

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2008-32**

**A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION
BASED ON AN INITIAL STUDY PREPARED FOR THE VALLARTA PLAZA
PROJECT (PROFESSIONAL OFFICES AND MARKET AND APARTMENTS)
LOCATED AT 1003 AND 1009 FOOTHILL BOULEVARD WITHIN THE "DC-
DD", DOWNTOWN COMMERCIAL - DESIGN DISTRICT. (APNS: 011-310-012
& -013)**

1 **WHEREAS**, Jaime Cortez, requests consideration of variances, conditional use
2 permits and design reviews to allow the existing residential structure to be relocated
3 toward the northeastern most property corner, five feet of the front and side property
4 lines and converted to office use on the property located at 1003 Foothill Boulevard (APN
5 011-310-013) and to allow the renovation and expansion of the Vallarta Market on the
6 property located at 1009 Foothill Boulevard (APN 011-310-012) within the "DC-DD",
7 Downtown Commercial District;

8
9 **WHEREAS**, the Planning Commission has reviewed and considered the Initial
10 Study prepared for the project at its regular meeting on August 13, 2008 and prior to
11 taking action on the application, the Commission received written and oral reports by the
12 Staff, and received public testimony;

13
14 **WHEREAS**, in accordance with the California Environmental Quality Act (CEQA),
15 the City of Calistoga, Planning and Building Department prepared an Initial Study/CEQA
16 Checklist, which identified potentially significant impacts to aesthetics, air quality, cultural
17 resources, geology/soils, hydrology/water quality, noise, transportation and utilities;

18
19 **WHEREAS**, this project, as mitigated, will not result in any significant adverse
20 environmental impacts; and

21
22 **WHEREAS**, that on the basis of the Initial Study prepared for the Vallarta Plaza
23 project as requested by Jaime Cortez, the property owner, will not have a significant
24 effect on the environment and, therefore, a mitigated negative declaration is adopted
25 based on the following findings.

- 26
27 1. An Initial Study was prepared pursuant to the California Environmental Quality
28 Act and has been considered as a result of this project and although the project
29 could have a significant effect on the environment, there will not be a significant
30 effect in this case because mitigation measures to reduce all impacts to a level of
31 insignificance or to avoid such impacts have been identified and agreed to by the
32 applicant. A Mitigated Negative Declaration should therefore be prepared with
33 the mitigation measures as adopted as Conditions of Approval.
- 34
35 2. As mitigated this project will not result in any significant adverse environmental
36 impacts. There is no evidence that this project will result in any adverse impacts to
37 fish and wildlife habitat.
- 38

39 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
40 Commission that based on the above Findings, the Planning Commission adopts a
41 Mitigated Negative Declaration, subject to the following Mitigation Measures.
42

43 Aesthetics:
44

45 Aesthetics-1: Prior to occupancy, a Lighting Plan shall be submitted for review and
46 approval by the Planning and Building Department indicating that all lighting is either
47 hooded, shielded and/or directed downward and is designed and equipped with motion
48 detector switching and/or timers.
49

50 Air Quality:
51

52 Mitigation Measures AQ-1: Prior to building permit or grading permit issuance, the
53 applicant shall incorporate the following Best Management Practices into the
54 construction and improvement plans and clearly indicate these provisions in the
55 specifications upon review and approval of the Public Works and Planning and Building
56 Departments. The construction contractor shall incorporate these measures into an
57 Erosion and Sediment Control Plan to limit fugitive dust and exhaust emissions during
58 construction.
59

- 60 a) Exposed soils shall be watered periodically during construction, a minimum of twice
61 daily. The frequency of watering shall be increased if wind speeds exceed 15 mph.
62 Only on-site well water, purchased city water or reclaimed water shall be used for
63 this purpose. Responsibility for watering shall include weekends and holidays when
64 work is not in progress.
65
- 66 b) During excavation activities, haul trucks used to transport soil shall utilize tarps or
67 other similar covering devices to reduce dust emissions.
68
- 69 c) Grading and construction equipment operated during construction activities shall be
70 properly muffled and maintained to minimize emissions, consistent with OSHA
71 requirements. Equipment shall be turned off when not in use.
72
- 73 d) Construction sites involving earthwork shall provide for a gravel pad area consisting
74 of an impermeable liner and drain rock at the construction entrance to clean mud and
75 debris from construction vehicles prior to entering the public roadways. Street
76 surfaces in the vicinity of the project shall be routinely swept and cleaned of mud and
77 dust carried onto the street by construction vehicles.
78
- 79 e) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed
80 stockpiles (dirt, sand, etc.).
81
- 82 f) Post-construction revegetation, repaving or soil stabilization of exposed soils shall be
83 completed in a timely manner according to the approved Erosion and Sediment
84 Control Plan and verified by City inspectors prior to acceptance of improvements or
85 issuance of certificates of occupancy.
86

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- 87 g) The Developer shall designate a person with authority to require increased watering
88 to monitor the dust and erosion control program and provide name and phone
89 number to the City of Calistoga prior to issuance of grading permits.
90

91 Cultural Resources:
92

93 Mitigation CR.1: Prior to the initiation of construction or ground-disturbing activities, all
94 construction personnel should be alerted to the possibility of buried cultural remains (i.e.,
95 prehistoric and/or historic resources). Personnel should be instructed that upon
96 discovery of buried cultural materials, work in the immediate vicinity of the find should
97 cease and a qualified archaeologist should be contacted immediately.
98

99 Mitigation CR.2: If archaeological, historical, paleontological resources or other human
100 remains are encountered, all construction activity in the affected area shall cease and no
101 materials shall be removed until a qualified professional surveys the site and mitigation
102 measures can be proposed by the qualified professional to the satisfaction of the
103 Planning Division for approval and subsequent implementation by the permit holder.
104

105 Hydrology & Water Quality:
106

107 Mitigation WQ.1: Prior to building permit issuance, the Public Works, Planning and
108 Building Departments shall have reviewed and approved all drainage improvements.
109 Said improvement plans shall be designed by a civil engineer and in accordance with the
110 Napa County Design Criteria and any applicable adopted City standards such as Best
111 Management Practices (BMP) described in the California Stormwater BMP Handbook,
112 including, but not limited to, sheet flow from pavement into vegetated drainage swales..
113 The capacity and condition of existing drainage facilities downstream of the development
114 shall be analyzed and off-site drainage improvements shall be constructed as
115 necessary. Site grading and drainage improvements shall be shown on the
116 improvement plans.
117

118 Noise:
119

120 Mitigation Measure N-1: The applicant shall develop a construction management plan to
121 reduce traffic congestion during project construction, including staging areas on the
122 project site and truck movements delivering and/or exporting fill material. Approval of
123 the plan shall be required from the City prior to issuance of any grading permit.
124

125 Mitigation Measure N-2: Construction travel shall be managed to minimize noise levels.
126 Construction activities are prohibited between the hours of 5:00 pm to 8:00 am Monday
127 through Saturday.
128

129 Transportation:
130

131 Mitigation TRANS.1: Prior to building permit issuance, the Special Impact Fee for the
132 Foothill Boulevard/Lincoln Avenue intersection shall be paid.
133

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134 Mitigation TRANS 2: Prior to occupancy, a sidewalk shall be provided along the site's
135 frontage on Foothill Boulevard (State Route 29/128) subject to the review and approval
136 of the Public Works Department and Caltrans.

137
138 Mitigation TRANS 3: Prior to occupancy, parallel parking spaces shall be striped and
139 designated along the site's frontage on Foothill Boulevard (State Route 29/128) subject
140 to the review and approval of the Public Works Department and Caltrans. Parking of
141 large commercial trucks (Class 6 and above) shall be discouraged through design,
142 including signage or other appropriate measures, subject to the review and approval of
143 the Public Works Department and Caltrans.

144
145 Utilities and Service Systems:

146
147 Mitigation Utilities 1: Prior to building permit issuance, the Public Works, Planning and
148 Building Departments shall have reviewed and approved all drainage improvements.
149 Said improvement plans shall be designed by a civil engineer and in accordance with the
150 Napa County Design Criteria and any applicable adopted City standards such as Best
151 Management Practices (BMP) described in the California Stormwater BMP Handbook,
152 including, but not limited to, sheet flow from pavement into vegetated drainage swales. The
153 capacity and condition of existing drainage facilities downstream of the development
154 shall be analyzed and off-site drainage improvements shall be constructed as
155 necessary. Site grading and drainage improvements shall be shown on the
156 improvement plans.

157
158 **PASSED, APPROVED, AND ADOPTED** on August 13, 2008, by the following
159 vote of the Calistoga Planning Commission:

160
161 AYES:
162 NOES:
163 ABSENT/ABSTAIN:

164
165
166 CLAYTON CREAGER, Vice Chairman

167
168
169
170 ATTEST: _____
171 Kathleen Guill
172 Secretary to the Planning Commission