



Town of Yountville

1980 Yountville Cross Road
Yountville, CA 94599

Staff Report

ZONING AND DESIGN REVIEW BOARD STAFF REPORT

Date: May 14, 2024

To: Zoning and Design Review Board Members

From: Heather Gurewitz, Contract Senior Planner, M-Group

Applicant: Crossroads Circle LLC

Owner: Crossroads Circle LLC

Location: 1980 Yountville Cross Road (APN: 013-260-026)

Zoning: Single-family Residential (RS)

Request: Consider Major Subdivision Tentative Map to subdivide a 1.33-acre parcel into nine single-family residential lots, Preliminary and Final Master Development Plan with two deviations, one Concession and five waivers under State Density Bonus Law, Design Review with Waivers, Tree Removal, and a Fence Extension Request.

RECOMMENDATION:

Adopt a resolution recommending that the Town Council approve the Major Subdivision Tentative Map, Preliminary and Final Master Development Plan, Density Bonus Concession and Waivers, Design Review, Tree Removal, and Fence Extension, adopt Conditions of Approval, and find the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15332 as an Infill Development project.

PROJECT SITE

The project site, located at 1980 Yountville Cross Road is a 1.33-acre parcel (57,499 square feet) and is designated by the Yountville General Plan and Zoning Map as Single-family Residential (RS). The site contains an existing single-family dwelling that is eligible for listing on the National Register of Historic Places (NRHP), the California Register of Historic Places (CRHP) under Criterion 3 Architectural Significance, and thus qualifies as a historical resource under the California Environmental Quality Act (CEQA). The site also contains several existing auxiliary structures including a detached two-car garage, a cottage, a storage shed, a well, and well house, none of which qualify as eligible historic resources. There is an existing paved driveway that serves the existing residential uses on the project site. There are an estimated 54-58 trees on the project site including ten heritage trees.

The site is substantially surrounded on all sides by development. A condominium development known as The Crossroads, is located along the north and west boundary of the site. A single-family dwelling is located along the majority of the eastern boundary, and Yountville Cross Road abuts the site to the south, with single-family dwellings beyond.



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BACKGROUND:

The subject property was initially developed c. 1875 with the single-family dwelling on a 37-acre ranch. Additions to the single-family dwelling were made in the 1920s and 1930s to include the wrap-around porch that is visible today. In 1945, the dwelling, along with 4.41 acres of the property were separated from the larger parcel and sold. In 1980, 3.08 acres of the property were divided from the remaining 1.33-acre parcel and is now the Crossroads condominium development which surrounds the parcel on the north and west property boundary.¹ The historic resource evaluation determined that the existing single-family dwelling initially constructed in 1875 is eligible for the California Register under Criterion 3 Architectural Significance.

The project proposes to retain the historic single-family dwelling and the existing detached accessory dwelling unit, and demolish all other auxiliary structures and site infrastructure, and remove approximately 11 trees in order to subdivide the existing 1.33-acre parcel into nine parcels ranging from 5,433 to 7,498 square feet and construct an additional eight dwellings and two Junior Accessory Dwelling Units (JADUs).

The project would provide two new deed-restricted affordable units. The historic single-family dwelling and the existing cottage would be relocated from their current locations on the property to Lot 1 following the Secretary of the Interior Standards for Rehabilitation. The dwellings would be deed-restricted to provide affordable housing to low-income households and the cottage would be converted to an Accessory Dwelling Unit (ADU) and deed restricted to provide affordable housing to moderate-income households. Each dwelling on Lot 1 would be available for rent.

The project would also include the construction of eight single-family dwellings on Lots 2-9; the single-family dwellings to be constructed on Lots 6 and 7 would include two junior accessory dwellings. All new dwellings would be two-stories and the total floor area would range from 2,228 square feet to 2,812 square feet and would include an attached two car garage. Upon completion, there will be a total of twelve units consisting of nine single family dwellings, two JADUs, and one ADU. Although the plans include information describing the ADU & JADU additions, these elements are subject to ministerial approval under State law and are not in the purview of the Board or Town Council; these elements are provided for informational purposes only. (Gov. Code, § 66317, subd.) Similar to qualifying projects under the HAA and waivers under the SDBL, the Town may not deny ADU or JADU applications which satisfy applicable objective standards. The Board's or Council's review is limited to the discretionary items listed in this staff report.

Site access would be provided via a 25-foot-wide private road that would intersect with Yountville Cross Road and a second 20-foot-wide private stub road to reach the dwelling units for Lots 6-9. Other site improvements include fencing, lighting, landscaping, tree removal and re-planting, and the installation of a private gate at the entrance to the private road. Required public improvements would include the development of the sidewalk along Yountville Cross

¹ Brunzell, Kara. "Department of Parks and Recreation Primary Record 523A Form for 1980 Yountville Cross Road" September 29, 2022.



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Road between the new private road connection and the end of the existing sidewalk at the property boundary to the west, where the existing sidewalk currently ends.

The application for this project was submitted on March 30, 2023, and revised July 5, 2023, and October 30, 2023. The project was deemed complete on December 6, 2023, and a final submission was sent on December 20, 2023. Revised plans were submitted on March 5, 2024 and found to be in compliance with the General Plan, YMC Title 16, and YMC Title 17.

The Town of Yountville Zoning and Design Review Board (ZDRB) held a duly noticed public hearing for the project on April 9, 2024. At the hearing, the board members received a staff report, a presentation from the applicant, took public testimony, and discussed the project. The [April 9, 2024 staff report and all attachments](#) are available on the Town's website. The following concerns were raised at the hearing:

- Members of the public expressed concern about the height of the elevations on Lots 4 and 5. ZDRB requested further review to evaluate whether the northern elevation of the façade facing the Crossroads Condominiums could be redesigned to reduce height and/or massing.
- Members of the public shared concerns regarding removal of trees 21 and 22. The ZDRB requested that the applicant explore redesigning the retaining wall in order to preserve these trees.
- Members of the public expressed concerns regarding traffic queueing on Yountville Cross Road that might occur from the placement of a gate at the entrance to the development. The ZDRB requested additional information to determine whether the entrance gate would result in public safety impacts resulting from the queuing of multiple vehicles at entry gate.
- Members of the public expressed concerns about whether the waiver of the requirement to extend the sidewalk from the Project's access road to the eastern property boundary along Yountville Cross Road would result in an adverse impact to public safety. The ZDRB requested additional information regarding whether this waiver would result in a "specific adverse impact" to public health or safety under California Government Code §65589.5(d)(2).
- Concerns were expressed whether the \$10,000 tree deposit was sufficient to cover any costs associated with inadvertent removal or damage to trees on the project site that are proposed for retention. The ZDRB requested additional information on whether it was possible to increase the tree deposit to more than \$10,000.

To allow for these concerns to be addressed, the hearing was continued to date certain at the next ZDRB meeting on May 14, 2024. The applicant provided revised plans on April 26, 2024. **(Attachment A)**

DISCUSSION:



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NORTHERN ELEVATION OF HOMES ON LOTS 4 & 5

The RS Zoning District has a maximum height limit of two stories, however, no more than 50% of parcels containing single-family or duplex dwelling units in any block are permitted to exceed one story in height. The existing block extends from Yount Street to Stags View Lane and includes parcels on Mesa Court and Tallent Lane. Using the methodology described in Footnote 1 of YMC §17.20.050, 50% of the parcels containing single-family or duplex dwelling units exceed one story in height within the same “block” as the project and the addition of eight new two-story structures would exceed the 50% maximum on the block. In compliance with SDBL, the applicant has requested Density Bonus Waiver #3 to waive this requirement because, to construct the same size dwellings as single stories would require larger lots which would, in turn, require reducing the number of units and thus the density. Waiver of the standard would not have an adverse impact on public health and safety or on a historic resource, nor be contrary to State or Federal Law. Therefore, Waiver #3 complies with SDBL and must be granted.

At the Public Hearing on April 9, 2024, concerns were expressed regarding the massing on the northern elevation of Lots 4 & 5. Because the project is in compliance through the use of the Density Bonus Waiver, the Town cannot require that the homes on Lots 4 & 5 be redesigned. However, the applicant has revised the design of roofing on Lot 4 from a gabled roof to a hipped roof to reduce the massing. Minor revisions were also made to the second story wall length and square footage on Lot 5 to respond to the ZDRB request to reduce massing.

REDESIGN RETAINING WALLS TO PROTECT TREES 21 & 22

There is an existing retaining wall that runs along the eastern boundary of project site. It begins at Yountville Cross Road and extends approximately 170 feet for the length of the neighboring property. A 72-foot long and five-feet tall retaining wall is proposed that would connect with the existing retaining wall and extend along the remainder of the eastern boundary of the project site. Construction of the retaining wall would require the removal of Trees #21 and #22.

According to the arborist report dated June 24, 2023, Tree # 21 is a Valley Oak (*Quercus lobata*) with a 13-inch trunk diameter and is approximately 40 feet tall. It is not a heritage tree, and it has a health and structure rating of 3. Tree #22 is a Coast Live Oak (*Quercus agrifolia*) with a 12-inch trunk and approximate height of 22 feet. It also has a health and structure rating of 3 and is designated as a heritage tree. At the April 9, 2024 hearing, a request was made to determine whether the retaining wall could be redesigned in order to preserve Tree #21 and Tree #22.

The applicant consulted with the project’s engineer and the project’s arborist to determine whether the retaining wall could be redesigned to preserve the two trees. A notch, similar to that which was described by members of the public in the hearing was assessed for feasibility, but, due to the existing grade and steepness of the slope, the project’s arborist determined that even with notching of the wall, damage to the roots would occur and the only means of preserving the two trees would be to reduce the length of the retaining wall. The project’s engineer determined that shortening the retaining wall would compromise the integrity and stability of the retaining



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wall and compromise the structural stability of the project as proposed. As such, the applicant has determined that the two trees cannot be preserved through a redesign of the retaining wall.

QUEUEING AT THE ENTRY GATE ON YOUNTVILLE CROSS ROAD

At the April 9, 2024 hearing, members of the public expressed concern that the new private gate at the access road might create unsafe traffic conditions on Yountville Cross Road. In particular, concerns were raised as to whether the gate might result in backed up traffic while cars are waiting to enter the gate, which would conflict with vehicles traveling along Yountville Cross Road.

At the hearing, the Town Engineer explained that the location of the gate would be required to meet certain location standards to allow for an emergency vehicle to queue. In response, the applicant revised the Project plans (see **Attachment A**) as follows:

- The proposed location of the Entry gate (swings inward, towards the project site) has been relocated farther away from Yountville Cross Road to accommodate a 30-foot emergency vehicle without impeding either the road or the pedestrian/bicycle path.
- Only plants under 2 feet will be planted within the visibility area.

The Town Engineer reviewed the project and established Public Works Condition #12 which requires that roadside trees along the project frontage shall be kept trimmed to maintain a 14' vertical clearance in the travelled way. In an additional effort to ensure that new plants in the visibility area do not interfere with sight lines, **COA 18** has been added to ensure that the project complies with YMC §17.136.020(H). Further, **COA 19** has also been established to ensure that the Project complies with the County of Napa Standard D-11 for gated entry.

COA 18: Only plants with a maximum height at maturity of no more than 3 feet shall be planted within 35 feet of the intersection with Yountville Cross Road on Lots 1 and 7.

COA 19: The gate set back shall be 30-feet minimum from the northerly edge of pavement of Yountville Crossroad. There shall be 14-feet minimum width of unobstructed horizontal clearance when gate is open. If the gate swings toward Yountville Crossroad the minimum setback shall be a total of the setback distance plus the total width of the gate plus 2 feet. Gate shall have a Fire Marshall approved key access. If electric it shall have a Knox Key Switch mounted to access panel and if manual, it shall have a Knox Padlock installed.

SIDEWALK ON THE EASTERN FRONTAGE OF YOUNTVILLE CROSS ROAD

YMC §16.32.050.A requires that the design and layout of all required improvements on- and off-site, private and public, shall conform to the Town of Yountville General Plan, Master Utility Plan, Town ordinances, Town subdivision standards, generally acceptable engineering standards, and to such standards as approved by the Town Engineer.

The applicant's plans include construction of the sidewalk, as required by the Town, between the western property line and the new access road along Yountville Cross Road. However, the applicant requested a density bonus waiver of the requirement to extend the sidewalk to the eastern property line.



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The applicant provided the following justification for a waiver:

“The Project, as currently designed, could not install sidewalk improvements on the eastern frontage entirely within the existing right-of-way. An ADA-compliant sidewalk requires extensive grading due to existing slopes on the eastern frontage and Heritage Oaks that the Project proposes to retain. The grading/sidewalk requires the Project to dedicate to the Town portions of Lots 7 and 9—reducing the proposed habitable square footage and other amenities for Lots 7 and 9. The reconfigured Lots 7 and 9 would violate the Town’s setback, open space, and lot coverage requirements. To comply with said requirements, the Project would have to eliminate a lot, thereby reducing the Project’s proposed density. As such, the eastern sidewalk would physically preclude development of the Project at the proposed density.”

California Government Code § 65915(e)(1) requires that a waiver be approved unless written findings can be made based upon substantial evidence that the waiver would have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources, or because the waiver would be contrary to state or federal law.

At the hearing, public comments raised the concern that not installing the sidewalk could have an adverse impact on public safety. Under Government Code Section 65589.5(d)(2), a “Specific Adverse Impact” means “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.”

At the April 9, 2024 public hearing, the Town Engineer described the existing conditions on Yountville Cross Road and explained that the Town has plans to complete bicycle and pedestrian upgrades to Yountville Cross Road but the plans do not include a sidewalk on the project’s side of the roadway (north side). Rather, the Town plans to extend the sidewalk along the south side of the street.

Further, the Town and the applicant entered into an agreement through which the applicant has agreed to pay a contribution of \$125,000 towards the bicycle and pedestrian upgrades planned for Yountville Cross Road. To that end, **COA 17** requires that the applicant contribute \$125,000 to the Town for this effort, payment of which shall be a condition precedent to the Town’s issuance of a building permit for the project.

COA 17: Prior to issuance of a building permit, the applicant shall pay the in-lieu fee for utility undergrounding in the amount established by the Town Council as well as \$125,000 contribution toward future improvements to pedestrian and bicycle access on Yountville Cross Road.

As designed, the project is consistent with the Town’s plans for pedestrian and bicycle improvements along Yountville Cross Road. However, to ensure that vehicles exiting the development stop with adequate distance to ensure pedestrian safety, **COA 20** has been added.



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COA 20: A stop sign in compliance with Town standards shall be installed on the southbound side of the Project access road (exit) to ensure vehicles stop at the intersection of the Project and Yountville Cross Road.

Based on the Town Engineer's review, compliance with street standards, conditions, the waiver of the required installation of the sidewalk would not have a specific adverse impact upon public health or safety, so the waiver is not eligible for denial.

ADDITIONAL TREE DEPOSIT

The project site and frontage have an estimated 54 to 58 trees including ornamental trees and native oak trees. The Arborist's Report states that Including three heritage trees in the Town's adjacent right-of-way, the project has ten heritage trees within the project area. However, in a communication from the applicant, the following was shared:

"The S Sheet referenced our tree #20 as the Town's Heritage Tree #21. That is not the case as Heritage Tree #21 was removed prior to the 2009 survey. We are working on making both of those corrections and hope to have it to you this morning."

The project proposes to remove 11 trees that would require a tree removal permit. In order to ensure that trees are protected and replaced in compliance with YMC Chapter 17.128, **COA 3** was imposed.

However, at the April 9, 2024 Public Hearing, concerns were expressed that the deposit of \$10,000 in **COA 3** may not be sufficient for the size and number of trees that are proposed to be protected additionally, there were questions raised about the number of trees being removed.

YMC §17.128.070(C) allows for an in-lieu fee deposit for the entire cost of establishing a new tree in accordance with the Master Fee Schedule ("In-Lieu Fee Deposit") in cases where projects, such as this one, are required to plant replacement trees. It also states that in addition to the cost of acquiring a replacement tree as set forth in the Master Fee schedule, the In-Lieu Fee Deposit shall also include materials and labor necessary to plant the tree, and to maintain it for two years. The FY 2023/24 Master Fee Schedule sets fees for tree replacement. The replacement tree In-Lieu Fee Deposit is intended to cover the cost of planting trees in the case that a developer is not able to adequately replace trees removed as required by **COA 3**.

Additionally, §17.128.100(J) requires that that when deemed appropriate by the Planning Officer, a **minimum** \$10,000.00 deposit shall be posted and maintained to ensure the preservation of heritage trees during construction ("Protection Deposit").

Table 1: Tree Replacement and Heritage Tree Protection Deposit Calculation

Size	Estimated Fee (per tree)	Number of trees requiring a permit	Total Fee/Deposit
Small Replacement – under 12-inch DBH	\$357	2	\$714
Medium Replacement – 13- to 24-inch DBH	\$639	7	\$4,473



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Large Replacement – 25- to 36-inch DBH	\$1,467	2	\$2,934
Heritage Tree Protection and Replacement	Set deposit of minimum \$10,000		\$10,000
Total		11	\$18,121

COA 3 has been revised to increase the tree deposit in accordance with YMC §17.128.070(C) and §17.128.100(J).

Unfortunately, the applicant was unable to provide the updated Arborist Report prior to agenda publication. Given the continued discrepancy between plan sets, written descriptions, and the arborist report(s), **COA 3** has been revised to establish a peer review of the Arborist's Report by the City's Arborist, and to include monitoring during construction.

COA 3: The following measures shall be taken to protect and/or replace trees on the project site:

1. Prior to issuance of a grading or building permit, the Arborist's Report shall be peer reviewed by the Town Arborist. The Town Arborist will establish a monitoring schedule to ensure compliance with tree protection, preservation, and replacement requirements.
2. Tree protection fencing shall be installed and verified by an inspection of the Town Arborist prior to issuance of site improvement or grading permits and prior to permitted tree removal.
3. Any trees removed shall be replaced in accordance with YMC §17.128.070(A)(1).
4. All project contractors shall follow the recommendations (in the Key to Tree Inventory Chart) for removal or preservation as described in the Arborist Report prepared by Horticultural Associates on June 24, 2023.
5. Project contractors shall conduct all work in compliance with the policies and procedures described in YMC § 17.128.080 ("Tree protection during development.") during development.
6. In the event that work encroaches into the Tree Protection Zone, the project work shall be conducted in compliance with the policies and procedures described in YMC § 17.128.100 ("Additional duty of care for heritage trees.").
7. Prior to issuance of a grading or building permit, the applicant shall pay a \$18,121 deposit to the Town to protect against inadvertent, un-permitted removal, or damage to any trees as a result of the project and to ensure replacement per YMC §§ 17.128.070(B) and 17.128.100(J).

CONCLUSION

The project would subdivide one Single-Family Residential lot into nine lots and construct eight new single-family residences that would include two JADUs. The density and intensity of use is consistent with the General Plan Designation and the project, as conditioned, is consistent with the relevant goals, objectives, policies, and actions.



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The project use and lot sizes are consistent with the zoning district and, as such, the site is physically suitable to accommodate the proposed development. The site does not contain special status species, nor does it have sensitive habitats or any habitat value for endangered, rare, or threatened species and therefore will not result in environmental impacts to special status species or habitats that support such species.

The subdivision's internal circulation network would accommodate access for both emergency service vehicles and waste removal vehicles. The final plans are subject to ministerial review by the Town of Yountville Building Department for compliance with the uniform building standards including the California Building Code and the California Fire Code which protect the public from unsafe structures. Additionally, the project has been conditioned by the Napa County Fire Marshal to ensure compliance with the uniformly applied regulations in the Fire Code. As such, the project would not result in adverse impacts due to public health and safety. Further, neither the design nor the improvements proposed for the development of the project would conflict with easements acquired by the public at large for the access through, or use of, property within the subdivision and the project complies with YMC Title 16 Subdivisions.

As conditioned, the project complies with the regulations and objective design and development standards in Title 16 Subdivisions and Title 17 Zoning of the Yountville Municipal Code with the granting of one Density Bonus Concession and five Density Bonus Waivers, two design review waivers as allowed by §17.40.020, and two Master Plan Deviations. Therefore, the project complies with the Yountville Municipal Code.

ENVIRONMENTAL REVIEW

The project is eligible for an exemption from the California Environmental Quality Act under CEQA Guidelines §15332 Infill Development Projects because the project site is less than five acres and is substantially surrounded by existing development. The site is already developed with residential uses and is well served by existing utilities and public services. The subdivision would add new units on legally sized lots at an allowable density. As conditioned and by operation of law under the Housing Accountability Act, the project is consistent with the Town's General Plan and complies with the regulations in Title 16 Subdivisions and Title 17 Zoning of the Yountville Municipal Code. The biological report concluded that the site has no value as sensitive habitat or to support rare or endangered species and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. All work performed on the historic structure including relocation shall be done in compliance with the Secretary of Interior Standards for the Treatment of Historic Properties and pursuant to the Historic Preservation Relocation Plan. As such, there are no applicable exceptions to the exemption and the project can be found exempt as a Class 32 Infill Development Project.

STRATEGIC PLAN GOAL

By participating in development review, the Town ensures new developments comply with Municipal Code requirements, helping maintain the Town's quality of life.



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RECOMMENDATION

Receive staff report and direct questions to staff.

Receive the Applicant's presentation.

Conduct public hearing and receive testimony.

Conduct ZDRB discussion on project entitlements.

Motion and second to adopt a resolution recommending that the Town Council approve Major Subdivision Tentative Map, Master Development Plan with Deviations, one Density Bonus Concession and five Density Bonus waivers, Design Review and Design Review Waivers, Tree Removal, and Fence Extension Request along with the recommended conditions of approval and finding the CEQA exemption determination acceptable.

ATTACHMENTS

- A. Applicant Response Letter and updated Project Plans received April 26, 2024.
- B. April 9, 2024 staff report:
<https://townofyountville.primegov.com/Portal/Meeting?meetingTemplateId=5305>
- C. Resolution