

**Agenda Item G-1
Communications**



**CITY OF CALISTOGA
PLANNING COMMISSION**

WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE CITY OF CALISTOGA PLANNING COMMISSION AGENDA PACKET.

	Correspondence/ Date Received	Topic
1	Email from Eric Stevens and Alice Middleton Received December 1, 2014	Item G.1. White Parcel Map
2	Letter from Brian Russell of Abbott & Kindermann, LLP dated February 25, 2014	Item G.1. White Parcel Map

Item G-1.
Communication. 1

Erik Lundquist

To: Carol Bush; Jeff Manfredi; Paul Coates; Scott Cooper; Timothy Wilkes
Cc: Lynn Goldberg
Subject: RE: Neighbor comments for property proposal on Mora (White Parcel Map)

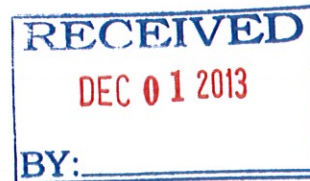
To: City of Calistoga Planning Commission

As part of the City and Planning Commission's consideration of the current application to divide the existing 3.1 acre parcel on Mora Ave. into 3 parcels, we urge you to consider any approval to be contingent on appropriate limitations that are consistent with the general plan and the maintenance of the rural character of the area, by establishing: (1) appropriate set back limits from adjacent lots and (2) building structure size limits consistent with existing neighborhood character.

Regards,

Eric Stevens and Alice Middleton

2087 Mora Ave.





February 25, 2014

Chairman Manfredi and Members of the City of Calistoga Planning Commission
1232 Washington Street
Calistoga, CA 94515

Re: WHITE PARCEL MAP PM 2013-1

Dear Chairman Manfredi and Members of the City of Calistoga Planning Commission:

We represent Ross and Andrea White ("White") who are applying for a parcel map on a property with the APN of 011-351-007 ("Property") in the City of Calistoga ("White Application"). Please find our response to the staff report dated February 26, 2014, and prepared by Calistoga Senior Planner Erik Lundquist.

General Plan Conformance:

The lot configuration, as presented to the Commission, complies with the City of Calistoga General Plan standards based on the following. As stated in LU-14 of the City of Calistoga Land Use Element for Rural Residentially zoned properties, "The allowed density shall be determined by the subdivision review process, which will include an assessment of the proposed developments according to the following development standards."

- "Cluster development consistent to minimize the deleterious effects of monotonous development that contradicts the residential character of the community." The White Application proposes to locate three parcels on 3.10 total acres of property. This parcel configuration, which proposes large buildable lots and provides no evidence of a planned community in their alignment, is consistent with the rural nature that currently exists with the surrounding properties.
- "Preserve and enhance open spaces and agricultural lands." The White Application aligns with this development standard since the plan, through deed restrictions, will ensure that there are open spaces by imposing additional setback requirements that exceed the standards set forth by the Rural Residential zoning.
- "Target higher densities, within the range, adjacent to the more densely developed areas and lower densities within the range, outward to the

City's edge consistent with the community's interest in feathering development." The White Application is requesting to divide one 3.1 acre parcel into three similarly sized buildable properties. This division makes practical and financial sense for the current owners, and for future purchasers. During the application process, an extensive discussion with City staff was completed to determine the most sensible lot configuration for the White property. After several rounds of discussions, Calistoga staff and White agreed that the parcel configuration that is being presented to the Planning Commission meets the requirements of the Calistoga General Plan and also of the applicant. In fact, in an email dated December 16, 2013, Mr. Lundquist stated in reference to the current parcel configuration that "I spoke to Lynn and we both agree that moving the buildable areas towards the center of the lot is closer to achieving General Plan consistency." All three lots meet the lot area requirements according to section 16.16.020 of the Calistoga municipal code regarding Subdivision lot design, and the parcel configurations also comply with Section 17.140.040 which governs parcel requirements for the Rural Residential District. Further, the Property is located in the middle of an area of Calistoga that is currently surrounded by a random configuration of residential parcels. When looking at existing parcels, there is not a pattern to the current layout of parcels in this area of Calistoga. The logical parcel configuration of the White Application creates three parcels that are similar in size, and is consistent with the Calistoga General Plan.

- "Provide landscape and/or open space buffers between development and at the entrances to the new development." With the White Application, deed restrictions for the Property were submitted, which increased the setback requirements, which exceed the requirements established by the zoning, on the newly formed parcels, thereby creating buffers.
- "Maintain scenic vistas from public rights-of-way and existing private development." The Whites have a strong desire to maintain the views for neighboring properties as well as existing right-of-ways. The White parcel configuration is designed to maximize the views of the Calistoga palisades for all of the Property parcels, and for the neighboring properties.
- "Preserve natural resources important to the community." Trees are important to Calistoga. The Whites have completed an arborist report on the Property and have also agreed to replant three trees for every one tree that is removed.
- "Enhance the rural traditions of the community and preserve Calistoga's small-town character through sensitive architectural and site planning."

The White family has the same goals. The Whites have elected to construct their family home on one of these newly formed parcels because they enjoy the rural traditions of Calistoga. Further, they are meeting this standard by complying with Rural Residential lot area requirements set out in section 14.14.040, and plan to make the lot area requirements more restrictive through the recordation of deed restrictions. The White lot configurations are consistent with the varying parcel patterns in the area. This uneven approach further enhances the rural nature of the community.

We believe that the White Application is in compliance and consistent with the standards established in the Calistoga General Plan.

Waiving of Undergrounding Power Utility

According to Section 16.16.090, all existing and proposed utilities within the subdivision, including, but not limited to electric communication and cable television shall be placed underground....With this letter, under Section 16.20.080, White is requesting that the requirement of placing all existing and proposed power lines underground shall be waived.

White meets the requirements for a waiver of the undergrounding of the utilities as set for in Section 16.02.080, which states that the "Council shall find that the granting of the modification will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated." In foregoing the undergrounding of the power utility, we were unable to conceive of a harmful impact for the neighboring properties.

Further, under section 16.02.080(3) the party requesting the modification must show that the "property is to be devoted to such use that it is impossible or impracticable in the particular case for full compliance." White believes that it is impracticable to proceed with undergrounding the existing power utilities since all of the surrounding properties would still have above ground power lines which obscure the view from the Property. It is impractical to place a large financial burden on White for placing the utilities underground if surrounding landowners, the City of Calistoga, and White are not going to achieve the aesthetic benefit that is desired.

Finally, under section 16.02.080(4) the modification must show that the "Approval of any waiver or modification does not result in lots which are in conflict with the zoning ordinance." The White lot configuration is in full compliance with 16.16.020 regarding Subdivision lot design.

Since all necessary requirements of the 16.020.080 can be fulfilled by White, we request that the Planning Commission recommend to the City Council that the requirements for undergrounding the power utility shall be waived.

Chairman Manfredi and Members of the City of Calistoga Planning Commission
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February 25, 2014
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Preserving the Gravel Road Maintains the Rural Character

According to Condition of Approval 15(a), White is required to pave an existing dirt roadway that runs from Mora Avenue along the entire southwestern frontage of the Property. White and the neighboring parcels owners will maintain the required 12 foot roadway but we believe that White should not be required to pave this roadway for the following reasons:

- Paving will cause extensive runoff and drainage issues for surrounding property owners.
- Maintaining the roadway with road base will achieve the same goal and also promote one of Calistoga's General Plan goals which is to "Enhance the rural traditions of the community and preserve Calistoga's small-town character through sensitive architectural and site planning."
- Paving of the roadway will create unnecessary heat and create more of an urban feel in the Rural Residential zoned area.

In a rural setting, unnecessarily paving a roadway is unreasonable; therefore we request that the Planning Commission should revise Condition of Approval 15.

Conclusion

We appreciate your review of our requests. We look forward to further discussing them with you during the February 26, 2014 Planning Commission meeting.

Sincerely,

Brian Russell

BR/sb