



City of Calistoga

Planning Commission

Agenda Item Summary

MEETING DATE	August 8, 2018
ITEM	Gas Station, Convenience Store, Car Wash and Restaurant Use Permit and Design Review Applications UP 2017-11, DR 2017-13
APPLICANT	AU Energy
PROPERTY ADDRESS	2449 Foothill Boulevard
ASSESSOR'S PARCEL NO.	011-360-003
GENERAL PLAN DESIGNATIONS	Community Commercial Petrified Forest Gateway Character Area Upvalley Foothill Boulevard Entry Corridor
ZONING DISTRICT	Community Commercial (CC)
STAFF CONTACT	Lynn Goldberg, Planning & Building Director
POTENTIAL CONFLICTS OF INTEREST	Abernathy (proximity)
RECOMMENDATION	Follow one of the suggested procedural options outlined in the staff report

**CALISTOGA PLANNING COMMISSION
STAFF REPORT**

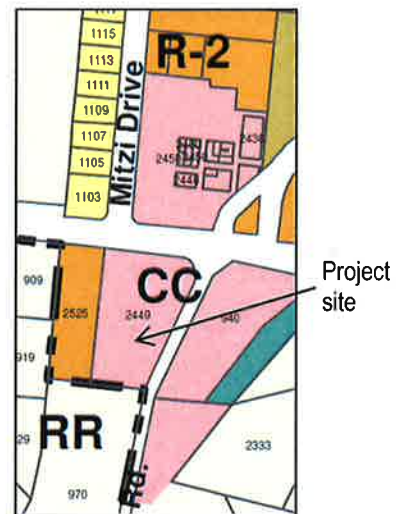
To: Calistoga Planning Commission
From: Lynn Goldberg, Planning & Building Director
Meeting Date: August 8, 2018
Subject: **Gas Station, Convenience Store, Car Wash and Restaurant Use Permit and Design Review Applications (UP 2017-11, DR 2017-13) at 2449 Foothill Boulevard**

ITEM

Consideration of use permit and design review applications for the construction of a service station, convenience store, self-serve car wash and sit-down restaurant at 2449 Foothill Boulevard

BACKGROUND

Project setting: The 1.6-acre project site is located at the southwest corner of Foothill Boulevard and Petrified Forest Road. It is currently occupied by Calistoga Towing Company and auto repair and U-Haul truck rental businesses. Existing buildings include a circa 1925 former service station, which serves as an office and repair shop, and a circa 1945 house. There are 12 mature trees, primarily located along the periphery of the property. Numerous inoperable cars and trucks, automotive materials and other debris are stored behind the buildings.



Uses and zoning surrounding the project site include single-family residences to the west (R-2 Two-Family Residential), a commercial center (CC Community Commercial) and single-family residences (R-1 One-Family Residential) to the north, a gas station and convenience store to the east (CC), and a church with associated parking to the south (RR Rural Residential).

Previous reviews: The Planning Commission conducted a conceptual design review in 2007 for the development of a potential Rite Aid pharmacy on the subject property. In general, the Commission was not supportive of the project due to concerns regarding inconsistencies with the entry corridor guidelines and negative effects on downtown businesses. Formal entitlement applications were not pursued by the potential developer.

PROJECT DESCRIPTION

The following project description is based on the written narrative submitted by the applicant's architect and the project plans. All of the businesses would be independently-owned.

New Facilities

• Gas Station

The proposed gas station would include the construction of a 3,353-square foot fuel dispensing canopy with 5 multi-product fuel dispensers (10 total fueling positions) at the eastern portion of the project site. The fueling pumps would dispense both unleaded and diesel fuels and would allow for the simultaneous fueling of SUVs, full-size pick-up trucks and passenger vehicles. The fuel dispensers would be served by two 20,000-gallon underground storage tanks installed north of the canopy. The canopy would have a clearance height of 16 feet and a maximum height of 19 feet above grade. Canopy materials would be aluminum composite, finished with a white flat panel fascia. The fueling canopy would be illuminated with LED lights.

• Convenience Store

The 3,222-square foot convenience store would be located in the western portion of the project site, oriented perpendicular to Foothill Boulevard. The store would sell fresh and pre-packaged food and beverage items, sundry items, and automobile accessories (e.g., air fresheners, cell phone accessories, anti-freeze, motor oil).

Ten parking spaces would be located along the store's frontage, inclusive of one accessible parking stall. Self-service vacuum, air, water, and vehicle maintenance equipment would be installed adjacent to the parking area.

The store building would have a height of 24'10". Finish materials for the façade include board-and-batten fiber cement siding (painted in earth-tone colors) and cultured stone. The roof of the convenience store building would be a terracotta-colored standing-seam metal hip roof. Its entry tower would be finished with stone veneer. The southeast elevation would face the interior of the project site and contain the primary entrance to the store, with dark bronze aluminum doors and large storefront windows.

A pump house, roofed masonry trash enclosure and a 1,000-gallon propane tank and dispenser, for propane sales, would be situated southwest of the store. The pump house would be used to pump water to the restaurant and carwash.

• Carwash

The self-service, drive-through carwash would be located at the rear of the convenience store, in the western portion of the site. The carwash would be accessed via a driveway on the south side of the convenience store and cars would exit towards Foothill Boulevard. The carwash would collect wastewater for re-use and pre-treatment before discharge to the public sewer system. Approximately 90 percent of the carwash wastewater would be reused in subsequent carwash cycles.

• Restaurant

The 2,800-square foot restaurant would be located along the southern portion of the project site. The restaurant operator has not yet been determined, but would include approximately 112 seats for patrons. The proposed restaurant building has a height of 24'7". Finish materials for the façade include board-and-batten (painted in earth-tone

72 colors) and cultured stone. The proposed roof would be comprised of terracotta-colored
73 standing-seam metal panels on a hip roof, with dormers centered above large windows.
74 Entryways would be finished with rough-sawn posts and beams. The northeast
75 elevation faces the interior of the project site, contains the primary entrance to the
76 restaurant, and features dark bronze aluminum doors and three windows accented with
77 metal awnings. A roofed masonry trash enclosure would serve the restaurant.

78 • **Ancillary Improvements**

79 Other proposed on-site improvements include a plaza/patio and a 14'3"-high trellis
80 between Petrified Forest Road and the restaurant, a lighted monument sign, bicycle
81 parking racks, landscaping, and pole-mounted LED lighting fixtures with a maximum
82 height of 20 feet.

83 Site Operations

84 The gas station and convenience store are proposed to be operational 24 hours a day.
85 The carwash is proposed to operate daily from 7:00 am to 10:00 pm. The restaurant is
86 projected to be open daily between 7:00 am to 10:00 pm.

87 Operation of the fuel station would require one daily delivery of fuel that would typically
88 occur outside of peak hour traffic (i.e., in the early morning, late evening, or mid-day).
89 Fuel delivery would take approximately 30 to 40 minutes. Truck idling during delivery
90 would be limited to less than 5 minutes. Delivery trucks would align parallel to the
91 underground storage tanks to avoid conflict with fuel-dispensing activity and not
92 interfere with vehicle queuing.

93 The convenience store, gas station and car wash would employ a maximum of four full-
94 time employees per shift. There would be three shifts per day.

95 Access and Parking

96 The project site would be accessed via two new 35-foot wide driveways, one located on
97 Petrified Forest Road, directly opposite the southernmost Arco driveway, and one on
98 Foothill Boulevard. Concrete sidewalks, curbs, and gutters would be installed along both
99 project frontages. A 17-foot swath of right-of-way would be dedicated on Foothill
100 Boulevard and 48 feet on Petrified Forest Road. In addition to accommodating
101 sidewalks and storm drain inlets on the project frontages, these areas would
102 accommodate vehicular travel, turning and merging associated with the future traffic
103 signal. A Class II bike lane would be provided along the project's Foothill Boulevard
104 frontage. Two above-ground power poles along Petrified Forest Road would be
105 relocated to accommodate these improvements.

106 A total of 46 parking spaces would be provided as follows: 7 parallel parking stalls
107 arranged along the site's southeastern periphery, 10 spaces for the convenience store;
108 10 spaces at the fueling positions; and 19 spaces for the restaurant, one of which would
109 be an electric vehicle charging station.

110 Landscaping

111 The preliminary planting plan includes shrubs, vines, ground cover, ornamental trees,
112 and bio-retention planters. The proposed planting palette consists of low water use
113 species and water demand would be below the state's maximum applied water
114 allowance. Ten of the 13 on-site trees would be retained and 41 ornamental trees would
115 be planted.

116 **GENERAL PLAN CONSISTENCY ANALYSIS**

117 The project's consistency with the Calistoga General Plan is evaluated below.

118 Land use designation

119 The project site is designated by the General Plan's Land Use Map as *Community*
120 *Commercial*. Principal uses allowed in this classification include retail, personal
121 services, professional offices, medical offices and clinics. The following uses are also
122 permitted if they conform to all relevant General Plan policies: restaurants; bars; public
123 uses; visitor accommodations where the development provides opportunities for
124 amenities serving the local community; spas; religious facilities; service commercial
125 uses; large residential care facilities for the elderly; skilled nursing facilities; outdoor
126 sales such as nurseries; and service stations.

127 The proposed retail, restaurant, service commercial and service station uses would be
128 considered consistent with this designation if it is determined that they conform to the
129 relevant General Plan policies discussed below.

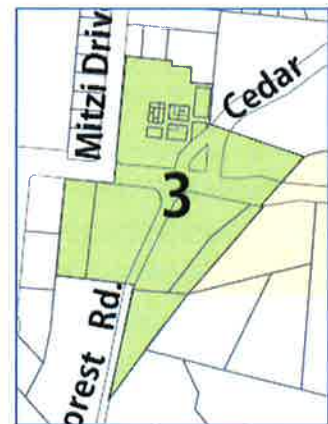
130 Character area overlays

131 The project site is subject to the *Petrified Forest Gateway*
132 character area overlay at the intersection of Petrified Forest
133 Road and Foothill Boulevard. Gateway overlay designations are
134 applied to three areas of the city that will play an integral role in
135 the quality of life and economic vitality of Calistoga. Guidance
136 for development and/or redevelopment of these areas is
137 necessary to ensure that the values and vision of the
138 community are realized and that Calistoga's identity as a
139 unique historic small town is preserved.

140 The Land Use Element describes the Petrified Forest Gateway
141 as a "country crossroads", and notes that this intersection
142 primarily serves commute traffic between Lake, Napa and
143 Sonoma counties.

144 Petrified Forest Gateway provisions that apply to the project include the following:

145 *Commercial uses in the area should serve travelers but also include*
146 *limited services for nearby residents. Although safety and circulation*
147 *improvements are needed, the intersection should remain compact to*
148 *avoid encouragement of commercial sprawl. The character of the area*



Petrified Forest Gateway

149 *should have an understated visual appearance and provide a preview of*
150 *the community's unique qualities.*

151 *Land Use Considerations*

- 152 • *The range of uses established for the Community Commercial land*
153 *use designation is generally appropriate for the area.*
- 154 • *Agriculturally oriented uses such as produce stands, nurseries, winery*
155 *and vineyard related uses are encouraged.*
- 156 • *Development or redevelopment around the intersection shall not be of*
157 *a design or style that is typical for a suburban strip center. Formula*
158 *chain businesses are discouraged.*
- 159 • *Commercial uses should primarily serve the commuter-traveler. Uses*
160 *that also serve nearby residents but do not compete with downtown*
161 *businesses may also be allowed.*

162 *Development and Design Considerations*

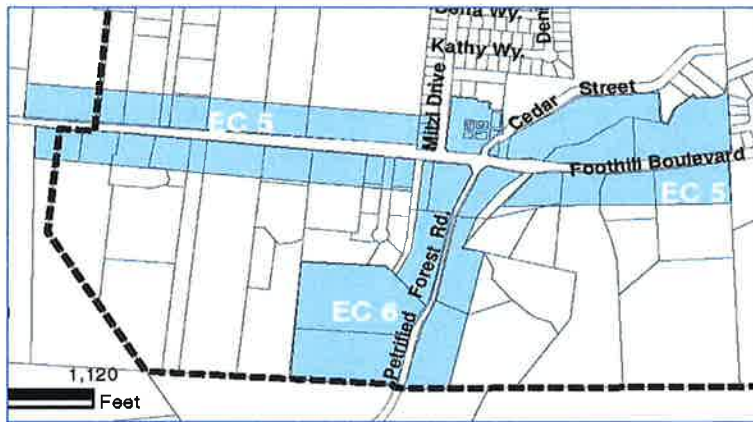
- 163 • *The scale of new development or redevelopment must not overpower*
164 *the surrounding neighborhoods and should be understated, using*
165 *small scale and low-rise building design.*
- 166 • *The approach to town from a rural setting must convey a sense of*
167 *arrival and signify the characteristics of a unique, small visitor-friendly*
168 *town.*
- 169 • *Building massing, form and lay-out must convey a diverse village*
170 *character and reflect Calistoga's individualistic nature.*
- 171 • *Landscaping should convey a rural rather than manicured urban*
172 *setting.*
- 173 • *Parking should be screened from street view and placed at the rear of*
174 *properties while buildings should be placed in close proximity to the*
175 *road.*
- 176 • *Uniform setbacks, heights, roof forms and architectural language*
177 *should be avoided so that the appearance of a large development is*
178 *that of one which was built over time.*
- 179 • *Outdoor lighting shall be designed to preserve and protect the*
180 *nighttime environment in accordance with the following International*
181 *Dark Sky Association model ordinance objectives:*
 - 182 - *Provide the minimum lighting level necessary for night-time safety,*
183 *utility, security, productivity, enjoyment, and commerce.*
 - 184 - *Minimize adverse offsite impacts such as sky glow, light overspill*
185 *and obtrusive light.*
 - 186 - *Conserve energy and resources to the greatest extent possible.*

187 *Connectivity Considerations*

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- *Intersection improvements are needed to allow for increased/more efficient traffic flow during peak commuter traffic periods and to improve pedestrian and vehicular safety.*
- *Development should be coordinated to ensure logical and efficient circulation. Particular attention should be paid to minimizing site access points and creating opportunities for shared parking.*
- *Opportunities to improve pedestrian, bicycle and vehicular access to sites within close proximity to the intersection should be explored as part of public and private improvement projects.*

197 The project site is also
198 located within the *Upvalley*
199 *Foothill Boulevard Entry*
200 *Corridor*. Entry corridor over-
201 lays are intended to enhance
202 Calistoga's small-town, rural
203 character by interweaving
204 elements of the natural and
205 built environment between
206 primarily agricultural lands in
207 the county and developed
208 lands in the city.



UpValley Foothill Boulevard Entry Corridor Overlay

209 Upvalley Foothill Boulevard
210 Entry Corridor provisions that apply to the project include the following:

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- *Setbacks shall be wide in order to preserve rural characteristics and shall be landscaped with trees, vineyards and/or native vegetation.*
- *Walls, fences and berms included in landscaping should incorporate materials and design that blend harmoniously with the surrounding landscape.*
- *New buildings should reflect small-scale, low-rise design characteristics with an understated visual appearance, and should maintain existing small-town rural and open space qualities.*
- *Parking areas should not be visible from the entry corridor roadway.*
- *New development shall not include shopping centers, gas stations, "big-box" retailers, or other commercial centers with strip retail characteristics, and formula businesses shall be discouraged.*
- *Commercial uses permitted in the entry corridor should complement rather than compete with Calistoga's downtown commercial core.*

225 Scenic resources and corridors

226 The General Plan's Open Space and Conservation Element identifies a number of
227 scenic resources within Calistoga's Planning Area. The project site is located within the
228 scenic resource corridor identified as, "State Route 128 North of Petrified Forest Road."

229 The Element also identifies six scenic corridors in the Calistoga Planning Area. The
230 project site is located within two of them:

- 231 - Foothill Boulevard
- 232 - Petrified Forest Road

233 OSC Policy P5.1-1 requires that development safeguards scenic vistas and gateways
234 and maintains the rural small-town character of these roadways, It includes the following
235 strategies to accomplish this:

- 236 - Retain landscaped pedestrian/bicycle pathways
- 237 - Limit structures adjacent to roadways to one story
- 238 - Set structures back from roadways
- 239 - Implement design review for development along scenic corridors
- 240 - Implement setbacks and screening from roadways
- 241 - Limit or prohibit certain types of development, particularly that with "big box"
242 or strip commercial characteristics

243 *General Plan Consistency Summary*

244 The project is consistent with the following land use, development and design
245 considerations of the Petrified Forest Gateway character area and Upvalley Foothill
246 Boulevard Entry Corridor overlays, and the scenic resources policy.

- 247 - The proposed commercial uses would primarily serve the commuter-traveler, and
248 the proposed car wash would serve residents but not compete with downtown
249 businesses.
- 250 - The proposed development scale would not overpower the surrounding
251 neighborhoods and would be understated, using small scale and low-rise building
252 designs.
- 253 - The proposed landscape palette featuring grasses would convey a rural rather
254 than manicured urban setting.
- 255 - The proposed lighting design that employs the use of recessed LED fixtures
256 would not create excessive glare or light spillage onto adjacent properties.
- 257 - The dedication of significant areas of public right-of-way on both project
258 frontages would facilitate needed intersection improvements.
- 259 - The project design would limit site access points to two, including one aligned
260 with an existing gas station driveway.

- The construction of sidewalks and a section of bike lane would improve pedestrian and bicycle access to sites within close proximity to the intersection.

263 *General Plan Inconsistencies Summary*

264 The project would be inconsistent with these provisions in several instances.

- The fueling station canopy and the monument sign with gas prices located in a highly-visible location would not provide an understated visual appearance to the project.
- Although the proposed board-and-batten and stone finish materials would reflect the community's agrarian setting, the proposed complex itself would not convey a sense of arrival and signify the characteristics of a unique, small visitor-friendly town.
- The use of similar architectural designs, materials and colors for the two proposed buildings would not create the appearance of a development that was built over time.
- Gas stations are prohibited in entry corridors if they have "strip retail characteristics."
- The gas station and convenience store constitute formula businesses, which are discouraged in entry corridors.
- Some parking spaces would not be screened from street view and the fueling station canopy would be placed in close proximity to the road.
- The car wash would be set back only 25 feet from Foothill Boulevard and the closest point of the fueling station canopy would be 20 feet from Petrified Forest Road, which conflicts with the guideline of providing wide setbacks in order to preserve rural characteristics.

285 Formula business policies

286 Several policies in the Calistoga General Plan address formula businesses.

287 Land Use Element Policy P1.1.-1 generally prohibits formula businesses unless they primarily meet local residents' and business owners' needs:

289 *P1.1-1 Formula businesses within the city limits shall generally be prohibited. Exceptions may be made for formula businesses primarily meeting local residents' and business owners' needs.*

292 Community Identity Element Policy P.1.2-9 prohibits formula visitor accommodations and restaurants, but allows other types of formula businesses if they reflect Calistoga's unique small town qualities and do not include common design elements found in other communities:

296 *P.1.2-9 Formula visitor accommodations and restaurants shall be prohibited in Calistoga. Other formula businesses and chain*

298 *stores may be allowed but shall reflect Calistoga's unique small-*
 299 *town qualities and shall not include common design elements*
 300 *found in other communities.*

301 While the proposed gas station, car wash and convenience store uses, which are
 302 considered "formula businesses," would meet the needs of local residents, it is likely
 303 that a high percentage of customers would be visitors and commuters, and they would
 304 therefore not primarily be serving local residents' and business owners' needs.
 305 Furthermore, the project would include common design elements that are found in other
 306 communities, primarily the "Shell" and "Loop" signage, which is prohibited by Policy
 307 P.1.2-9.

ZONING CODE CONSISTENCY ANALYSIS

308 The project's consistency with the Calistoga Zoning Code (Title 17) is evaluated below.

Zoning District

310 The project site is zoned Community Commercial (CC). The intent of the CC Zoning
 311 District, in part, is to provide for the day-to-day needs of residents in areas outside of
 312 the downtown commercial core.

313 The CC District allows a wide range of permitted and conditionally-permitted uses.
 314 Retail activities are permitted; restaurants and service stations (including car wash
 315 facilities) require approval of a use permit, as do formula businesses (excluding formula
 316 restaurants and visitor accommodations, which are prohibited).

317 The following table demonstrates that the project's proposed design complies with the
 318 development standards of the CC District.

Development Standards Conformance			
CC District Development Standard		Project	Compliant
Minimum front yard (Foothill Boulevard)	10 feet	25 feet	Yes
Minimum interior side yard (west property line)	5 feet	5 feet	Yes
Minimum street side yard (east property line)	10 feet	20 feet	Yes
Minimum rear yard	0 feet	10 feet	Yes
Minimum parking setback	10 feet	10 feet	Yes
Maximum lot coverage	60%	22%	Yes
Maximum building height	30 feet	24 ft. 10 in.	Yes
Maximum no. of stories	3 with use permit	1	Yes

319 Parking and connectivity

320 • Parking

321 The following table summarizes the project's vehicle parking compliance per the Zoning
322 Code.

Parking Regulations Conformance			
Land Use	Parking ratio	Proposed	Required
Retail	1 / 200 sq. ft.	3,222 sq. ft.	16
Restaurant	1 / 100 sq. ft.	2,800 sq. ft.	28
Service station	1 / island	5 islands	5
Total required spaces			49
Total provided spaces			46

323 Therefore, the project is deficient by three parking spaces. It does not appear that there
324 is an opportunity to easily add these spaces to the site. A determination could be made
325 that many of the customers purchasing gas would also patronize the convenience store,
326 thereby reducing the overall parking demand. Other alternatives to meeting this
327 deficiency include reducing the size of the proposed restaurant in order to lower its
328 parking demand.

329 Staff is concerned about the proposed distribution of parking spaces. As noted in the
330 above table, 28 spaces would be required for the restaurant. However, only 19 spaces
331 are located in reasonable proximity to this building. It is unlikely that restaurant patrons
332 would feel comfortable parking directly in front of the convenience store, even if vacant
333 spaces are available. Additionally, 10 of the proposed parking spaces are located
334 beneath the fuel canopy, which would not be realistically available to restaurant patrons.
335 There is no off-site overflow parking that would available unless the business made an
336 arrangement with the adjoining church for use of its parking lot.

337 Furthermore, the seven parallel parking spaces proposed between the fuel pumps and
338 the project frontage could be difficult to access, would require passengers to use the
339 adjoining landscaping as access, and would not be adequately screened from off-site
340 view by the proposed flat landscape strip that would be planted with groundcover. The
341 project's traffic impact study recommends that the parallel stalls be reserved for use by
342 compact vehicles, but this restriction would be difficult to monitor.

343 The Zoning Code requires one bicycle parking space for every 10 required vehicle
344 spaces, which would be five, in this case. Bicycle racks are proposed adjacent to the
345 convenience store and the restaurant; however, it is unclear how many bicycles could
346 be accommodated.

347 • **Pedestrian Connectivity**

348 The project's Traffic Impact Study identified a potential pedestrian connectivity issue
349 with the proposed location of the project's sidewalk along Foothill Boulevard, which
350 would be set back more than 20 feet from the edge of the travel way at the adjacent
351 property line. This would make it difficult for any future pedestrian facilities on the
352 adjoining property to connect to the project sidewalk. The dedication of more property
353 than needed could result in unnecessary sections of pavement, longer crossing
354 distances for pedestrians, and discontinuous sidewalks. For these reasons, the
355 consultant recommends that the applicant work with the City to develop a design such
356 that sufficient property is dedicated to accommodating the planned intersection
357 improvements, and project sidewalks are continuous with the adjacent properties or
358 future plans, to the extent feasible.

359 **GROWTH MANAGEMENT**

360 The project would connect to public water and sewer. After accounting for the property's
361 current baseline, annual allocations of 2.017 acre feet of water and 1.657 acre feet of
362 wastewater would be required to serve the project.

363 A Growth Management Allocation must be awarded to the project prior to the issuance
364 of any building permits, and the developer would be required to pay water and
365 wastewater service connection fees.

366 **ENVIRONMENTAL REVIEW**

367 An Initial Study was prepared to determine the level of environmental review necessary
368 for the proposed project. Consistent with Section 15070(b) of the California
369 Environmental Quality Act (CEQA) Guidelines, the Initial Study identified potentially-
370 significant effects in the following areas, which are briefly described below.

- 371 • **Aesthetics**: Foothill Boulevard and Petrified Forest Road are designated scenic
372 corridors and are located within an Entry Corridor Overlay Area. Due to the
373 location of the proposed project within a designated scenic corridor and entry
374 corridor overlay, the project will be held to elevated standards for quality of
375 design, landscaping and screening. Installation of lighting at the project site
376 would result in a minor increase in nighttime lighting relative to existing
377 conditions.
- 378 • **Air Quality**: During construction activities, the project would generate temporary
379 air pollutant emissions associated with site preparation, ground disturbance, the
380 operation of heavy-duty construction equipment, workers traveling to and from
381 the site, and the delivery and off-hauling of materials. These activities would
382 create temporary emissions of fugitive dust from site grading, and the release of
383 toxic air contaminants, particulate matter, and ozone precursors from combustion
384 of fuel and the operation of heavy-duty construction equipment.
- 385 • **Biological Resources**: Construction of the proposed project would result in the
386 removal of trees and an abandoned building that could provide suitable nesting

387 habitat for raptors and passerines, and suitable roosting habitat for the pallid bat,
388 which are protected by state and federal regulations. Three trees proposed for
389 removal are protected under the City's tree regulations.

- 390 • Cultural Resources: Cultural resources associated with prehistoric human
391 occupation may be buried on the site, including undiscovered human burial sites.
392 The potential for the inadvertent discovery of paleontological or unique geological
393 resources exists.
- 394 • Hazards and Hazardous Materials: Asbestos-containing materials and lead-
395 based paints may be present in existing structures onsite that would be disturbed
396 during demolition activities.
- 397 • Hydrology/Water Quality: Construction activities associated with redevelopment
398 of the project site have the potential to result in runoff that contains sediment and
399 other pollutants that could degrade water quality.
- 400 • Noise: Residents adjacent to the project site may be adversely impacted by
401 noise associated with the project operations and mechanical equipment.
- 402 • Transportation/Traffic: Landscaping and signage could obscure sight line
403 distances at the project driveways.

404 Mitigation measures agreed to by the applicant, as contained in the Mitigation
405 Monitoring and Reporting Program, would avoid the effects or mitigate the effects to a
406 point where clearly no significant effect would occur. Furthermore, there is no
407 substantial evidence, in light of the whole record before the agency, that the project as
408 revised may have a significant effect on the environment. Therefore, as the lead
409 agency, the City of Calistoga has determined that a Mitigated Negative Declaration
410 (MND) is the appropriate level of environmental review.

411 The MND was circulated for the mandated 30-day review period to the Planning
412 Commission, applicant, public agencies and the general public, during which eight
413 comment letters were received. As noted in the summary of the "Response to
414 Comments" document, the recirculation of a revised IS/MND or the preparation of an
415 environmental impact report is not required as a result of these comments.

416 **REQUIRED FINDINGS**

417 The Zoning Code requires the Planning Commission to make all of the following
418 findings in approving the subject use permit and design review applications:

- 419 • The proposed design is in accord with the General Plan and any applicable
420 planned development.
- 421 • The proposed design is in accord with all applicable provisions of this title [Zoning
422 Code].
- 423 • The proposed design will not impair or interfere with the development, use or
424 enjoyment of other property in the vicinity or the area.

- 425 • The proposed design is consistent with any adopted design review guidelines to
426 the extent possible.
- 427 • The proposed use is consistent with and enhances Calistoga's history of
428 independently-owned businesses, thus contributing to the uniqueness of the
429 town, which is necessary to maintain a viable visitor industry in Calistoga and to
430 preserve its economy.
- 431 • The proposed use is resident-serving, in the case of a formula business.

432 **PUBLIC COMMENTS**

433 In addition to the comments received regarding the project's draft Mitigated Negative
434 Declaration, which are addressed in its Responses to Comments, a petition with 131
435 signatures and letters from 5 individuals expressing concerns about the project have
436 been received by the City.

437 **RECOMMENDATIONS**

438 Staff recommends that the Planning Commission take the following steps:

- 439 1. Receive presentations from staff, the applicant and the environmental consultant,
440 and answers to any commissioner questions regarding the project, staff's
441 analysis or the environmental documents
- 442 2. Open the public hearing to receive public comments and questions, directed to
443 the Commission
- 444 3. Request that staff, the applicant and the environmental consultant respond to
445 comments and questions, as needed
- 446 4. Close the public hearing
- 447 5. Provide comments on the project and select one of the options outlined below.

448 **PROCEDURAL OPTIONS**

449 After considering input from staff, the applicant, the environmental consultant and the
450 public, the following options are available to the Planning Commission:

- 451 1. Continue the item to a subsequent meeting, and request additional information
452 and/or revisions to the project
- 453 2. Continue the item to a subsequent meeting, and direct staff to draft resolutions
454 for approval of the project's Mitigated Negative Declaration and the project, with
455 appropriate conditions of approval
- 456 3. Continue the item to a subsequent meeting, and direct staff to draft a resolution
457 denying the project
- 458 4. Take other appropriate action

ATTACHMENTS

1. Vicinity map and site photos
2. Project description dated July 25, 2018
3. Project plans and color/materials samples
4. Draft Mitigated Negative Declaration (distributed under separate cover)
5. Response to Comments on Draft Mitigated Negative Declaration
6. Petition
7. Letter from Yvonne Henry
8. Letter from Cynthia Kohles
9. Letter from Lucretia Marcus
10. Letter from Stephen Marcus
11. Letter from Antoinette Mailliard
12. Letter from Chris Stoner
13. Letter from Gerry Turgeon and Shelly Rodrigues
14. Letter from Melanie Waterson