



Agenda Item #: 4.B.  
Meeting Date: February 14, 2023  
Prepared By: Linda Ruffing, Planning Consultant  
Reviewed By: *Scott M. Duiven*  
Scott Duiven  
Community Development Director

**REQUEST FOR PLANNING COMMISSION ACTION**

**PROJECT TITLE:** Mill District Park ("The Preserve")  
**SUBJECT:** Major Design Review (DR 2022-22)  
**PROPERTY ADDRESS:** 146 and 164 Healdsburg Avenue, Lot 5  
**ASSESSOR PARCELS:** APNs 002-870-005  
**GEN'L PLAN & ZONING:** Mixed Use (MU)  
**APPLICANT/OWNER:** Replay Destinations/Replay Healdsburg, LLC

**RECOMMENDED ACTION:**

By motion, it is recommended that the Planning Commission approve Resolution No. 2023-xx (Attachment 1) approving Design Review DR 2022-22 for development of a 0.78-acre park on Lot 5 of the Mill District, based on the suggested findings and subject to the recommended conditions of approval.

**BACKGROUND:**

In early 2019, the City approved the first entitlements for the Mill District Project- a mixed use development on a 9.59-acre property in central Healdsburg. When built out, the Mill District Project will include up to 15,000 square feet of commercial space, a 53-room hotel, up to 208 residential units, a 0.78-acre park; and associated site improvements. To date, approvals for the Mill District Project pertaining to Lot 5 include the following:

- January 8, 2019: Planning Commission Resolution No. 2019-02 (Conditional Use Permit CUP 2017-12, Historic Demolition Permit MISC 2017-01, and Heritage Tree Permit HT 2017-02)
- March 11, 2019: City Council Resolution No. 42-2019 (Tentative Subdivision Map TM 2017-01)
- April 1, 2019: City Council Ordinance No. 1184 (Development Agreement DA 2018-01)
- March 20, 2020: Planning Commission Resolution No. 2020-06 (Design Review DR 2019-24 for Lot 5 Park)
- March 23, 2021: Planning Commission Resolution No. 2021-05 (Design Review Extension DR 2019-24.01)

DR 2019-24 subsequently expired, and the applicant has applied for a new Design Review permit. The proposed park design includes some modifications to the previously approved design.

- December 14, 2022: Parks and Recreation Commission unanimously approved the proposed modifications to the park design.

### **PROJECT DESCRIPTION:**

The applicant, Replay Destinations ("Developer"), requests a new Major Design Review approval (DR 2022-22) to authorize development of 0.78-acre park on Lot 5 of the Mill District project. Lot 5 is a 1.15-acre parcel centrally located in within the Mill District with frontage on Healdsburg Avenue (Attachment 2). Lot 5 has street access from Healdsburg Avenue on the west, and Sawmill Circle on the north. It is bounded by Lot 4 to the east (41 condominiums, under construction) and Lot 6 to the south (commercial/residential, in planning phase). Lot 5 is an irregularly shaped parcel and, in addition to the park, conceptual plans for Lot 5 include a mixed use/residential building adjacent to Sawmill Circle and a commercial building in the center of the parcel's frontage on Healdsburg Avenue as shown on Sheet 2 of the Plan Set (Attachment 3).

Lot 5 was established, in part, to provide privately-owned and maintained open space in the center of the Mill District development that will be available for public use and enjoyment. The approved Mill District Tentative Map (TM 2017-01) includes a condition relating to "Proposed Private Open Space and Recreation Amenities" (Community Services Condition #2) which states:

"The Owner/Applicant has proposed to locate on Lot 5, an approximately 0.78-acre, privately-owned park that would be open to the public. Concurrently with recordation of the Final Map, the Owner/Applicant shall record against Lot 5, a deed restriction or covenant, in a form reasonably acceptable to the City Manager or his or her designee, that designates the park as open to the public in perpetuity. The subdivision improvement agreement shall include the following requirements with respect to the 0.78-acre park:

Unless determined otherwise by the Planning Commission during the design review process, the design of the park shall be substantially consistent with the following requirements:

- The 0.78-acre park features a passive-use lawn area back dropped by a grove of heritage Redwood trees, meandering pedestrian walkways that are both concrete and soft surface, and public seating and gathering areas.
- The public will be able to flow seamlessly in and out of the park area from the adjacent public plazas and public sidewalks along the new project streets and Healdsburg Avenue.
- The park will feature a natural play area which includes boulders, logs, and timbers in a child safe configuration for free-form play and climbing / bouldering. In general, it is to serve children of approximate ages of toddler through teen."

In accordance with the Tentative Map conditions and Section 4.2(c)(iii) of the Mill District Development Agreement, the Developer entered into a Publicly Accessible Private Open Space Easement Agreement on December 30, 2020 which establishes the public's right to access the park and Mill District's obligation to maintain the park. The Subdivision Improvement Agreement for Mill District requires the Developer to complete the Park improvements in conjunction with

development of the Lot 4 condominiums. The Park improvements must be completed prior to issuance of a certificate of occupancy for the Lot 4 condominiums.

Sheet 8 of the Plan Set (Attachment 3) depicts an artistic rendering of the park as viewed from a birds-eye perspective, with Healdsburg Avenue in the foreground. The rendering depicts the park in the context of other planned development within the Mill District. This view includes a conceptual rendering of a future commercial building to be developed on the Healdsburg Avenue frontage of Lot 5.

Sheet 4 of the Plan Set (Attachment 3) provides a comparison of the previously-approved plan for the park and the currently proposed plan. Both plans include an open lawn area in the center of the parcel. Irrigated turf would be installed temporarily on the site of the future commercial building. The park is encircled by a walkway and the existing heritage trees on the site would be protected. The primary differences between the two plans are that (a) the layout of the walkways is shifted and (2) the play area is moved out from under the redwood trees in order to protect the root zones and minimize hazards to playground users from falling branches.

Sheets 5 through 7 provide details of the landscape planting plans, water use calculations, plant palette, and sections through the park that illustrate the scale of the adjacent buildings and the protected trees. Sheet 6 shows specifications for the proposed natural play elements and other site furnishings, including the proposed bollard-style LED pathway lighting for the park. Sheets 9 and 10 present civil drawings for the park including tree protection zones, proposed grading, storm drainage infrastructure, utilities and infrastructure, pathway lighting, etc. Tree protection measures are also shown on Sheet 1.

The following additional information about the proposed park plans was provided by the design team at the December 14, 2022 Parks and Recreation Commission meeting:

- The proposed landscaping uses more drought-tolerant plants than the previously approved plans. In addition, the amount of turf is reduced.
- The biofiltration areas are delineated from the larger lawn area. The lawn is red fescue which is well-adapted to the climate and can be selectively mowed in the biofiltration areas to reduce irrigation needs.
- Seat walls are included at the edge of the playground. Playground equipment is glass fiber reinforced concrete that looks like wood or stone. The playground will provide bouldering opportunities targeted to both the 2-5 years and 5-12 years age groups.
- The grove of trees along the south side of the park will cast shade on the play area.
- The Lot 5 mixed use building will have public restrooms on the ground floor.
- No drinking fountains or public water stations are proposed.

#### **SITE & VICINITY DESCRIPTION:**

Lot 5 of the Mill District development is 1.15 acres in size. The removal of former structures and vegetation (including several non-heritage trees) on Lot 5 was permitted in conjunction with earlier Mill District Project approvals.

Presently, Lot 5 is covered with asphalt and dirt, and it includes two groves of protected heritage trees, one on the south side and the other framing the north side of the park site. The heritage trees

on Lot 5 are primarily Coast redwoods along with two Deodar cedars. As shown on Sheet 9 of the Plan Set ([Attachment 3](#)), all of the heritage trees on Lot 5 are slated for protection.

**DISCUSSION/ANALYSIS:**

**Consistency with the Central Healdsburg Avenue Plan (CHAP)**

The Open Space and Recreation Framework of the CHAP calls for an approximately one-acre neighborhood park in the vicinity of the Mill District property. The narrative also states that:

"The redwood stand that frames the parcel boundaries of the approved Garden Court Inn project (146 Healdsburg Avenue), [...], are iconic natural features that help define the skyline of Healdsburg and roots the city in its Northern California forest setting. These masses and stands should be preserved and highlighted through carefully-defined view corridors."

The proposed park is consistent with these CHAP guidelines and with the conceptual plans submitted with the Tentative Map application for the Mill District Project. The 0.78-acre park will include a passive use lawn area with meandering walkways, benches and gathering areas. The walkways encircle the perimeter of the park and connect to sidewalks on Healdsburg Avenue, Sawmill Circle and South Street, along with walkways connecting to development on Lot 4. The park will include a natural play area located adjacent to the southerly grove of heritage trees. Consistency with the requirements for protection of the trees and safety issues are addressed below.

**Heritage Tree Protection**

The Mill District Project approvals include a Heritage Tree Removal Permit (HT 2017-02) that mandates the retention of two groves of heritage trees on Lot 5. The location of the heritage trees in relation to proposed walkways and placement of the natural play features is shown on Sheet 9 of the Plan Set ([Attachment 3](#)). The table below identifies the heritage trees and provides information regarding the tree species, diameter and proposed encroachments within the designated Tree Protection Zone of each tree, based on information provided in the Mill District Sitewide Tree Survey and Tree Protection Plan ([Attachment 4](#)) and Sheet 9.

**Mill District Project - Heritage Trees on Lot 5 (Park)**

Tree #	Species	Total Diameter	Proposed encroachments
#5902	Coast redwood	51.0	None.
#5903	Coast redwood	70.5	None.
#5904	Coast redwood	52.1	None.
#5905	Coast redwood	96.0	Walkway traverses TPZ.
#5908	Coast redwood	42.4	Located on Lot 4 and addressed in DR 2019-25. Low impact walkway traverses TPZ.
#5909	Coast redwood	68.0	Low impact walkway traverses TPZ.
#5910	Coast redwood	43.0	Low impact walkway traverses TPZ.

#5911	Coast redwood	46.5	Low impact walkway traverses TPZ.
#5912	Coast redwood	81.7	Walkway traverses TPZ.
#5913	Coast redwood	52.0	None.
#5918	Coast redwood	54.1	Walkway and bench adjacent to TPZ.
#5919	Deodar cedar	31.6	Play features in TPZ.
#5920	Coast redwood	58.2	Play features in TPZ.
#5921	Deodar cedar	35.1	Walkway adjacent to TPZ.
#5925	Coast redwood	28.0*	None.
*Note: Tree #5925 is not considered a heritage tree due to its diameter.			

The Tree Protection Zone (TPZ), as defined in Land Use Code section 20.24.045, extends to the dripline of the tree canopy. As shown on the above table, the park includes natural play features, walkways, and furnishings that are located within the TPZs of the two redwood groves on Lot 5. Details are not provided regarding how the play features would be anchored or stabilized. Sheet 9 shows a segment of pathway within the TPZ at the southeast corner of the park (between trees #5909 and #5910) which would be a "boardwalk." This area is shown as "raised sidewalk" on the civil drawings. This is the only location where a low impact walkway design is specified. The walkway also passes between heritage trees within the northerly grove and a low impact walkway design is not specified in this location.

Potential construction impacts include demolition of existing asphalt pavement, site grading, construction of walkways, and installation of landscaping, furnishings and underground utilities, including landscape irrigation within the TPZs of the heritage tree groves. The Plan Set (Attachment 3, Sheet 1) includes the Tree Protection Notes and Details as recommended by the *Mill District Tree Survey and Protection Plan* (Attachment 4, WRA Environmental Consultants; August 2018). Attachment 5 presents a *Mill District Lot 5 Tree Protection Memo* (WRA Environmental Consultants, October 2019) that presents additional site-specific recommendations for work within the Tree Protection Zones (TPZ) in order to minimize impacts from development of the park.

The draft Planning Commission resolution (Attachment 1) includes extensive conditions (Conditions #12 through #26) that reference recommendations of WRA Environmental Consultants and additional measures recommended by staff in consultation with City Arborist James MacNair. These conditions are intended to minimize the potential for harm to the heritage trees on Lot 5. Condition #13 requires the applicant's tree protection consultants (WRA Environmental Consultants) to evaluate the proposed modifications to the park design and, if necessary, to identify additional protective measures. Conditions #27 and #28 are recommended to address the risks to public safety associated with locating park features and equipment within the TPZs of the redwood and deodar cedar trees.

### **Stormwater Management**

In part, the modifications to the previously-approved park design are a result of refinements to the stormwater management system for Lots 4, 5 and 6 of the Mill District Project. The stormwater

from these parcels, encompassing 2.91 acres, will be captured, conveyed to and treated in the park. The previous park plans utilized an underground vault located under the lawn area. The current *Mill District Lot 5 Stormwater Low Impact Development Plan* (Carlile Macy, November 2022), as shown in Attachment 6, treats the stormwater in at-grade bioretention areas and rain gardens. The treatment system is designed to meet the stormwater treatment needs of Lots 4, 5 and 6. Plans and specifications for the bioretention features are shown on the Initial SWLID Plan on the last page of Attachment 6.

Condition #31 is recommended by the Public Works Department to ensure that the final SWLID report and construction plans for the park meet all stormwater requirements.

## FINDINGS

Pursuant to Land Use Code section 20.28.125, the Planning Commission is required to make the following findings in order to approve a Design Review Permit. Suggested language to support each finding is shown in *italicized* text below each finding:

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

*The proposed park development on Lot 5 is consistent with the Mill District Project approvals which were found to be consistent with the Healdsburg 2030 General Plan. The development, as conditioned, is consistent with all applicable provisions of the Land Use Code including the Heritage Tree Protection policies in Chapter 20.24, Article II.*

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

*The subject site is located within the planning area of the CHAP and, therefore, the project design was evaluated for consistency with the CHAP. See discussion below in Finding E.*

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

*Lot 5 is located within the Mixed Use zoning district. The development of a park is considered to be an accessory use that is customarily associated with and incidental to the commercial and residential uses in the Mill District Project.*

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

*The proposed development and use of Lot 5 as a park are consistent with the approved Mill District Project, including the Tentative Map (TM 2017-01), Master Conditional Use Permit (CUP 2017-12), Historic Demolition Permit (MISC 2017-1), Heritage Tree Removal Permit (HT 2017-02), and Development Agreement (DA 2018-01). All applicable conditions associated with these permits and the Mitigation Monitoring and Reporting Program (MMRP) will apply to development on Lot 5, except as modified by this approval.*

- E. For proposed developments or uses in the Central Healdsburg Avenue Plan area, the design of the development or use, and all appurtenant structures, is consistent with the policies set forth

in Chapter IV, "Building Design Framework," of the Central Healdsburg Avenue Plan dated November 2013 and adopted by the Healdsburg City Council on January 21, 2014, as may be amended from time to time.

*Although the Building Design Framework does not provide guidelines for park uses, the Open Space and Recreation Framework of the CHAP supports development of a park in the vicinity of Lot 5 and calls for protection of the redwood groves on the property. The proposed park plan is consistent with these objectives.*

## **ALTERNATIVES:**

The Planning Commission may consider the following alternative actions:

**Staff Recommendation** – Approve Resolution No. 2023-xx (Attachment 1) approving Design Review DR 2022-22 for development of a 0.78-acre park and associated site improvements and amenities on Lot 5 of the Mill District development.

**Alternative 1** – Approve Resolution No. 2023-xx (Attachment 1) with modifications based on changes identified at the Planning Commission hearing.

**Alternative 2** – Continue action on the applications in order for the applicant to address design-related concerns and require that revised plans be brought back to the Planning Commission for future action. This would likely require noticing of a future public hearing.

## **ENVIRONMENTAL ANALYSIS:**

The environmental review for the Mill District Project ("Project") relied upon the certified EIR for the Central Healdsburg Avenue Plan ("CHAP") which was prepared pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000, et seq.) ("CEQA"), and certified by the Healdsburg City Council on January 21, 2014 (State Clearinghouse No. 2012112011). An Environmental Checklist and a Certificate of Determination prepared for the Project each concluded that:

1. The Project would not result in any significant impacts that: (1) are peculiar to the Project or Project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the CHAP EIR; or (3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the CHAP EIR was certified, are determined to have a more severe adverse impact than discussed in the CHAP EIR. As a result, pursuant to Section 15183, the Project is exempt from further environmental review under CEQA.
2. The Project would not cause new significant impacts not previously identified in the previously certified CHAP EIR, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the CHAP that would cause significant environmental impacts to which the Project would contribute considerably, and no new information has been put forward that shows that the Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164.

3. The Project would not cause new significant impacts not previously identified in the previously certified CHAP EIR, which may serve as a “Program EIR” under CEQA, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the CHAP that would cause significant environmental impacts to which the Project would contribute considerably, and no new information has been put forward that shows that the Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required for the Project in accordance with CEQA Guidelines Sections 15162 and 15168.

The proposed development of a privately owned and maintained, yet publicly accessible, park on Lot 5 is a component of the Mill District Project, and as such, its environmental impacts were considered as part of the environmental review for the Mill District Project. All mitigation measures identified for the Mill District Project shall apply to the development of Lot 5 and shall be satisfied pursuant to the Mitigation Monitoring Reporting Program (MMRP) previously adopted as part of the Project Approvals. Therefore, no additional environmental review is required.

**ATTACHMENTS:**

1. Draft Planning Commission Resolution No. 2023-xx
2. Lot 5 Vicinity Map
3. Mill District Park Plan Set (November 11, 2022)
4. *Mill District Sitewide Tree Survey & Tree Protection Plan* (WRA, August 2018)
5. *Mill District Lot 5 Tree Protection Memo* (WRA, October 2019)
6. *Mill District Park SWLID Report* (Carlile Macy, November 2022)