

PLANNING COMMISSION – March 27, 2019
REQUIRED FINDINGS AND CONSIDERATIONS:

258 Union Avenue
Architecture and Site Application S-18-033
Conditional Use Permit Application U-18-010
Subdivision Application M-18-004
Negative Declaration ND-19-001

Requesting approval to construct a mixed-use commercial building with three attached multi-family condominiums, six detached single-family condominiums, and alternating use of parking on property zoned C-1. APNs 527-44-012 -013.

APPLICANT: EW Real Estate, LLC

PROPERTY OWNER: Cashmere Bouquet 1031 LLC.

FINDINGS

Required Finding for CEQA:

- It has been determined that this project will not have a significant impact on the environment. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to mitigate potential impacts to a less than significant level are adopted.

Required findings for a Conditional Use Permit:

- As required by Section 29.20.190(a) of the Town Code for granting a Conditional Use Permit:
 - (1) The proposed uses of the property are essential or desirable to the public convenience or welfare;
 - (2) The proposed uses will not impair the integrity and character of the zone;
 - (3) The proposed uses would not be detrimental to public health, safety or general welfare; and
 - (4) The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purposes of this chapter.
- As required by Section 29.10.150(e) of the Town Code for granting a Conditional Use Permit for alternating uses that the alternating use of parking spaces will not result in the effective provision of fewer off-street parking spaces than required by Town Code.

Required findings by Housing Element Policy HOU-8.1:

- The proposed development is consistent with the Town's Housing Element and addresses the Town's housing needs as identified in the Housing Element.

Commercial Design Guidelines:

- The proposed building is consistent with applicable provisions of the Commercial Design Guidelines.

Residential Design Guidelines:

- The proposed building is consistent with applicable provisions of the Residential Design Guidelines.

Required findings to deny a Subdivision application:

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the application.**

Instead, the Planning Commission makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development
- e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat
- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

CONSIDERATIONS

Required considerations in review of Architecture & Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.