

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: AUGUST 13, 2008

SUBJECT: VALLARTA PLAZA, PROFESSIONAL OFFICES, MARKET & APARTMENTS – 1003 &1009 FOOTHILL BOULEVARD

REQUESTS:

Vallarta Professional Office

Consideration of a request by the applicant, Jaime Cortez for a Variance (VA 2006-09) to allow a reduced highway and street setback along Foothill Boulevard. The Applicant has also requested a Conditional Use Permit (U 2006-09) and Design Review (DR 2005-03) to allow the existing residential structure to be relocated toward the northeastern most property corner, five feet of the front and side property lines and converted to office use all on the property located at 1003 Foothill Boulevard (APN 011-310-013) within the “DC-DD”, Downtown Commercial District.

Vallarta Market & Apartments

Consideration of a request by the applicant, Jaime Cortez for a Variance (VA 2006-08) to allow a reduced highway and street setback along Foothill Boulevard. The Applicant has also requested a Conditional Use Permit (U 2005-02) and Design Review (DR 2005-02) to allow the renovation and expansion of the Vallarta Market. The establishment is currently within an existing 3,344 square foot two story structure. The ground floor will be expanded from 1,980 square feet to 3,757 square feet to provide additional space for shelved goods, a dry storage room, expanded kitchen, two restrooms and expanded coolers. The second floor would be expanded from 1,394 square feet to 1,704 square feet to accommodate the conversion of the existing office/storage space to two new residential units, a one bedroom and a two bedroom unit. The two bedroom unit is replacement for the residential unit being displaced on the adjoining property at 1003 Foothill Boulevard. The property is located at 1009 Foothill Boulevard (APN 011-310-012) within the “DC-DD”, Downtown Commercial District.

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PROJECT DESCRIPTION:

A. Existing Site and Vicinity

The project site consists of two parcels (APN 011-310-013 & 012), which together total approximately 0.86 acres (37,400 sq. ft.) in size. The property located at 1003 Foothill Boulevard (APN 011-310-013) contains a single story single-family residential structure, which will be relocated on the property and converted to office use as part of this development proposal. The residential use will be replaced on the neighboring property located at 1009 Foothill Boulevard.



1003 Foothill Boulevard, Existing SFD



1009 Foothill Boulevard, Existing Market

The property located at 1009 Foothill Boulevard (APN 011-310-012) is currently established with a two-story structure containing commercial uses. The ground floor is approximately 1,980 sq. ft. and currently occupied by a market/deli, Puerto Vallarta Market. The second floor is approximately 1,394 sq. ft. and currently used as office and storage space.

The properties are surrounded by other properties located within the Downtown Commercial General Plan Land Use Designation and Zoning District. The adjoining property to the east is established with a pottery business (Calistoga Pottery) and residence. The adjoining property to the west is established with a spa, Lavender Hill. Directly across the street to the north is an established visitor accommodation and video store, Christopher’s Inn and Peter’s Video.

74 **B. Proposed Project – Vallarta Plaza**
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76 The proposed project involves two separate properties owned by the same
77 individuals, Jaime and Virginia Cortez. The property located at 1003 Foothill
78 Boulevard (APN 011-310-013) will be developed with office uses. The property
79 located at 1009 Foothill Boulevard will be developed with a mixed-use structure
80 containing a market and deli and two apartment units, described as follows:
81

82 Vallarta Professional Offices - 1003 Foothill Boulevard – [Variance (VA 2006-09),
83 Conditional Use Permit (U 2006-09) and Design Review (DR 2005-03)]
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85 Of the total 17,600 sq. ft. property, 9,280 sq. ft. will remain vacant with up sloping
86 terrain and substantial tree cover. The remaining 8,320 sq. ft. will be developed
87 with office uses. The existing residential structure will be relocated toward the
88 northeastern most property corner, five feet of the front and side property lines.
89 An uncovered staircase will extend to a new sidewalk along Foothill Boulevard.
90 This new sidewalk will connect with the existing sidewalk at 1009 Foothill
91 Boulevard and terminate at the northeastern corner of the property. A portion of
92 the frontage will also include an access driveway for this property and the
93 adjacent. The relocation of the building will allow the development of an on site
94 parking area including 12 new parking spaces, walkways, lighting and
95 landscaping. The parking provided will be used by the offices use on site as well
96 as the market and residential use on the adjoining property.
97

98 Vallarta Market & Apartments - 1009 Foothill Boulevard – [Variance (VA 2006-
99 08), Conditional Use Permit (U 2005-02) and Design Review (2005-02)]
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101 Approximately 9,360 sq. ft. of the 19,800 sq. ft. property will be redeveloped with
102 a market on the ground floor and two residential units on the second story. The
103 remaining 10,440 square feet will remain vacant with up sloping terrain and
104 substantial tree cover. This proposal includes a renovation and addition to the
105 existing 3,344 square foot two story structure. The ground floor will be expanded
106 from 1,980 square feet to 3,757 square feet to provide additional space for
107 shelved goods, a dry storage room, expanded kitchen, two restrooms and
108 expanded coolers. The second floor would be expanded from 1,394 square feet
109 to 1,704 square feet to accommodate the conversion of the existing
110 office/storage space to two new residential units, a one bedroom and a two
111 bedroom unit. The two bedroom unit is replacement for the residential unit being
112 displaced on the adjoining property at 1003 Foothill Boulevard. The parking
113 area will be altered to provide 5 standard parking spaces, 2 handicap parking
114 spaces and 1 parking space that straddles the property line. Additional
115 landscaping and lighting will surround and be developed near the structure.
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DISCUSSION AND STAFF ANALYSIS:

General Plan Consistency: The project sites are located on Foothill Boulevard just south of the intersection of Lincoln Avenue. This area is designated Downtown Commercial and is within Entry Corridor 3: Lincoln Avenue at Foothill Boulevard, as described in Land Use Element of the General Plan. Principal uses in the Downtown Commercial designation are to be stores and other retail facilities, offices, restaurants, bars and visitor accommodations (GP LU-21). New development in this area of Lincoln Avenue and Foothill Boulevard should include minor landmark features such as small signs or gateway landscaping to mark the entrance to downtown GP LU-34). Conditions of approval have been incorporated to require additional landscaping within the right of way, and therefore, this project is found to be consistent with the General Plan.

Zoning Consistency: The project is consistent with the development standards of the “DC - DD”, Downtown Commercial - Design District. A Variance is warranted to reduce the highway and streets setback standards (Section 17.56.030(D) CMC). Provided below are the applicable “DC” District regulations that will be applied to the project.

Applicable Regulations – Vallarta Plaza		
Property	1003 Foothill Blvd. Vallarta Professional Offices	1009 Foothill Blvd. Vallarta Market & Apartments
Lot Size	17,600 sq. ft.	19,800 sq. ft.
Structural Square Footage	1,090 sq. ft.	5,461 sq. ft.
Lot Coverage	6.2%	28%
Height	17 feet	24 feet
Setbacks:		
Street & Highway:	*4'-7" (20' req'd)	*0'-0" (20' req'd)
Front Yard:	4'-7" (0' req'd)	0'-0" (0' req'd)
East Side Yard	5'-0" (0' req'd)	25'-0" (0' req'd)
West Side Yard	44'-0" (0' req'd)	2'-0" (0' req'd)
Rear Yard	<100'-0" (10' req'd)	<100'-0" (10' req'd)
Parking Provided	5 standard and 6 compact	6 standard and 2 handicap

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*Variance Required

139 In addition, Staff has reviewed Section 17.22.080(M), *Findings for Use Permits*
140 *on Property in the Entry Corridors* and has found that the project, as conditioned,
141 meets the spirit and intent of the twelve required findings. The proposed site
142 improvements and structural modifications will dramatically increase the overall
143 appearance and functionality of these properties within the entry corridor.
144

145 Aesthetics: The property is within the “DD”, Design District Combination District.
146 Chapter 17.06.020 of the Zoning Ordinance requires design review for all projects
147 which require conditional use permit and for those projects which propose exterior
148 alterations within a commercial structure. The standards contained in this section
149 are intended to promote good design and a harmonious relationship of buildings
150 and to preserve the unique character and ambiance of Calistoga.
151

152 The proposed redevelopment is compatible in size, location and height to the
153 surround developments and maintains a traditional context. The existing
154 residential structure will maintain its integrity and the minor addition to the market,
155 although more contemporary, enhances the overall streetscape. Furthermore, the
156 streetscape will be substantially upgraded provided that the required landscaping
157 along the frontage is implemented. See attached resolutions for a complete list of
158 design review findings.
159

160 Traffic and Circulation: The project is located on the south side of Foothill
161 Boulevard just south of the intersection of Lincoln Avenue (SR 29) and Foothill
162 Boulevard (SR 29/128). The right of way width along the properties frontage is
163 66 feet, which includes a 4.5 foot sidewalk and an 8 foot parking lane on the
164 northern side, two 12 foot travelways, and an 11 foot parking lane and a 12.5 foot
165 sidewalk on the southern side of the right of way (measurements are
166 approximated).



**Viewing West to the Lincoln Avenue Intersection
(Subject Properties on the Left)**

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170 A traffic impact assessment was prepared and finalized for the project on August
171 2, 2007, by W-trans. The analysis reviewed the project's potential impacts at the
172 intersection of Foothill Boulevard and Lincoln Avenue together with a section of
173 Foothill Boulevard fronting the project site. The intersection of Foothill
174 Boulevard/Lincoln Avenue is currently operating acceptably at LOS D. Per the
175 findings of the Traffic Impact Study, the project is expected to generate 86
176 additional vehicle trips on weekdays, four of these trips will be new weekday a.m.
177 peak hour trips, nine will be p.m. peak hour and eight during the weekend midday
178 peak hour. Thus, overall the site would generate approximately 438 daily trips
179 (352 daily trips existing), for a total of 16 during the weekday a.m. peak hour and
180 45 during both the weekday PM peak hour and weekend peak hour.

181
182 As identified in the Traffic Study, improvements are recommended based on the
183 existing and proposed conditions, which include the installation of a sidewalk
184 along the site's entire frontage. The Traffic Study also recommends the
185 prohibition of parking along the project's frontage and the deferral of a Class II,
186 bike lane until such time that a longer segment can be completed. Staff does
187 not concur with the recommendations of the study and recommends retaining the
188 parking as discussed herein.

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190 In addition to the impacts discussed in the Traffic Study, the project will be
191 required to conform to the Calistoga Municipal Code (CMC). Lincoln Avenue is
192 classified as an Arterial Street in the General Plan. Section 12.040.110(A) of the
193 Calistoga Municipal Code states:

194
195 *"A. Arterial Street Section. The arterial street section shall have an*
196 *84-foot right-of-way, a four-foot public utility easement on each side*
197 *between the right-of-way line and the sidewalk and a six-foot*
198 *sidewalk on each side with vertical curb and gutter. The roadway*
199 *section shall be 64 feet between curb faces to comprise a 14-foot*
200 *parking-bicycle lane, a 12-foot traveled lane, a 12-foot turning lane, a*
201 *12-foot traveled lane, and a 14-foot parking-bicycle lane."*

202
203 However, City staff recommends lesser improvements than that required by the
204 CMC Arterial Street Section in order to create a sense of transition from the rural
205 condition to the downtown and to further enhance the entry corridor, which is also
206 the bases for staff recommendation to support the variances from the highway
207 and street setback requirements. The CMC provides flexibility for implementing a
208 different roadway section at this location. As such, Staff supports the
209 development of a sidewalk and the deferral of the Class II bike lane, however,
210 parking along the frontage should remain. Staff further recommends that these
211 parallel parking spaces be striped in accordance with City standards in order to
212 reduce congestion and create order to the public street. Providing parking along

213 the frontage will also provide patrons direct access to the property from their
214 frontage along Foothill Boulevard rather than push parking along the frontage of
215 adjoining properties. In addition, due to the volume of daily trips and based on
216 W-Trans' traffic study a mitigation measure has been incorporated that would
217 discourage large trucks (Class 6 and above) from parking along the frontage.
218 See Attachment 15, *Description of Classes*. The property owner will be
219 responsible for the managing this off-site parking similarly to the on site parking
220 through signage, education and enforcement.

221
222 On Site Parking: The existing parking area at 1009 Foothill Boulevard (Vallarta
223 Market) provides 9 standard parking spaces and 1 handicap parking space. No
224 parking is currently designated at 1003 Foothill Boulevard. As a result of this
225 project, 19 parking spaces will be provided in total on the two properties. The on
226 site parking would be accessed directly off of Foothill Boulevard via a new
227 commercial driveway¹. As, proposed, the Vallarta Market property would have 6
228 standard and 2 handicap parking spaces and the Vallarta Professional Offices
229 would have 11 standard parking spaces. A truck loading and unloading area is
230 proposed toward the rear of the Vallarta Market. This loading and unloading
231 area would accommodate deliveries.

232
233 The Architect, Bev More has prepared an assessment of the required parking
234 pursuant to Section 17.36 of the Calistoga Municipal Code, which is illustrated on
235 Sheet No. 1 of the architectural plans prepared for Vallarta Market, see
236 Attachment No. 9. Staff has reviewed the parking needs assessment and
237 concurs that the number parking spaces proposed meets Code requirements and
238 the needs of the proposed businesses.

239
240 However, some modification to the parking layout is warranted. These
241 modifications have been incorporated as conditions of approval. For example,
242 the proposed offices will need to provide a handicap space, parking space No. 19
243 will need to be located entirely on the office property and a parking easement, or
244 other legal instrument, needs to be provided to legitimize the joint use parking
245 proposal.

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247 Drainage: Minimal alterations to the drainage pattern are proposed as a result of
248 this project. Historically, natural pecculation and storm water runoff has traveled
249 across the property from the south at higher hillside elevations where it travels to
250 the north at Foothill Boulevard. Water leaves the project site and is collected in a

¹ The power pole at the northwest corner of the proposed driveway is too close to the entrance. Larger truck traffic that can not swing wide into Foothill Boulevard may impinge upon the power pole. As such, the developer shall remove the power pole and place the overhead lines underground (no additional poles shall be installed as a result), subject to the review and approval of Caltrans. In the event that Caltrans can not support the undergrounding, the pole shall be relocated.

251 drainage inlet approximately 25 feet east of the property through a culvert under
252 State Route 29/128 to Pine Street where it surface flows to the Napa River. The
253 existing drainage facility is in fair condition and improvement to the system is
254 warranted. A preliminary drainage study was prepared by Doug Sterk. Based
255 upon the study, the existing storm drain facility will need to be replace, replaced
256 and/or upsized to accommodate the proposal, where necessary. Conditions of
257 approval have been incorporated, which require a final engineered Drainage Plan
258 in order to mitigate all on and off site storm water run-off resulting from this
259 project to the maximum extent practicable.

260
261 Growth Management: On November 8, 2006 the City Council granted Growth
262 Management Allocation (GMA 2007-30) allowing 0.471 a.f. of water and 0.431 a.f.
263 of wastewater for the non residential portion of the project and 0.656 a.f. of water
264 and 0.426 a.f. of wastewater for the residential element of this project.

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266 The total additional water and wastewater capacity needed for this project is
267 1.127 ac-ft/year of water and 0.857 ac-ft/year of wastewater. Prior to building
268 permit issuance, the applicant will be required to pay the water and wastewater
269 service connection fee at the rate in affect at the time the building permit is
270 issued. Currently, the water service connection fee is \$26,350 per ac-ft of water
271 use and the wastewater service connection fee is \$80,717 per annual acre-feet
272 of wastewater use.

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274 Hazards: Per Chapter 15.01 Section 903.2.20 of the City's Building Standards
275 Code, a change in use or occupancy or expansion to an existing building that
276 would result in a more hazardous use or occupancy shall meet the requirements
277 for a new building. The Fire Department has determined that the proposed
278 change in building occupancy and proposed expansion requires the installation
279 of fire sprinklers throughout the entire building. A condition of approval requiring
280 installation of fire sprinklers has been included as part of this project.

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282 **FINDINGS:**

283
284 To reduce repetition, all of the appropriate Findings are contained in each of the
285 appropriate Resolutions.

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287 **PUBLIC COMMENTS:** Since the submittal of this application, three written
288 comments have been received as follows:

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290 Sally Manfredi's comments dated February 15, 2005: In Ms. Manfredi's letter she
291 expresses some concerns with the proposed redevelopment project, see
292 Attachment No. 13.

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294 Jeff and Sally Manfredi comments received November 15, 2008: In their letter the
295 Manfredi's express several opportunities and concerns regarding the proposed
296 development project, see Attachment No. 14.

297
298 Christopher Layton comments dated February 26, 2008: In his letter, Mr. Layton
299 addresses his concerns regarding parking, traffic, drainage, entry signage, noise,
300 landscaping, environmental, ADA compliance, sanitary sewer, drainage, design,
301 use permit conditions, loitering, vandalism and littering, see Attachment 15.

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303 **ENVIRONMENTAL REVIEW:**

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305 As a result of sending the CEQA notice to the State Office of Planning and
306 Research (OPR) Clearinghouse, the City has received one written comment from
307 the Native American Heritage Commission, which is a common comment on
308 projects that involve land disturbances and structural modifications. The City has
309 addressed this comment through the preparation of the archaeological resource
310 study and the incorporation of the appropriate mitigation measures.

311
312 **RECOMMENDATIONS:**

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314 **Vallarta Plaza Environmental Review (Mitigated Negative Declaration)**

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316 A. Staff recommends that the Planning Commission adopt Planning
317 Commission Resolution PC 2008-32 adopting a Mitigated Negative
318 Declaration based on an Initial Study prepared for the Vallarta Plaza
319 (Professional Offices and Market/Apartments) incorporating the findings
320 and mitigation measures as provided in the resolution.

321
322 **Vallarta Professional Office (Variance, Conditional Use Permit and Design
323 Review)**

324
325 A. Staff recommends that the Planning Commission adopt Planning
326 Commission Resolution PC 2008-33 approving a Variance (2006-09)
327 allowing a reduced highway and streets setback along Foothill Boulevard
328 based upon the findings and subject to conditions of approval as provided
329 in the resolution.

330
331 B. Staff recommends that the Planning Commission adopt Planning
332 Commission Resolution PC 2008-34 approving a Conditional Use Permit (U
333 2006-09) and Design Review (DR 2005-03) to allow the existing residential
334 structure to be relocated toward the northeastern most property and
335 converted to office use based upon the findings and subject to conditions of
336 approval as provided in the resolution.

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Vallarta Market and Apartments (Variance, Conditional Use Permit and Design Review)

- A. Staff recommends that the Planning Commission adopt Planning Commission Resolution PC 2008-35 approving a Variance (2006-08) allowing a reduced highway and streets setback along Foothill Boulevard based upon the findings and subject to conditions of approval as provided in the resolution.
- B. Staff recommends that the Planning Commission adopt Planning Commission Resolution PC 2008-36 approving a Conditional Use Permit (U 2005-02) and Design Review (DR 2005-02) allowing the renovation and expansion of the Vallarta Market, including two apartment units based upon the findings and subject to conditions of approval as provided in the resolution.

SUGGESTED MOTIONS:

Vallarta Plaza Environmental Review (Mitigated Negative Declaration)

- A. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-32 adopting a Mitigated Negative Declaration based on an Initial Study prepared for the Vallarta Plaza (Professional Offices and Market/Apartments) incorporating the findings and mitigation measures as provided in the resolution.

Vallarta Professional Office (Variance, Conditional Use Permit and Design Review)

- A. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-33 approving a Variance (2006-09) allowing a reduced highway and streets setback along Foothill Boulevard based upon the findings and subject to conditions of approval as provided in the resolution.
- B. I move that the Planning Commission adopt Planning Commission Resolution PC 2008-34 approving a Conditional Use Permit (U 2006-09) and Design Review (DR 2005-03) to allow the existing residential structure to be relocated toward the northeastern most property and converted to office use based upon the findings and subject to conditions of approval as provided in the resolution.

380 **Vallarta Market and Apartments (Variance, Conditional Use Permit and**
381 **Design Review)**
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- 383 A. I move that the Planning Commission adopt Planning Commission
384 Resolution PC 2008-35 approving a Variance (2006-08) allowing a reduced
385 highway and streets setback along Foothill Boulevard based upon the
386 findings and subject to conditions of approval as provided in the resolution.
387
- 388 B. I move that the Planning Commission adopt Planning Commission
389 Resolution PC 2008-36 approving a Conditional Use Permit (U 2005-02)
390 and Design Review (DR 2005-02) allowing the renovation and expansion of
391 the Vallarta Market, including two apartment units based upon the findings
392 and subject to conditions of approval as provided in the resolution.
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394 **ATTACHMENTS:**
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- 396 1. Vallarta Plaza Mitigated Negative Declaration and Mitigation Monitoring
397 Program Resolution PC 2008-32
- 398 2. Vallarta Professional Office Variance Resolution PC 2008-33
- 399 3. Vallarta Professional Office Conditional Use Permit and Design Review
400 Resolution PC 2008-34
- 401 4. Vallarta Market & Apartment Variance Resolution PC 2008-35
- 402 5. Vallarta Market & Apartment Conditional Use Permit and Design Review
403 Resolution PC 2008-36
- 404 6. Initial Study Abbreviated (Full version available upon request)
- 405 7. Native American Heritage Commission Letter dated July 28, 2008
- 406 8. Delivery Schedule and Traffic Mitigation letter prepared by Bev More
407 dated January 10, 2008
- 408 9. Parking Needs Assessment Spreadsheet prepared by Bev More
- 409 10. Retaining Wall Structural Design prepared by Val E. Pizzini
- 410 11. Outdoor Lighting Specifications
- 411 12. Pacific Tree Care letter dated November 14, 2007
- 412 13. Sally Manfredi's letter dated February 15, 2008
- 413 14. Manfredi's comments received November 15, 2008
- 414 15. Christopher Layton's comments dated February 26, 2008
- 415 16. Description of Vehicle Classes
- 416 17. Project Plans