

City of Calistoga
Planning Commission
Agenda Item Summary

DATE	September 23, 2020
ITEM	The Veranda at Indian Springs 96 guest rooms, restaurant, retail space
CASE NUMBERS	Use Permit UP 2017-9 Design Review DR 2017-8 Development Agreement DA 2017-1
APPLICANT	MF Calistoga
PROJECT ADDRESS	1512 Lincoln Avenue
ASSESSOR'S PARCEL NOS.	011-034-003, 004, 006, 021, 022, 028, 029
GENERAL PLAN DESIGNATIONS	Downtown Commercial, Community Commercial
ZONING DISTRICTS	Downtown Commercial (DC), Community Commercial (CC)
STAFF CONTACT	Zach Tusinger, Planning & Building Director
POTENTIAL CONFLICTS	None
RECOMMENDATIONS	<ol style="list-style-type: none">1. Adopt the project's MND2. Approve Use Permit application UP 2017-9 and Design Review application DR 2017-83. Recommend approval of development agreement DA 2017-1 to the City Council
SUGGESTED MOTIONS	<ol style="list-style-type: none">1. "I move that the Planning Commission adopt a resolution adopting the project's MND"2. "I move that the Planning Commission adopt a resolution approving Use Permit application UP 2017-9 and Design Review application DR 2017-8"3. "I move that the Planning Commission adopt a resolution recommending approval of development agreement DA 2017-1 to the City Council"

**CALISTOGA PLANNING COMMISSION
STAFF REPORT**

To: Calistoga Planning Commission
From: Zach Tusinger, Planning and Building Director
Meeting Date: September 23, 2020
Subject: **The Veranda at Indian Springs**

ITEM

1 Consideration of applications for 1) a use
2 permit (UP 2017-9), 2) design review (DR
3 2017-8) and 3) development agreement
4 (DA 2017-1) to allow a 96-room expansion
5 of the Indian Springs resort, along with a
6 restaurant, bar, retail space and
7 associated on-site and off-site
8 improvements at 1512 Lincoln Avenue.



*The proposed project as viewed from
the Lincoln/Fair Way intersection.*

KEY ISSUES

- 9
- 10 • The project includes a large, two-
11 story building with 96 hotel rooms,
12 restaurant and retail space, and
13 rooftop lounge.
- 14 • An Initial Study was prepared in
15 compliance with CEQA and a
16 Mitigated Negative Declaration is recommended for adoption.
- 17 • A draft Development Agreement has been prepared for this project that includes
18 a significant number of off-site improvements and provisions for this
19 replacement/relocation of the laundromat currently on the project site.
- 20 • A use permit and design review are required for this project.

BACKGROUND

21
22 Indian Springs was originally developed as a resort between 1912 and 1920 and has
23 been in operation for over 100 years. It was built on the site of Sam Brannan's Calistoga
24 Hot Springs, which is credited with ushering in the resort era to Calistoga in the 1860s.
25 In 1988, the resort was purchased by the Merchant family.

26 In 2002, the Planning Commission approved Use Permit U 2002-01, which formally
27 recognized and authorized use of the property as a resort and spa. In 2005, the
28 Merchants purchased the adjoining Nance's Hot Springs hotel and spa after it had been
29 significantly damaged by fire. The Commission approved Use Permit U 2005-05 and
30 Design Review DR 2005-06 to renovate Nance's (now known as "The Lodge at Indian
31 Springs") and incorporate it as part of the Indian Springs Resort and Spa operation.

32 The City granted approval for a further resort expansion involving 75 additional guest
33 rooms, a restaurant, event building, gym, yoga studio and hotel registration building in
34 2012/2013 through Use Permit UP 2011-11, Design Review DR 2011-09 and
35 Development Agreement DA 2011-01.

36 **PROJECT SETTING**

37 The project site is comprised
38 of 7.06 acres south of Indian
39 Springs, which includes all or
40 part of seven Napa County
41 Assessor parcels on the east
42 side of Lincoln Avenue. The
43 project would be located on a
44 portion of the former
45 Calistoga Gliderport. Much of
46 the site is vacant; however, a
47 portion is occupied by a small
48 office building, storage
49 structures, an art gallery and
50 a laundromat.



Project site as seen from Lincoln/Fair Way.

51 Uses in the vicinity include
52 visitor accommodations to the north (Indian Springs) and west (Dr. Wilkinson's Hot
53 Springs Resort), and the Calistoga Depot commercial complex to the south. The
54 Calistoga Springs Mobile Home Park is located northeast of the project site, adjacent to
55 the existing portion of Indian Springs.

56 The project site is highly disturbed by past uses, and much of it is covered with asphalt
57 and gravel. Existing vegetation is minimal and is limited primarily to eight scattered
58 trees.

59 The project site is split between two zoning districts: Downtown Commercial (DC)
60 adjacent to Lincoln Avenue and Community Commercial (CC) on the eastern portion of
61 the site. General Plan land use designations for the site correspond to this zoning.

62 **PROJECT DESCRIPTION**

63 Project Core

- 64 • Proposed uses

65 The resort expansion would include construction of the following.

- 66 - 96 guest rooms located in a two-story building arranged in a U shape around a
67 landscaped courtyard. Most of the rooms would be located on the second floor,
68 with nine suites on the northern portion of the ground floor. Guests would utilize
69 the existing Indian Springs resort's registration services and have access to its
70 amenities.

- 71 - Ground-floor commercial uses fronting Lincoln Avenue, including approximately
72 5,200 square feet of retail area divided between two spaces. The mercantile
73 space would offer wine, confections, snacks, and grab-and-go pre-packaged
74 food. The store would be run by Indian Springs and offer housewares, clothing
75 and spa products. Store hours would vary depending on the season, with typical
76 hours of operation from 10 am to 7 pm.
- 77 - A 90-seat restaurant and a 45-seat bar, which would cross-utilize staff. The
78 restaurant would be open for lunch and dinner, while the bar would be open until
79 10 pm during the week, and until midnight on Friday and Saturday.
- 80 - A rooftop lounge with seating for 90 atop the southwest corner of the building,
81 offering light snacks and drink service. While anticipated to be primarily used by
82 guests of the hotel, it would also be open to the public. The rooftop would be
83 primarily utilized during the summer, with operating hours of 3 pm to 9 pm during
84 the week and 3 pm to 10 pm during the weekend. The rooftop would be closed
85 when it is raining and have limited hours during the winter.
- 86 - Recreational amenities, including two pools with a snack bar, and a gym
- 87 - Meetings rooms opening onto a lawn area that could host groups of 10 to 200
88 people
- 89 - Parking for 233 vehicles along the northern and eastern site perimeters, including
90 13 reserved and equipped for electric vehicles
- 91 - 24 bicycle parking spaces, including 12 adjacent to Lincoln Avenue

92 Staffing for Veranda's management, housekeeping, maintenance and gardening
93 departments will be shared to a large degree with the existing Indian Springs resort.

94 • Architectural design



Proposed eastern building elevation.

95 The design for the most publicly-visible portion of the project, along Lincoln Avenue, is
96 highlighted by a veranda and commercial storefronts extending across the entire ground
97 floor of the building, widened at the southwest building corner to accommodate outdoor
98 restaurant seating. It would be topped by second-floor, railed guest room balconies. A
99 new 23-foot wide sidewalk would be bordered with trees and feature landscaping, benches
100 and two water features. A breezeway through the building would provide a
101 connection between the street and the courtyard. The two-story design treatment would
102 wrap around all sides of the building.



Examples of architectural details, windows, and finishes. See Attachment 6, p. 14.

103 Proposed exterior finishes include integral colored cement plaster for the body of the
104 building, wood fascia and metal gutters. Building openings would be filled with stain
105 grade wood windows and doors. The proposed color palette includes a creamy white for
106 the building and dark brown window and door framing.

107 • Landscaping

108 In addition to the rows of trees along Lincoln and the landscaped courtyard, trees would
109 be planted adjacent to the northern and southern sides of the building and paralleling
110 the rows of parking spaces.

111 The project's landscaping would be irrigated with the City's tertiary-treated wastewater.
112 The landscape planting selection utilizes low-water use species and those that can
113 tolerate the boron levels found in the recycled wastewater.

114 • Green features

115 The project will be required to implement a Greenhouse Gas reduction strategy that
116 may include such strategies as: incorporating solar, participating in Marin Clean
117 Energy's reduced carbon electricity program, the installation of energy-efficient features,
118 utilize recycled building materials, developing and implementing a transportation
119 demand management program to reduce vehicle miles traveled, provide in-town
120 housing for some employees to reduce travel times and make bicycles available to
121 those employees, or purchasing carbon credits to offset emissions.

122 • Access and on-site circulation

123 The site would be accessed via two, two-way driveways from Lincoln Avenue. The
124 existing northern access would pass through an existing parking lot for The Lodge
125 portion of Indian Springs and the curb cut would be slightly re-aligned to create a 90-
126 degree access with Lincoln. A new southern access would be provided via the
127 completion of the Lincoln/Fair Way intersection and provide one ingress lane, and two
128 egress lanes, including a dedicated left-turn lane. The project would construct a
129 southbound left-turn lane from Lincoln onto Fair Way, and its design would
130 accommodate the intersection's future signalization (not a part of this project). It should
131 be noted that future signalization of this intersection is called for in the General Plan's
132 Circulation Element.

133 An internal driveway would provide a connection between the proposed project and the
134 existing Indian Springs resort. Un/loading zones would be provided along the north side
135 of the Fair Way extension and at the southeast corner of the hotel building.

136 A condition of approval requires the project to complete the following improvements on
137 Gerard Street:

- 138 - Provide two 12-foot wide lanes and an attached sidewalk on the east side,
139 terminating at the future Vine Trail at the north.
- 140 - Overlay the existing road to Washington Street with a 1-inch leveling course,
141 glass grid pavement reinforcement and a 2-inch final lift of asphalt.

142 • Drainage and stormwater

143 Stormwater runoff generated by the project would be filtered through bioswales and
144 temporarily stored in underground detention basins during rain events. The project's off-
145 site runoff would be reconfigured to increase the water supply to the endangered plant
146 species at the eastern end of the former gliderport property (see Environmental Review
147 and associated Attachments for further information).

148 • Geothermal resources

149 Geothermal water would be used to heat the project's main pool. Water will be pumped
150 from the site's existing hot water well, run through a closed heat exchange plate system,
151 and then reinjected into a new well location. As a closed loop system, all extracted
152 geothermal water will be reinjected into the ground, drawing only heat from the water
153 source.

154 • Public utilities

155 Water: The current baseline water use for the existing buildings on the project site is
156 8.68 acre-feet per year. The project's municipal water use is estimated to be 19 acre-
157 feet per year, including the public plaza improvements (see below). In order to correct
158 existing deficiencies in the area's water system that would be exacerbated by the
159 project, conditions of approval require the project to construct the following
160 improvements:

- 161 - Loop the water main from Anna Street to Lincoln Avenue at Fair Way with a 12-
162 inch pipe connecting to mains on Franklin, Gerard, Anna and Eddy Streets.
- 163 - Install a 12-inch water pipe from Lincoln Avenue at Fair Way, to Stevenson
164 Street at Lincoln Avenue.

165 The project design accommodates space for a potential water storage tank if
166 determined to be necessary for maximum daily water demand mitigation.

167 The project proposes to use the City's recycled water system for its irrigation and
168 laundry needs and will not increase the site's expected domestic water demand. In
169 order to make this source available to the project, it will be required to install a 12-inch
170 recycled water main within Railroad Avenue from Anna to Gerard, and along Gerard to
171 Washington.

172 Wastewater: The project's wastewater generation is estimated to be 21.24 acre-feet
173 per year. In order to correct existing deficiencies in the area's sewer system that would
174 be exacerbated by the project, conditions of approval require the project to construct the
175 following improvements:

- 176 - Construct a 24-inch sewer main from Anna Street to the intersection of Lincoln
177 Avenue/Fair Way, with a new manhole in Lincoln.
- 178 - Construct an 18-inch replacement sewer main in Lincoln from the intersection of
179 Lincoln Avenue/Fair Way to Wappo Avenue.

180 Other Improvements

181 Other improvements that would be completed by the project include:

- 182 • The extension of Fair Way east of Lincoln Avenue and its connection to Gerard
183 Street
- 184 • A 20-foot wide emergency vehicle access with an all-weather surface between
185 the Calistoga Springs Mobile Home Park and Fair Way to provide a secondary
186 means of access to the Park
- 187 • The first phase of a public plaza on a portion of the City-owned parking lot east of
188 the Depot, providing a public restroom, bicycle parking with pump, wood terraced
189 seating with a shade structure, landscaping and a sidewalk connecting to Lincoln
190 Avenue

- Additional segments of the Napa Valley Vine Trail multi-use path 1) on the south side of the Fair Way extension between Lincoln and Gerard, 2) along the project's Lincoln frontage and 3) an off-site connection with the existing path to the north.

CONSISTENCY ANALYSIS

The project's consistency with the City's plans, policies and codes is evaluated below.

Calistoga General Plan

- Land use designations

The General Plan's Land Use Map designates the western portion of the project site as Downtown Commercial, which allows stores and restaurants as principal uses. Bars and visitor accommodations may be permitted if they conform to all relevant General Plan policies. The maximum floor area ratio (FAR) for development under this designation is 2.0.

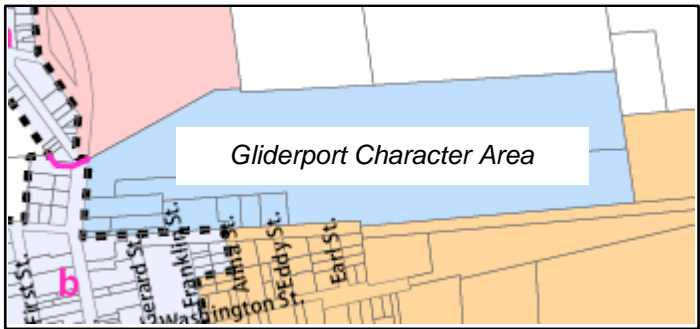
The eastern portion of the project site is designated Community Commercial, which allows stores as a principal use. Restaurants, bars, and visitor accommodations where the development provides amenities serving the local community may be permitted if they conform to all relevant General Plan policies. The maximum FAR under this designation is 0.8.

The analysis below demonstrates that the project conforms to all relevant General Plan policies. Furthermore, the project would provide local-serving amenities through construction of the proposed public plaza and emergency vehicle access to Calistoga Springs.

- Character area overlay

The General Plan pays particular attention to certain groups of properties to ensure that the values and vision of the community are realized and that Calistoga's identity as a unique historic small town is preserved by designating them with a character area overlay.

The project site is located within the Gliderport Character Area. Excerpts from the Land Use Element that are relevant to the project include the following.



The Gliderport Character Area includes the former Gliderport properties and several smaller parcels located in the southwest portion of the character area. These properties are currently underutilized and are anticipated to be redeveloped in the future. Redevelopment presents an opportunity to add to the excitement and vitality of the downtown area and improve area access and

231 *circulation. It is expected that redevelopment efforts will result in a vibrant*
232 *and synergistic mix of uses that complement current uses in the downtown*
233 *area and serve as a catalyst for future redevelopment and improvement of*
234 *other properties in the city.*

235 *Land Use Considerations*

- 236 • *Land uses to be considered in the redevelopment of properties in this*
237 *area should include retail/commercial uses, a signature full-service*
238 *resort and spa, residential uses and community and visitor serving*
239 *uses.*
- 240 • *New development and redevelopment should consider and*
241 *accommodate to the extent possible area access, circulation and*
242 *parking needs.*
- 243 • *Care must be taken to ensure that development of the*
244 *disproportionately large former Gliderport properties reflects*
245 *Calistoga's small-town character.*

246 *Development and Design Considerations*

- 247 • *Building and landscape design should be of the highest quality and*
248 *should utilize high quality authentic materials appropriate for Calistoga.*
- 249 • *Design concepts should be imaginative and complementary in nature*
250 *consistent with the Napa Valley architectural heritage while reflecting*
251 *the small-town character of Calistoga.*
- 252 • *Shared parking opportunities should be considered as part of new*
253 *development or redevelopment.*
- 254 • *Geothermal waters should be celebrated through tastefully designed*
255 *water features.*
- 256 • *All overhead utilities shall be placed underground.*
- 257 • *Outdoor lighting shall be designed to preserve and protect the*
258 *nighttime environment in accordance with the following International*
259 *Dark Sky Association model ordinance objectives:*
 - 260 - *Provide the minimum lighting level necessary for night-time safety,*
261 *utility, security, productivity, enjoyment, and commerce.*
 - 262 - *Minimize adverse offsite impacts such as sky glow, light overspill*
263 *and obtrusive light.*
 - 264 - *Conserve energy and resources to the greatest extent possible.*

265 *Connectivity Considerations*

- 266 • *The Fair Way extension should connect with Washington Street via*
267 *cross streets within the Lower Washington Character Area to facilitate*
268 *adequate circulation.*

- 269 • *A Class I bicycle path should be constructed along the Fair Way*
270 *extension from Lincoln Avenue to the existing Class I path located at*
271 *lower Washington Street.*
- 272 • *New development projects or major redevelopment of non-residential*
273 *properties must participate in the necessary mitigation to*
274 *accommodate improved access, circulation and parking.*

275 The proposed project is consistent with the General Plan's anticipated development of
276 the significantly-underutilized project site with a mix of uses that complement current
277 uses in the downtown area and serve as a catalyst for future redevelopment of the
278 remainder of the property.

279 The project is consistent with all applicable land use and design considerations of this
280 character area by:

- 281 • Enhancing area access through improvements to the Lincoln Avenue / Fair Way
282 intersection, and the connection of Washington Street to Lincoln Avenue via
283 Gerard Street
- 284 • Completing segments of the Napa Valley Vine Trail
- 285 • Utilizing building massing, unique design details and high-quality finish materials
286 that are authentic to Calistoga's small-town character
- 287 • Incorporating water features into the project's frontage improvements

288 A condition of approval will require that all exterior lighting for the project is compliant
289 with Dark Sky objectives.

- 290 • Community Identity Element

291 The project's design and proposed improvements are also consistent with the following
292 relevant provisions of the Community Identity Element of the General Plan:

293 *Goal CI-1 Maintain and enhance Calistoga's small-town character.*

294 *Policies*

295 *P1.1-1 New development should be sensitive to surrounding architecture,*
296 *landscaping, character and scale of existing buildings.*

297 *P1.1-2 New development should use exterior materials that have*
298 *traditionally been used in Calistoga.*

299 *P1.1-3 New buildings shall have heights that avoid obtrusive breaks in*
300 *the natural skyline.*

301 *P1.1-4 New developments should provide accessible public and semi-*
302 *public areas and efficient and inviting pedestrian and bicycle*
303 *connections to existing Calistoga streets.*

304 *P1.1-7 New commercial development shall be designed to avoid*
305 *characteristics common to typical auto-oriented shopping center*
306 *or strip commercial development. This can be achieved by*
307 *including features such as:*

- 308 • *Parking set alongside or behind buildings, rather than in front*

- 309 • *Incorporation of varied building massing and architectural*
- 310 *treatment*
- 311 • *Limited front setbacks and direct street access*
- 312 • *Pedestrian- rather than automobile-scaled design elements*
- 313 *Goal CI-1.2 Maintain and enhance the urban design quality of the*
- 314 *downtown and other commercial areas.*

315 *Policies*

316 *P.1.2-2 Design amenities shall be encouraged in new downtown*

- 317 *developments, including:*
- 318 • *Buildings without front or side setbacks*
 - 319 • *Porches and/or overhangs, including covered sidewalks*
 - 320 *where appropriate*
 - 321 • *Large store windows on ground floors*
 - 322 • *Building rhythm matching the character of existing buildings*

323 *P.1.2-3 New commercial buildings in the Downtown Commercial area*

324 *shall abut the street, with parking areas located behind the*

325 *buildings and a minimum number of curb cuts on Lincoln Avenue.*

326 *P.1.2-4 The amount of greenery, especially street trees, in the Downtown*

327 *Commercial area shall be maintained and enhanced to help*

328 *create a pleasant walking environment for pedestrians and for*

329 *visual continuity.*

330 *P.1.2-8 The development of pedestrian amenities within the downtown*

331 *area shall be encouraged.*

332 • *Circulation Element*

333 *Additionally, applicable Circulation Element policies would be satisfied by this project*

334 *through its construction of segments of the Napa Valley Vine Trail, a wide sidewalk*

335 *across its Lincoln Avenue frontage connecting to existing development on either side*

336 *and a sidewalks from the proposed public plaza to Lincoln Avenue:*

337 *P1.3-2 New development shall provide sidewalks as needed to close*

338 *gaps in the city's active transportation network.*

339 *P1.3-3 New development shall provide bicycle improvements called for in*

340 *the Active Transportation Plan.*

341 *P1.4-4 "Complete streets" features shall be incorporated into existing*

342 *streets to improve the safety and convenience of users, with the*

343 *particular goal of creating a connected network of facilities*

344 *accommodating each category of users, and increasing*

345 *connectivity across jurisdictional boundaries and for existing and*

346 *anticipated future areas of travel origination or destination.*

348 Zoning Code

349 The project site is split between two zoning districts: Downtown Commercial (DC)
 350 adjacent to Lincoln Avenue and Community Commercial (CC) on the eastern portion of
 351 the site.

352 The intent of the DC District, in part, is to provide for a broad range of uses that
 353 generate high pedestrian traffic. The project is consistent with this intent by providing
 354 visitor accommodations within the downtown whose guests will have ready access to
 355 other businesses. It would also provide retail and food and beverage services that
 356 would attract pedestrian traffic from the downtown. Retail and restaurants are permitted
 357 uses within the DC District. Hotels are allowed through approval of a use permit.

358 The intent of the CC District, in part, is to provide a transition between the more-intense
 359 activities in the DC District and the less-intense activities in the residential districts
 360 adjacent to commercial areas. The landscaped parking area on the eastern side of the
 361 project would provide a transition between the project's commercial uses and multi-
 362 family residential in the lower Washington Street area.

363 The following table demonstrates the project design's compliance with the development
 364 standards of the DC and CC Zoning Districts.

Development Standard	DC District	CC District	Project
Minimum front yard	0 feet	10 feet	Approx. 29 feet
Minimum interior side yard	0 feet	0 feet	> 50 feet
Minimum street side yard	0 feet	0 feet	Approx. 30 feet
Minimum rear yard	0 feet	0 feet	> 0 feet
Maximum lot coverage	80%	60%	17% overall
Maximum floor area ratio	200%	80%	84% DC / 10% CC
Maximum building height	30 feet	30 feet	30 feet*
Minimum landscaped portion of open space	40%	n/a	47%

365 *Taller architectural and utility structures and necessary mechanical appurtenances allowed per CMC 17.38.030(B)

366 The project would provide 233 parking spaces, which exceeds the minimum
 367 requirement. The parking demand is likely to be lower than that required by the Zoning
 368 Code since hotel guests will be utilize the retail and food and beverage operations. The
 369 minimum number of parking spaces required for the project by the Zoning Code is as
 370 follows:

Proposed Use	Units	Ratio	Reqd. Spaces
Hotel	96 rooms	1.1/unit	106
Retail	5,285 sf	1/200 sf	26
Restaurant, bar, roof terrace	7,818 sf	1/100 sf	76
Total required spaces			208

371 The proposed parking design meets all the minimum standards for space dimensions
372 and aisle widths. It also provides breaks at two points in the eastern parking lot to
373 facilitate pedestrian access to the hotel. Rows of trees along and within the parking lots
374 would provide shade to minimize heat generation.

375 The project's provision of 24 bicycle parking spaces in clearly designed, safe and
376 convenient locations is also consistent with the Zoning Code's provisions. Furthermore,
377 the project's design would provide off-street loading berths in sufficient number and size
378 to adequately handle project needs.

379 **DEVELOPMENT AGREEMENT**

380 A development agreement is a contract between the City and a developer through
381 which mutual benefits are provided. CMC Chapter 17.39 allows the City to enter into a
382 development agreement subject to the City Council finding that the provisions of the
383 agreement are consistent with the General Plan. The Municipal Code requires both the
384 Planning Commission and City Council to review the draft agreement at a public hearing
385 prior to action being taken.

386 The project's development agreement was drafted by the City Attorney's office following
387 protracted discussions among the applicant, staff and the City Council's ad hoc
388 committee (Vice Mayor Dunsford and Councilmember Kraus). It references the project
389 entitlements and includes the following primary provisions in addition to the off-site
390 improvement agreements already mentioned related to water, wastewater, and
391 pedestrian and traffic circulation (those off-site improvements are also included as
392 Conditions of Approval in Attachment 3):

- 393 • Establishes an initial seven-year time period to the approved entitlements,
394 with potential one-year time extensions for an additional three years
- 395 • Requires the developer to relocate the existing laundromat on the project site
396 to a new location within the city.
- 397 • Requires Developer to construct a 20-foot Emergency Vehicle Access from
398 Chateau Calistoga to Fair Way Extension.
- 399 • Provides for how certain off-site improvements may be reimbursable from the
400 Project's impact fees, and water/wastewater connection fees.

401 **ENVIRONMENTAL REVIEW**

402 The proposed project has been reviewed in accordance with the California
403 Environmental Quality Act (CEQA). An Initial Study (IS) was prepared that identified
404 potentially-significant, project-related impacts to aesthetics, air quality, biological
405 resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and
406 hazardous materials, hydrology/water quality, minerals, noise, and
407 transportation/circulation. The applicant has agreed to incorporate mitigation measures
408 that would reduce these impacts to a less-than-significant level.

409 The City determined that with the incorporation of the mitigation measures included in
410 the Mitigation Monitoring and Reporting Program (MMRP), the Project will not have a
411 significant effect on the environment, and therefore a Mitigated Negative Declaration
412 (MND) is appropriate. In accordance with CEQA, the full draft IS/MND was circulated for
413 30 days from July 28, 2020 to August 26, 2020. The City received three comments from
414 state regulatory agencies during that review period. Those comments came from the
415 Department of Conservation Geological Energy Management Division (CalGem), the
416 California Department of Transportation (Caltrans), and the California Department of
417 Fish and Wildlife (CDFW). Staff, consultants, and the applicant all reviewed these
418 comments.

419 A comprehensive response to comments packet is included as Attachment 10 to this
420 staff report. It thoroughly addresses the comments that were raised, identifies all the
421 clarifications/revisions made to the IS/MND in response to the provided comments, and
422 includes copies of each comment letter in their entirety. Also included in the packet are
423 response to comment letters prepared by the City's transportation engineering
424 consultant on the project (W-Trans), the project's civil engineer (BKF), and the project's
425 biologist (Monk & Associates). The MMRP was also revised in response to the
426 comment letters.

427 The full IS/MND and associated studies are available on the City's website as detailed
428 in Attachment 8. The MMRP is included as Exhibit A to Attachment 2.

429 **PUBLIC COMMENTS**

430 As of the publishing of this staff report on September 16, 2020, over 40 written
431 comments had been received regarding this project. Those comments are included as
432 Attachment 9. If additional public comments come in prior to the Planning Commission
433 hearing, those comments will be circulated to Planning Commissioners and made
434 available on the City's website.

435 **FINDINGS**

436 To reduce repetition, the bases for making the required findings to approve the project's
437 use permit, design review and development agreement applications are contained in the
438 attached draft resolutions.

439 **RECOMMENDATIONS**

440 Based on the information and analysis contained in this report, staff recommends that
441 the Planning Commission:

- 442 1. Adopt a resolution adopting the project's MND
- 443 2. Adopt a resolution approving use permit application UP 2017-9 and design
444 review application DR 2017-8
- 445 3. Adopt a resolution recommending approval of development agreement DA 2017-1

ATTACHMENTS

1. Vicinity map
2. Draft resolution adopting the project's MND
3. Draft resolution approving use permit application UP 2017-9 and design review application DR 2017-8
4. Draft resolution recommending approval of development agreement DA 2017-1 to the City Council
5. Project description dated March 5, 2020
6. Project plans
7. Draft development agreement
8. The MND can be reviewed at the Planning and Building Department's web site at <http://www.ci.calistoga.ca.us/city-hall/departments-services/planning-building-department/planning-division>. This document was distributed to the Planning Commission in advance of this meeting.
9. Public Comments as of September 16, 2020
10. Response to Comments on IS/MND Packet