CITY OF CALISTOGA PLANNING COMMISSION RESOLUTION PC 2008-08

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT A DEVELOPMENT AGREEMENT (DA 2007-02) FOR THE VINEYARD OAKS SUBDIVISION, ZONING ORDINANCE TEXT AMENDMENT (ZO 2008-01), TENTATIVE SUBDIVISION MAP (TTM 2007-02) AND DESIGN REVIEW (DR 2008-01), A 15-LOT RESIDENTIAL SUBDIVISION LOCATED AT 2400 GRANT STREET AND 1881 MORA AVENUE WITHIN THE "RR", RURAL RESIDENTIAL ZONING DISTRICT. (APNS: 011-010-013 & 014 AND 011-021-002)

WHEREAS, BNK Investments, LLC, requests an amendment to the Zoning Ordinance to provide an alternative means for residential projects to satisfy the affordable housing requirements and to subdivide approximately 18

acres of land into 15 single-family lots. The lots are approximately 1 acre in size. The subdivision includes a lot line adjustment with the property to the east along

Mora Avenue strictly for utility and emergency vehicle access;

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WHEREAS, an environmental assessment, including preparation of an Initial Study, determined that a Mitigated Negative Declaration was necessary to address the environmental impacts associated with the Project;

WHEREAS, adoption of this Development Agreement will not result in conflicts with any other appropriate ordinance and to the extent of such a conflict, this resolution is hereby repealed;

WHEREAS, the Planning Commission considered this Development Agreement at its regular meeting on March 12, 2008 and prior to taking action on the Development Agreement, the Commission received written and oral reports by the Staff, and received public testimony; and

WHEREAS, the Planning Commission adopted the following findings:

- 1. The City Council duly adopted Ordinance No. 547 enacting procedures for entering into development agreements.
- 2. That this Development Agreement is a contract negotiated and entered into voluntarily between the City of Calistoga, the owners of the subject properties (Ira and Lois Carter and 1881 Mora LLC.), and the project applicant (BNK Investments LLC) of the Vineyard Oaks Subdivision.

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- 3. This Agreement furthers the public health, safety and general welfare and is consistent with the General Plan and that there is no applicable specific plan. City and Developer have further determined that the Project is a development for which this Agreement is appropriate. This Agreement will eliminate uncertainty regarding Existing Project Approvals and Subsequent Project Approvals, thereby encouraging planning for, investment in and commitment to development of the Property. Continued use and development of the Property in accordance with this Agreement is anticipated to provide substantial benefits and contribute to the vitality of the City, thereby achieving the goals and purposes for which the Development Agreement Statute was enacted.
- 4. That this agreement contains conditions and obligations relating to the performance stated in the resolution(s) approving the project.
- 5. That the project known as Vineyard Oaks Subdivision is a project of significance to the community and upon the community of Calistoga and for that reason a development agreement is a proper use of the City's authority to secure the project benefits for the community.

NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning Commission that based on the above findings and the conditions and obligations contained in the Development Agreement, the Planning Commission recommends to the City Council adoption of the proposed Development Agreement with the findings, conditions and obligations contained in the record.

PASSED, APPROVED, AND ADOPTED on March 12, 2008, by the following vote of the Calistoga Planning Commission:

63	AYES:	
64	NOES:	
65	ABSENT/ABSTAIN:	
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68		JEFF MANFREDI, Chairman
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71		
72	ATTEST:	
73	KATHY A. GUILL	
74	Secretary to the Planning Commis	sion