

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2012-\_\_**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A  
CONDITIONAL USE PERMIT (U 2011-11) AND DESIGN REVIEW (DR 2011-  
09) FOR THE RESORT AT INDIAN SPRINGS EXPANSION PROJECT  
LOCATED AT 1712 LINCOLN AVENUE (APN 011-340-019) WITHIN THE “CC-  
DD”, COMMUNITY COMMERCIAL – DESIGN DISTRICT**

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2           **WHEREAS**, on July 15, 2011, an application was submitted by Paul  
3 Coates, on behalf of Resort at Indian Springs, LLC, requesting a Development  
4 Agreement associated with the approval of a Conditional Use Permit and Design  
5 Review for the expansion of the Resort at Indian Springs by adding 75 guest  
6 rooms (i.e. 9 8-unit hotel structures and 3 cottage units), a restaurant, event  
7 building, gym & yoga studio and hotel registration building. Landscaping, new  
8 parking areas, driveways and pedestrian pathways will also be developed. On  
9 and off site water, sewer, recycled water and storm drainage improvements will  
10 be installed to serve the project. The off site improvements will include the  
11 construction of new sewer and storm drain lines across the adjoining Gliderport  
12 property using a subgrade “jack and bore” method. The existing tennis court,  
13 several out buildings, trees, and mud ponds will be demolished and/or removed  
14 from the property to accommodate the expansion. The property is located at  
15 1712 Lincoln Avenue (APN 011-340-019); and  
16

17           **WHEREAS**, the Planning Commission recommended adoption of a  
18 Mitigated Negative Declaration (Resolution PC 2012-\_\_) based upon the initial  
19 study prepared for this project finding that the proposed project, as amended by  
20 mitigation measures agreed to by the applicant, would not have a significant  
21 adverse impact on the environment; and  
22

23           **WHEREAS**, the Planning Commission considered the proposed project  
24 and associated land use entitlements at its regular meeting on November 14,  
25 2012. Prior to taking action, the Planning Commission received written and oral  
26 reports by the staff, and received public testimony; and  
27

28           **WHEREAS**, the Planning Commission, pursuant to Chapter 17.40.070  
29 Findings (Use Permit) has made the following findings for the project:  
30

31 The Project’s proposed findings in support of approval of a Use Permit, in  
32 conformance with Calistoga Municipal Code (“CMC”) Section 17.40.070 are set  
33 forth below:  
34

- 35 1. The proposed development, together with any provisions for its design  
36 and improvement, is consistent with the General Plan, any applicable  
37 specific plan and other applicable provisions of the Zoning Code including

38 the finding that the use as proposed is consistent with the historic, rural,  
39 small-town atmosphere of Calistoga.

40  
41 Finding: The proposed expansion to the Resort at Indian Springs has  
42 been found consistent with the policies included in the General Plan. The  
43 property is within the Community Commercial Land Use Designation. The  
44 existing and proposed uses are consistent with allowable uses in the  
45 Community Commercial Land Use Designation and the intensity of the  
46 project is appropriate to maintain the rural small town character.  
47 Upgrading the Resort to meet the changing customer demand while  
48 expanding the property's economic activity also achieves the policy  
49 direction of contained in the Economic Element of the General Plan.  
50 Furthermore, it has been found that the expansion has been designed to  
51 preserve Calistoga's rich and varied heritage by celebrating and  
52 expanding one of Calistoga's original hot spring resorts.

53  
54 The existing and proposed geothermal use has been found to be  
55 consistent with the General Plan since it will not have an adverse impact  
56 on the longevity of Calistoga's geothermal use, biotic resources,  
57 waterways, and the City's sewer treatment plant. Conditions applied to  
58 the project will ensure that the discharge of such use into the City's sewer  
59 system will be monitored, measured, and reported to the City. Injection  
60 back into the system will also be permitted and monitored by the California  
61 Department of Conservation, Division of Oil, Gas and Geothermal  
62 Resources.

63  
64 2. The site is physically suitable for the type and density of development.

65  
66 Finding: The proposed project is an expansion of an existing resort that  
67 components of have been in operation since the 1860's. The site is mostly  
68 flat with exception to the slopes of Mount Lincoln. The project does not  
69 include development on the slopes. The proposed structural development  
70 at full buildout would comprise less than 10% of the total 16.6 acre site.  
71 The project involves an expansion of guest units and other amenities and  
72 services, which all can be adequately accommodated onsite. The site is  
73 adequate in size, shape, location, and physical characteristics to  
74 accommodate the type of use and level of development proposed.

75  
76 3. The proposed development has been reviewed in compliance with the  
77 California Environmental Quality Act (CEQA) and the project will not result  
78 in detrimental or adverse impacts upon the public resources, wildlife or  
79 public health, safety and welfare.

80

81            Finding: The Planning Commission recommended adoption of a Mitigated  
82            Negative Declaration based upon the initial study prepared for the project,  
83            finding that with the incorporation of mitigation measures, the project will  
84            not have a significant adverse impact on the environment.  
85

86            4.        Approval of the use permit application will not cause adverse impacts to  
87            maintaining an adequate supply of public water and an adequate capacity  
88            at the wastewater treatment facility.  
89

90            Finding: The Project will have an estimated annual water demand of 24.1  
91            acre-feet for domestic water demand, a 7.7 acre foot increase above the  
92            property's current allotment of 16.4 acre-feet. In February 2012, the City of  
93            Calistoga conducted an annual review of adequacy of the City's municipal  
94            water supply that included anticipated demands from various pending  
95            development proposals, including the proposed project.     New  
96            development is projected to use 110.86 acre-feet of water annually.  
97            Currently, the City has 353.80 acre-feet of available water supply, thereby  
98            resulting in 243.24 of remaining supply.     Adequate water supplies are  
99            available to serve the proposed project, as well as existing and future  
100           demand.

101  
102           The Project is projected to need approximately 25.5 acre-feet of  
103           wastewater capacity, 11.2 acre foot below the property's current allotment  
104           of 35.1 acre-feet resulting from efficiency measures and changes in  
105           geothermal discharge.     Because of this reduction and the available  
106           capacity at the wastewater treatment plant, the Project will not cause  
107           adverse impacts to maintaining an adequate supply of public water and an  
108           adequate capacity at the wastewater treatment facility.  
109

110           5.        Approval of the use permit application shall not cause the extension of  
111           service mains greater than 500 feet.  
112

113           Finding: Approval of this use permit application does not cause the  
114           extension of a public water or sewer main greater than 500 feet.     The  
115           project would result in the extension of a private 4" sewer force line over  
116           500 feet, however, the sewer upgrades would not constitute a removal of  
117           a barrier to growth on the project site since surrounding properties while  
118           not be allowed to connect to this private main.     Additionally, the project  
119           site and surrounding properties are intended for development and have  
120           been accounted for in the City's sewer system.  
121

122           6.        An allocation for water and/or wastewater service pursuant to Chapter  
123           13.16 CMC (Resource Management System) shall be made prior to

124 project approval. Said allocation shall be valid for one year and shall not  
125 be subject to renewal.

126

127 Finding: The allocation of water and wastewater services has been  
128 confirmed in the Project Development Agreement, which provides that the  
129 allocations of water and wastewater capacity shall constitute the “will  
130 serve” obligation of the City. The “will serve” obligation of the City is  
131 vested by the Development Agreement. (Development Agreement Section  
132 4.02).

133

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

136

137 Finding: The Resort property is near the commercial downtown.  
138 Components of the Resort have been in operation since the late 1860’s.  
139 The existing uses are compatible with and have established the historical  
140 and rural character of the area. The proposed project would maintain the  
141 existing historical presence and style while providing new complementary  
142 structures. The majority of the guest units would wrap around behind  
143 Mount Lincoln screening views from Lincoln Avenue. The structures would  
144 be further softened by the existing landscaping. As such, it is found that  
145 expansion to the Resort will be compatible with and subordinate to the  
146 scenic and rural character of the area.

147

148 8. The proposed development is consistent with and will enhance Calistoga’s  
149 history of independent, unique, and single location businesses, thus  
150 contributing to the uniqueness of the town, which is necessary to maintain  
151 a viable visitor industry in Calistoga and to preserve its economy.

152

153 Finding: The Indian Springs is an independently owned business. The  
154 proposed project will complement a viable tourist industry for Calistoga,  
155 which is built upon and enhanced by other unique, non-chained, non-  
156 branded businesses. Indian Springs provides a unique guest experience  
157 and is integral part of Calistoga’s economy.

158

159 9. The proposed development complements and enhances the architectural  
160 integrity and eclectic combination of architectural styles of Calistoga.

161

162 Finding: The property is located in a resort/spa district that includes the  
163 original octagonal plat and several out buildings associated with the  
164 Brannan’s Cottage Hot Springs. The construction of new buildings and  
165 cottages, does not pose a threat to significant historic resources. The new  
166 structures will be somewhat removed from the existing historic structures

167 and will not detract from their historic importance. The new structures  
168 have been design to complement rather than replicate the existing historic  
169 structures.  
170

171 **WHEREAS**, the Planning Commission pursuant to Chapter 17.06.040 of  
172 the Calistoga Municipal Code, finds that the development attains the purposes  
173 set forth in CMC 17.06.010 and is in compliance with the following Design  
174 Review guidelines:  
175

176 1. The extent to which the proposal is compatible with the existing  
177 development pattern with regard to massing, scale, setbacks, color,  
178 textures, materials, etc.  
179

180 Finding: The variation among architectural styles between the building  
181 styles and the interrelationship of all Project exterior finish materials on the  
182 site ensures appropriately complementary styles among the Project's  
183 buildings. Lush landscaping and construction materials blend  
184 harmoniously with the surrounding landscape and development pattern.  
185

186 2. Site layout, orientation, location of structures, relationship to one another,  
187 open spaces and topography.  
188

189 Finding: The site plan, building elevations, and landscape plan for the  
190 expansion of the Resort at Indian Springs was reviewed for compliance  
191 with the Design Guidelines. As proposed, the project is designed with a  
192 cohesive architectural theme and will vary the use of the same color  
193 palette and building materials that will ensure compatibility internally as  
194 well as with the surrounding uses while protecting the historical qualities of  
195 the site.  
196

197 3. Harmonious relationship of character and scale with existing and proposed  
198 adjoining development, achieving complementary style while avoiding both  
199 excessive variety and monotonous repetition.  
200

201 Finding: The expansion of the Resort at Indian Springs has been  
202 designed to the same scale and quality as the surrounding uses. Design  
203 Review of the project incorporated an in depth review of the City's design  
204 guidelines and an analysis of the project's compliance with all applicable  
205 design standards. The project includes the use of one architectural style  
206 while adding various design elements to create a cohesive internal project  
207 design and a development compatible with surrounding neighbors.  
208

209 4. Building design, materials, colors and textures that are compatible and  
210 appropriate to Calistoga. Whether the architectural design of structures  
211 and their materials and colors are appropriate to the function of the  
212 project.

213  
214 Finding: The historic architecture, spa amenities, mineral pools and lush  
215 landscaping throughout the property are compatible and feature  
216 Calistoga's unique attributes. The project enhances and compliments the  
217 City by providing a historical building styles and exterior finishes that call  
218 attention to the function of the project.

219 5. Harmony of materials, colors, and composition of those sides of a  
220 structure, which are visible simultaneously.

221  
222 Finding: All Project buildings utilize consistent and harmonious exterior  
223 finish materials on all sides.

224  
225 6. Consistency of composition and treatment.

226  
227 Finding: The variation among architectural styles between the building  
228 styles and the interrelationship of all Project exterior finish materials on the  
229 site ensures appropriately complementary styles among the Project's  
230 buildings. Lush landscaping and simple design incorporates materials  
231 which blend harmoniously with the surrounding landscape.

232  
233 7. Location and type of planting with regard to valley conditions. Preservation  
234 of specimen and landmark trees upon a site, with proper irrigation to insure  
235 water conservation and maintenance of all plant materials.

236  
237 Finding: Existing trees are preserved to the maximum extent feasible.  
238 Existing specimen and/or protected trees that cannot be preserved in  
239 place are transplanted to the maximum extent feasible. Irrigation is  
240 provided by reclaimed water and geothermal water. Implementation of the  
241 Project's Tree Protection Plan will increase the health of the existing,  
242 preserved trees.

243  
244 8. Whether exterior lighting, design signs and graphics are compatible with the  
245 overall design approach and appropriate for the setting.

246  
247 Finding: All the exterior lighting is night sky compliant to avoid any light  
248 pollution. Other lighting fixtures themselves, such as signs and graphics  
249 for the project, will be selected to have minimal impact and will be subject  
250 to City approval prior to installation.

251

252 9. The need for improvement of existing site conditions including but not  
253 limited to signage, landscaping, lighting, etc., to achieve closer compliance  
254 with current standards.

255  
256 Finding: The Project substantially enhances the existing site conditions  
257 with regard to structures, landscaping, lighting, architecture and exterior  
258 finishes, which will be in compliance with current codes and regulations.

259  
260 10. Whether the design promotes a high design standard and utilizes quality  
261 materials compatible with the surrounding development consistent with  
262 and appropriate for the nature of the proposed use; and

263  
264 Finding: The property is within an area designated for visitor  
265 accommodation uses and support facilities. The proposed uses and  
266 improvements are compatible with the intended uses for the property and  
267 are compatible with other improvements within the vicinity.

268  
269 11. Responsible use of natural and reclaimed resources.

270  
271 Finding: The project preserves and/or relocates existing trees to the  
272 maximum extent feasible. In addition, the Project will integrate and use a  
273 closed loop geothermal heat exchange system to heat the mineral pool,  
274 which will significantly reduce energy consumption.

275  
276 **THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
277 Commission that based on the above Findings, the Planning Commission  
278 recommends to the City Council approval of the proposed project, subject to the  
279 following Conditions of Approval:

280  
281 Wherever any condition herein requires the review and/or approval of the  
282 "City," this shall mean and refer to the review and/or approval by the  
283 appropriate department staff, unless otherwise expressly stated.

284  
285 **CONDITIONAL USE PERMIT (U 2011-11) & DESIGN REVIEW (DR 2011-09)**

286  
287 **General Planning Conditions:**

288  
289 1. This permit authorizes the construction and operation of a project  
290 consisting of 116 guest units (the "Lodge" [24 units], the "Hill House", the  
291 "Merchant House", 11 cottages [18 units] and 9 8-unit hotel structures [72  
292 units]), office building, laundry/storage building, restaurant, event building,  
293 spa, swimming pools, massage rooms, parking and support facilities and  
294 related infrastructure consistent with the Initial Study Project Description,

- 295 architectural drawings prepared by Ian Murray Design dated March 2,  
296 2012, the engineered plans prepared by BKF Engineers dated July 2012,  
297 (collectively, “the Approved Plans”) indicating existing and proposed  
298 structures consistent with all other City Ordinances, rules, regulations, and  
299 policies. The conditions listed below are particularly pertinent to this  
300 permit and shall not be construed to permit violation of other laws and  
301 policies not so listed. A minor reduction the number of resort units and a  
302 minor modification in structural square footage is allowed provided the  
303 Planning and Building Manager determines the modification to be in  
304 substantial compliance with the Approved Plans (collectively, “the  
305 Development Plan”).  
306
- 307 2. The gym & yoga studio and hotel registration building, as shown the  
308 engineered plans prepared by BKF Engineers dated July 2012, shall  
309 require an administrative use permit subject to the review and approval by  
310 the City prior to issuance of a building permit for their construction.  
311
- 312 3. The applicant agrees by accepting these conditions herein that any  
313 material deviations from the approved Development Plan on file at the  
314 City’s Planning and Building Department shall be subject to review and  
315 approval by the Planning and Building Manager, or Planning Commission  
316 as determined by the Manager, prior to incorporating the changes on the  
317 project site. The Planning and Building Manager may approve minor  
318 amendments to this permit provided that the permit is still in substantial  
319 conformance with the original Development Plan approval, subject to  
320 public notification.  
321
- 322 4. If this approval has either not been used or construction has not begun  
323 within the term established by the approved Development Agreement,  
324 without further action by the City, this permit shall expire and become null  
325 and void. This use permit shall remain valid as long as there is a valid  
326 building permit for construction of the use or the use is maintained in  
327 continuous operation. If the building permit expires or the use ceases to  
328 operate for 24 months, the use permit shall become null and void.  
329
- 330 5. Any and/or all previous land use entitlements existing prior to this approval  
331 shall be null and void upon completion of the approved Development Plan.  
332 Development and use of the property shall substantially conform to the  
333 Development Plan. All existing buildings not conforming as to the  
334 development standards of the “CC” Community Commercial shall be  
335 considered legal. All new structures and support facilities shall be  
336 developed in accordance with the development standards of the “CC”,  
337 Community Commercial Zoning District, including but not limited to the



- 338 parking areas and drive aisles that will need to meet the required 10-foot  
339 setback from Brannan Street.  
340
- 341 6. All construction and improvements shall be in accordance with zoning,  
342 building, and all other codes, ordinances, standards, policies of the City of  
343 Calistoga.  
344
- 345 7. All construction activity shall be restricted to the hours of 7:00 a.m. to 7:00  
346 p.m., Monday through Saturday. Construction hours may be extended as  
347 approved by the Planning and Building Manager if it is determined that  
348 special circumstances exist that necessitate extend hours for short periods  
349 of time.  
350
- 351 8. Construction activity shall stay outside the drip line of any protected tree to  
352 the maximum extent feasible. Protective fencing shall be installed subject  
353 to the review and approval of the Planning and Building Department in  
354 consultation with a City prior to the issuance of any building or grading  
355 permit.  
356
- 357 9. Prior to any grading permits being released, appropriate on site tree  
358 mitigation and/or mitigation funds shall be reviewed and approved by the  
359 City Engineer for any trees planned for removal.  
360
- 361 10. Vehicles used in transporting materials shall be limited to City-approved  
362 haul routes. No construction staging activity shall occur within the right-of-  
363 way of Lincoln Avenue (SR 29).  
364
- 365 11. All work performed in conjunction with this approval shall be by individuals  
366 who possess a valid business license from the City.  
367
- 368 12. This use shall conform to all required conditions established herein, as  
369 approved by the City Council. Failure to comply with these conditions may  
370 result in a City-initiated amendment or revocation of the permit if the City  
371 finds that the use to which the permit is put is detrimental to the health,  
372 safety, comfort or welfare of the public, or causes a nuisance.  
373
- 374 13. This use permit does not abridge or supersede the regulatory powers or  
375 permit requirements of any federal, state or local agency, special district or  
376 department which may retain regulatory or advisory function as specified by  
377 statute or ordinance. The applicant shall obtain permits as may be required  
378 from each agency prior to the issuance of any grading or building permit.  
379

- 380 14. All mitigation measures of the Negative Declaration are hereby  
381 incorporated as conditions of approval. Permit holder shall be required to  
382 comply with the Mitigation Monitoring contained in City Council Resolution  
383 (Mitigated Negative Declaration), which are incorporated herein. Where  
384 conflict exists between the mitigation measures and the conditions of  
385 approval the more stringent shall apply.  
386
- 387 15. The applicant shall be allowed to pull separate building permits for each  
388 phase of the project, subject to the City's approval of a detailed phasing  
389 plan. The phasing plan shall be submitted for review and approval by the  
390 City prior the issuance of any building or grading permit and shall include  
391 a plan that identifies the sequence of all structures, uses and amenities,  
392 installation of utilities and infrastructure, compliance with project conditions  
393 and the submittal of a construction management plan as required in these  
394 conditions. Prior to construction of any new structures, all on and off site  
395 utility systems (i.e. geothermal discharge, domestic water, fire water,  
396 sanitary sewer and storm drainage) shall be installed in substantial  
397 conformance with the engineered plans prepared by BKF dated July 2012.  
398 Rough grading may occur prior to said utility installation  
399
- 400 16. Prior to the selling or service of any alcoholic beverages within any portion  
401 of the project, the applicant shall obtain a license from the State  
402 Department of Alcohol and Beverage Control, and provide a copy of the  
403 license to the Planning and Building Department.  
404
- 405 17. Prior to the issuance of a building permit for any phase of the project, the  
406 applicant shall obtain all necessary permits from the Napa County  
407 Department of Environmental Management, as required.  
408
- 409 18. Prior to building permit issuance for any commercial structure that  
410 includes food or beverage service facilities, the applicant shall comply with  
411 the California Uniform Retail Food Facilities Law and Napa County  
412 Environmental Health Management Division requirements for food and  
413 beverage service to the public. Complete plans and specifications  
414 containing equipment layout, finish schedule and plumbing plans for the  
415 food and/or beverage facilities and employee restrooms must be  
416 submitted directly to the Department of Environmental Management with  
417 the appropriate plan review fee. Upon completion of the work and prior to  
418 final by this department an annual food permit will also be required.  
419
- 420 19. Prior to the issuance of a building permit for demolition of any buildings,  
421 the applicant shall provide a declaration to the Building Official that there  
422 is no lead paint, asbestos, or other hazardous substances on-site. In the

- 423 event that a declaration cannot be provided, an investigation shall be  
424 required. In the event that toxic substances are on-site, a certified  
425 asbestos or toxic control specialist shall monitor the cleanup and/or  
426 excavation.  
427
- 428 20. Prior to issuance of any demolition permit, building permit or grading  
429 permit, the permit holder shall obtain permits from the Bay Area Air Quality  
430 Management District (BAAQMD), and shall comply with all permit  
431 requirements specified by BAAQMD, as necessary.  
432
- 433 21. Upon issuance of the first building permit, an addressing plan/program  
434 shall be submitted for review and approval by the City. The addressing  
435 program shall specify size, type, and location of all addressing signage.  
436
- 437 22. The Developer and/or Owner shall permit the City of Calistoga or  
438 representative(s) or designee(s) to make periodic inspections at any  
439 reasonable time deemed necessary in order to assure that the activity  
440 being performed under authority of this permit is in accordance with the  
441 terms and conditions prescribed herein upon advance notification.  
442
- 443 23. The applicant shall pay for all plan check and building inspection service  
444 fees required for building permit review and inspection during project  
445 construction.  
446
- 447 24. Upon issuance of the first building permit, the applicant shall submit a final  
448 landscape improvement plan, including lighting, fencing, ponds, patios,  
449 decking, etc. subject to the review and approval of the Planning and  
450 Building Department. The Landscape Plan shall show final selection of  
451 plant materials, sizes, locations and details of the on site reclaimed (if any)  
452 irrigation delivery system. The Landscape Architect shall also include  
453 evidence that the landscape specimens will not be affected by the  
454 reclaimed water (if any) chemistry and compliance with the local and/or  
455 State Water Efficient landscape Ordinance. Landscaping and irrigation  
456 shall be installed prior to occupancy, unless authorized by the Planning  
457 and Building Department or as conditioned herein.  
458
- 459 25. Upon issuance of the first building permit, a solid 8-foot perimeter fence  
460 shall be constructed along the common property boundary shared with the  
461 Calistoga Springs Mobile Home Park subject to the review and approval of  
462 the City.  
463
- 464 26. All new utilities within the site shall be placed underground to protect the  
465 scenic value of the property.

- 466  
467 27. Prior to occupancy, ground mounted equipment, such as backflow  
468 prevention devices and utility panels, etc. shall be adequately screened  
469 from public view and view from adjoining developed parcels subject to  
470 review and approval of the City.  
471  
472 28. All permanent exterior lighting shall be directed and/or shielded so as not  
473 to shine or create glare on any adjacent property in accordance with the  
474 standards contained in Section 17.36 of the Calistoga Municipal Code and  
475 the Title 24 Part 6 2007 California Energy Code which limits light and  
476 glare, subject to the review and approval of the Planning and Building  
477 Department.  
478  
479 29. Construction materials that are highly reflective are prohibited.  
480 Construction materials that are less reflective shall not be allowed to  
481 project glare or light across the property boundaries.  
482

483 **Engineering/Public Works Department Conditions:**

484  
485 General Conditions

- 486  
487 30. The Developer shall provide improvement and warranty, bonding, and  
488 security in accordance with CMC 16.18 for public improvements.  
489 Developer shall provide cost estimates for City approval from a registered  
490 Civil Engineer. Improvement security shall include an additional amount  
491 for the estimated cost of restoring the disturbed site should the developer  
492 not complete all the improvements.  
493  
494 31. Prior to occupancy, the developer shall provide to the City a  
495 signed/stamped letter from the geotechnical engineer of record that all  
496 geotechnical related issues were observed, installed, and tested in  
497 conformance with the soils reports and design plans and specifications.  
498 Excavated and embankment areas shall be adequately tested and  
499 inspected by the geologist or soils engineer during grading work.  
500 Summary reports of the testing shall be submitted to the Planning and  
501 Building Department.  
502  
503 32. Prior to occupancy, the developer shall provide the City a stamped letter  
504 from the civil engineer inspecting site work (by them or their sub or  
505 contractor) that certifies infrastructure has been installed and tested per  
506 plans and specifications. Critical grades for overland release of the storm  
507 detention pump system shall be confirmed by a licensed land surveyor.  
508

- 509 33. The applicant shall have their engineering team (i.e. geotechnical, civil,  
510 structural, electrical, mechanical etc.) of licensed professionals design and  
511 confirm, through inspection, that the installation of all on-site infrastructure  
512 improvements including roads, drainage, sewer, and water meet the plan  
513 and specification requirements . Letters shall be submitted by each  
514 engineering specialty stating the improvements were installed in  
515 substantial conformance with the approved construction documents based  
516 on visual observations and contractor as-builts. Electronic (i.e. AutoCAD &  
517 PDF) and hardcopy as-builts shall be submitted to the City. Letters shall  
518 be provided to the City prior to the issuance of any certificates of  
519 occupancy. The City is not responsible for on-site infrastructure. On-site  
520 infrastructure is the responsibility of the developer, builder and their team  
521 of architects and engineers.  
522  
523 All public infrastructure improvements shall be built to the satisfaction of  
524 Calistoga and current Federal, State and local requirements. All  
525 improvements shall be installed, properly inspected operational and  
526 accepted by the City prior to project occupancy. The developer shall pay  
527 for all inspection of this infrastructure.  
528  
529 34. All new structures shall be required to connect to the appropriate sewer  
530 and water service before final inspection, unless otherwise permitted  
531 herein.  
532  
533 35. Prior to any grading or building permit issuance, the developer shall have  
534 a Qualified Stormwater Developer (QSD) prepare an approved Storm  
535 Water Pollution Prevention Plan (SWPPP) as required by the most recent  
536 NPDES Construction General Permit provided by the State Water  
537 Resources Control Board. This shall include a Notice of Intent (NOI). The  
538 developer will also be responsible for implementing all aspects of the  
539 SWPPP throughout construction activities and through Notice of  
540 Termination (Contractor shall provide NOT). The Developer shall hire a  
541 person certified as a Qualified Stormwater Practitioner (QSP). The QSP  
542 shall provide all the inspecting/testing/training and reporting as required by  
543 the Construction General Permit, throughout the duration of the project.  
544 Violations and fines are the sole responsibility of the developer.  
545  
546 36. The applicant and/or contractor shall obtain approval of an appropriate  
547 temporary security measures (for purposes of securing construction  
548 equipment and materials) from the City prior to issuance of any grading or  
549 building permit  
550

- 551 37. The applicant shall provide a traffic control plan signed by a licensed  
552 engineer to control traffic safety throughout all of the construction phases.  
553 Plan shall include but not limited to staging areas on the project site and  
554 truck movements, cones, signage, flagging, etc. Approval of the plan shall  
555 be required from the City prior to issuance of any grading permit or in  
556 conjunction with the submittal and approval of a detailed phasing plan.  
557
- 558 38. All internal roads, driveways, water, sewer, drainage and reclaimed  
559 facilities will be owned and maintained by the developer/managing entity  
560 (i.e. City will not own any on-site infrastructure or off-site infrastructure  
561 located on private property). The owner shall sign a maintenance  
562 agreement for all on-site infrastructure to the satisfaction of the City.  
563
- 564 39. Owner/managing entity will need to sign and provide appropriate  
565 documentation for all required maintenance agreements related to on-site  
566 infrastructure.  
567
- 568 40. Developer will provide any necessary easements documents required for  
569 infrastructure.  
570
- 571 41. Developer shall pay any necessary fees related to City peer review costs  
572 associated with the review of the design, construction, and inspection of  
573 the project.  
574
- 575 42. All design shall meet the most recent requirements of the Americans with  
576 Disabilities Act codes (ADA).  
577

578 On-Site Circulation  
579

- 580 43. Prior to the issuance of a grading permit, improvement plans for the on  
581 site circulation shall be submitted and approved by the City Engineer  
582 consistent with the BKF, Site Plan dated July 2012, unless otherwise  
583 stated herein. Improvements shall adhere to City standards unless  
584 specifically approved by the City Engineer, accompanied by supporting  
585 documentation from the applicant.  
586
- 587 44. The applicant shall obtain an encroachment permit from the City or  
588 Caltrans to cover work within the public ROW and/or work dealing with  
589 City owned or maintained utilities. A grading permit will be issued through  
590 the Planning and Building Department.  
591
- 592 45. Upon the issuance of the first building permit, vegetation at the corner of  
593 Brannan Street shall be removed and/or trimmed 30-feet from the corner

- 594 to the satisfaction of the City. For the life of the project, the Developer  
595 shall maintain clear sight lines at driveway entries, along the frontage and  
596 at the intersection of Brannan Street to the satisfaction of the City.  
597  
598 46. Provide adequate paved (non decomposed granite) surface along  
599 driveway exit to prevent wheel tracking onto Lincoln Avenue.  
600  
601 47. Upon issuance of the first building permit for structural improvements:  
602  
603 A. The existing public sidewalk along Lincoln Avenue from the existing  
604 Garden Building to the southern access driveway shall be  
605 reconstructed to Caltrans/City standards. A new curb ramp shall be  
606 installed the driveway.  
607  
608 B. A new sidewalk shall be constructed between the southern driveway  
609 and the northern driveway. New curb ramps shall be installed at the  
610 crossing and the curb and gutter repair, as necessary.  
611  
612 C. A new 8-foot wide Class I, multi-use pathway shall be constructed on-  
613 site from the northern access driveway to Brannan Street. An  
614 unrestricted access easement in favor of the City shall be recorded to  
615 permit access over and across those portions of the property  
616 designated as a pathway.  
617  
618 D. Traffic calming measures (e.g. curb extension or pedestrian bulbout)  
619 shall be installed on the southern side of Brannan Street at the corner  
620 of Lincoln Avenue subject to the review and approval of the City.  
621

622 Water Service  
623

- 624 48. Upon issuance of the first building permit, the applicant shall purchase  
625 water in accordance with the terms of the approved Development  
626 Agreement.  
627  
628 49. The water design and improvements shall comply with the City of Santa  
629 Rosa Design and Construction Standards, California Building Code and  
630 applicable State (e.g. Department of Public Health) Standards.  
631  
632 50. All points of connection to existing City system will require appropriate  
633 backflow and master metering devices to the satisfaction of Public Works.  
634  
635 51. Provide appropriate level of design detail as required by Public Works for  
636 any on site water improvements. Applicant shall amend the Domestic &

637 Irrigation Demand Analysis (water study) and Fire Flow Analysis dated  
638 July 2012 and the BKF Preliminary Utility Plan dated July 2012 to the  
639 satisfaction of the City.

640  
641 52. Provide complete fire flow/hydraulic calculations to confirm required fire  
642 flow and pressure to the project.

643  
644 Wastewater Collection and Treatment

645  
646 53. The sanitary sewer design and improvements shall comply with the City of  
647 Santa Rosa Design and Construction Standards and applicable state (e.g.  
648 Department of Public Health) standards.

649  
650 54. Lift stations shall be designed, built, operated/maintained in accordance  
651 with all federal, state, and local regulations. Backup power will be required  
652 for all sewer lift stations.

653 55. Upon issuance of the first building permit, mud separators shall be  
654 installed. No mud shall be allowed into the sanitary sewer system.  
655 Developer shall submit a design for approval and provide an operations  
656 and maintenance plan to the City and shall be responsible for regular  
657 scheduled maintenance of mud separators. Should the mud separators  
658 fail to meet their performance requirements, the owner shall reconstruct  
659 the mud separators at the owner's expense. The design of mud  
660 separators shall be submitted to the City for review and approval prior to  
661 the issuance of building permits.

662 56. All commercial and restaurant waste shall have adequately sized  
663 oil/grease vaults to separate waste products. No grease shall be allowed  
664 to enter the sanitary system. Developer shall provide O&M plan to the  
665 City along with annual statements showing scheduled maintenance of  
666 facilities.

667 57. Developer shall sign a maintenance agreement related to all sewer  
668 facilities that require significant maintenance (e.g. lift stations, mud  
669 separators, and oil/grease interceptors).

670 58. Provide appropriate level of design detail for all off-site sewer  
671 improvements to an appropriate connection point approved by the City.  
672 The connection point may be the manhole at the end of Anna Street or  
673 other acceptable connection point approved by the City. Applicant shall  
674 amend the Sanitary Sewer Study dated July 2012 prepared by BKF and  
675 the BKF Preliminary Utility Plan dated July 2012 to the satisfaction of the  
676 City prior to any connection. Design sewer discharge shall not negatively



677 impact the existing 6-inch main in Anna or other main near the proposed  
678 point of connection.

679 59. Developer shall provide sewer monitoring manholes to the satisfaction of  
680 the Director of Public Works at each domestic sewer discharge location  
681 (near city point of connection). Owner will allow City access to these  
682 manholes to test for constituents in domestic sewer flow at any time.  
683

684 Geothermal Use and Discharge  
685

686 60. This use permit authorizes the use of geothermal water extracted from  
687 three (3) existing geothermal wells contained on the property, as provided  
688 herein. Upon the issuance of the first building permit, all inactive wells  
689 shall be capped in accordance with State and local regulations with  
690 exception to Well R, which may be used for reinjection. Geothermal  
691 construction and operation authorized by this permit may only be  
692 expanded or changed with the approval of an amendment to the Use  
693 Permit application approved by the Planning Commission, through the  
694 process established in the City of Calistoga Zoning Ordinance.  
695

696 61. The applicant shall physically demolish and permanently seal (with  
697 cement grout or similar means) the property's inactive geysers and wells.  
698 Such demolition and capping shall be in accordance with all regulatory  
699 requirements (state, county, etc.), and the applicant shall provide timely  
700 notice to the City for all well abandonment activities so that the City has  
701 the opportunity to witness the work.  
702

703 62. All required permits from the Department of Conservation, Division of Oil,  
704 Gas and Geothermal Resources shall be obtained by the Applicant and  
705 evidence of such permit(s) shall be submitted to the Director of the  
706 Planning and Building Department.  
707

708 63. Upon issuance of the first building permit, all existing wells must be  
709 properly protected from contamination and all existing wells must be  
710 properly protected with an approved backflow prevention device subject to  
711 the review and approval of the City.  
712

713 64. Upon issuance of the first building permit, the Applicant shall develop and  
714 submit an Operations, Maintenance, and Monitoring Plan (OMMP) to the  
715 City of Calistoga. The OMMP shall be reviewed and approved by the  
716 City's Public Works Director prior to issuance of said permits and/or use of  
717 the facilities. The OMMP shall include a detailed description of the  
718 methods and procedures for monitoring, measuring, and reporting

719 geothermal use on the project, in order to ensure that such use is  
720 consistent with the project description and Conditions of Approval.

721 65. Prior to issuance of the first building permit, all geothermal waste that has  
722 human contact shall be routed through a geothermal meter as indicated  
723 on the Preliminary Utility Plan prepared by BKF dated July 2012. No  
724 unmetered geothermal discharge is allowed into the cities sewer system  
725 for Indian Springs. Design of the metering facility will need to be approved  
726 by the Cities Engineer.

727 66. Upon issuance of the first building permit, a heat exchanger shall be  
728 installed for use by the large mineral pool subject to the review and  
729 approval of the City. The geothermal discharge from this system shall be  
730 reviewed and approved by the City and/or the necessary regulatory  
731 agencies. Any non-closed loop geothermal/pool discharge shall be routed  
732 to the geothermal meter system (includes filter backwash).

733 67. The City will own, operate and maintain the geothermal meter. The owner  
734 shall provide access to the City for reading and maintaining the meter  
735 even if ownership changes.

736 68. Upon issuance of the first building permit, all showers, steam rooms and  
737 laundry facilities shall be re-plumbed. The City encourages use of the  
738 City's domestic water, as practicable.

739 69. Hydraulic analysis is required for geothermal discharged to adjacent MHP  
740 storm drainage (non body contact geothermal) pipe to ensure flows are  
741 not increased and negatively impact downstream capacity.

742 70. Upon issuance of the first building permit, monitoring manholes shall be  
743 installed.

744 71. Upon issuance of the first building permit, an easement shall be recorded  
745 granting the City on site access to monitor and measure geothermal and  
746 sanitary sewer discharge.

747  
748 Drainage

749  
750 72. The applicant shall submit for review and approval by the City Public  
751 Works Director a Final Storm Drainage Study prior to the issuance of  
752 grading and/or building permits. The Final Drainage Study shall be based  
753 upon the BKF drainage reports and Preliminary Utility Plan dated July  
754 2012. The applicant shall construct drainage improvements as outlined in  
755 the Final Storm Drainage Study as required to serve the project. Such

- 756 improvements shall be complete and operational, subject to City  
757 inspection and approval, upon issuance of the first building permit.  
758
- 759 73. Storm drainage shall be designed, built, operated/maintained in  
760 accordance with all current federal, state, and local requirements. Backup  
761 power will be required for the storm drainage pump station.  
762
- 763 74. Storm drainage post construction runoff, low impact development (LID)  
764 improvements shall be designed in compliance with the most current  
765 County requirements, Regional Water Quality Control Board standards  
766 and the California Stormwater Quality Association (CASQA) Handbook of  
767 Best Management Practices.  
768
- 769 75. Developer shall maintain all existing stormwater facilities on or  
770 immediately adjacent to the property. Should any facilities fail to meet their  
771 drainage performance requirements, the owner shall reconstruct them at  
772 the owner's expense.  
773
- 774 76. Prior to occupancy, Developer shall provide an operations and  
775 maintenance plan to the City and shall be responsible for regular  
776 scheduled maintenance of all project detention basins and other on- and  
777 off-site storm drain facilities. Should the project detention/retention basins  
778 fail to meet their drainage detention performance requirements, then the  
779 owner shall reconstruct the detention/retention basins at the owner's  
780 expense.
- 781 77. Developer shall sign a maintenance agreement related to all storm drain  
782 facilities that require significant maintenance (e.g. pump stations, LID  
783 improvements, underground storage, etc.).  
784
- 785 78. The final drainage study shall address how increased runoff has been  
786 mitigated with designed LID facilities (i.e. meet water balance SWPPP  
787 requirements and/or other local requirements). Calculations and details of  
788 water quality device sizing proposed to be used should be included in the  
789 final drainage study.  
790
- 791 79. To minimize any possible increase in peak runoff, the detention  
792 pond/outlet structure shall be designed so peak flows for the 2, 10, and  
793 100 year, 24 hour events, are no greater than existing peak flows as  
794 required by State law.  
795

- 796 80. The storm drainage pump station shall be designed to allow for overland  
797 release in event of failure and design of conveyance shall ensure there is  
798 no negative impact (i.e. flooding) to adjacent parcels/property owners.  
799

800 Reclaimed Water

- 801  
802 81. If City reclaimed water is used, connection to the City's reclaimed water  
803 main can be achieved by connecting to the public route along Brannan  
804 Street, subject to the review and approval of the City.  
805  
806 82. Prior to issuance of the first building permit, the Developer shall remove  
807 the existing irrigation water meter and service line located near the Lodge  
808 to the satisfaction of the City.  
809  
810 83. Owner will have to comply with Calistoga (follow Santa Rosa standards)  
811 reclaim water requirements through design and construction. Design of  
812 reclaimed must meet all current codes (i.e. AWWA cross connection,  
813 purple pipe, etc.).  
814  
815 84. Owner must enter into a Reclaimed Water User's Agreement with the City.  
816  
817 85. Metering and reduced pressure backflow devices required for all services  
818

819 **Police and Fire Department Conditions:**

- 820  
821 86. The applicant shall develop an on-site security protocol for project  
822 construction and operation, which shall be approved by the Calistoga  
823 Police Department prior to issuance of any building permit.  
824  
825 87. Prior to the issuance of a Certificate of Occupancy, instructions on the 911  
826 emergency telephone system shall be available in all guest units. The  
827 dial-out 911 connection shall be direct from all public and private phones  
828 and not be routed through a central resort switchboard.  
829  
830 88. Security entrance gates shall be equipped with either an electronic gate  
831 control (i.e. OPTICAM, or similar) or key box (Knox Box System).  
832  
833 89. The applicant shall demonstrate to the satisfaction of the Calistoga Fire  
834 Department that all structures are accessible to emergency services as  
835 required by Section 902.1, Appendix D standards of the California Fire  
836 Code.  
837

- 838 90. Emergency vehicle access shall be maintained in a manner acceptable to  
839 the City including, but not limited to, the required vertical and horizontal  
840 tree clearance and surface condition.  
841
- 842 91. Fireplaces, fire pits, open burning fire pits, or other open flame warming or  
843 entertainment devices shall be subject to the review and approval of the  
844 Fire Department. If allowed by the Fire Chief the following performance  
845 criteria shall apply:  
846
- 847 a. Outdoor BBQs and propane patio heaters are open flame devices,  
848 these devices shall meet current listing agency safety requirements  
849 (such as the State Fire Marshal, UL etc.).  
850
- 851 b. Fireplaces shall be natural gas decorative types only. Burning of  
852 wood, charcoal or similar combustible material is strictly prohibited,  
853 unless authorized by the Fire Chief.  
854
- 855 92. Upon issuance of the first building permit, project water system and fire  
856 hydrant facilities shall be installed and accepted by the City Engineer and  
857 City Fire Chief as operational and sufficient to provide adequate water flow  
858 and pressure. Placement and clearance of fire hydrants shall also be  
859 subject to the review and approval of the Fire Chief.  
860
- 861 93. Prior to issuance of the first building permit, a complete fire flow hydraulic  
862 analysis will be required. Results shall be acceptable to City Fire Chief  
863 and City Engineer.  
864
- 865 94. Prior to the issuance of any building permit, a fire suppression sprinkler  
866 system plan for each new structure shall be submitted to the Planning and  
867 Building Department for review and approval by the Fire Department or  
868 other authorized party.  
869
- 870 95. Prior to the issuance of a Certificate of Occupancy, units containing  
871 cooking or kitchen facilities shall have a ten (10) lb. ABC fire extinguisher,  
872 with instruction placard.  
873
- 874 96. Prior to the issuance of a Certificate of Occupancy, smoke detectors shall  
875 be installed in compliance with applicable codes. A log of the smoke  
876 detector maintenance shall be kept on file in the maintenance building and  
877 open for inspection to the Fire Department.  
878

- 879 97. Prior to issuance of any building permit, occupant and fire ingress/egress  
880 shall comply or exceed the California Building Code requirements subject  
881 to the review and approval by the City.  
882
- 883 98. Amplified/live music is permitted for outdoor events provided the maximum  
884 average noise level does not exceed 60 db at the exterior of the nearest  
885 residential receptor (on site or off site). Outdoor events shall end no later  
886 than 10 PM Friday and Saturday and no later than 9 PM Sunday though  
887 Thursday. Outdoor events may transition to indoor venues and continue  
888 passed the curfews listed. In the event that substantiated complainants  
889 are received the Planning and Building and/or Police Departments may  
890 reduce the frequency or duration of amplified/live music.  
891
- 892 99. This Conditional Use Permit only allows for events that are by invitation.  
893 Events open to the General Public require an individual City permit and  
894 parking management/shuttle plan.  
895
- 896 100. Upon issuance of the first building permit, a parking plan shall be  
897 submitted for review and approval by the Planning and Building  
898 Department. The plan shall include the following requirements:  
899
- 900 a. A total of 256 parking spaces shall be provided on-site, unless  
901 otherwise stipulated in a parking study prepared by a professional  
902 traffic consultant subject to the review and approval of the City.  
903
- 904 b. Handicapped spaces and compact car stalls shall be appropriately  
905 identified.  
906
- 907 c. Parking shall be designed in accordance with the design  
908 requirements provided in Section 17.36.090 of the Calistoga  
909 Municipal Code.  
910
- 911 101. Prior to occupancy, a Parking Management Plan for managing resort  
912 parking during events shall be submitted to the Planning and Building  
913 Department for review and approval.  
914
- 915 102. The Project shall remain, at all times, in compliance with the City of  
916 Calistoga Municipal Code Chapter 3.16, Transient Occupancy Tax and be  
917 current on collection of, reporting to and payment of all transient  
918 occupancy taxes to the City.  
919

920 **PASSED, APPROVED, AND ADOPTED** on November 14, 2012, by the  
921 following vote of the Calistoga Planning Commission:

Resolution No. PC 2012-  
Resort at Indian Springs Expansion  
Conditional Use Permit (U 2011-11) and Design Review (DR 2011-09)  
November 14, 2012  
Page 23 of 23

922

923 AYES:

924 NOES:

925 ABSTAIN:

926 ABSENT:

927

928

\_\_\_\_\_  
JEFF MANFREDI, Chairman

929

930 ATTEST: \_\_\_\_\_

931 KENNETH G. MACNAB, Secretary to the Planning Commission