

CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2013-\_\_

**APPROVING USE PERMIT UP 2013-14 ALLOWING THE CONVERSION OF A  
TRIPLEX LOCATED AT 1406 FAIR WAY (APN 011-091-009) TO AN OFFICE**

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1           **WHEREAS**, on September 5, 2013, Fred and Carol Schrader, on behalf of  
2 Schrader Cellars, LLC, submitted a request for a use permit in order to allow the  
3 conversion of a triplex to an administrative office located at 1406 Fair Way (APN 011-  
4 091-009); and

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6           **WHEREAS**, the Planning Commission considered the request at its regular  
7 meeting of November 13, 2013. Prior to taking action on the application, the Planning  
8 Commission received written and oral reports by the staff, and received public  
9 testimony; and

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11           **WHEREAS**, this action has been reviewed for compliance with the California  
12 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA  
13 pursuant to Section 15303 of the CEQA guidelines; and

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

- 17  
18 1. The proposed development, together with any provisions for its design and  
19 improvement, is consistent with the General Plan, any applicable specific plan  
20 and other applicable provisions of the Zoning Code including the finding that the  
21 use as proposed is consistent with the historic, rural, small-town atmosphere of  
22 Calistoga.

23  
24           Finding: The proposed conversion of a residential structure to office use is  
25 consistent with the General Plan land use designation of High Density  
26 Residential/Office. It is compatible with the meaning and intent of the land use  
27 designation, which is to provide a transition between commercial uses and  
28 residential uses. The conversion from residential to office is compatible with the  
29 area and will not alter the rural, small-town atmosphere of Calistoga.

- 30  
31 2. The site is physically suitable for the type and density of development.

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33           Finding: The proposed site is adequate in size and shape to accommodate the  
34 parking, landscaping and other development features, with application of  
35 conditions.

- 36  
37 3. The proposed development has been reviewed in compliance with the California  
38 Environmental Quality Act (CEQA) and the project will not result in detrimental or

39 adverse impacts upon the public resources, wildlife or public health, safety and  
40 welfare.

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42 Finding: This project is exempt from CEQA under Section 15303.

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44 4. Approval of the use permit application will not cause adverse impacts to  
45 maintaining an adequate supply of public water and an adequate capacity at the  
46 wastewater treatment facility.

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48 Finding: The City's water system and wastewater treatment facility is adequate  
49 to serve the office use.

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51 5. Approval of the use permit application shall not cause the extension of service  
52 mains greater than 500 feet.

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54 Finding: This use permit would not cause the extension of any service mains.

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

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60 Finding: The property has sufficient water to accommodate the conversion of  
61 use from residential to office.

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

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66 Finding: The small-scale office use would be located in a former residential  
67 street that is consistent with the historical and small town character.

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69 8. The proposed development is consistent with and will enhance Calistoga's  
70 history of independent, unique, and single location businesses, thus contributing  
71 to the uniqueness of the town, which is necessary to maintain a viable visitor  
72 industry in Calistoga and to preserve its economy.

73  
74 Finding: The office use would be an independent unique business. This would  
75 be the businesses' only administrative office location.

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

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80 Finding: No exterior change to the structure would occur as a result of the  
81 proposed project. The existing structure complements and blends well with the  
82 eclectic architectural styles found in Calistoga.

83

84           **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
85 Commission that based on the above Findings the Planning Commission approves the  
86 proposed project, subject to the following Conditions of Approval.  
87

- 88       1.     This permit authorizes the conversion of a triplex to a professional office use  
89           consistent with the floor plans and project description received September 5,  
90           2013 and the site plan and received October 25, 2013 and consistent with all  
91           other City ordinances, rules, regulations, and policies. The conditions listed  
92           below are particularly pertinent to this permit and shall not be construed to permit  
93           violation of other laws and policies not so listed.
- 94       2.     The principal structure shall be used for the exclusive and sole purpose of a  
95           private office. No public access shall be permitted.
- 96       3.     This permit shall be null and void if not used within a year, or if the use is  
97           abandoned for a period of one hundred and eighty (180) days. Once the use is  
98           initiated, this permit shall be valid until it expires or is revoked pursuant to the  
99           terms of this permit and/or Chapter 17.40 of the Calistoga Municipal Code. Minor  
100           modifications which do not increase environmental impacts may be approved in  
101           writing by the Planning and Building Director.
- 102      4.     This use permit does not abridge or supercede the regulatory powers or permit  
103           requirements of any federal, state or local agency, special district or department  
104           which may retain regulatory or advisory function as specified by statute or  
105           ordinance. The applicant shall obtain permits as may be required from each  
106           agency.
- 107      5.     A building permit shall be obtained for all construction occurring on the site, not  
108           otherwise exempt by the California Building Code or any State or local  
109           amendment adopted thereto, and all fees associated with plan check and  
110           building inspections, and associated development impacts fees established by  
111           City Ordinance or Resolution shall be paid.
- 112      6.     Prior to occupancy, housing in-lieu fees shall be paid at the current rate  
113           established by City ordinance or resolution.
- 114      7.     Prior to occupancy, a payment of \$289.86 shall be paid for storm drainage per  
115           the Palisades Resort and Spa Reimbursement Agreement.
- 116      8.     A business license shall be obtained and maintained pursuant to the Calistoga  
117           Municipal Code Chapter 5.04 for the life of the permit.
- 118      9.     Prior to occupancy, the property owner shall work with the City to formally set the  
119           commercial water and wastewater baseline for the property and adjust the  
120           residential baseline accordingly based upon the property's historical usage.
- 121      10.    Prior to driveway construction, a final drainage and erosion control plan shall be  
122           submitted for review and approval by the Public Works Department. Prior to  
123           occupancy, all required improvements per the drainage plan shall be  
124           constructed.

- 125 11. Prior to occupancy, a landscaping and lighting plan shall be reviewed and  
126 approved by the Planning and Building Department. Landscaping shall be  
127 installed prior to occupancy and maintained for the life of the project.
- 128 12. Prior to occupancy, a minimum of three parking spaces shall be delineated  
129 (minimum 9'x19' per space) as shown on the parking plan received October 25,  
130 2013 subject to the review and approval of the Planning and Building  
131 Department.
- 132 13. Prior to occupancy, a 12-foot wide driveway easement shall be provided across  
133 1507 Park Street along the southern property boundary to access the parking  
134 area.
- 135 14. Prior to occupancy, driveways and back-up areas shall be constructed of asphalt  
136 or concrete subject to the review and approval of the Planning and Building  
137 Department. Each of the required parking spaces may be constructed of gravel  
138 or an alternative surfacing subject to the review and approval of the Planning and  
139 Building Department.
- 140 15. Prior to occupancy, signage shall be installed designating the driveway off of Fair  
141 Way as a one-way entry and the driveway via Park Street as a one-way exit  
142 subject to the review and approval of the Planning and Building Department.
- 143 16. Prior to occupancy, the southernmost driveway apron at 1507 Park Street shall  
144 be reconstructed subject to the review and approval of the Planning and Building  
145 and Public Works Departments.
- 146 17. Prior to occupancy, the easternmost driveway apron at 1406 Fair Way shall be  
147 deconstructed and replaced with a continuous curb, gutter and sidewalk subject  
148 to the review and approval of the Planning and Building and Public Works  
149 Departments.

150 **ADOPTED** on November 13, 2103, by the following vote of the Calistoga  
151 Planning Commission:

152  
153 AYES:  
154 NOES:  
155 ABSENT:  
156 ABSTAIN:

157  
158 \_\_\_\_\_  
159 JEFF MANFREDI, CHAIRMAN

160 ATTEST: \_\_\_\_\_  
161 Lynn Goldberg  
162 Secretary to the Planning Commission