



## Sonoma County Planning Commission STAFF REPORT

**FILE:** DRH22-0008 / PLP98-0050  
**DATE:** December 1, 2022  
**TIME:** At or after 1:20 p.m.  
**STAFF:** Blake Hillegas, Project Planner

### SUMMARY

**Property Owner:** West County Transportation Agency  
**Applicant:** Steve Petcavitch on behalf of property owner  
**Address:** 3300 Juniper Avenue/367 West Robles Avenue, Santa Rosa  
**Supervisory District:** Third  
**APN:** 134-074-022 (Phase II); entire site: 134-074-022, 134-072-025 and -048  
**Description:** Appeal of August 3, 2022 final design review approval of bus storage yard with bus driver employee parking (Phase II under PLP98-0050)  
**CEQA Review:** Previously adopted Mitigated Negative Declaration  
**General Plan Land Use:** Public Quasi-Public  
**Specific/Area Plan Land Use:** South Santa Rosa Area Plan, Public Quasi-Public  
**Ordinance Reference:** 26-14-020.5 - PF  
**Zoning:** PF (Public Facility), VOH (Valley Oak Habitat)

### RECOMMENDATION

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission:

1. Hold a public hearing on the appeal and the design review approval for the project; and
2. Adopt a resolution finding that no further environmental review is required pursuant to CEQA Guidelines section 15162, that the final design review approval is within the scope of the previously approved Mitigated Negative Declaration and Use Permit, denying the appeal, and upholding the Final Design Review approval, as conditioned.



## **INTRODUCTION**

The The Board of Supervisors (BOS) approved the subject West County Transportation Agency (WCTA) facility in 1999 (File PLP98-0050). The approval was for a consolidated facility consisting of school bus storage, maintenance, and administrative office facilities to be built in two phases on a three-parcel site of approximately 9 acres in size. As approved by the Board, Phase I of the project would occupy the two parcels identified as 367 West Robles Avenue (APNs 134-072-025 and -048). Phase II would be built on the 5.27-acre “western lot,” located at 3300 Juniper Avenue (APN 134-074-022) and was limited to bus storage and vehicle parking and limited related improvements. (A map of the overall project site is attached as Attachment 6)

As approved by the Board of Supervisors in 1999, the project conditions of approval provide that no more than 110 buses may be on the total site site at any one time, and that no more than 80 vehicles may be on the Phase II/3300 Juniper Avenue parcel at any one time. The 1999 conditions also include a number of requirements that apply only to Phase II/3300 Juniper Avenue and are primarily aimed at limiting the noise and visual impacts of the Phase II bus storage yard on adjacent residential areas.

The conditions of approval required that each phase of the project obtain final design review approval from the Design Review Committee (DRC). Phase I was previously constructed and has been in operation. The matter before the Planning Commission today is an appeal of the Final Design Review approval for Phase II, which was approved by the Design Review Committee on August 3, 2022. Appellants own and live on an RR-zoned property that adjoins the Phase II/3300 Juniper Avenue parcel. As discussed below, Appellants argue that the Final Design Review approval does not comply with the project’s conditions of approval as adopted by the Board of Supervisors in 1999.

## **BACKGROUND AND OVERVIEW**

WCTA is a joint powers agency with 17 public school district members that was created to operate transportation services for students attending public schools within Sonoma County. WCTA informed staff that due to the size of its bus fleet and current lack of parking on its site, it currently leases other properties for its operations at significant expense, including an approximately 100-space bus yard on Sebastopol Road. The Phase II parking facility will alleviate the strains associated with leasing and traveling between remote bus yards and will provide contiguous operational services, maintenance, bus parking and bus driver employee parking.

WCTA currently operates the Phase I administrative and maintenance facility and school bus yard with employee parking on 3.87 acres at 367 West Robles Avenue. As approved by the Board of Supervisors, Phase II is for bus storage yard on the “western lot” at 3300 Juniper Avenue. Condition of Approval No. 32 expressly limits the western lot to having no more than 80 vehicles at any one time. (See Conditions of Approval for PLP98-0050, condition 32.) Condition No. 32 also provides that the total project, including all three lots under both phases, is restricted to a maximum of 110 buses at any one time. The 1999 Conditions of Approval also include a number of requirements that apply only to Phase II (3300 Juniper Avenue), which are primarily aimed at limiting the noise and visual impacts of the Phase II bus storage yard on adjacent residential areas. These special requirements for Phase II include, among other things, shorter hours of operation (restricted to 6 a.m. to 6 p.m., Monday through Friday); prohibiting



backup beepers and horn checks; a requirement that buses be positioned so that they do not need to back up and thereby activate backup beepers during sensitive morning hours; and installation of a berm at least 6 feet high parallel to the north and west boundaries of the Phase II lot, with specific requirements for setbacks, fencing, and landscaping of the berm area. The 1999 Conditions of Approval required Design Review Committee (DRC) approval for both phases.

A grading permit for Phase II was issued on May 3, 2022, and construction began. After receiving a complaint Permit Sonoma determined that the grading permit had been issued in error, because Phase II had not received DRC approval and the Phase II plans did not fully comply with the PLP98-0050 conditions of approval in that a required earthen berm was not six feet in height from the bus parking side. Permit Sonoma issued a stop work order for the grading permit on May 20, 2022, excepting certain grading and drainage improvements that were allowed to continue to comply with stormwater regulations. On July 17, 2022, WCTA submitted revised plans for design review that showed a revised perimeter berm design to comply with the conditions of PLP98-0050 and included parking for 80 buses as well as employee parking for 80 bus drivers. On August 3, 2022, DRC reviewed the Phase II project based on the revised plans and granted final design review approval. The DRC determined that the Phase II plans as revised, including 80 bus parking spaces and 80 bus driver employee parking spaces, are in substantial conformance with the original permit PLP98-0050, but required additional design changes to address landscape screening and lighting. Its conformity determination was, in part, because the footprint of the currently proposed bus and employee parking plan is consistent with the footprint for Phase II bus parking that was shown on the Phase I plans approved by the DRC in 2000. In fact, with the accommodation of bus driver employee parking, bus parking was moved farther away from adjoining rural residential uses.

Appellants submitted an appeal of the final design review approval on August 15, 2022. They contend that several aspects of the Phase II plans do not comply with the 1999 conditions of approval, including plans for bus driver employee parking on the Phase II site, bus circulation and back up beepers, berm and landscape design, lighting, fencing, electric vehicle charging stations, drainage and erosion, and wetland mitigation. These issues are covered in detail in the Appeal section of this report below.

The applicant has revised its plans to address most of the DRC's design requirements, except that the lighting fixtures in the proposed employee parking area were reduced in height from 25ft to 20ft, instead of 14 ft as required by DRC. In addition, the revised plans show that the proposed lighting fixtures within the bus parking area have been reduced in height from 30-35ft to 27ft, instead of 16ft as required by DRC. The project's lighting designer has provided lighting simulations and photometric analysis for comparison among the various light fixture heights. DRC's comments are addressed further in the Project Description and Appeal sections below.

## **PROJECT SITE AND CONTEXT**

### ***Original project approvals and Phase I***

In 1998, West County Transportation filed an application for a General Plan Amendment, South Santa Rosa Area Plan Amendment, Zone Change, and Use Permit (File PLP98-0050) for a bus storage yard and



maintenance and administrative facilities for West County Transportation Agency on three parcels totaling 9.14 acres.

The initial application proposed approximately 160 buses with approximately 150 bus drivers to operate from the facility. On a split vote, the Planning Commission recommended denial of the initial request. In 1999 the Board of Supervisors (BOS) adopted a Mitigated Negative Declaration and approved a scaled back version of the project that allowed up to 110 buses on the entire (Phases I and II) project site. The Use Permit does not call out an approved bus driver count or employee count, or limit employee parking, although the conditions of approval limit the western lot (Phase II) to 80 “vehicles” at any one time while in the same sentence limiting the number of buses on the total site to 110 at any one time. It is not clear whether the Board intended “vehicles” to mean the same thing as “buses,” or whether it intended to encompass parking for other vehicles, such as employee parking, although it is notable that parking for drivers of the 80 buses contemplated for Phase II does not appear to be accommodated anywhere else on the site.

As approved by the BOS in 1999, Phase I was approved for bus storage and an administrative and maintenance facility. Project plans showed parking for storage of buses and employee parking on the 3.87-acre Phase I site within the Industry West Business Park. Phase II was approved for the storage of 80 buses, with no more than 80 vehicles at any one time on the larger 5.27-acre western lot located on the west side of Juniper Avenue and outside of the business park and urban service area. Preliminary plans for the project (Attachment 8) did not identify bus driver employee parking on the Phase II site, but the BOS approval permitted full development of the site with parking for 80 buses and no more than 80 vehicles at one time. Both phases were approved subject to Design Review Committee approval.

The Phase I plans submitted for design review were approved by the Design Review Committee in August 2000 and constructed in 2002. The approved Phase I plans included 35 bus spaces and 58 bus driver/employee parking spaces. The Phase I plans schematically showed plans for Phase II that included 63 full size bus spaces and 12 van spaces (Attachment 9).

### ***Procedural History of Phase II***

On May 3, 2022, about 20 years after Phase I was constructed, the grading and site improvement plans for Phase II were issued in error, and construction began. Following a neighbor complaint, upon further review of the file record, it was determined that Phase II had not received Final Design Review Committee approval as required by Conditions of Approval for file PLP98-0050. It was also determined that the Phase II plans were not in full compliance with the design requirements of the Use Permit (PLP98-0050) because the plans showed more than 80 bus parking spaces and more than 80 employee parking spaces. It was also discovered that the perimeter berm, which had been installed, was not 6 feet in height from the parking lot side, despite a berm section in the plans indicating otherwise. On May 20 Permit Sonoma placed a stop work order on the grading permit construction.

On June 29, 2022, Permit Sonoma authorized limited drainage and stormwater improvements to continue on-site to prevent potential drainage and erosion issues in case of early rain.

On July 17, 2022, the applicant submitted a design review application (DRH22-0008) for the Phase II development, which included revised plans for no more than 80 bus parking spaces plus 80 bus driver



parking spaces and a minimum six-foot tall perimeter berm to partially shield adjoining rural residential uses from buses.

On August 3, 2022, the Design Review Committee granted final design review approval of the Phase II bus storage yard with 80 bus parking spaces and 80 bus driver parking spaces, subject to conditions of approval. The Design Review Committee determined that the project, as conditioned, is in substantial conformance the Use Permit PLP98-0050.

On August 15, 2022, an appeal was filed by two neighbors contending that the scope of Phase II is not consistent with the Conditions of Approval of PLP98-0050. (See Appeal Section below).

On September 29, 2022, Permit Sonoma placed a second stop work order on the project based on staff's determination that site work had exceeded the limited permission to complete limited drainage and erosion control measures to secure the site for the winter season. Staff observed that base rock had been imported, curbs had been poured and perimeter fence posts had been set. Work within the public right of way on Juniper Avenue is not included in the stop work order and has been allowed to continue.

### ***Area Context and Phase II Surrounding Land Uses***

<b>Direction</b>	<b>Land Uses</b>
<b>North</b>	Rural Residential
<b>South</b>	Vacant/Limited Industrial designation
<b>East</b>	West County Transportation Phase I/Industrial Park and Sonoma County Transit
<b>West</b>	Rural Residential

### ***Significant Applications Nearby***

A Use Permit for an existing Ghilotti Construction contractor's storage yard at Standish Avenue and Todd Road, located approximately ¾ miles to the south, was approved in September 2022. The Ghilotti Construction Project was conditioned to install a stop sign at the Todd Road/Standish Avenue intersection as an interim improvement until signalization of the intersection is completed by the Department of Transportation and Public Works in approximately 2-3 years.

### ***Access***

Access to the Phase II site is from Juniper Avenue via West Robles and Standish Avenues. Juniper Avenue will be gated at the north end of the Phase II project site, functioning only as emergency vehicle and pedestrian access to the north and limiting through traffic.

### ***Wildfire Risk***

The site is within a local responsibility area of the Sonoma County Fire and Emergency Services and is not within a Fire Hazard Severity Zone or within the footprint of any recent wildfires. New hydrants will be installed along Juniper Avenue in accordance with County standards.



### ***Water/Wastewater/Utilities***

Juniper Avenue is required to be developed between the existing Phase I and Phase II parcels and includes sidewalk, sewer, water, storm drain and other utilities. The Phase II bus and bus employee parking lot will tie into City water for irrigation only, existing public storm drains, and PG&E electrical lines.

### ***Agricultural Conditions/Land Encumbrances/Contracts***

N/A. The site is designated by the General Plan and zoning ordinance for public and quasi-public uses.

### ***Other Environmental Conditions***

The 5.27-acre Phase II property is located within designated critical habitat for the California Tiger Salamander and associated listed plants, and previously contained 1.06 acres of seasonal wetlands. To address impacts and mitigation requirements, the applicant obtained approvals from resource agencies prior to grading permit issuance, including the payment of mitigation fees and clearances from U.S. Fish and Wildlife, CA Fish and Wildlife, Army Corps of Engineers, and the Regional Water Quality Control Board (see link below and enter Record GRD20-0207).

<https://prmd.sonomacounty.ca.gov/CitizenAccess/Default.aspx?CurrentURL=https%3A%2F%252>

## **PROJECT DESCRIPTION**

The matter before the Planning Commission today is an appeal of the Design Review Committee's (DRC) approval of Final Design Review for West County Transportation Agency's Phase II bus storage and employee (bus driver) parking lot. The site improvements approvals at issue in the appeal include the DRC's conditional approval of the site plan, parking design, landscaping/irrigation, lighting, and fencing on the 5.27-acre Phase II site.

The approved Phase II plans include a bus yard with 80 bus parking spaces and 80 employee (bus driver) parking spaces on the Phase II parcel. The bus parking lot includes 27 full size bus spaces and 53 small bus spaces. The footprint of the bus and employee parking, as approved by DRC in August 2022, is consistent with the footprint of the bus parking plan conceptually shown on the Phase I plans approved by the DRC in 2000. The inclusion of separate bus driver employee parking has been accommodated in the current plans through the reduction of large bus parking and inclusion of more small buses due to business needs. The inclusion of separate bus driver employee parking on the Phase II site is more efficient and convenient for bus drivers and allows them to avoid shuffling cars and buses between the same parking space or parking on surrounding public streets and walking to the site. By including smaller bus parking spaces and employee parking, actual bus parking has been moved farther from rural residential uses to the north.

As required by the design review committee, the following changes have been incorporated in the project plans:

1. Elimination of 16 bus driver employee parking spaces at the northeast corner of the site and converting the asphalt area to six 8'x8' landscape planters with trees.



2. Updated landscape plans to include an increase in tree planting along the northerly berm, including an additional 11 pepper trees.
3. Added three 36” box size live oak trees at the northwest corner of the site to address the loss of several redwoods in this area.
4. Included shrub planting at the top of the berm in the northwest corner.
5. Applied minimum compaction to berms for better initiation of tree root systems.
6. Provided information indicating a warmer lighting color range temperature of 2700 K (Kelvin) can be accommodated.
7. Confirmed modified perimeter berms are a minimum 6 feet in height from the bus parking side.
8. Provided additional lighting analysis and proposed changes to reduce impacts, including lower wattages within the bus driver employee parking area. However, proposed lighting changes are not in full compliance with the conditions required by the DRC. The DRC required the applicant to reduce the light pole heights from 27ft to 14ft on the employee parking side and from 30-35ft to 16ft feet on the bus parking side. The applicant has prepared extensive analysis documenting lighting options and is proposing 20-foot tall fixtures on the employee parking side and 27-foot fixtures on the bus parking side.
9. The applicant indicates that auto dimming can be implemented at an increased cost and power shutoff can also be accommodated within the bus driver employee parking area as required by DRC.

See additional analysis of proposed design changes in responses to the appeal below.

**Prior Review**

The Table below summarizes prior actions undertaken for the Project.

Date	Authority	Action Taken
02/2/1999	BOS	Adopted a Mitigated Negative Declaration and approved phased project
08/16/2000	DRC	Approved Phase I design (Phase I constructed in 2002)
5/3/2022	Staff	Cleared grading permit in error for Phase II design
8/15/2022	DRC	Approved Phase II design

**ANALYSIS**

**Consistency with General Plan, South Santa Rosa Area Plan, and Zoning**

As part of the project approvals granted in 1999, the Board of Supervisors found that the overall project, as approved, was consistent with the General Plan and South Santa Rosa Area Plan. The Board also found that the project as approved was consistent with zoning. No new entitlements are being



requested or considered as part of the Phase II design review approval. Accordingly, the Board’s prior findings of consistency apply and no further analysis is required.

### ***Environmental Analysis***

A Mitigated Negative Declaration was previously adopted for the phased project. The DRC determined the Phase II design review application is in substantial conformance with the adopted Mitigated Negative Declaration and approved use permit, because the footprint of the parking lot is consistent with the footprint approved with the original project, and the inclusion of bus driver employee parking would not intensify the use, which is restricted to no more than 80 vehicles at any one time.

### **ISSUES RAISED IN APPEAL**

#### **Issue #1:      DRC Action**

Appellants argue that it is unclear whether the DRC adopted the resolution and findings presented to them for consideration. Appellants are also concerned whether the DRC considered the resolution and conditions of approval from the BOS 1999 Use Permit PLP98-0050.

#### **Response:**

A formal resolution with findings and updated Conditions of Approval were presented to the DRC for consideration. The staff report recommended that the DRC adopt the draft resolution and updated Conditions of Approval. The DRC staff report fully disclosed and presented the issue of whether proposed bus driver employee parking was in substantial conformance with the approved Use Permit PLP98-0050. The staff report also analyzed and fully disclosed the relevant Conditions of Approval from PLP98-0050.

Ultimately, the DRC voted on a motion “that we move this forward with the recommendations we’ve discussed here today,” meaning approve the staff recommended conditions of approval as modified by the DRC’s direction in the meeting. Accordingly, it adopted the draft resolution with findings and Conditions of Approval to be modified to reflect its direction. The adopted Conditions of Approval mirror the Conditions from PLP98-0050 but include additional conditions to address changes to landscaping and lighting and improve compatibility.

#### **Issue #2:      Phase II was Permitted as a bus storage yard with no more than 80 vehicles at any one time on Phase I, and no more than 110 buses on both the Phase I and Phase II sites at any one time.**

Appellants ask the Planning Commission to prohibit bus driver employee parking on the Phase II western parcel. The August 15 appeal letter states in part that “...WCTA is proposing a bus and employee parking lot with 160 spaces on the western lot when the 1999 conditions only allow for a “school bus storage yard” consisting of 30 spaces...The WCTA is disregarding the limit of 110 buses for the entire project. The WCTA’s proposed plans show a total of 160 new parking spaces on the western lot.” The letter goes on to state that “The total number of bus spaces for the project as proposed by the WCTA would be 170 bus spaces (i.e. 90 new bus spaces + 80 existing bus spaces). The WCTA should be limited to spaces for





110 buses as required by the 1999 conditions. To stay within the size limitations, the WCTA should be allowed a bus storage lot for a maximum of 30 new bus spaces on the western parcel because 30 new bus spaces plus 80 existing bus spaces equals 110 bus spaces.” Appellants point out that the Phase II area shown on the Phase I plans approved in 2000 only shows bus parking, not employee parking, and suggest that WCTA should continue to have bus driver employees park on the public streets in the area.

**Response:**

Conditions of Approval 30, 31, and 32 from the Use Permit PLP98-0050 are relevant and are discussed below.

*30. All development shall be according to the approved plans and application. The project may be developed in phases, with full development of APN’s 134-072-025 & 048 as Phase 1.*

Permit Sonoma’s files do not have an accurate record site plan that matches the Board’s 1999 conditions of approval. There are two site plans scanned in the records. One is a version submitted with the original project documents, which shows 127 buses on the western Phase II parcel and does not show the perimeter berms that were required. As previously noted, the permit approval specified a bus storage yard for Phase II with no more than 80 vehicles at one time. The other scanned site plan is of the Phase I Design Review approval, which shows Phase II conceptually with approximately 75 bus parking spaces (63 large buses and 12 small buses). The Phase II plans were not approved with the Phase I approval and were not within the scope of the Phase I approval.

*31. The use permit is approved as requested for:*

- a) On APNs 134-072-025 & 048, a school bus storage, maintenance, and administrative facility.*
- b) On APN 134-074-022, a school bus storage yard. No employees shall be stationed on this parcel, no work shall occur on vehicles/equipment on this parcel, no hazardous materials shall be stored on this parcel, and no refueling activities shall occur on this parcel. All buses parked on this parcel shall be positioned so as to avoid the need for backing up when departing in the morning. Horn checks and backup beeper checks may not occur on this parcel.*

With Phase II, no employees would be stationed on the site because there are no buildings or employee amenities. Employees working on-site would continue to be stationed on the eastern Phase I parcel where the administrative and maintenance facilities exist. With bus driver parking proposed on the Phase II site, the bus drivers would arrive in a personal vehicle, park and leave in a bus. This would be reversed at the end of the shift.

*32. The western lot (APN 134-074-022) shall be restricted to a maximum of 80 vehicles on it at any one time. The total site (APN’s 134-074-022 and 134-072-025 & 048) shall be restricted to a maximum of 110 buses on it at any one time.*



While the Use Permit description is for a school bus storage yard on the Phase II parcel, Condition 32 states both a maximum number of vehicles on the western/Phase II lot and also a site-wide maximum number of buses. The use of both “vehicles” and “buses” to refer to different limitations arguably indicates that the Board of Supervisors intended that the lot could be used for more than bus parking. The Design Review Committee, in approving the Phase II project, recognized that the bus drivers would need to park to utilize the buses. If 80 bus driver parking spaces are permitted to support the 80 bus spaces, the applicant WCTA would need to carefully manage operations on both the Phase I and Phase II sites to comply with the parameters of the 80-vehicle limit on the Phase II site and 110 bus limits on both the Phase I and Phase II sites. If separate bus driver parking is not authorized in Phase II, bus drivers would need to shuffle car and bus parking within the same 80 bus parking spaces or utilize alternative off-site parking.

**Issue #3: Backup Beepers**

Appellants ask the Planning Commission to consider requiring the Phase II bus circulation layout to be consistent with the conceptual layout shown on the Phase I plans approved by the DRC in 2000. The Phase I plans show a layout where buses would not have to back up into their spaces, thereby avoiding use of their backup beepers.

**Response:**

The pertinent part of Condition 31(b) shown above states that ... *All buses parked on this parcel shall be positioned so as to avoid the need for backing up when departing in the morning. Horn checks and backup beeper checks may not occur on this parcel.*

In compliance with this condition, the proposed bus parking layout approved by the DRC shows buses would back into the parking spaces when parking at the end of their day shifts, so there would be no back up beepers when departing during the more sensitive morning hours. Per the 1999 Conditions of Approval, this end-of-day backing up would have to occur by 6:00pm on Monday-Friday only, in accordance with the approved operating hours for Phase II.

**Issue #4: Berm Design and Landscaping**

Appellants ask that the Planning Commission to consider requiring the berms be set back farther and that landscaping include a hedge of redwood trees, similar to the redwood trees planted around the Phase I facility. Appellants also ask that the trees be larger in size to compensate for the loss of several redwood trees that were removed from the western property line. Finally, Appellants note that the DRC was concerned about the steepness of the berm to accommodate planting.

**Response:**

The pertinent Condition of Approval from the 1999 Use Permit PLP98-0050 is:

- 42. The Final Development Plan(s) shall be reviewed by the Design Review Committee. The plans shall include a berm at least 6 feet high parallel to the north and west property lines of the western lot (APN 134-074-022), with the berm center setback a minimum of 50 feet from the north property line. The berm and setback area shall*



*contain a dense evergreen landscape screening which shall shield the buses from view in those directions. A chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm. Other perimeter and front yard areas shall also be fully landscaped and irrigated. All required berms, landscaping and fencing on each individual lot shall be fully installed prior to any use of that lot.*

The proposed berm parallels the north and west property lines, is at least 6 feet tall from all sides, and includes a centerline setback of 50 feet from the north property line, as required by Condition 42. The DRC recognized that redwood trees are not a suitable tree at this time because of drought conditions/climate change. The landscape plan has been revised to add an additional 11 pepper trees along the north side of the berm as required by the DRC. Together with another row of pepper trees, and a row of live oak trees proposed on the south side of the berm, there would be a dense evergreen landscape screen to shield views of the buses. The applicant has also added three 36" box size trees at the northwest corner of the property to compensate for the loss of several redwood trees that were previously removed. In addition, the plans have been revised to include additional shrubbery near the top of the berm and additional parking lot trees within planters at the northwest corner of the Parking lot. Where the DRC specified 6 new 36-inch box live oak trees be planted in 8'x8' wide planters in the parking lot, the applicant is proposing smaller 15-gallon size crape myrtle trees noting that the crape myrtle is more suitable due hot, harsh summer conditions of a tree well surrounded by paving and a less invasive root system. Given the overall extent of landscape screening, berm design, and setbacks from nearby residential uses, staff recommends this is a reasonable alternate tree.

While the DRC recognized that planting on steep berms can be challenging, the berm and landscape design was approved by the Design Review Committee. The project geotechnical engineer confirmed minimal compaction of the berms and the soil will not be treated with lime, which can negatively impact landscaping.

**Issue #5:      Lighting Limitations**

Appellants argue that the lighting plan proposed by WCTA violates the 1999 Conditions of Approval. They ask the Planning Commission to consider requiring the minimum light necessary by incorporating fewer lights and lower height light fixtures on dimmers and timers to allow power shut off. Appellants are concerned about lighting being on all night, and state that lighting of the interior of the yard is both not necessary for security and in violation of the 1999 conditions.

**Response:**

The relevant lighting condition of approval from 1999 is:

*46. An exterior security lighting plan shall be submitted to the Permit and Resource Management Department for review and approval. Exterior lighting shall be internal only and not "wash out" onto adjacent properties nor be a source of glare onto adjacent streets. Generally, fixtures should accept sodium vapor lamps and lighting should be located at the periphery of the property and not as flood lights. The*



*lighting shall be installed in accordance with the approved lighting plan during the construction phase.*

As noted, hours of operation of the bus yard are limited to 6 a.m. to 6 p.m. Monday through Friday. The lighting plans include security lighting for bus driver employees and the bus storage yard. A total of 12 fixtures are proposed within the employee parking area closest the residential area to the north. The six lights on the north side would have back shields to prevent visibility of the light source. The updated lighting design includes lower wattage fixtures and would result in very little to no off-site trespass of light at the north and west property lines.

The relevant lighting condition from the DRC's August 3, 2022, approval is:

*43. The lighting plan as reviewed by the Design Review Committee on August 3, 2022, shall be revised showing pole fixture heights of 14 feet on employee parking side and 16 feet on the bus parking side. Details shall be provided demonstrating a warmer color temperature (2700 or less) for all fixtures with auto dimming capability on the bus parking side and auto-dimming and power-off scheduling for the employee parking side.*

The applicant has considered redesigning the lighting to accommodate the warmer color, reduced height lighting fixtures, auto dimming and power-off scheduling. While the lighting color could be reduced from 3000 deg. K (Kelvin) to 2700 deg. K (warmer), it is not recommended by the lighting consultant because it would be barely perceivable and less efficient.

The applicant has reduced wattages, and light pole heights from 27 feet to 20 feet in the employee parking area, but not to the 14-foot height required by DRC. The lighting consultant indicates that by adding fixtures, a lighting scheme could be designed using the stipulated 14-foot-high poles that meets acceptable design criteria. However, applicant's lighting consultant does not recommend that lighting scheme as they do not find it would provide any benefits to neighbors, such as reduced spill or trespass or glare mitigation. The security lighting for the employee parking would be shut down during non-operational hours. Staff recommends that the 14-foot light height is common in vehicle parking lots and would provide some benefit from the source being less visible from closer perspectives.

The applicant has also proposed reduced light pole heights in the bus parking area from 30-35 feet to 27 feet, but not to 16 feet as required by DRC. To demonstrate why higher poles are still proposed, the applicant has prepared extensive photometric analysis and schematics comparing the original proposal to the modified proposal, and that required by DRC. Essentially, using lower poles would require more poles and still not provide the security coverage needed for the bus yard. The designer states that no combination of alternative pole layout options or distribution features using 16 ft poles in the bus parking area can provide necessary illumination that would meet recognized industry standards. The lighting for the bus parking would not be shut off at night, but can include dimmers as required by the DRC, at additional cost. Based on the applicant's photometric analysis it appears higher light poles are warranted for the bus storage and security. Even with proposed 27ft tall fixtures in the bus storage area, the lighting levels would be compatible with surrounding residential areas due to proposed lighting intensity, dissipation of light over distance, and very little to now light trespass at the property lines.

**Issue #6:        Drainage and Erosion**

Appellants ask the Planning Commission to require the slope of the berm along the western property line be more gradual and that a landscaped drainage swale be added. They state that they have observed erosion from the berm and retained water after rain.

**Response:**

In addition to an existing drainage swale, the applicant has added a second drainage swale along the western property line to prevent water draining from the landscape berm across the property line. The geotechnical engineer and landscape architects indicate that the berm design is suitable for landscaping and stable to prevent erosion and soil sluffing.

**Issue #7:        Chain Link Fence Location**

Appellants notes that the Use Permit requires a landscape berm paralleling the north and west property lines for screening and that chain link fencing with slats be provided surrounding other areas of the site. The applicant asks the Planning Commission to consider requiring the proposed chain link security fencing proposed along the north and west property lines to be located inside of the berm.

**Response:**

Condition 42 of the Use Permit indicates “...the berm and setback area shall contain a dense evergreen landscape screening which shall shield the buses from view. A chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm.” Condition 42 requires screening of the entire site and does not prohibit fencing along the north and west property lines.

In addition to the landscape berm, the applicant is proposing an 8-foot-tall chain link security fence with slats along the entire perimeter of the property. The DRC recommended that the security fencing with slats would provide a more effective screen located at the property line rather than positioned inside the berm.

**Issue #8:        Electric Vehicle Charging Stations**

Appellants asks that the Planning Commission consider not allowing electric vehicle charging stations because they would generate a humming noise and Use Permit PLP98-0050 Conditions of Approval prohibit refueling on the western Phase II parcel, in part to limit noise.

**Response:**

To comply with Green Building Standards and address greenhouse gas reduction goals, the proposed project includes 5 electric vehicle charging stations located behind the noise berm at the northeast corner of the property. There are no fueling facilities on the Phase II western parcel. The applicant indicates that the electric vehicle charging stations would only be utilized during the permitted parking lot hours identified in the project Use Permit Conditions of Approval (6 a.m. to 6 p.m.).

**Issue #11:      Wetland Mitigation**



Appellants has asked that documentation be provided demonstrating that requirements for wetland mitigation have been met.

**Response:**

The environmental resource agency clearances and necessary approvals were provided by the applicant prior to issuance of the grading permit. Documentation of these clearances have been uploaded to the Grading Permit (GRD20-0207) and the Planning files (PLP98-0050/DRH22-0008) on the County’s public permitting tool, Citizen Access.

<https://prmd.sonomacounty.ca.gov/CitizenAccess/Default.aspx>

**RECOMMENDATIONS**

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission deny the appeal and uphold the Design Review Committee’s Final Design Review Approval of Phase II of the West County Transportation bus storage yard as conditioned.

**ATTACHMENTS**

1. Draft Conditions of Approval
2. Vicinity Map
3. Zoning Map
4. General Plan Map
5. Aerial Photo Phase I and II
6. Aerial Photo Phase II
7. [Site Photos](#)
8. Schematic 1999 Site Plan
9. Schematic Phase II Site Plan 2002
10. 2022 Site Plan – DRC Approved
11. Revised Landscape Plan
12. Lighting Plan Comparisons - Photometrics
13. Lighting Plan Comparisons – Perspectives
14. Appeal Letter and list of concerns
15. Response to DRC Cover Letter
16. Exhibit A to DRC Cover - Business Narrative and Response to Appeal
17. Exhibit B to DRC Cover - Narrative Tree Well Planting
18. Exhibit C to DRC Cover - Revised Landscape Plan
19. Exhibit D to DRC Cover - Berm Design Narrative
20. Exhibit E to DRC Cover - Lighting Narrative
21. 1999 BOS Resolution and Conditions of Approval
22. 2022 DRC Resolution and Conditions of Approval
23. Draft BZA Resolution

