



## Staff Reports

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**File #:** 1732-2019, **Version:** 1

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**To:** Honorable Mayor and Members of City Council

**From:** Vincent Smith, Community Development Director

**Prepared By:** Jose Cortez, Assistant Planner

**TITLE:**

Golden Gate Village Townhomes Project - 17 Residential Units on 0.86 Acres at 2431 Imola Avenue

**RECOMMENDED ACTION:**

Adopt a resolution approving a two-year extension to a previously approved Design Review Permit, Variances (VA-1 and VA-2) and Tentative Subdivision Map for the Golden Gate Village Townhomes and determining that the actions authorized by this Resolution are exempt from the requirements of CEQA.

**DISCUSSION:**

The Applicant, Beaubien Investment Group, requests an extension of the previously approved Golden Gate Village Tentative Map, Design Review Permit and Variances (VA-1 and VA-2) (PL04-0246) for a period of two years. The Applicant requests a time extension in order to have sufficient time to submit for building permits and work out various technical issues that were encountered during the improvement plan stage.

When the entitlements for this project were originally approved in 2005, the project proposed to develop 17 one-bedroom townhomes on a 37,455 square foot (0.86-acre) parcel at 2431 Imola Avenue West. The approved project consisted of five two-story buildings clustered around an interior motor court in the northern portion of the site, and a 13-space common parking area located in the narrow panhandle portion of the property fronting Golden Gate Drive. Each of the 17 units included one-bedroom with a single-car garage. As designed, the project required approval of two variances to allow encroachments into the required yard and setback areas.

In 2014, the Applicant requested amendments to the previously approved Design Review Permit in order to convert all 17 units from one-bedroom, two-story units to two-bedroom, three-story units and to increase the peak roof height of the buildings approximately 10 ft. (from 27 ft. 8 in. to 36 ft.  $\frac{3}{4}$  in.), eliminate two approved surface parking spaces at the north end of the property and convert 10 parallel parking spaces in the southern "panhandle" portion of the property into 20 angled parking spaces, and reverse the egress/ingress direction of the private driveway for emergency vehicle access so that fire ladder trucks would enter from West Imola Avenue and exit via Golden Gate Drive. The variances pertaining to setbacks and parking did not change from the original approval. The requested amendments were approved by the Council on July 22, 2014 by Resolution No. R2014-129.

## CONTEXT

The 0.86-acre project site is located south of West Imola Avenue between Golden Gate Drive to the west and Highway 29 on-ramp to the east. The project site is an irregularly shaped property with frontage on Golden Gate Drive and West Imola Avenue. The property is flat, and vegetation is limited to two small palm trees and grasses. Surrounding land uses include the Caltrans Park and Ride lot, and office building to the west, offices and multi-family development to the southwest, and a gas station to the north across West Imola Avenue.

## BACKGROUND

The project was originally approved on December 6, 2005 with an initial expiration date of December 6, 2007. The project was granted a two-year discretionary extension by the City Council on September 11, 2007 (Resolution R2007 148) to December 9, 2009 and received four automatic extensions through State legislation, including Government Code Section 66452.21 to December 6, 2010, and Government Code Section 66452.22 to December 6, 2012, Government Code Section 66452.23 to December 6, 2014, and Government Code Section 66452.24 to December 6, 2016. The project received the benefit of another two-year discretionary extension approved by the City Council on May 16, 2017 (Resolution R2017-061), which extended the expiration date of the project entitlements to December 6, 2018. Although this expiration date has already passed, the Applicant submitted the extension request prior to the expiration date and therefore the entitlements remain valid until disposition of this request. Approval of the requested extension would extend the Tentative Map and its associated entitlements until December 6, 2020. More specific project details as well as the original conditions of approval (Resolutions R2005 153 and R2014 129) 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 Government Code Section 66452.6, approved Tentative Subdivision Maps shall expire 24 months after they are approved. A Final Map must be filed and recorded prior to this deadline and before grading and building permits can be issued for project construction. Under NMC Section 16.20.100 and Government Code Section 66452.6(e), if an Applicant files an extension application prior to the expiration of the Tentative Map, the City Council may approve one or more discretionary extensions of a Tentative Map for a total period not to exceed six years. However, the State enacted legislation on four occasions between 2008 and 2013 automatically extending the life of all subdivision maps, depending on their original expiration dates, by up to a possible total of seven years (in addition to the six years permitted by discretionary extensions). The Golden Gate Village Condominiums Tentative Map was extended seven years by the automatic State extensions and four years by discretionary extensions approved by the City Council. Therefore, the project is eligible for one final two-year discretionary extension.

The Applicant has requested the final two-year extension and since there have been no substantial changes in City policies regarding subdivisions nor changes to the findings that were made in support of the project's 2014 approved modifications, Staff believes that a two-year time extension would be acceptable. If approved, this would be the third two-year extension (six years total) granted by the City, and the Project would not be eligible for any additional extensions as stated above.

## AFFORDABLE HOUSING COMPONENT

The affordable housing provisions of the Municipal Code in effect at the time the project entitlements were originally approved by the City Council require 10 percent of the units (two units) to be available at a defined affordable price. One of the units must be affordable to a household earning 100 percent of median income and the other unit must be affordable to a household earning 120 percent of the median income. The developer is proposing to exceed this requirement by providing three affordable units: two for households earning 80 percent of the median income (defined as low income) and one for a household earning 50 percent of the median income (defined as very low income). Additionally, it is noted that the very low-income unit will be fully accessible to persons with disabilities.

## **PLANNING COMMISSION MEETING**

On February 7, 2019, the Planning Commission considered the extension (see Planning Commission Minutes Excerpts in Attachment 2). At that meeting, the Commission heard a summary of the project from Staff and a presentation by the Applicant team. The Commission then opened the public hearing and heard no public comment.

The Commission voiced concern about why construction of the project has been delayed. Staff explained that the project has been in the improvement plan and building permit stage for quite a while, but an issue pertaining to the relocation of a power pole in the right of way has caused a delay. The Applicant team and staff have been working on a resolution to this issue.

In general, the Planning Commission expressed that the project complied with the goals of the General Plan and the need for housing within the City. The Commission recommended approval of a two-year extension of the previously approved Tentative Map, Design Review Permit and Variances (VA-1 and VA-2) 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 the City Council determine that the recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 which exempts in-fill projects of no more than five acres substantially surrounded by urban uses.

## **DOCUMENTS ATTACHED:**

ATCH 1 - Draft Resolution

ATCH 2 - Planning Commission staff report dated February 7, 2019, and draft minutes excerpts

## **NOTIFICATION:**

Notice of the scheduled public hearing was provided on February 21, 2019 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 January 22, 2019 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.