

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: SEPTEMBER 8, 2010

SUBJECT: PINK MANSION USE PERMIT AMENDMENT (8-UNITS)
1415 FOOTHILL BOULEVARD

1 **REQUEST**

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3 Consideration of an amendment to the previously approved Conditional Use Permit (U
4 95-3) to allow no on site manager and two (2) additional bed and breakfast units on the
5 property currently established with the “Pink Mansion”, a six (6) unit bed and breakfast
6 facility, located at 1415 Foothill Boulevard (APN 011-300-011) within the “R-1-10”,
7 Single Family Residential District.

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9 **HISTORY & BACKGROUND**

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11 In August of 1986 a use permit was granted allowing the operation of a six-unit Bed and
12 Breakfast, the “Pink Mansion” with a the prerequisite that prior to adding the sixth unit in
13 the downstairs a owner/manager quarters was to be constructed elsewhere. In 1991-92 the
14 conversion of an existing accessory structure to a residential second unit (i.e.
15 owner/managers unit) was authorized. Since the former use permit was considered expired
16 due to the time lapse a new use permit was warranted to permit the sixth room. On July 26,
17 1995 the Planning Commission granted use permit approval (U 95-3) authorizing the sixth
18 guest accommodation. The bed and breakfast has operated as a 6-unit facility since this
19 approval in 1995.



Pink Mansion circa 1986

31 **PROJECT DESCRIPTION**

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33 On June 18, 2010, City of Calistoga Ordinance No. 667 became effective. Ordinance No.
34 667, among other things, amended Chapter 17.35, *Bed and Breakfast Inns and Facilities*,
35 of the Calistoga Municipal Code (CMC) providing an opportunity for those properties
36 currently developed with a bed and breakfast inn and facility in the R-1-10 District to
37 exceed the development limitations upon the Planning Commission granting a use permit.

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39 On July 20, 2010, an application was received from Toppa Epps and Leslie Sakai-Epps,
40 property owners, requesting authorization to expand their existing 6-unit bed and
41 breakfast facility to 8-units by converting the existing detached owner/managers unit and
42 attached storage room to guest units, see Attachment No. 3.

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44 **STAFF ANALYSIS**

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46 **A. Land Use**

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48 The property is located within the “R-1-10”, Single Family Residential Zoning District.
49 Pursuant to Sections 17.35.040(C)(4) of the Calistoga Municipal Code, the Planning
50 Commission must consider the following special circumstances prior to approval of the
51 request to eliminate the off site manager’s unit and add two guest units:

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53 a. Proximity to a State highway or major arterial as indicated in the General Plan
54 circulation element; and

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56 Response: The property is located along Foothill Boulevard (State Route 128),
57 which is a State Highway and is classified as an arterial street in the 2003 General Plan.

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59 b. The historical character and/or significance of the structure(s) in which the units
60 are to be located; and

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62 Response: This project will preserve the historic qualities of the structure(s) and
63 will be detrimental to the character defining elements of the property.

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65 c. The character of the proposed site relative to its surroundings; and

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67 Response: As determined by the Planning Commission and City Council during
68 its initial review of the original use permit, the site is physically suitable for the use.
69 There is sufficient landscaping and open space on all sides of the property. The intensity
70 of the use is not such that would adversely affect the residential neighborhood.

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72 d. The nature of ingress and egress; and

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74 Response: The existing driveway is adequate to serve this property and the other
75 properties it serves.

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e. The adequacy of the number and location of off-street parking spaces and maneuvering areas; and

Response: One space is provided for each guest unit and one space is provided just off Foothill Boulevard (generally staff parks in this location for short periods of time). Additionally, adequate turnaround around exists to prevent backing up onto Foothill Boulevard.

f. Provision of rooms accessible to the developmentally disabled; and

Response: In 2000 the Calistoga Board of Building Code Appeals contemplated whether the owner’s desire to expand the facility warranted a guest room to be accessible to the disabled. Upon consideration of the Board, the Board granted an appeal authorizing an exception to the building code and accessibility requirements to provide an due to the existing physical constraints. This exception of the Board is still valid. As such, establishing two guest units within the existing structures will not trigger accessibility improvements.

g. A bed and breakfast inn and facility or other visitor accommodation located on the property was authorized by the City on or before January 1, 2010; and

Response: A bed and breakfast facility was originally established in 1986.

h. The property is located within an R-1-10 zone; and

Response: The property is located within the “R-1-10”, Single Family Residential Zoning District.

i. The property is established with no more than 10 rental units; and

Response: An eight (8) unit bed and breakfast will be established.

j. Minimum lot size of 10,000 square feet.

Response: The property is approximately 38,610 square feet.

Staff is of the opinion that the proposed eight (8) unit bed and breakfast meets the purpose and intent of the Ordinance and can be found to meet the aforementioned special circumstances for exceptions to the established bed and breakfast thresholds in the residential district. In addition, the proposal is consistent with the policy direction of the General Plan since the project will allow an existing bed and breakfast facility to upgrade and meet the changing demands of customers while strengthening business vitality

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C. Growth Management

This property carries water and wastewater baselines of 1.35 and 1.21 ac-ft/year respectively. Given this, staff believes that the current allocation of water and wastewater is sufficient to accommodate the proposed eight unit bed and breakfast and reduction of the owner/managers unit, based upon the City’s standardized use tables (Resolution No. 99-65). No additional allocation is required at this time.

AGENCY COMMENTS

No outside agency comments have been received to date.

PUBLIC COMMENTS

No public comments have been received to date.

CONDITIONAL USE PERMIT

To reduce repetition, all of the necessary use permit findings are contained in the Resolution, see Attachment No. 2.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15332, In-Fill Development, of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Chapter 19.10 of the Calistoga Municipal Code, implementing the California Environmental Quality Act of 1970, as amended in that; 1) the proposal is consistent with the General Plan and Zoning District, 2) the subject site is less than five acres and is surrounding by urban uses, 3) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality, and 4) the site can be adequately served by all required utilities and public services.

RECOMMENDATIONS

- A. Staff recommends the filing of a Notice of Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines.
- B. Staff recommends adoption of Resolution PC 2010-14 approving Conditional Use Permit Amendment (U 2010-05), amending the previously approved Conditional Use Permit (U 95-3), allowing no on site manager and two (2) additional bed and breakfast units on the property currently established with the “Pink Mansion”, a six (6) unit bed and breakfast facility, located at 1415 Foothill Boulevard (APN

165 011-300-011) within the “R-1-10”, Single Family Residential District, based upon
166 the findings presented in the resolution and subject to conditions of approval.

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168 **SUGGESTED MOTIONS**

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170 **Categorical Exemption**

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172 I move that the Planning Commission direct Staff to file a Notice of Exemption for the
173 project pursuant to Section 15332 of the CEQA.

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175 **Conditional Use Permit & Design Review**

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177 I move that the Planning Commission adopt Resolution PC 2010-14 approving Conditional
178 Use Permit (U 2010-05), amending the previously approved Conditional Use Permit (U
179 95-3), allowing no on site manager and two (2) additional bed and breakfast units on the
180 property currently established with the “Pink Mansion”, a six (6) unit bed and breakfast
181 facility, located at 1415 Foothill Boulevard (APN 011-300-011) within the “R-1-10”,
182 Single Family Residential District, based upon the findings presented in the resolution
183 and subject to conditions of approval.

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185 **NOTE:** The applicant or any interested person is reminded that the Calistoga Municipal
186 Code provides for a ten (10) calendar day appeal period. If there is a disagreement with the
187 Planning Commission, an appeal to the City Council may be filed. The appropriate forms
188 and applicable fee must be submitted prior to 5:00 p.m. on or before the tenth calendar day
189 following the Commission's final determination.

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191 **ATTACHMENTS**

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1. Vicinity Map

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2. Draft Conditional Use Permit Amendment Resolution PC 2010-14

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3. Applicant’s written Project Description dated July 20, 2010

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4. City Council Minute Excerpt of August 5, 1986, include Use Permit U 86-4

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Findings and Conditions

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5. Use Permit 95-3, Pink Mansion Conditions of Approval

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6. Ordinance No. 667, Bed and Breakfast Uses

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7. Project plans received July 20, 2010

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