

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, SENIOR PLANNER

MEETING DATE: SEPTEMBER 10, 2014

**SUBJECT: SETBACK VARIANCE VA 2014-1
1520 PARK STREET (APN 011-092-035)**

1 **ITEM**

2 Consideration of a variance to replace an existing dwelling unit 6 feet from the
3 front property line and 2 feet of the side property line at 1520 Park Street

4 **SITE AND PROJECT DESCRIPTION**

5 The subject property is on a dead-end street behind the Junior/Senior High
6 School track and field. Aside from the school, the uses on the east side of Park
7 Street are residential and a mix of uses exists on the west side of the street,
8 including an office, residential uses and a visitor accommodation (i.e., Hideaway
9 Cottages). The lots were originally created in 1918 as part of the Stoesser's
10 Subdivision Map and have been developed over time. The property is currently
11 zoned R-3 Multi-Family/Office Zoning District, as are adjoining properties on the
12 east side of Park Street. The properties on the west side of Park Street are
13 zoned R-3 with a VA Visitor Accommodations combining district.

14 The subject parcel was recently merged (formerly APN 011-092-027 & -034) and
15 has an area of approximately 12,838 square feet. Improvements on the parcel
16 include an 863 square-foot residence (1520 Park Street) and a 576 square-foot
17 cottage (1522 Park Street).

18 A concrete driveway apron accesses the property from Park Street across an
19 existing sidewalk onto the graveled parking area on the north side of the existing
20 residence. The sidewalk does not extend across the entire frontage.

21 Per the Napa County Assessor, it appears both of the homes were constructed
22 around 1930. The residences have been reasonably maintained and have been
23 modified slightly, such as enclosing the porches. Napa County Landmarks has
24 indicated that the structures do not possess a high degree of integrity of
25 materials and workmanship to qualify for listing on the National or State Register.



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West Façade of Cottage

West Façade of Main Residence



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West Façade of Main Residence and Cottage Ca. 1934

31 The southern portion of the existing main residence is approximately 2 feet from
32 the side property line and 6 feet from the front property line with the eaves
33 extending 16 inches from the edge of the structure. The structure is considered
34 legal non-conforming since it does not meet the required setbacks of the R-3
35 District.

36 The property owner wishes to substantially improve the main residence by
37 removing/replacing the siding, removing/replacing electrical, plumbing and
38 mechanical systems, reroofing, relocating/renovating the bathrooms and kitchen
39 and constructing an 368-square feet addition on the north side of the structure.
40 An uncovered wrap around deck of approximately 723 square feet is also
41 proposed on the northern side of the structure that would connect the main
42 residence to the cottage. Since these improvements would exceed 60 percent of
43 the fair market of the structure as indicated by the records of the County
44 Assessor, the Calistoga Municipal Code (CMC) requires the substantially-
45 improved building to conform to the development standards (Section 17.19.040
46 CMC). Although the entire structure is not being replaced, this project is
47 considered a replacement due to the scope. Rather than raze the entire structure

48 to comply with the R-3 District standards, the property owners have requested a
49 variance to the setback requirements. No work is proposed to the cottage at this
50 time.

51 Section 17.19.040(F)(a) CMC requires a 5-foot side yard setback and Section
52 17.19.040(F)(1) requires 15-foot front yard setback in the R-3 Zoning District.
53 The setbacks could be achieved only by relocating main residence or
54 demolishing the structure. As such, the property owners have requested a
55 variance from the side and front yard setbacks.

56 **DISCUSSION**

57 As noted above, the existing side and front yard setbacks of the main residence
58 have a legal non-conforming status, since the structure was approved and
59 constructed prior to today's requirement of 5-foot side yard and 15-foot front yard
60 setbacks. Except for the historic placement of the main residence on the lot, the
61 proposed improvements have been sited in conformance with the development
62 standards. The proposed structural improvements would add architectural
63 interest to the residence and to the surrounding neighborhood.

64 Aside from the structural improvements, additional site improvements will be
65 warranted that will also add to the overall aesthetic in the neighborhood. The
66 addition and deck extend northerly, precluding driveway access from the existing
67 driveway. As a result, the existing driveway apron will be required to be removed
68 and a new driveway apron installed, northerly of the existing driveway apron, to
69 the satisfaction of the Public Works Department. The driveway will need to
70 provide access to three parking spaces measuring 19' x 20' on the property,
71 outside of the required setbacks. Additionally, the sidewalk must be extended
72 across the entire frontage of the property and the existing sidewalk will need to
73 be repaired to the satisfaction of the Public Works Department. It is also likely
74 that fire sprinklers and water and sewer lateral repairs will be required through
75 the building permit approval process.

76 **REQUIRED FINDINGS**

77 Approval of the requested variance requires that all four findings be made
78 pursuant to CMC Section 17.42.020. The applicants maintain in their application
79 that there is sufficient factual basis to support the mandatory findings.

80 1. **Required Finding:** *Conditions apply to the property that do not apply*
81 *generally to other properties in the same zone or vicinity, which conditions are*
82 *a result of lot size or shape, topography, or other circumstances over which*
83 *the applicant has no control.*

84 Supporting Evidence: The subject house could be moved to comply with
85 setback requirements; however, this alternative is infeasible and would
86 result in no project. The location of the existing residence is a
87 circumstance the owner has no control over.

88 **2. Required Finding:** *The variance is necessary for the preservation of a*
89 *property right of the applicant substantially the same as is possessed by*
90 *owners of other property in the same zone or vicinity.*

91 Supporting Evidence: Only three single-family residential structures exist on
92 Park Street, with lot coverages ranging from 15 percent to 40 percent.
93 With the proposed addition, the resulting project lot coverage is increased
94 from 11 percent to 13 percent, substantially lower than the neighboring
95 property and similar to an existing single-family residence across the
96 street.

97 The property abuts the Fairway Manor Mobile Home Park to the east and
98 Calistoga High School playing field to the north. The Hideaway Cottages
99 and their associated parking lot are across the street. Under current R-3
100 zoning, a substantially larger residential multi-family structure could be
101 constructed on the site. Such a change in use would significantly alter the
102 character of the neighborhood; however, it would most likely result in the
103 removal of the subject dwelling and a second cottage of similar vintage on
104 the site. The variance would preserve the existing property right.

105 **3. Required Finding:** *The authorization of the variance will not be materially*
106 *detrimental to the purposes of this Title, be injurious to property in the zone or*
107 *vicinity in which the property is located, or otherwise conflict with the*
108 *objectives of City development plans or policies.*

109 Supporting Evidence: The proposed variance will allow improvement of the
110 existing residence while preserving a significant portion of the existing
111 dwelling. The structure has been located 2 feet from the side property line
112 and 6 feet from the front property line for 84 years. During this time the
113 structure has not been injurious to the property or neighboring properties.

114 The resulting project will present a structure that is harmonious to the
115 residence located on the adjoining property, which is of similar design and
116 vintage, by preserving gable ends, the southern roofline and exterior
117 cladding materials. Though many of the neighboring structures have been
118 converted to visitor-oriented commercial use, they retain characteristics of
119 the period of the subject dwelling, which are similar to treatments proposed
120 by the applicant for the subject site and consistent with retaining Calistoga's
121 rural small town character.

122 **4. Required Finding:** *The variance requested is the minimum variance which*
123 *will alleviate the hardship.*

124 Supporting Evidence: The applicant has requested decreased setbacks to
125 address the legal non-conforming situations. The proposed addition is setback
126 further from the street than the existing dwelling and would comply with the
127 minimum front yard setback. More extensive and expensive alternatives to
128 the project include moving or demolishing the existing dwelling and

129 replacing it with a new structure, which would impact the certain character-
130 defining features of the structure and site.

131 **PUBLIC COMMENTS**

132 As of September 5, 2014, no public comments had been received regarding this
133 project.

134 **ENVIRONMENTAL REVIEW**

135 Staff has determined that the proposed project is Categorically Exempt from the
136 requirements of the California Environmental Quality Act (CEQA) pursuant to
137 Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use
138 Limitations).

139 **RECOMMENDATION**

140 Approve setback variances with conditions.

141 **ATTACHMENTS**

- 142 1. Aerial Vicinity Map
- 143 2. Draft Resolution
- 144 3. Applicant's Written Statements in Support of the Variance
- 145 4. Site Plans, Floor Plans and Elevations prepared by Fred Flynn Architect

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147 **NOTE:** Anyone who does not agree with the Planning Commission's decision or the conditions that have
148 been imposed by the Commission in approving an agenda item may appeal the Commission's action to the
149 City Council. Appeals must be filed within ten (10) calendar days from the date of the Commission's action.