

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2020-XX

APPROVING USE DESIGN REVIEW DR 2020-6 TO ALLOW A SIX-UNIT
TOWNHOME CONDOMINIUM PROJECT AT 1448 NORTH OAK
STREET (APN 011-160-017)

1 **WHEREAS**, an applications was filed with the City of Calistoga requesting
2 approval of a design review to allow the construction of 6 condominium townhomes and
3 related improvements at 1448 North Oak Street (APN 011-160-017); and

4 **WHEREAS**, the Planning Commission considered the application at its meeting
5 of September 9, 2020. Prior to taking action on the application, the Planning
6 Commission received written and oral reports by the staff, and received public
7 testimony; and

8 **WHEREAS**, the Planning Commission has determined that this action is exempt
9 from the California Environmental Quality Act (CEQA) under Section 15332 of the
10 CEQA Guidelines because the project is an in-fill development; and

11 **WHEREAS**, the Planning Commission, pursuant to Calistoga Municipal Code
12 Section 17.41.050, has made the following findings for the project's design review
13 application:

14 1. The project is in accord with the General Plan and any applicable planned
15 development.

16 Supporting Evidence: As detailed in the project staff report, the project would be
17 consistent with applicable provisions of the General Plan in terms of the
18 applicable land use designation, and Housing Element goals. No planned
19 development applies to the property.

20 2. The project is in accord with all applicable provisions of this title [Title 17,
21 Zoning].

22 Supporting Evidence: As detailed in the project staff report, the project would
23 comply with all applicable development standards, including height, setbacks,
24 open space, and parking.

25 3. The project will not substantially impair or interfere with the development, use or
26 enjoyment of other property in the vicinity

27 Supporting Evidence: The proposed residential use would be consistent with
28 other residential uses in the vicinity and would be of a similar scale to other
29 developments in this part of Calistoga.

30 Supporting Evidence: Not applicable

31 3. The project is consistent with any adopted design review guidelines to the extent
32 possible.

33 Supporting Evidence: As detailed in the project staff report, the project's design
34 would be consistent with the City's Multi-Family Residential Design Guidelines.

35 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
36 Commission that based on the above findings, the Planning Commission approves
37 Design Review DR 2020-6, subject to the conditions of approval attached hereto as
38 Exhibit A.

PASSED, APPROVED AND ADOPTED on September 9, 2020, by the following
vote of the Calistoga Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Paul Coates, Chairman

ATTEST: _____
Claudia Aceves, Secretary

Exhibit A

**Conditions of Approval – 1448 North Oak Street
Design Review 2020-6**

- 39 1. This approval allows the construction of 6 multi-family units at 1448 North Oak
40 Street.
- 41 2. The improvements hereby permitted shall substantially conform to the plans
42 reviewed by the Planning Commission on September 9, 2020.
- 43 3. This approval shall lapse and become void one year following the date on which it
44 becomes effective, unless prior to the expiration of one year, a building permit has
45 been issued and the developer, in good faith, has diligently commenced construction
46 and performed substantial work and incurred substantial liabilities in reliance thereon.
47 The Planning and Building Director may extend this time limit by up to 12 months
48 pursuant to Calistoga Municipal Code Section 17.41.060(C).
- 49 4. This approval does not abridge or supercede the regulatory powers or permit
50 requirements of any federal, state or local agency, or department that may retain
51 regulatory or advisory function as specified by statute or ordinance. Permits shall
52 be obtained as may be required from each authority.

Planning Department

- 53 5. Minor modifications to the project design that do not increase environmental
54 impacts may be approved in writing by the Planning and Building Director.
- 55 6. Prior to the installation of any landscaping, a final landscape plan prepared in
56 accordance with the State Water Efficient Landscape Ordinance shall be submitted
57 for City approval. Landscaping and irrigation shall be installed prior to project
58 occupancy, maintained throughout the life of the project, and replaced as
59 necessary.
- 60 7. All permanent exterior lighting shall be designed to be Dark Sky compliant and light
61 will directed and/or shielded so as not to shine or create glare on adjacent
62 properties, subject to the review and approval of the Planning and Building
63 Department.
- 64 8. Impact fees shall be paid prior to the issuance of a building permit for the project.
- 65 9. The demolition of the tank house on the site shall be mitigated by properly
66 documenting the interior and exterior of the structure photographically and
67 providing said photos to the Planning & Building Department prior to demolition.
- 68 10. To the extent feasible the project developer shall make the building materials from
69 the tank house available for salvage and reuse.
- 70 11. To address the possibility that unidentified, but potentially significant
71 archaeological resources may be encountered during earth-disturbing activities
72 within the Project Area related to the proposed demolition of the existing buildings

73 and the construction of a multi-unit complex, a Secretary of Interior qualified
74 Archaeologist is retained to provide on-call archaeological monitoring during future
75 earth-disturbing activities within the Project Area, and that the archaeologist shall
76 be contacted to inspect the site and provide recommendations if and when
77 archaeological materials are found.

78 12. If archaeological materials are encountered during ground-disturbing activities, all
79 work within 25 feet of the discovery shall be redirected until the archaeologist
80 assesses the finds, consults with the appropriate individuals and agencies, and
81 makes recommendations for the treatment of the discovery. If avoidance of the
82 archaeological deposit is not feasible, the archaeological deposit shall be
83 evaluated for its eligibility for listing in the CRHR. If the deposit is determined not to
84 be eligible for listing, mitigation will not be necessary. If the deposit is determined
85 eligible for listing, adverse impacts shall be mitigated.

86 13. If human remains are encountered within the Project Area during any future earth-
87 disturbing activities, all work must stop in the immediate vicinity of the discovered
88 remains and the Napa County Coroner must be notified immediately. If the remains
89 are suspected to be those of a pre-contact Native American, then the NAHC must
90 be contacted by the Coroner so that a Most Likely Descendant (MLD) can be
91 designated to provide further recommendations regarding treatment of the
92 remains. An archaeologist should also be retained to evaluate the historical
93 significance of the discovery, the potential for additional remains, and to provide
94 further recommendations for treatment of the site in coordination with the MLD.