at each block (fronting Weller Street). These are not full-sized commercial/industrial loading bays, but provide space for smaller resident moving vehicles (up to a 26' U-Haul) to fully fit inside the loading bay without obstructing the sidewalk. Similarly sized trucks stocking the commercial spaces may also use the loading bays in the same way.

- E. Refuse and recycling areas. Areas for the collection and storage of refuse and recyclable materials also shall be located on the site in locations that are convenient for both the residential and nonresidential uses.

Consistency Analysis: The Project includes refuse and recycling areas within the small refuse terminal rooms along Weller facing the garage driveway. Residential tenant access to those areas is provided through chutes at each floor level of each building. Nonresidential access to refuse and recycling areas is provide from the driveway via a solid door. Conditions 61 and 129 ensure adequate sizing and access. Therefore, the Project implements the convenience desired by this criterion.

- F. Lighting. Lighting for the commercial uses shall be appropriately shielded to minimize the impact on residential units.

Consistency Analysis: The Project includes exterior, building-mounted lighting that is downward-facing and shielded to prevent trespass on adjacent properties. Condition of approval ensures compliance at building permit issuance.

- G. Noise. All residential units shall be designed to minimize adverse impacts from nonresidential project noise, in compliance with the City's Noise Ordinance.

Consistency Analysis: As documented in the CEQA analysis prepared for the Project, the Noise Analysis prepared for the Project by Illingworth and Rodkin identified noise control measures to ensure that new uses introduced onsite are not exposed to excessive noise levels. All residential uses are designed and will be constructed in a manner that minimizes adverse impacts from all noise sources.

H. Non-residential hours of operation. Where a Minor Use Permit or Conditional Use Permit is required, the review authority may restrict the hours of operation of nonresidential uses within a mixed-use project to mitigate adverse impacts on residential uses.

Consistency Analysis: The use of the live/work units front East D Street (for uses beyond those allowed as a home occupation use) will require a Minor or Conditional Use Permit and that MUP will consider operation hours and other means of mitigating adverse impacts on residential uses (§4.70.020). From time to time, it can be anticipated that a use will be proposed for a commercial space that requires a Minor or a Conditional Use Permit; any such use will be reviewed based upon the specifics of its operating characteristics and if found appropriate, its hours restricted at that time.

Implementing Zoning Ordinance

The project is consistent with Implementing Zoning Ordinance §24.010 – Site Plan and Architectural Review, in that all required findings found in §24.010(G) can be made as follows:

- A. The project includes the use of quality materials, such as painted corrugated metal siding and fiber cement lap siding and tongue & groove vertical siding, and plaster, metalwork (for railings and awnings). The use of these materials is done in a way that ensures harmony and proportion with the overall design of the site, as the project includes two block masses that have been designed to resemble multiple buildings when viewing from public vantage points. The design approach of creating the appearance of multiple buildings is appropriate and necessary since it both reflects the historic building pattern in the downtown and results in compliance with SmartCode standards pertaining to building types.
- B. The architectural style of the proposed building is appropriate and compatible with the overall character of the neighborhood in that building features reflect a contemporary expression of historic agricultural industrial buildings as well as current mixed-use buildings. Compatibility with the neighborhood is advanced through the Project conformance with SmartCode frontage type standards. Also, as described above, the appearance of multiple buildings in the Project further ensures neighborhood compatibility.
- C. The Project's siting is appropriate given its conformance to mandatory frontage, setback, and building placement standards of the SmartCode. It is also consistent with the SmartCode specifications for interior parking and for buildings oriented to the pedestrian environment and largely occupying the project frontage.

- D. The Project excludes proposed signage. Therefore, this finding is not applicable. (Separate sign permits in compliance with SmartCode §4.90 shall be obtained prior to the installation of any signage.)
 - E. As reflected by the findings above, the Project's bulk and height is appropriate. The Project's primary 4-story height is consistent with the 2 to 4-story range specified by the T-5 and the 3 to 6-story range specified by the T-6 and T6-O SmartCode designations. Some of the buildings utilize a 3-story height, a fourth-floor setback, or a change of building material and color at the fourth floor to articulate the roof form and modify the massing and bulk. Single story pedestrian-oriented elements and articulation ensure that the bulk and massing do not negate the pedestrian experience. The Project includes the use of both muted earth tone colors and assent use of at least one contrasting primary color. The resulting composition from these colors is appropriate given their ability to enhance the appearance of multiple buildings and add visual interest to the overall project.
 - F. Proposed landscaping within the Project consists of street tree and planter strip planting, landscaping of the three civic pocket plazas, and landscaping of the residential courtyards along transverse street and small urban-type planters at some building walls. Public plantings conform to the mandatory standards of the SmartCode and, furthermore will be subject to review by the Music, Recreation, and Parks Committee (civic pocket plazas) and the Tree Committee (street trees) prior to building permit issuance. Private landscaping appropriately creates socializing and outdoor use areas for the residents as well as, in the case of the forecourts off the transverse street, an interesting green and open cross section along the new transverse street.
 - G. The project's ingress, egress, internal circulation for bicycles and automobiles, off-street automobile and bicycle parking facilities, and pedestrian ways promote safety and convenience and conform to City standards since the project incorporates various new circulation and access features. The project provides a surplus of covered and uncovered bicycle parking facilities, which will be provided along all streets bounding the site. Automobile parking in excess of the minimum is provided in two interior, two level parking garages and on the street surround the project. Lastly, a Traffic Impact Study was prepared for the project which assessed site access and site distance, and has been analyzed within the Project's CEQA Analysis.
3. Based on its review of the entire record herein, including the May 28, 2019 Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission hereby:
- A. Approves Site Plan and Architectural Review for the Project and a Warrant for (1) modification of the Courtyard Building Type standards in the following ways: (a) each of the transverse street fronting courtyards may exceed the 50 foot maximum width, and be instead 54.5 and 73 feet wide (SmartCode §4.80.130(I)); (b) four of the 15 ground-floor courtyard-facing units are not required to have a main entry door directly off the courtyard or street (SmartCode §4.80.130(F)); (c) the south block (Courtyard B) lot depth may exceed 100 feet to accommodate the allowed 108 foot depth of the courtyard (SmartCode §4.80.130(B & I)); (d) the Dooryard Private Frontage standards as applied to the midblock

section of the transverse street may be modified to accommodate the raised courtyard design (SmartCode §4.40.090); and (2) 7 of the 8 Copeland Street-facing stoop entry doors may be oriented perpendicular to, rather than facing, the street (SmartCode §4.40.070(C)), subject to the conditions of approval attached hereto as **Exhibit 1**.