



Staff Reports

File #: 1340-2018, **Version:** 1

To: Honorable Mayor and Members of City Council

From: Rick Tooker, Community Development Director

Prepared By: Michael Allen, Associate Planner

TITLE:

Extension of Entitlements for the Los Robles Subdivision, a Proposed Five Lot Residential Subdivision of a 5.9 Acre Property

RECOMMENDED ACTION:

Adopt a resolution approving a two-year extension of the Use Permit, Design Review Permit, and Tentative Map for the previously approved Los Robles Subdivision at 21 Los Robles Drive and determining that the action is exempt from the requirements of the California Environmental Quality Act.

DISCUSSION:

TENTATIVE MAP EXTENSION REQUEST

The Applicant, Thomas Hodge of R&H Development, requests a two-year extension of the previously approved Los Robles Subdivision (Planning Division File No. PL17-0166). The project was originally approved on November 14, 2006 with an initial expiration date of November 13, 2008 (Planning Division File No. 04-0259; Resolution No. R2006 184). The City of Napa granted a two-year extension on May 5, 2009 (Planning Division File No. PL08-0133; Resolution No. R2009 55) extending the expiration date to November 10, 2010. Subsequently, the project was given four State-mandated extensions, including: Senate Bill (SB) 1185 to November 13, 2011, Assembly Bill (AB) 333 to November 13, 2013, AB 208 to November 13, 2015, and AB 116 to November 13, 2017. Although this expiration date has already passed, the Applicant submitted the Tentative Map extension request prior to its expiration. Therefore, pursuant to Sections 66452.6, 66452.23, and 66452.24 of the Subdivision Map Act and City ordinance, extension applications filed before their expiration are automatically extended until the final disposition of the time extension request by the City Council. Approval of the requested extension will extend the Tentative Map and its associated entitlements until November 13, 2019.

PROJECT BACKGROUND

The previously approved project subdivides three properties totaling 5.9 acres into five single-family residential lots. Lot sizes range from 20,072 square feet to 94,967 square feet. Three lots would front on Seville Drive (Lots 1, 2, and 3), one lot on the north side of Los Robles Drive (Lot 4), and one lot on the south side of Los Robles Drive for the existing home (Lot 5). More specific project details as well as the original conditions of approval (Resolution R2006 166) are contained in the Planning

Commission staff report (Attachment 2).

SUBDIVISION ORDINANCE AND SUBDIVISION MAP ACT

In accordance with Napa Municipal Code (NMC) Section 16.20.090 and Section 66452.6 of the Subdivision Map Act, approved tentative subdivision maps shall expire 24 months after they are approved. Tentative maps must be filed and recorded as a Final Map prior to this deadline before grading and building permits can be issued for project construction. NMC Section 16.20.100 (Extensions) states that “upon application of the subdivider filed with the Community Development Director prior to the expiration of the tentative map, such map may be extended by the Council as provided for in Section 66452.6 of the Subdivision Map Act.” Section 66452.6(e) of the Subdivision Map Act provides for an extension of a tentative parcel map for a period not to exceed six years. However, the State enacted legislation on four occasions between 2008 and 2013 automatically extending the life of all tentative maps, depending on their original expiration dates, by up to seven years.

The Applicant intends to complete the subdivision map and construct new homes on the lots but has requested a two-year extension while exploring modifications to the project. These include modifying the alignment of Los Robles Drive so that it connects to Molina Street to the east. As a part of these modifications, the Applicant has also filed a separate amendment to the Modrall Subdivision (File Nos. PL05-0198 and PL18-0079), which is a six-lot single-family residential development at the northern terminus of Molina Street adjacent to the project site.

Since the Applicant filed a timely application for an extension to the subject project, and because there have been no substantial changes in City policies regarding parcel maps nor changes to the findings that were made in support of the tentative parcel map approval, Staff determined that a two-year time extension could be found acceptable. Should the City Council grant the extension based on the Planning Commission’s advisory recommendation, the Applicant will have the ability to file for one more two-year extension. However, it is important to note that the Council has been reluctant to continue to grant map extensions for old projects unless applicants are pursuing project development. In speaking with the Applicant about their basis for requesting the extension, Staff is advised that the developer is considering revisions to the approved project but wishes to keep the current map alive while exploring options.

PLANNING COMMISSION MEETING

On June 21, 2018, the Planning Commission considered the proposed extension. No members of the public provided testimony. The Planning Commission recommended approval of the Tentative Subdivision Map Extension by a vote of 5-0.

FINANCIAL IMPACTS:

No direct financial impacts to the General Fund have been identified with this application.

CEQA:

City staff recommends that City Council determine that the Recommended Action is exempt from CEQA pursuant to CEQA Guidelines Section 15332 which exempts in-fill development projects.

DOCUMENTS ATTACHED:

ATCH 1 - Draft resolution approving a two-year extension of the Use Permit, Design Review Permit, and Tentative Map for the previously approved Los Robles Subdivision at 21 Los Robles Drive and determining that the action is exempt from the requirements of the California Environmental Quality Act.

ATCH 2 - Planning Commission staff report dated June 21, 2018 and draft minutes excerpts.

NOTIFICATION:

Notice that this application was received was provided by the City on February 27, 2018, and notice of the scheduled public hearing was provided on July 6, 2018, by US Postal Service to all property owners within a 500-foot radius of the subject property. Notice of the public hearing was also published in the Napa Valley Register on July 6, 2018 and provided to people previously requesting notice on the matter at the same time notice was provided to the newspaper for publication. The Applicant was also provided a copy of this report and the associated attachments in advance of the public hearing on the project.