

# CITY OF CALISTOGA

## STAFF REPORT

**TO:** CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** ERIK V. LUNDQUIST, ASSOICATE PLANNER

**MEETING DATE:** NOVEMBER 19, 2008

**SUBJECT:** EXTENSION OF TIME FOR THE PREVIOUSLY APPROVED OAK VILLA SUBDIVISION AND PRELIMINARY DEVELOPMENT PLAN (PD 2006-01) – 1213 ELM STREET (APN 011-243-007)

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2 **REQUEST:**  
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4 **TTM (E) 2008-01.** Consideration of an extension of time for the previously approved Oak  
5 Villa Subdivision Map and Preliminary Development Plan (PD 2006-01) requested by  
6 Alois and Ursula Tieber to allow additional time to meet conditions of approval and  
7 record the Subdivision Map creating 6 individual lots and 6 attached single family homes  
8 all on the property located at 1213 Elm Street (APN 011-243-007) within “PD 2006-01”,  
9 Oak Villa Townhouse Planned Development District. This proposed action is exempt  
10 from the California Environmental Quality Act (CEQA) under Section 15332 of the CEQA  
11 Guidelines.  
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13 **BACKGROUND AND DISCUSSION:**  
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15 On November 8, 2006 the City Council approved the Oak Villa Tentative Subdivision  
16 Map and Preliminary Development Plan subdividing the 14,440 square foot parcel into 6  
17 parcels and developing 6 attached single family dwellings. On November 21, 2006, the City  
18 Council adopted an Ordinance changing the Zoning District from “R3-VA” to the “PD 2006-  
19 01, Oak Villa Townhouse Planned Development District. A number of the requirements of  
20 the Subdivision Map and Preliminary Development Plan have been completed, including  
21 preparation of all on and off site engineered improvement plans and architectural plans.  
22 However, more time is needed to process the Final Development Plan and either construct  
23 the required improvements, or provide financial assurance for improvements, before the  
24 Final Map can be recorded. The Property Owner has expressed his continuing interest in  
25 the project and is extremely motivated to secure financing in this difficult market.  
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27 There has not been any development on this property that is inconsistent with the  
28 approved tentative map and preliminary development plan. Staff recommends that a  
29 three (3) year time extension be granted for the subdivision map and preliminary  
30 development plan in order to complete the conditions necessary to process the final  
31 development plan and record the final map. The Calistoga Municipal Code allows the

32 granting of extensions for a period or periods of time not to exceed a total of three years  
33 after the initial 2-year approval period. It is Staff's intent to bring forward the final  
34 development plan in the Spring of 2009 and it is anticipated that the final map will be  
35 recorded in 2009/10, depending on market conditions.

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37 **ENVIRONMENTAL REVIEW:**

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39 This proposed action is exempt from the California Environmental Quality Act (CEQA)  
40 under Section 15332 of the CEQA Guidelines.

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42 **RECOMMENDATIONS:**

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44 1. Based on the above findings, staff recommends the filing of a Notice of  
45 Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines.  
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47 2. Based on the above findings, staff recommends adoption of a Resolution  
48 approving a three-year time extension for the Oak Villa Subdivision Map and  
49 Preliminary Development Plan (PD 2006-01), subject to conditions of approval.

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51 **SUGGESTED MOTIONS:**

52 **Categorical Exemption**

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54 I move that the Planning Commission direct Staff to file a Notice of Exemption for the  
55 Project pursuant to Section 15332 of the CEQA.

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57 **Extension of Time for Tentative Parcel Map**

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59 I move that the Planning Commission adopt Resolution PC 2008-48 approving a three-  
60 year time extension for the Oak Villa Planned Development (PD 2006-01), including a  
61 Subdivision Map and Preliminary Development Plan located at 1213 Elm Street (APN  
62 011-243-007) within "PD 2006-01", Oak Villa Townhouse Planned Development District,  
63 based upon the Findings presented in the staff report and subject to conditions of  
64 approval.

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66 **NOTE:** The applicant or any interested person is reminded that the Calistoga Municipal  
67 Code provides for a ten (10) calendar day appeal period. If there is a disagreement with  
68 the Planning Commission, an appeal to the City Council may be filed. The appropriate  
69 forms and applicable fee must be submitted prior to 5:00 p.m. on or before the tenth  
70 calendar day following the Commission's final determination.

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72 **ATTACHMENTS**

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74 1. Extension of Time for Subdivision Map and Preliminary Development Plan, PC  
75 Resolution No. 2008-48  
76 2. City Council Resolution 2006-98, Oak Villa Subdivision Map  
77 3. City Council Resolution 2006-099, Oak Villa Preliminary Development Plan  
78 4. Letter dated September 12, 2008 from Lou Tieber  
79 5. Approved Plans