



Staff Reports

File #: 1874-2019, **Version:** 1

To: Honorable Mayor and Members of City Council

From: Vincent Smith, Community Development Director

Prepared By: Michael Allen, Senior Planner

TITLE:

Foster Road Townhomes Project - New 14-unit residential condominium development on a 0.72-acre parcel at 1124 Foster Road

RECOMMENDED ACTION:

Adopt a resolution approving a Use Permit, Design Review Permit and Tentative Subdivision Map for condominium purposes for the Foster Road Townhomes located at 1124 Foster Road and determining that the actions authorized by this resolution are exempt from CEQA.

DISCUSSION:

PROJECT DESCRIPTION

The Applicant, Foster Road Ventures, is requesting a Tentative Subdivision Map for condominium purposes, a Design Review Permit for 14 residential condominiums, and a Use Permit for modification to the parking standards to develop a 14-unit residential condominium on a 0.72-acre parcel at 1124 Foster Road. The Tentative Subdivision Map reconfigures the 0.72 acre parcel into one parcel with 14 air space condominiums with a common area. The residential units consist of fourteen 3-story, 2-bedroom condominium units.

CONTEXT

The project site is fully developed with a commercial office building and associated parking lot, which would be demolished. The existing topography slopes down to the northeast corner of the site. The proposed development would follow the existing slope and require only minimal excavation and fill for the roadbed and slab foundations, resulting in no net loss of soils. The Redwood Gardens townhouse development borders the project site on the north, the Golden Gate Village townhouse development is adjacent to the east and south, and there are single family homes to the west across Foster Road.

GENERAL PLAN

The property is located within the MFR-126, Multi-Family Residential General Plan Designation, which provides for multi-family residential development at densities from 20 to 30 units per acre. The 0.72-acre site allows a density range of 14 to 21 units. The 14 condominiums provide an overall density of 20 units per acre, at the low end of the allowed density range. Several physical constraints

on the site render it difficult to achieve a higher density. A 20-foot water utility easement traverses the length of the site's southern boundary and a 10-foot storm drain easement traverses the length of the eastern boundary concentrating the building envelope to less than the entire 0.72-acre site. Staff believes the proposal is consistent with the General Plan and is supported by the following General Plan goals and policies:

Housing Element Policy H1.1 encourages the efficient use of land, and Housing Element Policy H1.4 encourages approval of well-designed projects in the mid- to high-range of the General Plan density. The 14-unit townhouse development, which is at the low end of the allowable density range, makes efficient use of the area that can be developed outside of the easements.

Land Use Element Policy LU-4.5 encourages projects to be compatible with the surrounding neighborhood. The area has a variety of lot sizes, and the proposed lots are compatible in size with those in the neighborhood. The proposed multi-family use is compatible with the existing multi-family development that border the site on the north, east and south, consistent with this policy. It should be noted the properties across Foster Road to the west are zoned for single family uses and have therefore developed at lower densities with single family residences. The lower density of this 14 unit project, on a site that could hypothetically support up to 21 units, provides a compatible transition from the higher density development east of the site to the lower density development to the west.

ZONING

The project site is within the Multi-Family Residential District (RM) which provides opportunities for a mix of attached residential development patterns including multi-family apartments, single family attached and detached units. Condominium developments are a permitted use within the RM District.

While a residential project of this size would typically only require Planning Commission's approval of a Design Review Permit unless appealed, the proposed project involves a subdivision to create airspace condominiums that could be sold to individual owners. The proposed Tentative Subdivision Map requires City Council approval.

Staff reviewed the project for consistency with the development standards of the RM zoning district and found that it meets or exceeds all applicable development standards.

PARKING

The Zoning Ordinance requires that each unit have two parking spaces, one of which must be in a garage. Each unit has an attached single-car garage with a driveway parking space in front. Additionally, the Ordinance requires four on-site guest parking spaces. The Applicant had requested a Use Permit to modify the parking standards and allow all guest parking to occur on the Foster Road frontage of the property. At the Planning Commission hearing, it was determined there was room for some of the guest parking to occur on site. As such, the Planning Commission recommended including a condition of approval requiring two of the required four guest parking spaces to occur on site, and staff has included the recommended condition in the resolution. However, even with two of the guest spaces included on site in accordance with the proposed condition of approval, a Use

Permit would still be required to allow two guest parking spaces on Foster Road. There is room for up to six parking spaces on the project's Foster Road frontage. The recommended condition also identifies that if the water utility easement that exists over the southern portion of the site can be relocated, then the other two guest spaces shall be installed on-site at that location.

CONDOMINIUM PROJECT REQUIREMENTS

Section 17.52.090 of the Zoning Ordinance sets forth the following requirements for residential condominium projects:

1. A homeowner's association or other similar property owner's organization shall be established to maintain all open space and other improvements which are in common ownership.

A condition is included requiring the establishment of a homeowner's association.

2. All commonly owned open space areas shall be landscaped in accord with a landscaping plan approved by the architectural review commission. The landscaping shall generally be planned and developed in accord with the city's standards for landscaping, adopted by resolution.

A preliminary landscape plan was submitted with the application which provides an array of drought tolerant plantings. Conditions of approval require the submittal and approval of a final detailed landscaping and irrigation plan prior to issuance of a building permit.

3. On-site parking shall be provided in accord with the parking and loading requirements contained in Chapter 17.54.

Parking for the condominium units has been provided consistent with the provisions of Chapter 17.54 with the exception of on-site guest parking. The Applicant is requesting a Use Permit to allow for modified parking requirements, as described in the Parking section of this report. Should the Use Permit be granted, the project would be consistent with requirements of Chapter 17.54.

4. Each unit shall have its own gas and electric meter. Access to meters and heaters shall not require entry through another unit. A water shutoff valve shall be provided for each unit or for each plumbing fixture.

The conditions of approval require that each unit have its own gas and electric meter. The meters will not require entry through another unit. Water shutoff valves will be required for each unit.

5. There shall be provided a minimum covered storage area of sixty cubic feet (minimum height of six feet eight inches and a depth or width of not less than two feet) for each dwelling unit with two or fewer bedrooms for storage of bicycles, patio furniture, garden tools, etc. An additional twenty cubic feet of storage with the same minimum dimensions shall be provided for each bedroom in excess of two.

All units meet the storage requirement with a large and small storage area within the ground floor. Conditions of approval require the Applicant to clearly demonstrate compliance with the storage standards in the building permit plan submittal.

6. Each unit shall have a laundry area for a washer and dryer.

As shown on the floor plans, each unit has a space for a washer and dryer on the third floor.

7. All boats and travel trailers shall be stored only within areas specifically designated for such storage on the approved plans. The boat and trailer storage area shall be screened and landscaped in accord with the provisions of Chapter 17.52.

Due to the size and configuration of the site, the Applicant does not intend to provide for boat or RV storage. CC&R's will be required to include restrictions on use of garages, driveways and common areas for storage.

8. Project identification signs shall comply with the provisions of Title 15.

Project identification signage has not been proposed at this point. Any such signage would be subject to further discretionary review and approval.

9. The project shall contain a directory sign indicating the location and house number of units which do not front on public streets.

Conditions of approval require the installation of an appropriate directory sign.

10. There shall be no single building containing more than one residential unit with a length greater than one hundred fifty feet unless the architectural review commission finds that the design of the building mitigates any adverse effect of such length.

None of the buildings within the development exceed 150 feet in length.

11. All utilities shall be installed underground.

Conditions of approval require that all new utilities are to be placed underground.

DESIGN REVIEW

Staff has reviewed the project for consistency with the City's Residential Design Guidelines and has found that it is consistent with all applicable provisions. The project is complementary to existing multi-family uses to the north, south and east, and provides a transition between the single-family development to the west and existing townhome developments because it is at the low end of the density range. The project provides open space for each unit with a 160 to 211 square foot fenced-in patio, including a 40 square foot balcony on the second level off the living room. Services such as trash bins have been located to minimize their visibility from the public street. Conditions require certain utilities to be landscaped and screened. Parking has been oriented towards the interior of the project to reduce its visual impact.

GEOLOGIC HAZARDS

A portion of the southwest corner of the property falls within an earthquake fault zone that was

mapped by the State of California following the 2014 Napa Earthquake. The State Alquist-Priolo Earthquake Fault Zone Act requires a study by a geologist to determine if a project in a fault zone would be adversely affected by earthquake activity or contains any fault traces. RGH Consultants performed on-site trenching and prepared a report dated March 23, 2019 which concluded that there was no active faulting or surface rupture on site, and that the project was feasible from a geologic standpoint. These findings were re-affirmed in a peer review report commissioned by City staff.

PLANNING COMMISSION MEETING

The Planning Commission held a public hearing on the application on January 17, 2019. The Commission discussed drainage, parking and the airspace condominium ownership. Four residents spoke raising concerns regarding parking, traffic, fire safety, and geologic hazards. One neighbor spoke in support of the building design. The Planning Commission voted to recommend approval of the project with an additional condition requiring at least two of the four required guest parking spaces to be located on site by a vote of 4-0 (Painter absent).

FINANCIAL IMPACTS:

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

CEQA:

City Staff recommends that the Planning Commission determine that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Section 15332 (Categorical Exemptions: Class 32) of the CEQA Guidelines, which exempts in-fill development projects that are consistent with the General Plan and Zoning Ordinance; that occur within City limits and are on sites no more than 5 acres in size; that are on sites with no value as habitat for endangered, rare or threatened species; that would not result in any significant effects relating to traffic, noise, air quality, or water quality; and that can be adequately served by existing utilities, and that the exceptions to categorical exemptions identified in Section 15300.2 of the CEQA Guidelines are inapplicable because the land is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment. Based on this analysis, no significant environmental effects would result from this project and the exemption is appropriate.

DOCUMENTS ATTACHED:

ATCH 1 - Draft Resolution

EX A - NapaSan Conditions

ATCH 2 - Planning Commission Staff Report, Communications and Minutes Excerpts

ATCH 3 - Project Description and Plan Drawings

NOTIFICATION:

Notice of the scheduled public hearing was provided on July 24, 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 July 26, 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.

