

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2015-__**

APPROVING A VARIANCE TO CONSTRUCT A CLUBHOUSE OFFICE AND SOCIAL HALL WITHIN THE REQUIRED 30-FOOT FRONT YARD SETBACK AT 2412 FOOTHILL BOULEVARD, AND A DESIGN REVIEW REQUEST FOR THE CONSTRUCTION OF THE NEW STRUCTURES (VA 2015-1 & DR 2015-1)

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2 **WHEREAS**, the property owner, Rancho de Calistoga, requested approval of a
3 variance to construct a new clubhouse office and social hall within the required 30-foot
4 front yard setback at 2412 Foothill Boulevard, and a design review request for the
5 construction of the new structures; and

6 **WHEREAS**, the Planning Commission considered the variance and design
7 review at its regular meeting on April 22, 2015, pursuant to Government Code Section
8 65090. Prior to taking action on the application, the Commission received written and
9 oral reports by the staff, and received public testimony; and

10 **WHEREAS**, this action has been reviewed for compliance with the California
11 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
12 pursuant to Section 15302(b) (Replacement and Reconstruction) of the CEQA
13 guidelines.

14 **WHEREAS**, the analysis of this variance application requires that all mandatory
15 findings be made pursuant to Section 17.42.020 of the Calistoga Municipal Code; and

16 **WHEREAS**, on the basis of evidence presented, the Planning Commission finds
17 that all of the variance findings can be made as described below:

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

22 Supporting Evidence: Though kept back as far as possible from Cedar Street,
23 because of the 20-foot exterior boundary setback requirement, the existing trees and
24 to provide architectural features on the building facades (i.e., colonnades' corner
25 columns); the structure is located 24 feet 6 inches from the southeastern corner of
26 the office wing and 17 feet from the southeastern corner of the clubhouse building to
27 the front property line rather than the required 30-feet. This arrangement will protect
28 the existing mature oak trees and reduce impacts to the adjoining residences within
29 the Riverlea Place Subdivision. Furthermore, the existing site conditions are unique
30 to the property.

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

34 Supporting Evidence: Although Cedar Street is a public street, it functions more as a
35 private roadway since it serves a limited number of properties, the sewer and water
36 mainlines are generally private and the travel ways are narrow with no adjoining curb
37 gutter or sidewalks. Typically properties that front a private roadway would have
38 setbacks of 15 to 20 feet. This property is being held to a more restrictive standard
39 due to the particular zoning district. The requested variance would equalize the
40 rights of the Rancho de Calistoga with those of other property owners on the
41 neighboring residential properties.

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

46 Supporting Evidence: Cedar Street does not have any connectivity potential to
47 adjoining streets and will likely remain an underdeveloped street into the foreseeable
48 future. The City has no plans to widen the roadway and install curb, gutter and
49 sidewalks. As a result, the existing 60-foot wide right-of-way and proposed setbacks
50 would provide a significant landscape buffer that would soften the proposed
51 development. As such, the encroachment into the required street setback will not be
52 materially detrimental to the purpose of the street, or injurious to any properties in
53 the vicinity.

- 54 4. **Required Finding:** *The variance requested is the minimum variance which will*
55 *alleviate the hardship.*

56 Supporting Evidence: The variance request to place the colonnade corners 24'-6"
57 and 17' from the property line north of Cedar Street or 40'-6" and 33' from the curb is
58 the minimum possible adjustment that will alleviate the hardship presented by the
59 existing conditions.

60 **WHEREAS,** the Planning Commission adopted the following design review
61 findings per CMC Section 17.41.050 as part of its deliberations on the project:

- 62 1. **Required Finding:** *The design is in accord with the General Plan and any*
63 *applicable planned development.*

64 Supporting Evidence: The proposed structures and their intended uses are
65 consistent with the General Plan land use designation of Medium Density
66 Residential, which allows mobile home parks. This replacement project
67 complements and enhances Calistoga's small-town rural character. As such, the
68 project conforms to land use policies of the existing Medium Density Residential land
69 use designation and the Community Identity Element as identified in the General
70 Plan.

- 71 2. **Required Finding:** *The design is in accord with all applicable provisions of the*
72 *Zoning Code.*

73 Supporting Evidence: With the approved variance allowing a reduced street yard
74 setback, the project would comply with the applicable code provisions. The
75 structures will meet the 20-foot exterior boundary setback and 25-foot height
76 limitation. The remaining park development standards contained in CMC Section
77 17.20.040 are not applicable since the mobile home park was developed prior to the
78 adoption of these standards.

- 79 3. **Required Finding:** *The design is consistent with any adopted design review*
80 *guidelines to the extent possible.*

81 Supporting Evidence: The City does not currently have adopted design guidelines
82 for nonresidential developments. However, the design elements of the new
83 structures are internally compatible and are consistent with prevailing development
84 in the vicinity. Major design elements of the proposed building wings include: low-
85 rise elevations, gabled roof forms, with dormers, generous roof overhangs,
86 colonnades sheltering verandas and porches, exposed timbers, and varied siding
87 patterns with wainscoting and accent areas. Furthermore, the palette of colors,
88 textures and materials will be attractive and are compatible with the existing
89 development and the neighborhood.

- 90 4. **Required Finding:** *The design will not impair or interfere with the development, use*
91 *or enjoyment of other property in the vicinity or the area*

92 Supporting Evidence: The location of the proposed structures is compatible with the
93 surrounding neighborhood and does not cause or contribute to any incompatibility.
94 The structure are being replaced in the same general location as the existing
95 buildings and the design of the front elevation will be harmonious with the rural
96 qualities and openness of the project.

97 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
98 Commission that based on the findings, the Planning Commission approves the
99 variance and design review application, subject to following conditions of approval:

- 100 1. This variance authorizes the construction of a structure consisting of an office
101 wing 24 feet 6 inches from the front property line and a social hall wing 17 feet
102 from the front property line at 2412 Foothill Boulevard, as shown on the plans
103 prepared by Nir Pearlson Architect, Inc. dated February 11, 2015.
- 104 2. This design review approval is for a new structure and associated site amenities
105 at 2412 Foothill Boulevard, as shown on the plans prepared by Nir Pearlson
106 Architect, Inc. dated February 11, 2015.
- 107 3. Project approval shall expire one year from this approval's effective date, unless
108 an extension and/or building permit has been issued for the project prior to the
109 expiration date.
- 110 4. Minor modifications to the approved plans may be approved in writing by the
111 Planning and Building Director.

- 112 5. This approval does not abridge or supersede the regulatory powers or permit
113 requirements of any federal, state or local agency, special district or department
114 which may retain regulatory or advisory function as specified by statute or
115 ordinance. The applicant shall obtain permits as may be required from each
116 agency.
- 117 6. An application for building permit shall be submitted for all construction occurring
118 on the site not otherwise exempt by the California Building Code or any state or
119 local amendment adopted thereto. Prior to the issuance of any building permit, all
120 fees associated with plan check and building inspections, and associated
121 development impact fees established by City ordinance or resolution shall be
122 paid.
- 123 7. Prior to building permit issuance, a final landscape plan shall be reviewed and
124 approved by the Planning and Building Department. This plan shall provide a
125 description of proposed plants and irrigation plan in compliance with the State's
126 Model Water Efficient Landscape Ordinance or local amendments. Landscaping
127 shall be installed prior to occupancy. All landscaping shall be maintained
128 throughout the life of the project, and shall be replaced as necessary.
- 129 8. Prior to building permit issuance, a Tree Protection and Replacement Plan
130 consistent with Calistoga Municipal Code (CMC) Chapter 19.01 shall be
131 reviewed and approved by the Public Works Department. All requirements and
132 restrictions contained in Chapter 19.01 shall be complied with, which shall
133 include any recommendations of the project arborist, if deemed necessary by the
134 Public Works Department.
- 135 9. Prior to the issuance of any building permit, a fire suppression sprinkler system
136 plan shall be submitted to the Planning and Building Department for review and
137 approval by the Fire Department. Prior to occupancy, the automatic fire sprinkler
138 system shall be installed.
- 139 10. Prior to the issuance of any building permit, a drainage study, prepared by a
140 qualified engineer, shall be submitted subject to the review and approval of the
141 Public Works Department. The drainage study shall indicate compliance with the
142 Stormwater Management Agencies Association (BASMAA) standards for
143 bioretention (quality/volume requirements) and pre and post peak flows for 10-
144 and 100-year events.
- 145 11. Prior to occupancy, pool equipment shall be shielded from public view or/and or
146 shall not be visible from adjoining properties. Prior to occupancy, covers for the
147 pool and spa shall be installed, subject to the review and approval of the
148 Planning and Building Department.
- 149 12. Prior to occupancy, a pathway shall be constructed to provide continuous
150 pedestrian connectivity from the existing sidewalk at the southwest corner of the
151 property across the frontage to the existing mail boxes consistent with the plans

152 prepared by Nir Pearlson Architect, Inc. dated February 11, 2015 subject to the
153 review and approval of the City.

154 13. Prior to occupancy, all necessary rights of way and easements shall be
155 dedicated by grant deed for those portions of the pathway constructed outside of
156 the existing Cedar Street subject to the review and approval of the City. The
157 developer shall prepare all necessary legal descriptions and deeds.

158 **APPROVED** on April 22, 2015, by the following vote of the Calistoga Planning
159 Commission:

160 AYES:
161 NOES:
162 ABSTAIN:
163 ABSENT:

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Jeff Manfredi, Chairman

ATTEST: _____
Lynn Goldberg, Secretary