



Staff Reports

File #: 165-2020, **Version:** 1

To: Honorable Mayor and Members of City Council
From: Vincent Smith, Community Development Director
Prepared By: Elena Barragan, Assistant Planner

TITLE:

Thomas Earl House Bed and Breakfast

RECOMMENDED ACTION:

(1) Approve the first reading and introduction of an ordinance approving a Planned Development Overlay district (PD-39) establishing the development standards for the Thomas Earl House located at 1221 Seminary Street and determining that the actions authorized by this ordinance are exempt from CEQA, (2) adopt a resolution approving a Use Permit to convert an existing historic residence to a bed and breakfast inn with 10 guest rooms and to authorize a parking reduction located at 1221 Seminary Street and determining that the actions authorized by this resolution are exempt from CEQA, and (3) adopt a resolution approving a Certificate of Appropriateness for major alterations to a Local Landmark located at 1221 Seminary Street and determining that the actions authorized by this resolution are exempt from CEQA.

DISCUSSION:

PROJECT DESCRIPTION

The Applicant, Marc Porat, requests approval of a Use Permit and Planned Development Overlay to establish a bed and breakfast inn with ten guest rooms with a reduction of parking, and to authorize changes to the development standards. The project also includes a request for approval of a Certificate of Appropriateness for major alterations to a historic property.

The scope of work includes construction of a 3,213 square foot basement below the existing 3,066 square foot historic residence, a 559 square foot addition to the rear of the existing Thomas Earl House, a new elevator for compliance with Americans with Disabilities Act (ADA) requirements, construction of a 455 square foot one-story cottage on the south side of the property, construction of a 2,922 square foot two-story carriage house at the northwest corner of the property, tree removal and the addition of a swimming pool, spa, and other outdoor amenities (Attachment 4).

These additional structures and building additions include guest rooms and meeting space to support the viability of the bed and breakfast inn use. The first floor of the existing historic single-family residence will be converted to establish a dining room, salon foyer, one accessible guest room, chef's kitchen, powder room and elevator. The second floor will be converted to establish guest rooms and one laundry room. The new basement includes a video-conferencing room, wine cave and dining

room, a shared workspace, additional storage, and the manager's suite, and establishes a lower level outdoor terrace behind and below the historic residence.

The proposed cottage to the south of the Thomas Earl House will have one guest room. The proposed two-story carriage house to the north includes three guest rooms and a fitness studio on the first floor, and two additional guest rooms and a roof top lounge on the second story.

The Project includes a requested Certificate of Appropriateness to authorize major alterations to the Thomas Earl House, a National Register historic property located at 1221 Seminary Street.

The Project includes the following applications:

1. Use Permit - A Use Permit to convert an existing historic residence to a bed and breakfast inn with 10 guest rooms, with new structures, and a reduction in the required amount of off-street parking from 11 to 7 spaces. The Planning Commission reviewed the Use Permit at their May 21, 2020 meeting and recommended approval to the City Council (Attachment 11).
2. Planned Development Overlay - A Planned Development (PD) overlay to allow alterations to the development standards (setbacks) for new proposed structures and parking. The PD reduces the side yard setbacks from 5 feet on one side and ten feet on the other side to five feet on both sides and reduces the rear yard setback from 20 feet to 5 feet for the new buildings including the carriage house. The PD also modifies the front setback requirements of the residential zoning district to allow parking in the front setback and a higher fence in front of the historic residence along Seminary Street. The Planning Commission reviewed the PD at the May 21, 2020 Planning Commission meeting and recommended approval to the City Council (Attachment 11).
3. A Certificate of Appropriateness - A Certificate of Appropriateness (COA) for work on a Local Landmark. The COA includes the proposed rehabilitation to the historic structure and construction of the new structures on the property. The Cultural Heritage Commission reviewed the COA at the March 12, 2020 Cultural Heritage Commission meeting and recommended approval to the City Council (Attachment 9).

ANALYSIS

GENERAL PLAN

The property is located within the TRI-143, Traditional Residential Infill General Plan Designation, which provides for detached and attached single family homes, second units, planned unit and cluster developments, duplexes, triplexes, manufactured housing, live-work housing, and similar compatible uses (e.g., residential facilities and nursing homes). Non-residential uses may also be allowed in appropriate locations at the discretion of the City, including bed and breakfast inns and public and quasi-public uses of an administrative, educational, recreational, religious, cultural, communications, or public service nature.

The proposed alterations would support the continued preservation and use of an important historic resource, consistent with the goals of the General Plan. Given the site's proximity to Napa's

commercial core, a hospitality-oriented use at this location would provide a base of customers who can easily access the core retail, service, restaurant and entertainment uses in the downtown.

The proposed project could be found consistent with the following applicable General Plan policies:

Historic Resources Policy HR-5.1 seeks “[to] preserve the character, livability, and civic pride of Napa’s historic neighborhoods through neighborhood conservation efforts.”

Policy HR-5.4 seeks “[to] encourage heritage tourism by encouraging bed and breakfast inns and similar uses in historic neighborhoods.”

Economic Development Policy ED-4.6 states, “the City shall encourage the development of bed and breakfast inns in historic structures.”

Land Use Element Policy LU-6.3 states, “The City shall promote the continued rehabilitation and reuse of historic downtown structures...”

The reuse of a National Register of Historic Places and locally designated historic resource as a Bed and Breakfast Inn would provide the property owner the economic viability to restore and preserve the historic resource and could be found consistent with these General Plan Policies.

ZONING

The property is located within the RT-5, Traditional Residential Infill Zoning District. The RT district implements the Traditional Residential Infill land use category of the General Plan. This district provides for low density detached and attached single-family homes, accessory dwelling units, clustered and planned developments, duplexes, triplexes, manufactured housing, group residential, live-work housing and similar compatible uses. Bed and breakfast inns and public and quasi-public uses may also be allowed in appropriate locations at the discretion of the city. Pursuant to Napa Municipal Code (“NMC”) Sections 17.08.020 and 17.52.060.B, a bed and breakfast inn requires approval of a Use Permit. If appropriately designed and operated, the bed and breakfast inn could be found consistent with uses allowed in the Traditional Residential Infill Zoning District as discussed further in the Use Permit portion of this report.

The Zoning Ordinance (NMC Section 17.02.030) seeks to encourage orderly, compatible and beneficial uses of land. Bed and breakfast inns, like other hospitality-oriented uses, provide Napa residents and visitors with accommodations that help achieve these goals while preserving existing historic structures. Bed and breakfast inns may be permitted in the RT district with approval of a Use Permit. Typically, Use Permits are required for land uses that may be suitable only in specific locations or require special consideration in their design, operation or layout to ensure compatibility

with surrounding uses. Hotel uses are not allowed in the RT district.

USE PERMIT

Pursuant NMC Sections 17.08.020 and 17.52.060.B a bed and breakfast inn requires approval of a Use Permit. NMC Section 17.52.060 states bed and breakfast inns may be established by a Use Permit in buildings of historic significance.

NMC Section 17.52.060 establishes evaluation criteria for bed and breakfast inns. The applicable criteria are outlined below:

1. *On-Site Owner/Manager. The building must be the primary residence of the owner or manager of the bed and breakfast use.*

A site manager will reside at the property.

2. *Location and Size. Principal and accessory buildings may be used for bed and breakfast guest rooms. The majority of the guest rooms shall be in the principal building. Additions to either the principal building or accessory buildings shall be visually subordinate to the principal building. New accessory buildings are not encouraged but may be acceptable if the Applicant provides evidence and the city finds that there is no economically feasible way to restore the principal building without new accessory buildings. A waiver to the standard may be requested for buildings over 3,000 square feet if the Applicant can provide evidence and the city finds that there is no economically feasible way to restore the building without the additional rooms.*

The main residence will provide a total of four guest rooms along with the manager's suite in the basement. The remaining six guest rooms will be located in the accessory structures on the property. The detached cottage located on the south side of the property will have one guest room, the carriage house on the north side of the property will house three guest rooms on the first story and two guest rooms on the second story. The Applicant has submitted a waiver to allow the majority of the guest rooms to be located in accessory buildings as part of the project proposal due to the high rehabilitation costs as identified in the Project Narrative (Attachment 7).

3. *Meals. There shall be only one meal, breakfast, served daily and limited to guests and owner/manager of the bed and breakfast inn.*

Breakfast is the only meal that will be provided as part of the stay. Other meals could be requested by guests and provided on-site by catering services. On-site meals would only be

served to guests of the bed and breakfast inn as identified in the Operations Manual (Attachment 8).

4. *Parking. One parking space shall be provided for the owner/manager's unit and each guest room. On-site parking shall be designed and located to not detract from the residential and historic character of the site's buildings and grounds. Credit may be given in limited instances for on-street parking fronting the structure where a survey documents such parking is available and does not affect adjacent residential uses.*

The required parking for ten guest rooms and one manager's suite is 11. The project is proposing a reduced number of parking spaces and to provide an alternative parking design. As proposed, the parking lot includes seven off-street spaces, including one accessible stall, located in the required front setback. The PD Overlay (Attachment 3) describes the requested modification to the standard to allow parking in the front setback. The other four parking spaces would be located off-site along Seminary Street. The parking survey that was provided by the Applicant (Attachment 6) shows that the proposed bed and breakfast inn will rarely need more than six parking stalls.

5. *Signs. Signs shall be limited to two square feet attached directly to the residential building or structure, unless a sign permit is obtained.*

Signage is not proposed as part of this project.

6. *Number of Guest Rooms. The number of guest rooms permitted will be determined based on the size of the existing building, grounds and site; the relationship of the site to the character, size and scale of surrounding neighborhood buildings; and visitor access and parking. In general, the number of guest rooms should not exceed 10.*

The existing historic residence includes one bedroom on the first floor, four bedrooms on the second floor, and two bedrooms in the addition according to Appendix J of the "Historical Evaluation Rehabilitation of the Thomas Earl House" prepared by Bruce Judd dated December 20, 2019 (Attachment 5). The proposed project would retain one guest room on the first floor, and three on the second floor. The new accessory structures would house the remaining six new guest rooms; the new carriage house would include five guest rooms and the cottage would include one guest room. In total there would be ten guest rooms and one manager's suite.

7. *Concentration of Inns. When a new bed and breakfast is proposed within 300 feet of another bed and breakfast the decision-making body shall additionally find that the new bed and breakfast does not harm the character and livability of adjacent residential properties.*

The site is bound by single family residential uses within close proximity to three bed and

breakfast inns including La Belle Epoque, La Petite Maison and Old World Inn. All three bed and breakfast inns are located approximately 300 feet away. Given that the Project is located entirely on the property of an existing historic residence and sufficient parking located both on site and on street is provided for the use per the Applicant's survey, Staff believes that the proposed bed and breakfast inn will not harm the character and livability of adjacent residential properties. Conditions of approval are identified in the Use Permit Resolution (Attachment 1).

8. Design. Rehabilitation Guidelines for Historic Properties contained in the Design Guidelines for the Napa Abajo/Fuller Park Historic District shall be utilized for bed and breakfast exterior remodels and additions.

The Project was reviewed against the Napa Abajo/Fuller Park Historic District Design Guidelines and was found to be consistent. Additional analysis and discussion of the Certificate of Appropriateness regarding compliance with the Secretary of Interior Standards for Treatment to Historic Properties is included in the Cultural Heritage Commission Staff Report (Attachment 10).

USE PERMIT - PARKING

The project proposes to provide seven on-site parking spaces in lieu of the eleven parking spaces required by NMC Section 17.52.060.B.4. NMC Section 17.54.040B allows for modifications of parking standards with approval of a use permit in order to provide adequate and well-designed parking, which is fair, equitable, logical and consistent with the intent of NMC Chapter 17.54. The proposed on-site parking spaces are designed in a manner to provide the most amount of parking off-street and located in a configuration that would still preserve the Thomas Earl House as the historic center piece of the site. It is Staff's opinion that a Use Permit granting the parking reduction is appropriate, (Attachment 11).

PLANNED DEVELOPMENT OVERLAY

The specific purposes of the Planned Development Overlay (PD Overlay) district, as stated in NMC Chapter 17.42, are to encourage high quality, innovative and creative development and possibilities for varied or mixed uses consistent with the General Plan, by allowing flexibility in underlying zoning standards. Development regulation variations may be applied to setbacks, yards, height limitations, street standards, parking and loading, landscaping, open space, and lot area. The PD Overlay may also shift uses in the underlying principal zoning district from conditional to permitted.

The Applicant has requested a PD Overlay to reduce the side yard setback from 5 feet on one side, and 10 feet on the other to five feet on both sides, reduce the rear yard building setbacks from 20 feet to five feet for the new cottage and the new carriage house, modify the fence height limits in Section 17.52.170.B to allow for a higher fence in the front setback, and modify the parking standards in Section 17.54.120 to allow parking in the front setback.

In order to recommend approval of the PD Overlay, the City Council must make the following findings:

- A. The development is superior overall to a similar project designed to meet the standards of*

this title and of the underlying district in which it is located; and

The bed and breakfast inn provides a design that is unique and contains a combination of quality forms and materials. The new construction, including the carriage house, cottage and location of parking, is superior overall by providing “a standout example of a carbon-neutral, sustainable, efficient compound, and a place of wellness” according to the Applicant. The repair and alteration of the historic building is necessary to provide for a contemporary use while not damaging or destroying character defining features of the historic property.

B. Any variations from the standards of this title and the district in which the development is located are justified by the high-quality design of the proposed development when taken together as a whole; and

The request for the reduced setbacks would allow the construction of the additional structures that provide a high-quality design when taken together as a whole with the rehabilitated primary historic structure. The Thomas Earl House, designed in the classic Italianate style with the typical two-story construction, bracketed cornices, tall ground floor windows, single-story multi-sided porch, flat or low-pitched roofs, repetition of openings and strong symmetry, will be meticulously rehabilitated. The proposed carriage house and guest cottage will flank either side of the Thomas Earl House with a more contemporary style and materials that will distinguish the structures as new, maintaining the Thomas Earl House as the focal point. The setback variations will provide the necessary space to allow the additional guest rooms that will make the project viable.

As part of the PD Overlay request, the Applicant also wishes to establish parking in the front setback by modifying NMC Section 17.54.120 to allow parking in the front setback for this location. The location of the parking cannot feasibly fit and accommodate the uses in any other configuration unless the new buildings were eliminated from the project. The location of the parking is further justified by the north-south configuration being the most attractive as it screens the parking with plantings that will comply with the City of Napa’s guidelines of approved plants.

The request for the increased fence height of up to six feet on the north and south side of the front property line is supported in the universally-applicable Napa Abajo/Fuller Park Historic District Design guidelines in that parking areas are encouraged to not be visually obtrusive. The guidelines state that large parking areas should be screened from view from the street. The fencing with associated landscaping will obscure view of the parking lot from the street while allowing the historic residence to be a visual focal point from Seminary Street. NMC Section 17.52.170.B requires that fences in the front setback be three feet in height if 50% open anywhere in setback, and if located in the vision triangle. The proposed modification to this standard to allow the fence within the front setback of the northern and southern sides of the property to exceed three feet will not affect or cause any vehicle obstruction as the six-foot-high portion is located outside of the vision triangle.

C. Each phase (if any) of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability; and

The development is intended to be constructed under one phase. All proposed renovations,

upgrades and improvements will be necessary for the project to operate as a bed and breakfast inn.

D. The proposed development is planned in coordination and compatible with the existing and planned uses in the surrounding area; and

The planned additions and new construction have been designed to be compatible with the existing historic structure and the Calistoga Avenue Historic District. The use of the site as a bed and breakfast inn is consistent with the established uses in the area and enables the necessary rehabilitation to ensure the Landmark's continued existence in the neighborhood.

E. The proposed structure(s) and/or use(s) are consistent with the General Plan and any applicable specific plan or other adopted plan; and

The property is located within the RT-5, Traditional Residential Infill General Plan designation which provides for detached and attached single family homes, second units, planned unit and cluster developments, duplexes, triplexes, etc. Non-residential uses may also be allowed in appropriate locations at the discretion of the City, including bed and breakfast inns and public and quasi-public uses of an administrative, educational, recreational, religious, cultural, communications, or public service nature.

F. Any conditions stipulated as necessary in the public interest have been imposed; and

To ensure compatibility with residential neighborhoods, a standard condition has been included in the draft resolution prohibiting special events including but not limited to weddings, auctions, commercial functions, or other similar events that are inconsistent with the use of the property for transient occupancy in a residential neighborhood.

G. The proposed structure(s) and/or use(s) will not be detrimental to the public health, safety and welfare of the community. (O2003-12)

The proposed structures and uses will not be detrimental to the public health, safety and welfare of the community. The proposed conditions of approval (Attachment 1) designate quiet hours and limit the number of guest rooms so as not to become a nuisance.

CERTIFICATE OF APPROPRIATENESS

NMC Chapter 15.52 (Historic Preservation) establishes regulations applicable to properties designated as Local Landmarks. Per Section 15.52.070.D.2, a Commission-level Certificate of Appropriateness is required for work on a Local Landmark when major alterations involve construction, additions greater than 120 square feet, construction of accessory structures greater than 120 square feet that are visible from a public way, and/or substantial exterior rehabilitation. On March 12, 2020, the Cultural Heritage Commission reviewed and recommended approval of the Certificate of Appropriateness to the City Council with conditions of approval identified in the Certificate of Appropriateness Resolution (Attachment 2)

The proposed project work must be found consistent with the requirements outlined in NMC Chapter 15.52 for Local Landmarks and for work within Local Landmark Districts. In order to evaluate the

project's consistency with local and state requirements, the Applicant hired a preservation architect to evaluate the project based on the Secretary of Interior Standards for Treatment to Historic Properties. The report was prepared by Bruce Judd and is titled "Historical Evaluation Rehabilitation of the Thomas Earl House" and dated December 20, 2019 (Attachment 4). This report incorporated the previous work of preservation architect Sarah Van Giesen (on behalf of the Applicant) and implemented the suggestions of the City's peer reviewer, Architectural Resources Group (ARG).

See Cultural Heritage Commission staff report for a detailed analysis of the Certificate of Appropriateness (Attachment 10).

CULTURAL HERITAGE COMMISSION MEETING

The Cultural Heritage Commission held a public hearing on March 12, 2020. The Commission heard a report from Staff, followed by a presentation by the Applicant team. There were four members of the public who spoke in favor of the project, one inquiring about concerns of parking, and one in opposition of the project stating concerns about compliance with the Secretary of Interior Standards for Treatment to Historic Properties. The Commission asked questions about compliance with the Secretary of Interior Standards for Treatment to Historic Properties, justification for removing trees, and heights of the accessory structures in comparison to the main structure (see Attachment 9 for Cultural Heritage Commission meeting minutes).

The Cultural Heritage Commission unanimously recommended approval of the project.

PLANNING COMMISSION MEETING

The Planning Commission held a public hearing on May 21, 2020. The Commission heard a report from Staff, followed by a presentation by the Applicant team. There were two members of the public who spoke in opposition of the project. Concerns identified by the public included comments about CEQA, placement of cypress trees, removal of trees, parking, and loss of historic character in the residential district. The Commission asked questions regarding the height of the structures, whether or not the structure would still move toward Seminary Street, if Design Review was required as part of this project, and approximately how many parking spaces could fit on the street. Staff informed the Commissioners that Design Review was not required because of the Certificate of Appropriateness that was reviewed and recommended for approval by the Cultural Heritage Commission to the City Council. The Commission expressed appreciation for the Applicant's continued efforts in addressing the Commission's concerns and also were appreciative that the structure would be rehabilitated to a state of utility. The Commission recommended adding a condition of approval requiring a report from Staff on the impacts of the reduced parking a year after occupancy (see Planning Commission minutes excerpts in Attachment 11).

The Planning Commission unanimously recommended approval of the project.

FINANCIAL IMPACTS:

If the project is approved and constructed, Staff anticipates that it could bring in additional General Fund Transient Occupancy Tax revenue for the City.

CEQA:

Staff recommends that the City Council determine that the Project is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with the following: Section 15301 of the CEQA Guidelines (Categorical Exemptions; Class 1) which exempts minor alterations to existing residential structures, including additions that do not exceed 50 percent of the floor area of the structure before the addition, or 2500 square feet, whichever is less; Section 15303 (Categorical Exemptions; Class 3) which exempts in urbanized areas buildings not exceeding 10,000 square feet in floor area on sites zoned for such use; and Section 15331 (Categorical Exemptions; Class 31), which exempts interior and exterior alterations to existing structures and additions to existing structures, and the rehabilitation of historic resources which are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Property.

DOCUMENTS ATTACHED:

ATCH 1 - Use Permit Resolution with EXS A and B
EX A - Letter from Karl Ono, NapaSan dated January 28, 2020
EX B - Memorandum from Cindy Worthington, Napa County dated January 23, 2019
ATCH 2 - Certificate of Appropriateness Resolution
ATCH 3 - PD Ordinance with EXS A and B
EX A - PD-39 Development Standards
EX B - Planned Development Overlay (PD-39)
ATCH 4 - Project Plans Reduced
ATCH 5 - JUDD Historical Evaluation
ATCH 6 - Parking Survey
ATCH 7 - Project Narrative
ATCH 8 - Operations and Standards Manual
ATCH 9 - CHC Minutes Excerpts, March 12, 2020
ATCH 10 - CHC Staff Report March 12, 2020
ATCH 11 - PC Minutes Excerpts, May 21, 2020
ATCH 12 - CHC, March 12, 2020 Public Correspondence
ATCH 13 - PC, May 21, 2020, Public Correspondence

NOTIFICATION:

Notice of the scheduled public hearing was provided on June 2, 2020 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 June 5, 2020 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.