



# City of Calistoga

## Planning Commission

### Agenda Item Summary

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<b>DATE</b>	June 28, 2017
<b>ITEM</b>	Use Permit UP 2017-7
<b>APPLICANT</b>	Dan Farris
<b>PROPERTY ADDRESS</b>	715 Washington Street
<b>ASSESSOR'S PARCEL NO.</b>	011-234-012
<b>GENERAL PLAN DESIGNATION</b>	Community Commercial Lower Washington Character Area Overlay
<b>ZONING DISTRICT</b>	CC Community Commercial
<b>STAFF CONTACT</b>	Erik V. Lundquist, Senior Planner
<b>POTENTIAL CONFLICTS</b>	Paul Coates - Proximity to Business and Residence
<b>RECOMMENDATION</b>	Approve use permit with conditions
<b>SUGGESTED MOTION</b>	"I move that the Planning Commission adopt a resolution to allow an existing second-story three bedroom apartment and ground-floor garage to be separated into a one-bedroom apartment and a two-bedroom apartment located at 715 Washington Street."

# CITY OF CALISTOGA

## STAFF REPORT

**TO:** CALISTOGA PLANNING COMMISSION  
**FROM:** ERIK V. LUNDQUIST, SENIOR PLANNER  
**MEETING DATE:** JUNE 28, 2017  
**SUBJECT:** FARRIS APARTMENTS – 715 WASHINGTON STREET  
USE PERMIT UP 2017-7

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1  
2 **ITEM**

3 Consideration of a use permit to allow an existing second-story three bedroom  
4 apartment and ground-floor garage to be separated into a one-bedroom apartment and  
5 a two-bedroom apartment located at 715 Washington Street.

6 **PROJECT DESCRIPTION AND SETTING**

7 **A. Existing Conditions**

8 The property is located at 713/715 Washington Street, which is at the western end of  
9 Washington Street near the intersection with Eddy Street. The 13,574 square foot  
10 parcel is currently owned by the applicant Dan Farris. The subject property has two  
11 separate structures: a single-story, 1,428 square foot structure containing commercial  
12 uses and a separate two-story building located behind it that contains three two-car  
13 garages and a bathroom on the ground floor. The second floor has an existing three-  
14 bedroom apartment. Two handicap parking stalls and a trash enclosure are provided  
15 between the two buildings.

16 The contiguous parcel, also owned by the applicant, consists of three structures. The  
17 buildings addressed 801 and 807 are one-story with 1,428 square feet of commercial  
18 space each. 805 Washington is two-stories with 1,488 square feet of commercial space  
19 on the first floor and two one-bedroom dwelling units on the second floor. A 567 square  
20 foot annex on 801 Washington has a restroom for the commercial spaces.

21 A total of 36 parking spaces, 6 of which are covered, provide the required parking for  
22 the two properties. An 18-foot wide one-way driveway provides access to 715  
23 Washington; a 24-foot two-way driveway provides access to 801/805/807 Washington  
24 Street. An access easement is provided between the properties. There is also an  
25 easement along the river that would allow the future construction of a public pathway.

26 These aforementioned improvements and associated uses on the two properties were  
27 approved pursuant to use permit UP 2006-8, which contained conditions of approval  
28 related to the construction and use of the property. Upon inspection of the property, as  
29 a result of this application, staff found that an accessory structure (i.e., garage) was  
30 constructed without the proper authorization between the two-story building (715  
31 Washington) and the Napa River. The area where the unauthorized construction is

32 located was required to be reserved as usable open space for the residents of the  
33 apartment unit (Condition No. 8 of UP 2006-8).

#### 34 **Proposed Project**

35 Mr. Farris has filed a use permit application requesting to alter the existing structure at  
36 715 Washington Street. The project would convert the existing second-story three  
37 bedroom apartment and one of the ground-floor garages into a one-bedroom apartment  
38 and a two-bedroom apartment. The resulting two-bedroom apartment would be two-  
39 stories, with the living area and kitchen on the ground floor and the two bedrooms on  
40 the second story. The resulting one-bedroom apartment would be entirely on the  
41 second floor. The remaining two, two-car garages and bathroom on the ground floor  
42 would remain unaltered.

#### 43 **STAFF ANALYSIS**

##### 44 **A. General Plan Consistency**

45 The property is located within the Community Commercial land use designation and the  
46 Lower Washington Character Area Overlay as identified in the General Plan. The  
47 Community Commercial land use designation is generally situated in the areas at the  
48 edge of the downtown. These areas are intended to be transitional between the  
49 downtown commercial area and residential neighborhoods. Multi-family dwelling units  
50 are allowed uses in the Community Commercial land use designation at a density range  
51 of 10 to 20 dwelling units per acre, except that a lower density may be allowed for  
52 vertical mixed use projects. The Lower Washington Character Area is reserved for  
53 more intensive mixed use developments that create a vibrant environment. Staff finds  
54 that the additional unit within an existing mixed use project is consistent with the  
55 General Plan with respect to these land use policies.

##### 56 **B. Zoning Code Compliance**

57 The property is located within the CC Community Commercial zoning district. When the  
58 original use permit was approved and the property was developed, the CC District  
59 allowed single-family residences. The CC District was amended in 2015 to conditionally  
60 allow multi-family dwellings (3 or more units in a single structure), live-work units and  
61 caretaker's quarters. Although the proposal to establish two units would technically be  
62 considered a duplex, the application would draw the property closer into conformance  
63 with the multi-family dwelling provisions.

64 The current CC District regulations do not require a 300 square foot usable open space  
65 for the residents of multi-family projects. As a result, staff would support a modification  
66 to use permit condition no. 8 removing the open space requirement provided that a  
67 building permit is obtained for the unauthorized accessory structure. A modification to  
68 the pedestrian easement may be necessary if the accessory structure is found to be  
69 within the easement.

70 Use permit UP 2006-8 condition of approval no. 9 requires that the garages containing 6  
71 parking spaces be readily available for parking and not be converted to other uses.

72 These 6 parking spaces together with the other spaces on the site and adjoining site  
73 meet Zoning Code parking requirements. The Zoning Code (CMC Section 17.36.040)  
74 allows the property owner of two or more uses or parcels to utilize jointly the same  
75 parking spaces provided the hours of operation do not overlap and that a legal  
76 arrangement is secured reserving the parking for the particular uses. Since the owner  
77 owns the adjoining parcel that contains 28 spaces and the hours of the commercial  
78 operations do not generally overlap with the residential use, there is an opportunity for  
79 joint utilization. Staff would therefore support the modification to condition no. 9 to  
80 convert one of the garages to residential use provided a parking easement or other  
81 legal documents was recorded against adjoining the property securing the parking for  
82 the residential use. As an alternative, the applicant could pay a parking in-lieu fee for  
83 two spaces.

84 Otherwise, the use is consistent with the CC District development standards since no  
85 exterior modifications to the structure would occur.

### 86 **C. Water and Wastewater Usage**

87 The owner acquired 0.204 acre-feet of water and 0.184 acre-feet of wastewater through  
88 a Payment Plan Agreement for Connections Fees recorded on January 9, 2014 in the  
89 Official Records of the Office of the County of Napa Recorder. An additional 0.0671  
90 acre-feet of water and 0.0393 acre-feet of water was acquired on July 31, 2014 through  
91 a one-time payment of the applicable connection fees. As such, the Property's  
92 established annual baseline allocation, as defined by Chapter 13.16, is 0.2711 acre-feet  
93 of water and 0.2233 acre-feet of wastewater annually.

94 The connection fees for a new connection or expanded use of an existing connection  
95 are one-time fees that are ordinarily calculated by multiplying the applicable connection  
96 fee times the factor set forth in the City's Standardized Use Table, provided for in  
97 Chapters 13.16 and 13.18. The Standardized Use Table projects the annual acre foot  
98 of water usage and wastewater production of new development based upon the type of  
99 land use involved. However, since the Property is commercially zoned, has an existing  
100 commercial baseline and there is a reasonable record of historic water and wastewater  
101 usage, the Standardized Use Table is not sufficiently applicable.

102 Given that the property has existing, established uses and wishes to convert the  
103 existing apartment unit into two (2) units which does not increase the baseline allocation  
104 to the fullest extent of the City's Standardized Use Table, the owner and the City each  
105 agree the projected water demand for the Property will not exceed 0.2711 acre-feet of  
106 water and 0.2233 acre-feet of wastewater.

107 Once the project is completed and occupied, the owner is committed to mitigating the  
108 additional usage/production, if any. Per an agreement approved by the City Council on  
109 June 20, 2017, the City would conduct a two-year usage/production analysis and the  
110 owner has agreed to pay any additional connection fees that may be required if the  
111 actual usage/production exceeds the allocation.

112 **FINDINGS**

113 To reduce repetition, all of the appropriate findings are contained in the attached  
114 resolution.

115 **PUBLIC COMMENTS**

116 To date no written comments have been received regarding the proposed project.

117 **ENVIRONMENTAL REVIEW**

118 The proposed project is Categorically Exempt from the requirements of the California  
119 Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines  
120 (New Construction or Conversion of Small Structures).

121 **RECOMMENDATION**

122 Adopt a resolution approving Use Permit UP 2017-7 with conditions.

**ATTACHMENTS**

1. Location Map
2. Draft Resolution
3. Resolution PC 2006-37 approving Use Permit UP 2006-8
4. Written Narrative and supporting documentation received June 6, 2017