

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2011-16**

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (U 2011-10) AND DESIGN REVIEW (DR 2011-08) ALLOWING THE DEVELOPMENT OF A NEW 2,668 SQUARE FOOT 2-STORY INFILL STRUCTURE ON THE PROPERTY LOCATED AT 1329 LINCOLN AVENUE (APN 011-221-023) WITHIN THE “DC-DD”, DOWNTOWN COMMERCIAL-DESIGN DISTRICT OVERLAY ZONING DISTRICT

1
2 **WHEREAS**, Olof and Elizabeth Carmel on behalf of Hawks Peak, LLC, are the property
3 owners for which this application is proposed; and
4

5 **WHEREAS**, on June 7, 2011 the property owners requested consideration of a
6 Conditional Use Permit and Design Review to allow the development of a new 2,668 square
7 foot 2-story infill structure on the property located at 1329 Lincoln Avenue (APN 011-221-023)
8 within the “DC-DD”, Downtown Commercial-Design District Overlay Zoning District; and
9

10 **WHEREAS**, the Planning Commission considered the requests at its regular meeting of
11 August 24, 2011 and September 28, 2011. Prior to taking action on the application, the
12 Planning Commission received written and oral reports by the staff, and received public
13 testimony; and
14

15 **WHEREAS**, this action has been reviewed for compliance with the California
16 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA pursuant
17 to Section 15332 of the CEQA guidelines; and
18

19 **WHEREAS**, the Planning Commission pursuant to Chapter 17.06.040 has made
20 the following Design Review findings for the project:
21

- 22 1. The design shall be compatible with the existing development pattern with regard to
23 massing, scale, setbacks, color, textures, materials, etc.
24

25 Response: The proposed design has been skillfully massed so as to create an
26 authentic and beautiful varying facade on the Lincoln Avenue streetscape which is a
27 valuable addition to the existing condition between the low Bank of the West single story
28 building and the single story (and a half) parapet of the Sugar Daddy’s building. The
29 proposed two story mass with appropriately scaled parapet above roof line has been
30 composed to be taller than the C. A. Stevens Bank stone building (the Lincoln Ave. Spa)
31 so as not to visually “bookend” this important historic building and to be shorter and
32 subordinate to the much more massive two story brick Oddfellows Hall historic building.
33 The proposed building appropriately fills the width of the site and is designed to greet the
34 sidewalk, defining the street edge and be flush to the facade of the adjacent Sugar
35 Daddy’s building.
36

37 The traditional palette of colors, textures and materials within the Spanish Colonial
38 Revival style have been composed into the design so as to create a building that is
39 naturally compatible with the historic downtown. The palette for this composition of a
40 slightly off white hand troweled stucco, contrasted with rough textured dark stained
41 timber and woodwork details, sandcast mission clay roofing tiles, and a locally quarried
42 natural stone base is in perfect harmony with the downtown and it’s neighbors.
43

- 44 2. The design shall result in an appropriate site layout, orientation, and location of
45 structures, relationship to one another, open spaces and topography.

46
47 Response: The proposed design reflects the traditional development pattern for this
48 site historically as well as the pattern as previously stated which is preferred by the
49 General Plan. The topography of the site is flat. The proposed design addresses the
50 street orientation and the pedestrian as it should in the downtown core, welcoming, with
51 perfect scale and detail to make the experience comfortable, rich and inviting.

52
53 3. The design shall provide a harmonious relationship of character and scale with existing
54 and proposed adjoining development, achieving complementary style, while avoiding
55 both excessive variety and monotonous repetition.

56
57 Response: The proposed design is in perfect harmony with the character of what the
58 local or visitor would expect in Calistoga and on this specific site and in the context of
59 the existing development surrounding it and defining it. The design will not jump out as
60 being out of place, it will not be a monotonous “cookie cutter” building that comes off as
61 being artificial or one-dimensional; instead it will just “feel right”. That is ultimately the
62 respect we need to show for the historic downtown in our architecture in order to
63 reinforce a strong sense of place of what makes Calistoga a unique, wonderful, historic,
64 Napa Valley town.

65
66 The adjoining development to the south, the Bank of the West property, is very unique in
67 the historic downtown and bears little resemblance to the proposed design. The
68 architectural styles, site proportions, layout and orientation are different from one
69 another. The adjacent development to the north where Sugar Daddy’s and Attitudes are
70 located is a fairly modern building in the context of the historic downtown and is more of
71 a style that was consistent with the time it was built. Both of these developments are
72 more typical of the architectural style being dominant in commercial design at the time
73 they were designed and built and are more unique in character to the majority of the
74 development of the historic downtown.

75
76 4. The building design, materials, colors and textures shall be compatible and appropriate
77 to Calistoga, and the architectural design or structures and their materials and colors
78 shall be appropriate to the function of the project.

79
80 Response: Calistoga’s downtown has a rich variety of building designs which is a
81 natural pattern for a town that has gone through destructive fires and demolitions at
82 various times in its history. The proposed design with its Spanish Colonial Revival style
83 and its proposed materials, colors and textures fits in within Calistoga for the proposed
84 commercial function. The proposed materials, colors and textures are already found on
85 buildings within Calistoga’s downtown. This style has a strong heritage in small
86 downtown commercial development within the region.

87
88 5. The design shall provide for harmony of materials, colors, and composition of those
89 sides of a structure, which are visible simultaneously.

90
91 Response: This building has one very dominant exposure to Lincoln Avenue to the east.
92 The south side of the building will be largely covered by trees on the adjacent Bank of
93 the West property, so little of the south side will be seen from Lincoln Avenue or from the
94 Bank of the West parking lot. The west side (back) is not visible to a street and will be
95 largely obscured by the large Douglas fir tree. The north side is against the adjacent

96 building and will not be seen. With these perspectives in mind, the color scheme is
97 coordinated to all sides of the building but other than a small portion of the front corner
98 view from the south east, no other two sides can really be seen simultaneously. From
99 this south east perspective, the stucco, trim material and color scheme is consistent as
100 proposed on the two visible elevations, unifying the building composition. The
101 composition roofing up on the second story only visible from a distance from the south is
102 conceived of being a light, subtle tan tone which will not stand out and will thereby leave
103 the Lincoln Avenue composition to be the dominant composition, as is consistent
104 historically in this downtown context.

- 105
106 6. The design shall provide consistency of composition and treatment.

107
108 Response: The color scheme is consistent throughout. As is consistent with historical
109 design practices on a storefront building with its primary facade oriented to the sidewalk
110 and flush with adjacent buildings creating the streetscape, most detail in the design is
111 given to that storefront exposure, and this is part of the character and charm of the
112 historic development pattern.

- 113
114 7. The design shall consider the location and type of planting with regard to valley
115 conditions, including the preservation of specimen and landmark trees upon a site with
116 proper irrigation to insure water conservation and maintenance of all plant materials.

117
118 Response: No additional planting is proposed for this site as the entire front portion will
119 be covered by the building to the sidewalk and the back area is being left undisturbed to
120 protect and preserve the landmark 42" Douglas fir tree with half of its canopy over this
121 parcel.

- 122
123 8. The exterior lighting, design, signs and graphics shall be compatible with the overall
124 design approach and appropriate for the setting.

125
126 Response: As is consistent with many other storefront buildings within the downtown,
127 there is no decorative exterior lighting proposed. Signage lighting will be installed that is
128 inconspicuous and installed under the cantilevered balcony as surface mounted small
129 directional canister lights finished to blend in with the surrounding color. This signage
130 lighting will supply enough bounce light under the balcony for appropriate night lighting,
131 to supplement the existing street lighting.

- 132
133 9. The design shall provide for improvement of existing site conditions, including but not
134 limited to signage, landscaping, lighting, etc., to achieve closer compliance with current
135 standards.

136
137 Response: The current site is vacant and a blight to the downtown Historic District, so
138 everything about this proposal is a vast improvement from the existing site conditions.

- 139
140 10. The design promotes a high design standard and utilizes quality materials compatible
141 with the surrounding development consistent with and appropriate for the nature of the
142 proposed use.

143
144 Response: The proposal sets and promotes a high design standard and utilizes
145 materials of high quality and character that are compatible with the surrounding

146 development yet unique in the way they are finished and treated qualitatively in the
147 design and work together to create a unique, beautiful and functional whole composition.
148 It's appropriate and important that every submittal for a new infill building in Calistoga's
149 downtown reach these goals.

150
151 11. The design presents a responsible use of natural and reclaimed resources.

152
153 Response: There are many elements of this project which are important green building
154 practices and are elements of the LEEDS program of environmentally sustainable
155 building practices.

156
157 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has made the
158 following Conditional Use Permit findings for the project:

159
160 1. The proposed development, together with any provisions for its design and
161 improvement, is consistent with the General Plan, any applicable specific plan and other
162 applicable provisions of the Zoning Code including the finding that the use as proposed
163 is consistent with the historic, rural, small-town atmosphere of Calistoga.

164
165 Response: This development is consistent with the City's Design Review guidelines,
166 other provisions of the Zoning Code and is consistent with the policy direction of the
167 General Plan since the project will promote Calistoga's rich and varied heritage through
168 the preservation and adaptive reuse of this property.

169
170 2. The site is physically suitable for the type and density of development.

171
172 Response: The project proposes slightly more than 35 percent building site coverage.
173 The project complies with all of the applicable "DC", Downtown Commercial Zoning
174 District standards.

175
176 3. The proposed development has been reviewed in compliance with the California
177 Environmental Quality Act (CEQA) and the project will not result in detrimental or
178 adverse impacts upon the public resources, wildlife or public health, safety and welfare.

179
180 Response: This project is exempt from CEQA under Section 15332.

181
182 4. Approval of the use permit application will not cause adverse impacts to maintaining an
183 adequate supply of public water and an adequate capacity at the wastewater treatment
184 facility.

185
186 Response: The City's water system and wastewater treatment facility is adequate to
187 serve this project, no additional impact is anticipated.

188
189 5. Approval of the use permit application shall not cause the extension of service mains
190 greater than 500 feet.

191
192 Response: Approval of this use permit application shall not cause the extension of
193 service mains greater than 500 feet.

194

- 195 6. An allocation for water and/or wastewater service pursuant to Chapter 13.16 CMC
196 (Resource Management System) shall be made prior to project approval. Said allocation
197 shall be valid for one year and shall not be subject to renewal.
198

199 Response: A Water Use Report prepared by Delta Consulting and Engineering dated
200 March 7, 2011 indicates that the project will be below the properties existing water
201 allotment of 26 units. If the use is greater than what was reported or any other change of
202 use occurs to the building, the owner will be required to obtain a Growth Management
203 Allocation and pay for the additional connection fee required for the additional water and
204 sewer allocation.
205

- 206 7. The proposed development presents a scale and design which are in harmony with the
207 historical and small-town character of Calistoga.
208

209 Response: The proposed design reflects the traditional development pattern for this site
210 historically as well as the pattern as previously stated which is preferred by the General
211 Plan, which is in harmony with the small-town character.
212

- 213 8. The proposed development is consistent with and will enhance Calistoga's history of
214 independent, unique, and single location businesses, thus contributing to the uniqueness
215 of the town, which is necessary to maintain a viable visitor industry in Calistoga and to
216 preserve its economy.
217

218 Response: The proposed design is in perfect harmony with the character of what the
219 local or visitor would expect in Calistoga and on this specific site and in the context of
220 the existing development surrounding it and defining it.
221

- 222 9. The proposed development complements and enhances the architectural integrity and
223 eclectic combination of architectural styles of Calistoga.
224

225 Response: The structure will complement and blend in with the eclectic architectural
226 styles found in Calistoga.
227

228 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning Commission
229 that based on the above findings, the Planning Commission approves the proposed project,
230 subject to following Conditions of Approval:
231

232 **GENERAL CONDITIONS**
233

- 234 1 The development of a new 2,668 square foot 2-story infill structure hereby permitted shall
235 substantially conform to the project description submitted by the applicant and the site plan
236 and elevations received September 6, 2011 except as noted in the permit conditions.
237
- 238 2 This permit shall be null and void if not used within a three year period. This permit shall be
239 valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 17.40
240 of the Calistoga Municipal Code. Minor modifications which do not increase
241 environmental impacts may be approved in writing by the Planning and Building Director.
242
- 243 3 The owner(s) shall permit the City of Calistoga or representative(s) or designee(s) to
244 make periodic inspections at any reasonable time deemed necessary in order to assure

- 245 that the activity being performed under authority of this permit is in accordance with the
246 terms and conditions prescribed herein.
247
- 248 4 This use permit does not abridge or supercede the regulatory powers or permit
249 requirements of any federal, state or local agency, special district or department which
250 may retain regulatory or advisory function as specified by statute or ordinance. The
251 applicant shall obtain permits as may be required from each agency.
252
- 253 5 The property owner shall obtain a Building Permit for construction of all buildings or
254 structures located on the site, not otherwise exempt by the Uniform Building Code or any
255 State or local amendment adopted thereto.
256
- 257 6 All work performed in conjunction with this approval shall be by individuals who possess
258 a valid business license from the City of Calistoga.
259
- 260 7 Prior to issuance of all building permits, the property owner agrees to pay all fees
261 associated with plan check and building inspections, and associated development
262 impact fees rightfully established by City Ordinance or Resolution.
263
- 264 8 Prior to building permit issuance, the applicant shall review and approve disabled access
265 requirements with the Planning and Building Department and make any necessary
266 changes in the project design to achieve compliance with such requirements.
267
- 268 9 Prior to Building Permit issuance, the applicant shall obtain a Growth Management
269 Allocation and purchase 3.63 acre-feet of water and 0.558 acre-feet of wastewater
270 subject to the ordinances in place at the time of Building Permit issuance. A reduced
271 amount of resources, if requested by the Applicant shall only be approved upon the
272 review and approval of the Public Works Department.
273

274 **PLANNING AND BUILDING CONDITIONS**
275

- 276 10 Mechanical equipment (i.e. HVAC Unit) shall be located on the north facing roof slope
277 and shall be appropriately screened from public view subject to the Planning and
278 Building Departments review and approve.
279
- 280 11 Solid wood windows and doors shall be installed subject to the review and approval of
281 the Planning and Building Department.
282
- 283 12 Use of the second story shall be limited to storage for the life of the development unless
284 otherwise authorized by the Planning and Building Department or Planning Commission.
285
- 286 13 Due to the sensitivity of the downtown, this project shall strictly adhere to timeline
287 described in the Preliminary Construction Management Plan updated September 21,
288 2011, unless otherwise modified subject to mutual agreement of the City and the
289 Developer. In the event that all exterior work is not completed, the fences and
290 enclosures around the sidewalks removed and the sidewalk returned to normal use
291 within 6 months of obtaining a building permit a \$100.00 per day penalty will be
292 assessed and payable to the City prior to receiving a certificate of occupancy.
293

294 14 During ground disturbing activities a qualified cultural resource consultant shall be
295 present to monitor the site and activities. If archaeological, historical, paleontological
296 resources or other human remains are encountered, all construction activity in the
297 affected area shall cease and no materials shall be removed until the qualified
298 professional surveys the site and mitigation measures can be proposed by the qualified
299 professional to the satisfaction of the Planning Division for approval and subsequent
300 implementation by the Applicant.
301

302 **FIRE DEPARTMENT CONDITIONS**
303

304 15. Prior to occupancy, a Fire Department connection and fire hydrant shall be installed
305 subject to the review and approval of the Fire Chief. The proposed water meter, fire
306 connection/fire hydrant should be served by an appropriately 6" lateral extending from
307 the 10" cast iron water mainline located on the east side of Lincoln Avenue subject to the
308 review and approval of Caltrans and the City. Connection to the 6" steel water mainline
309 located on the west side of Lincoln Avenue may be authorized upon the developer
310 providing supporting evidence that the necessary fire flow can be achieved subject to the
311 review and approval of the City Engineer and Fire Chief.
312

313 16. Prior to occupancy, an automated fire sprinkler system shall be installed throughout the
314 structure(s) subject to the review and approval of the Fire and Planning and Building
315 Departments.
316

317 **PUBLIC WORKS CONDITIONS**
318

319 **A. General**
320

321 17. Prior to building permit issuance, a non-routine encroachment permit pursuant to Section
322 12.08.070 CMC shall be obtained allowing the balcony and any other architectural
323 projection to be constructed within the Lincoln Avenue public right of way. All other
324 construction related activities or encumbrances shall require a encroachment permit
325 subject to the review and approval of the Public Works Department.
326

327 18. During construction a physical barrier to protect pedestrian and motoring public shall be
328 installed subject to the satisfactory of the Public Works Director.
329

330 19. Prior to building permit issuance, a signed construction easement allowing access for
331 construction vehicles and supplies across APN 011-221-019 shall be submitted to the
332 Planning and Building Department.
333

334 20. Developer shall design and construct all improvements and facilities shown on any site
335 plan, or other documents submitted for permit approval, all representations made by
336 Developer, and with the plans and specifications submitted to and approved by City, to
337 comply with the General Plan, the Calistoga Municipal Code (CMC), and the "Standard
338 Specifications" of the Public Works Department. Approval of a site plan depicting
339 improvements that do not conform to the CMC or City standards does not constitute
340 approval of exception to the CMC or City standards unless explicitly stated herein or in
341 another City resolution.
342

343 21. The developer shall be responsible for all City plan check and inspection costs. The
344 developer shall deposit funds into a City Developer Deposit Account upon the initiation
345 of plan check services. The amount of the initial deposit shall be determined by the City
346 Engineer. Additional funds may be required based upon actual plan check costs. Prior
347 to approval of the improvement plans the developer shall pay any outstanding balance
348 for plan checking services and shall deposit an additional amount based upon the City's
349 estimate of inspection costs.

350
351 **B. Improvement Plan Conditions:**

352
353 22. The developer shall prepare and submit improvement plans for the construction of all
354 necessary and required improvements including water, sanitary sewer, storm drain
355 facilities, roadway improvements, curbs, gutters and sidewalks, as required. The
356 improvement plans shall include elevations, striping plans, profiles and pavement
357 sections shall as deemed necessary by the City Engineer. All design and construction
358 shall conform to the City of Santa Rosa Standard Specifications for Public
359 Improvements, or other adopted City of Calistoga standards as applicable.

360
361 23. No grading or other construction shall be performed until the improvement plans have
362 been approved and signed by the City Engineer. Building Permits will not be issued
363 prior to the approval of the improvement plans unless otherwise approved by the Public
364 Works and Planning and Building Departments.

365
366 24. Tree preservation measures shall be incorporated into the design of the improvements
367 and shown on the improvement plans in accordance with the City's Tree Preservation
368 Ordinance (CMC 19.01) and the project arborist's recommendations. The project
369 arborist shall be on site during ground disturbing activities, including all activity
370 associated with digging the foundation. Subsequently, the project arborist shall prepare
371 a letter to the Planning and Building Department stating that the observations were
372 made and that any unexpected root damage was mitigated.

373
374 25. Prior to building permit issuance, the developer shall present to the City a letter from the
375 adjoining property owner confirming their agreement that the tree work proposed on their
376 property is acceptable.

377
378 26. Water and Sanitary Sewer Improvements:

379
380 a. All utility work occurring within the paved area of Lincoln Avenue shall be completed by
381 May 1, 2012. In the event the work is not complete a penalty may be assessed
382 pursuant to Condition No. 13.

383
384 b. Any structure in which plumbing is to be installed shall be connected to the City's water
385 and sewer systems unless an exception has been explicitly granted in accordance with
386 the provisions of the CMC.

387
388 c. All private storm drains, water, fire line services, sewer laterals, and appurtenances,
389 must be located within the private property and clearly identified as private on the
390 design drawings.

391

392 d. Prior to building permit issuance, a video survey of the Lincoln Avenue sewer main
393 shall be required to determine the existence of a sewer lateral serving this parcel. If
394 one is found and structurally sound it may be used to serve the project subject to the
395 review and approval of the Public Woks Department.
396

397 27. Drainage Improvements:
398

399 a. All project related flooding impacts shall be mitigated by the project developer.
400 Drainage improvements shall be designed by a civil engineer in accordance with the
401 Napa County Design Criteria. Site grading and drainage improvements shall be
402 shown on the improvement plans.
403

404 **D. Project Final and/or Release of Securities Conditions**
405

406 28. All improvements shown on the Improvement Plans shall be completed and accepted by
407 the City. A certificate of occupancy shall not be issued for any structure until required
408 improvements are completed to the satisfaction of the City Engineer.
409

410 29. A complete set of *As-Built* or Record improvement plans showing all constructive
411 changes from the original plans shall be submitted to the Public Works Department prior
412 to acceptance of the public improvements.
413

414 30. Prior to acceptance of the work, the developer shall provide a written statement signed
415 by his or her engineer certifying that they observed the work during construction and that
416 site grading and all private site improvements have been completed in accordance with
417 the improvement plans approved by the City Engineer.
418

419 31. Prior to acceptance of the work, the developer shall provide a written statement signed by
420 his or her geotechnical engineer certifying that they observed the work and reviewed
421 testing results, and that all of work was performed in accordance with the
422 recommendations included in the Soils Investigation/Geotechnical Report or other
423 recommendations necessitated by field conditions.
424

425 **PASSED, APPROVED AND ADOPTED** on September 28, 2011 by the following vote of
426 the Calistoga Planning Commission:
427

428 AYES:
429 NOES:
430 ABSENT:
431 ABSTAIN:
432

433
434 _____
435 Jeff Manfredi, Chairman
436

437
438 ATTEST: _____
439 Amanda Davis
440 Secretary to the Planning Commission