

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2016-__**

**ALLOWING THE EXPANSION OF AN EXISTING 5 UNIT BED AND BREAKFAST TO
A 13 UNIT HOTEL AT 1213 AND 1303 FOOTHILL BOULEVARD**

1 **WHEREAS**, on June 28, 2016, Nicholas and Gillian Kite submitted use permit
2 and design review applications to allow the expansion of an existing 5-unit bed and
3 breakfast to a 13-unit hotel and spa, exclusively for guest use, at 1213 and 1303 Foothill
4 Boulevard; and

5 **WHEREAS**, the Planning Commission considered the requests at its regular
6 meeting of August 24, 2016. Prior to taking action on the application, the Planning
7 Commission received written and oral reports by the staff, and received public
8 testimony; and

9 **WHEREAS**, this action has been reviewed for compliance with the California
10 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
11 pursuant to Section 15332 of the CEQA guidelines (In-fill Development); and

12 **WHEREAS**, the Planning Commission pursuant to Chapter 17.41.050 has made
13 the following findings for the design review application:

- 14 1. Finding: The design is in accord with the General Plan and any applicable
15 planned development.

16 Supporting Evidence: The existing buildings on the site consist of a 1912
17 Craftsman-style structure and a simple understated 1940s house. The adjoining
18 development to the west is a barbecue restaurant which comprises a number of
19 buildings of varying heights and architectural styles from the historic 19th century
20 Brannan Mausoleum to more recent structures all set within an extensive asphalt
21 parking area backed by landscaped seating areas. The adjoining development to
22 the east has a simple single story building at the front of the lot with a large,
23 modern three story house to the rear. On the opposite side of the street is the
24 corner of the Union 76 gas station, the entrance to Elm Street and a simple
25 single story bungalow.

26 Given this eclectic mix, the proposed development has been designed to achieve
27 a complementary style by minimizing the scale of its visual appearance from the
28 roadway and utilizing limited rural and Craftsman detailing and style to blend into
29 and complement the surrounding developments. The new structure will be behind
30 the existing properties with limited visibility from the street. The visible mass and
31 scale will be smaller than the adjacent property. The utilization of planted flat
32 roofs, extensive landscaping, muted color scheme and use of natural facing
33 materials will blend the structure into the landscape. The overall appearance of
34 the properties will contribute to an improved appearance for the gateway
35 consistent with Calistoga's small town rural character. Therefore, the proposed
36 development is consistent with the General Plan's development and design
37 considerations.

- 38 2. Finding: The design is in accord with all applicable provisions of the Zoning
39 Code.

40 Supporting Evidence: The proposed project is in accord with all applicable
41 provisions of Title 17, Zoning. The project complies with the applicable
42 development regulations and parking requirements.

43 3. Finding: The design is consistent with any adopted design review guidelines to
44 the extent possible.

45 Supporting Evidence: The design has been developed to embrace the sloping
46 hillside topography. Drawing inspiration from the advice of the Calistoga General
47 Plan, the tiered/terraced architecture has been chosen to create a small visual
48 footprint that blends smoothly into the existing development pattern to create an
49 attractive addition to the Entry Corridor streetscape with an understated visual
50 appearance. Overall, the site layout, architecture, and setbacks have been used
51 to create a soft visual appearance from the roadway. The new structure will be
52 behind the existing properties with limited visibility from the street. The visible
53 mass and scale will be smaller than the adjacent property. The utilization of
54 planted flat roofs, extensive landscaping, muted color scheme and use of natural
55 facing materials will blend the structure into the landscape enhancing the country
56 town appearance of the entry corridor. Therefore, the design is consistent with
57 Calistoga's small-town character and the urban design quality of the downtown,
58 which is consistent with the design guidelines of the General Plan Community
59 Identity Element and the character areas, gateways and entry corridors of the
60 Land Use Element.

61 4. Finding: The design will not impair or interfere with the development, use or
62 enjoyment of other property in the vicinity or the area.

63 Supporting Evidence: The expansion of the visitor accommodation use will not
64 generate adverse impacts on the enjoyment or use of any property in the area. It
65 is not anticipated that the guests at this high end visitor accommodation will have
66 a noise impact on the adjoining uses. Furthermore, the project has been
67 designed to minimize impacts on the adjoining residence to the west (i.e., the
68 shared usage of the driveway will be reduced and it will be resurfaced and
69 enlarged to improve access). Therefore, the proposed project will not impair or
70 interfere with the development, use or enjoyment of other property in the vicinity
71 or the area.

72 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has made
73 the following findings for the use permit application:

74 1. Finding: The proposed development, together with any provisions for its design
75 and improvement, is consistent with the General Plan, any applicable specific
76 plan and other applicable provisions of the Zoning Code including the finding that
77 the use as proposed is consistent with the historic, rural, small-town atmosphere
78 of Calistoga.

79 Supporting Evidence: The proposed structures and their intended uses are
80 consistent with the General Plan land use designation of Downtown Commercial,
81 which allows visitor accommodations.

- 82 2. Finding: The site is physically suitable for the type and density of development.
83 Supporting Evidence: The proposed site is adequate in size and shape to
84 accommodate the structures within the required setbacks along with supporting
85 landscaping and other development features.
- 86 3. Finding: The proposed development has been reviewed in compliance with the
87 California Environmental Quality Act (CEQA) and the project will not result in
88 detrimental or adverse impacts upon the public resources, wildlife or public
89 health, safety and welfare.
90 Supporting Evidence: This project is exempt from CEQA under Section 15332 of
91 the CEQA Guidelines.
- 92 4. Finding: Approval of the use permit application will not cause adverse impacts to
93 maintaining an adequate supply of public water and an adequate capacity at the
94 wastewater treatment facility.
95 Supporting Evidence: The City's water system and wastewater treatment facility
96 are adequate to serve this infill project.
- 97 5. Finding: Approval of the use permit application shall not cause the extension of
98 service mains greater than 500 feet.
99 Supporting Evidence: Approval of this use permit application will not require the
100 extension of service mains greater than 500 feet.
- 101 6. Finding: An allocation for water and/or wastewater service pursuant to Chapter
102 13.16 CMC (Resource Management System) shall be made prior to project
103 approval. Said allocation shall be valid for one year and shall not be subject to
104 renewal.
105 Supporting Evidence: The City's water system and wastewater treatment facility
106 is adequate to serve this infill project.
- 107 7. Finding: The proposed development presents a scale and design which are in
108 harmony with the historical and small-town character of Calistoga.
109 Supporting Evidence: The proposed design reflects the traditional development
110 pattern for the downtown while considering the adjacent mixed use district
111 ensuring a harmonious relationship with the small-town character.
- 112 8. Finding: The proposed development is consistent with and will enhance
113 Calistoga's history of independent, unique, and single location businesses, thus
114 contributing to the uniqueness of the town, which is necessary to maintain a
115 viable visitor industry in Calistoga and to preserve its economy.
116 Supporting Evidence: Authorizing the development allows a unique
117 independently-owned business to contribute to and become a successful
118 attribute to the community.
- 119 9. Finding: The proposed development complements and enhances the
120 architectural integrity and eclectic combination of architectural styles of Calistoga.

121 Supporting Evidence: The structure will complement and blend in with the
122 eclectic architectural styles found in Calistoga.

123 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
124 Commission that based on the above findings, the Planning Commission approves the
125 proposed project, subject to following conditions of approval:

126 1. The uses hereby permitted shall substantially conform to the project description and
127 the supporting plans received June 28, 2016 by the Planning and Building
128 Department, except as noted in the permit conditions.

129 This use permit and design review allows the rehabilitation of the existing
130 structures and the construction of a structure for use as a 13 unit hotel and spa,
131 exclusively for hotel guests. The spa and dining areas shall not be open to the
132 general public.

133 2. This permit shall be null and void if not used within a one year period, or if the use
134 is abandoned for a period of one hundred and eighty (180) days. This permit shall
135 be valid until it expires or is revoked pursuant to the terms of this permit and/or
136 Chapter 17.40 of the Calistoga Municipal Code. Minor modifications which do not
137 increase environmental impacts may be approved in writing by the Planning and
138 Building Director.

139 3. The owner(s) shall permit the City of Calistoga or representative(s) or
140 designee(s) to make periodic inspections at any reasonable time deemed
141 necessary in order to assure that the activity being performed under authority of
142 this permit is in accordance with the terms and conditions prescribed herein.

143 4. This use permit does not abridge or supercede the regulatory powers or permit
144 requirements of any federal, state or local agency, special district or department
145 which may retain regulatory or advisory function as specified by statute or
146 ordinance. The applicant shall obtain permits as may be required from each
147 agency.

148 5. Prior to operation, the operator shall obtain a Business License to reflect the
149 appropriate number of guest room units (i.e., 13 guest units) pursuant to the City
150 of Calistoga Municipal Code Chapter 5.04. The applicant shall, at all times,
151 remain in compliance with the requirements of Chapter 5.04.

152 6. The operation shall remain, at all times, in compliance with the City of Calistoga
153 Municipal Code Chapter 3.16, Transient Occupancy Tax and be current on
154 collection of, reporting to and payment of all transient occupancy taxes to the
155 City.

156 7. An application for building permit shall be submitted for all construction occurring
157 on the site, not otherwise exempt by the California Building Code or any state or
158 local amendment adopted thereto. Prior to the issuance of any building permit,
159 all fees associated with plan check and building inspections, and associated
160 development impact fees established by City ordinance or resolution.

- 161 8. Prior to building permit issuance, the properties shall be merged subject to the
162 review and approval of the Planning and Building Department.
- 163 9. Prior to building permit issuance, \$12,000 shall be paid to the City for deposit in
164 its affordable housing fund for the loss of the housing unit located at 1303 Foothill
165 Boulevard.
- 166 10. Prior to the issuance of any building permit, a fire suppression sprinkler system
167 plan shall be submitted to the Planning and Building Department for review and
168 approval by the Planning and Building Department and Fire Department. Prior to
169 occupancy, the automated fire sprinkler system shall be installed.
- 170 11. Prior to occupancy, an inspection shall be conducted by the Fire Department to
171 ensure installation of fire extinguishers, smoke detectors and carbon monoxide
172 detectors.
- 173 12. Prior to building permit issuance, a permit shall be obtained from the Napa
174 County Environmental Management to abandon the existing hand-dug well
175 located at 1303 Foothill Boulevard.
- 176 13. The properties carry a baseline of 1.36 acre feet of water and 0.867 acre feet of
177 wastewater annually. Prior to building permit issuance, the owner shall obtain a
178 Growth Management Allocation for an additional 1.36 acre feet of water and 1.20
179 acre feet of wastewater and pay for the additional connection fees required for
180 the additional water and sewer allocation subject to the review and approval of
181 the Planning and Building and Public Works Departments. The water and
182 wastewater allocation may be reduced subject to the review and approval of the
183 Public Works Department.
- 184 14. Prior to building permit issuance, a Tree Protection and Replacement Plan
185 consistent with Chapter 19.01 shall be reviewed and approved by the Public
186 Works Department. All requirements and restrictions contained in Chapter 19.01
187 of the Calistoga Municipal Code (CMC) shall be complied with, which shall
188 include any recommendations of the project arborist. Construction activity shall
189 stay outside the drip line of any protected tree to the maximum extent feasible.
190 Prior to building permit issuance, protective fencing shall be installed subject to
191 the review and approval of the Public Works Department. The project arborist
192 shall be present on site during ground-disturbing activities, including all activity
193 associated with digging the foundation. Subsequently, the project arborist shall
194 prepare a letter to the Planning and Building Department stating that the
195 observations were made and that any unexpected root damage was mitigated.
- 196 17. Prior to occupancy, two new commercial driveway approaches shall be
197 constructed subject to the review and approval of the Public Works Department
198 and Caltrans.
- 199 18. Prior to occupancy, a new curb, gutter and sidewalk shall be constructed from
200 the western crosswalk at the intersection of Lincoln and Foothill to the project site
201 subject to the review and approval of the Public Works Department and Caltrans.

202 19. Prior to building permit issuance, the applicant shall connect to the City's water
203 and sewer mainlines subject to the review and approval of the Public Works
204 Department. All new water meters shall have radio read capability.

205 In the event existing sewer laterals are to be used, the owner shall provide the
206 City with a closed circuit television inspection of the existing sewer laterals with a
207 Public Works employee present indicating that the laterals are structurally sound
208 and correctly slope to serve the project. All existing laterals abandoned shall be
209 capped subject to the review and approval of the Public Works Department. The
210 main shall also be videoed and any other existing unused laterals along the
211 project's frontage shall be capped.

212 In addition, the existing water service laterals shall be removed and full circle
213 clamped. The developer shall install a larger water service to hydraulically serve
214 fire, domestic, irrigation needs. A cut-in tee and 3-way valves will be required to
215 the existing 6"AC pipe across the street

216 20. Prior to building permit issuance, an erosion and sedimentation plan with low
217 impact development features supported with calculations indicating that the
218 storm water runoff is at or less than existing conditions for 10- and 100-year 24-
219 hour rain events shall be reviewed and approved by the Planning and Building
220 and Public Works Departments.

221 21. Prior to occupancy, the applicant shall submit landscaping plans and
222 specifications to the Planning and Building Department for review and approval.
223 Landscaping shall be installed prior to occupancy. All landscaping shall be
224 maintained throughout the life of the project, and shall be replaced as necessary.

225 **PASSED AND ADOPTED** on August 24, 2016 by the following vote of the
226 Calistoga Planning Commission:

227 AYES:
228 NOES:
229 ABSENT:
230 ABSTAIN:

231
232

Paul Coates, Chair

233
234 ATTEST:

Lynn Goldberg, Secretary
235