

# CITY OF CALISTOGA

## STAFF REPORT

**TO:** CHAIRMAN MANFREDI AND MEMBERS OF THE  
PLANNING COMMISSION

**FROM:** ERIK V. LUNDQUIST, SENIOR PLANNER

**MEETING DATE:** FEBRUARY 13, 2013

**SUBJECT:** COPPERFIELD'S BOOKS SUBLEASE, 1330 LINCOLN  
AVENUE - CONDITIONAL USE PERMIT (CUP 2013-01)

---

### REQUEST

1  
2  
3 Consideration of a Conditional Use Permit application to allow the separation of  
4 an approximately 5,000 square foot retail space into two leasable spaces on the  
5 property located at 1330 Lincoln Avenue (APN 011-231-006) within the "DC-DD",  
6 Downtown Commercial - Design District. The applicant is Paul Jaffe.

### PROPOSAL

7  
8  
9  
10 The applicant proposes to alter the existing 5,000 square foot structure by  
11 separating the established single retail space into two separate leasable retail  
12 spaces. The interior space will be modified to create similarly sized separate  
13 retail spaces. See Attachment No. 4. There are no substantial exterior changes  
14 proposed at this time. Copperfield's Books will maintain their retail activity on  
15 one side and the retail space on the opposite side will initially be leased to Ron  
16 and Ann Menegon, dba "The Kitchen Store". Both retail uses are allowed in the  
17 Downtown Commercial zoning district. Calistoga Affordable Housing will continue  
18 to lease the upstairs office.

### STAFF ANALYSIS

#### **A. Land Use**

19  
20  
21  
22  
23  
24 The property is located within the Downtown Commercial general plan land use  
25 designation and respective zoning district. As such, a Conditional Use Permit is  
26 required pursuant to Section 17.22.040(B)(12) of the Calistoga Municipal Code in  
27 order to create two leasable spaces within the existing structure, which has  
28 historically served as a single retail establishment on the ground floor.

30 Since the proposed businesses will be located within the existing building, no  
31 substantial site modifications are proposed or can be required at this time other  
32 than what is warranted to meet the minimum construction standards. By  
33 increasing the number of businesses in the downtown, the proposal is consistent  
34 with the General Plan objective of expanding economic activity (Objective ED-  
35 1.2) and maintaining the vibrancy of Calistoga's downtown (Objective LU-1.1).  
36 Therefore, based upon the nature and extent of this proposal staff finds that this  
37 proposal, is consistent with General Plan policies and Zoning District Standards.

38  
39 **B. Aesthetics**

40  
41 There are no proposed exterior architectural changes associated with this  
42 project. In addition, the proposed use will have no significant impact on the  
43 surrounding area. Retail uses are compatible with the other uses in the vicinity  
44 and is an enhancement of the uses on site.

45  
46 **C. Growth Management**

47  
48 Staff believes that the current allocation of water and wastewater is sufficient to  
49 accommodate the two separate retail establishments, based upon the City's  
50 standardized use tables (Resolution No. 99-65). No additional allocation is  
51 required at this time.

52  
53 **PUBLIC COMMENTS**

54  
55 No public comments have been received to date.

56  
57 **CONDITIONAL USE PERMIT**

58  
59 To reduce repetition, all of the necessary use permit findings are contained in the  
60 Resolution, see Attachment No. 2.

61  
62 **ENVIRONMENTAL REVIEW**

63  
64 Under the provisions of Section 15332, In-Fill Development, of the State  
65 Guidelines for Implementation of the California Environmental Quality Act  
66 (CEQA) as stated below, this project is found to be exempt from the  
67 environmental review requirements of Chapter 19.10 of the Calistoga Municipal  
68 Code, implementing the California Environmental Quality Act of 1970, as  
69 amended in that; 1) the proposal is consistent with the General Plan and Zoning  
70 District, 2) the subject site is less than five acres and is surrounding by urban  
71 uses, 3) approval of the project would not result in any significant effects relating  
72 to traffic, noise, air quality or water quality, and 4) the site can be adequately  
73 served by all required utilities and public services.

74

75

**RECOMMENDATION**

76

77

Adopt a Resolution approving Conditional Use Permit CUP 2013-01 allowing the separation of an approximately 5,000 square foot retail space into two leasable spaces on the property located at 1330 Lincoln Avenue.

78

79

80

81

**ATTACHMENTS:**

82

83

1. Vicinity Map

84

2. Draft Conditional Use Permit Resolution

85

3. Applicant's Written Narrative dated January 24, 2013

86

4. Proposed Floor Plan received January 24, 2013

87

88

**NOTE:** The applicant or any interested person is reminded that the Calistoga Municipal Code provides for a ten (10) calendar day appeal period. If there is a disagreement with the Planning Commission's decision, an appeal to the City Council may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the tenth calendar day following the Commission's final determination.

89

90

91

92

93