

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: MAY 28, 2008

SUBJECT: VINEYARD OAKS SUBDIVISION

1 **REQUEST:**

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3 Referral from the City Council regarding review of a Zoning Ordinance Text
4 Amendment (ZO 2008-01), Development Agreement (DA 2007-02), Tentative
5 Tract Map (TTM 2007-02) and Design Review (DR 2008-01) requested by Ed
6 Nagel of BNK Investments, LLC, on behalf of the property owners, Ira and Lois
7 Carter and 1881 Mora Avenue, to amend Chapter 17.08 of the Zoning Ordinance
8 to provide an alternative means for residential projects to satisfy the affordable
9 housing requirements and to subdivide approximately 18 acres of land into 15
10 single-family lots. The lots are approximately 1 acre in size. The subdivision
11 includes a lot line adjustment with the property to the east along Mora Avenue
12 strictly for utility and emergency vehicle access. The subject properties are
13 addressed as 2400 Grant Street & 1881 Mora Avenue and located within the RR
14 - Rural Residential Zoning District. (APN 011-010-013 & 011-010-014 and 011-
15 021-002)

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17 **HISTORY:**

<u>Date</u>	<u>Hearing Body</u>	<u>Action Taken</u>
• March 12, 2008	Planning Commission	Recommended approval to City Council
• April 15, 2008	City Council	Matter referred back to Planning Commission
• May 14, 2008	Planning Commission	Continued matter to May 28, 2008 for further discussion

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20 The May 14, 2008 Planning Commission Staff Report has been attached for your
21 review.

22 **STAFF ANALYSIS AND DISCUSSION:**

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24 Based upon the comments and concerns heard from the public during the May
25 14, 2008, the Planning Commission directed Staff to investigate the
26 appropriateness of:

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28 1) increasing the side yard setback on Lot 8; and
29 2) restricting the height of Lot 1 to 23 feet to the peak of the roof; and
30 3) restricting construction hours; and
31 4) applying a Design Review requirement to Lot 1 and Lot 15; and
32 5) reducing or eliminating the private driveways.

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34 The Planning Commission also requested the applicant to continue their out
35 reach program with the neighborhood.

36
37 With respect to increasing the side yard setback on Lot 8, Staff has found that
38 the "RR", Rural Residential Zoning District requires a 10 foot side yard setback
39 and there are no residential structures located on the contiguous parcel that
40 would be substantially impacted by the proximity of a residence 10 feet of the
41 property boundary. In addition, relocating the driveway from the rear to the front
42 will provide addition opportunities to increase the side yard setback, as indicated
43 on the attached Plan. Staff recommends maintaining the zoning district
44 development standards.

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46 The Applicant has agreed to restrict the height of the residence on Lot 1 to 23
47 feet to the peak and limiting the construction hours to Monday through Friday
48 7:00 am to 7 pm. As such, the draft conditions of approval have been modified to
49 incorporate these requirements.

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51 During the Planning Commission meeting of May 14, 2008, there seemed to be
52 consensus to only require Design Review on Lot 1 and not on Lot 15 due to its
53 location and existing tree cover. The Planning Commission should discuss this
54 matter further. However, should the Planning Commission wish to require
55 Design Review, the Planning Commission the following condition of approval
56 should be incorporated to require Design Review by the Planning Commission
57 for Lot 1 and Lot 15 to insure privacy, views, and proper massing for adjacent
58 properties:

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60 *"Any future new construction, exterior alterations, expansion or other new*
61 *construction on Lot 1 and 15 shall be subject to Design Review approval*
62 *pursuant to Chapter 17.06 of the Calistoga Municipal Code. The purpose*
63 *of this review is to insure privacy, views and proper massing for adjacent*
64 *properties. Each Design Review Application shall be accompanied by a*
65 *completed application on application forms provided by the City, and*
66 *appropriate filing fees. The form and contents of the Design Review*

67 *applications shall conform to the Design Review Guidelines, Zoning*
68 *District, and General Plan and shall contain the information requirements*
69 *of the City of Calistoga Planning and Building Department in effect at the*
70 *time the application is filed.”*
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72 On May 22, 2008 a revised Tentative Subdivision Map was received by the
73 applicant proposing reductions to the private driveways including the removal of
74 the driveway access to Lot 8 and 9, which will be accessed via Valencia Lane.
75 Driveway access to Lot 10 could not be relocated due to the proposed roadway
76 curvature and potential impacts to trees. As such, Lot 10 through 13 will
77 maintain driveway access via Hawthorn Place. Lots 11 through 13 will share a
78 driveway access off the southern side of Hawthorn Place and Lot 10 will be
79 accessed via the northern side. No other changes are proposed.
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81 Overall, staff finds that the proposed project, as presented and modified to date,
82 is a good project for the community. Furthermore, it is staff’s opinion that the
83 developer has done a good job in addressing issues and responding to
84 suggestions of the City and public concerns.
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86 **RECOMMENDATIONS:**
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- 88 1. Staff recommends that the Planning Commission uphold their previous
89 action and adopt Planning Commission Resolution PC 2008-17
90 recommending to the City Council adoption of a Mitigated Negative
91 Declaration based on an Initial Study prepared for the Vineyard Oaks
92 Subdivision incorporating the findings and mitigation measures as provided
93 in the resolution.
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- 95 2. Staff recommends that the Planning Commission uphold their previous
96 action and adopt Planning Commission Resolution PC 2008-18
97 recommending to the City Council approval of a Zoning Ordinance Text
98 Amendment (ZO 2008-01) amending Chapter 17.08 to provide an
99 alternative means for residential projects to satisfy the affordable housing
100 requirements and incorporating the findings as provided in the resolution.
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- 102 3. Staff recommends that the Planning Commission uphold their previous
103 action and adopt Planning Commission Resolution PC 2008-19
104 recommending to the City Council approval of Development Agreement
105 (DA 2007-02) incorporating the findings as provided in the resolution.
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- 107 4. Staff recommends that the Planning Commission uphold their previous
108 action and adopt Planning Commission Resolution PC 2008-20
109 recommending to the City Council approval of a Tentative Subdivision Map
110 (TTM 2007-01) incorporating the findings and subject to conditions of
111 approval as provided in the resolution.

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5. Staff recommends that the Planning Commission uphold their previous action and adopt Planning Commission Resolution PC 2008-21 recommending to the City Council approval of Design Review (DR 2008-01) for the project incorporating the findings and subject to conditions of approval as provided in the resolution.

SUGGESTED MOTIONS:

- A. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-17 upholding Resolution PC 2008-06 recommending to the City Council adoption of a Mitigated Negative Declaration based on an Initial Study prepared for the Vineyard Oaks Subdivision incorporating the findings and mitigation measures as provided in the resolution.
- B. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-18 upholding Resolution PC 2008-07 recommending to the City Council approval of a Zoning Ordinance Text Amendment (ZO 2008-01) amending Chapter 17.08 to provide an alternative means for residential projects to satisfy the affordable housing requirements and incorporating the findings as provided in the resolution.
- C. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-19 upholding Resolution PC 2008-08 recommending to the City Council approval of Development Agreement (DA 2007-02) incorporating the findings as provided in the resolution.
- D. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-20 upholding Resolution PC 2008-09 recommending to the City Council approval of a Tentative Subdivision Map (TTM 2007-01) incorporating the findings and subject to conditions of approval as provided in the resolution.
- E. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-21 upholding Resolution PC 2008-10 recommending to the City Council approval of Design Review (DR 2008-01) for the project incorporating the findings and subject to conditions of approval as provided in the resolution.

ATTACHMENTS:

1. Revised Tentative Subdivision Map received May 22, 2008
2. Mitigated Negative Declaration and Mitigation Monitoring Program Resolution PC 2008-17
3. Zoning Ordinance Text Amendment Resolution PC 2008-18

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- 157 4. Development Agreement Resolution PC 2008-19
- 158 5. Tentative Tract Map (Subdivision Map) Resolution PC 2008-20
- 159 6. Design Review Resolution PC 2008-21
- 160 7. Abbreviated Planning Commission Staff Report of May 14, 2008
- 161 *(Attachments to the Staff Report are available upon request including*
- 162 *previously submitted communications and correspondence)*