



## Staff Report

Item #: {{section.number}}{{item.number}}

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## Zoning and Design Review Board Staff Report

**DATE:** January 14, 2025

**TO:** Board Members

**FROM:** Aaron Hecock, Planning & Building Director

**PREPARED BY:** Kari Svanstrom, Contract Planner

**APPLICANT:** Yountville Pacific, LLC / Kent Hallen

**OWNER:** Alfred Woodson IV

**ADDRESS:** 2010 & 2012 Humboldt Street (APNs 036-054-022 & 023)

**LAND USE CLASSIFICATION:** RSC Residential Scaled Commercial

### **TITLE**

Consider adoption of a resolution recommending the Town Council conditionally approve a Preliminary and Final Master Development Plan, Tentative Parcel Map, Use Permit for a two-story mixed-use building (residential and retail) and owner-occupancy of one residential unit, Tree Removal Permit, Master Sign Plan, and CEQA exemption, for a project located on the vacant lots on the corner of Humboldt and Jefferson Streets at 2010-2012 Humboldt Street (APNs 036-054-022 and -023).

### **RECOMMENDATION**

Hold a public hearing, consider the requisite Municipal Code findings, and consider whether to adopt Resolution Number 25-021 recommending the Town Council conditionally approve the Preliminary and Final Master Development Plan, Tentative Parcel Map, Use Permit, Design Review, Tree Removal Permit, and Master Sign Plan for the "Humboldt Mixed Use" project at 2010 and 2012 Humboldt Street (the "Project"), as currently designed, and recommending the Town Council find the project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 (Infill Development).

### **BACKGROUND**

#### **PROJECT HISTORY**

The project was first submitted to the Town on March 20, 2023. Town staff worked with the applicant through several submittals and reviews throughout 2023. On April 4, 2024, the applicant submitted a revised submittal, which was reviewed by staff and, although the project was not complete for full review, staff felt the project was well-enough defined to schedule a public hearing with the Zoning and Design Review Board (ZDRB) to request feedback and direction to staff. At that time, staff did not believe the requisite Municipal Code findings could be met for the Project to be approved, and outlined several concerns related to the project design and massing for the ZDRB to consider. Staff also requested "story poles" be erected at the site to show the outline of the structure prior to the hearing.

On June 11, 2024, the ZDRB held a hearing on the project and, at the request of staff, provided feedback to staff and the applicant. The ZDRB then continued the hearing for the applicant to modify the project. At that time, staff noted the proposed uses were consistent with the general intent of the General Plan and intent of the zoning and mixed-use designation. However, staff expressed concerns related to the height and massing of the building, lack of overall building articulation and sense of multiple smaller buildings, and transitions to adjoining properties.

ZDRB concerns at the June 11, 2024, hearing echoed staff concerns as follows:

- The uninterrupted roof parapet along the entire elevation of the building created a single long mass. Additionally, the revised elevation presented at the hearing had roof elements that stepped up, further enlarging the perceived height.
- The scale of the building, with the long uninterrupted roof parapet and overall height, did not meet the requirement that the building be scaled similar to residential architecture.
- Design elements of the building had the appearance of a pre-fabricated building, with little to show that the building was customized to the Town's design standards or the Site. The building as presented did not integrate well into the neighborhood. It is designed as a commercial property with some residences over it.
- Encouraged the applicant to consider peaked roof elements, more articulation in the architecture, and provide a multi-building appearance as noted in the design standards.
- Concerns related to privacy to adjacent properties, and with the tall 8-foot fence blocking access to light. Suggestions were made to de-mass the perimeter in lieu of the tall wall.
- Appreciated the screened and hidden parking area but concerned with the height of the port cochere at the Humboldt property line. While this wall may create privacy, there was concern about the massing.
- Appreciated the corner entry and how it addressed this unique corner, but concerned with the 30-foot high corner element with flat roof and blank wall at the 2nd floor. The height and appearance at the corner and along parapet wall at Jefferson in particular would fit better in an urban infill site than the exurban, more rural town setting of the Site.
- Appreciated the vintage storefront and felt this was appropriate as the store entrance.
- Concern that there were no public amenities provided for the ground floor open space.

Additionally, the ZDRB was in consensus that the requirement for two residential units to replace the potential two single family homes that could be built on the two vacant lots did not mean that the residential units needed to be a comparable size or bedroom count as a single-family home, especially as this was contributing to a large second story massing.

The applicant agreed to the continuance of the June 11, 2024, hearing to revise the project, and submitted a revised application in September 2024, with additional revisions to the application made in October 2024.

## **PROJECT DESCRIPTION**

### **PROJECT SITE**

The project site is located at 2010 and 2012 Humboldt Street (corner of Humboldt and Jefferson Streets) and is currently undeveloped (no structures) and contains some existing vegetation (trees and grasses) (the "Site"). The site is currently two separate parcels - one of the parcels (2010 Humboldt Street, APN 036-054-023) is 0.12 acres, while the other parcel (2012 Humboldt Street, APN 036-054-022) is 0.14 acres. The two parcels will be merged into one parcel prior to issuance of a building permit. Once the parcels are merged, as required for the proposal, the total lot size will be 0.26 acres or 10,846 square feet.

The site is designated by the Yountville General Plan and Zoning Map as Residential-Scaled Commercial (RSC).

Adjacent uses include residential uses continuing northwest along Jefferson Street and along the northeast side of Humboldt Street. The southeast side of Humboldt Street includes commercial uses directly across from the site, which then transitions to residential uses to the east. Across the street on the Jefferson Street side is Van

de Leur Park, and directly across Washington Street at the diagonal intersection and along Washington Street are the downtown commercial uses.

### **Required Entitlements**

The project requires final action by the Town Council, after review and recommendation by the ZDRB of entitlements. As a new construction project, entitlements include a Master Development Plan (MDP) and Major Design Review. Use Permit entitlements are also required for a mixed-use development in the Residential Scaled Commercial Zoning District and to allow one of the residential units to be owner-occupied. Additionally, the applicant is proposing to subdivide the project into three condominium units: one (1) retail and studio dwelling unit and associated parking lot; and two (2) one-bedroom apartment units. The subdivision requires approval of a Tentative Parcel Map. The applicant is voluntarily proposing that the studio apartment be a deed-restricted affordable housing unit (restricted to the 50-80% of area median income [AMI]) which would require an Affordable Housing Agreement). The application is requesting deviations through the Master Development Plan, as discussed in this report.

The applicant is requesting a Master Sign Plan for the two retail spaces. Lastly, the project will require approval of a Tree Removal Permit for one protected tree, a 24-inch DBH (diameter at breast height) California Walnut Tree. The applicant is also proposing to remove and replace the other trees on site, including the pear trees along the street, however these trees do not require Tree Removal Permits due to their size and species. In addition to the foregoing entitlements, the project is subject to review under the California Environmental Quality Act (CEQA).

Per YMC 17.180.020(G), projects requiring multiple permit applications are processed concurrently and decided upon by the highest-level review authority for any of the permit types. The Town Council is the decision-making body for the Master Development Plan, Tentative Parcel Map, Major Design Review, and Use Permits. Therefore, all entitlements in the above application will be determined by the Town Council upon recommendation by the ZDRB.

### **PROJECT DESCRIPTION:**

The project applicant proposes to develop the site with a two-story mixed-use development comprised of commercial and residential components. The project will include two retail units on the ground floor and three residential units on the second floor. A shared parking lot for both the residential and commercial uses is proposed on the east side of the parcel with vehicular entry on Humboldt Street. The ground-floor commercial spaces total 2,413 square feet, and the upper-level residential spaces total 2,437 square feet.

The building will be sited on the western side of the site, with parking and vehicular access from Humboldt Street on the eastern side of the site. A port cochere is proposed over the vehicle entry on Humboldt Street, which screens the parking from the street as well as provides an entry to the site and the structure for an upper-level courtyard area for two of the dwelling units.

The commercial portion of the building will be fully contained on the first floor, with two retail spaces: the primary retail space ("Hunter Gatherer") is approximately 2,060 square feet and includes an entry at the corner with a two-story volume at the entry, and windows along the Jefferson Street frontage. The smaller retail space is approximately 350 square feet, and fronts Humboldt Street, with the entry just to the east of the main corner entry. According to the applicant, the main retailer (Hunter Gatherer) will likely have one to two full-time employees, as will the smaller retail space currently proposed as a flower shop.

The 2nd floor includes three residential units, each with a dedicated private open space. The entrance to the two 1-bedroom residential units is via a shared staircase from within the covered parking area (garage A and B). The open space for the two 1-bedroom units are upper-level courtyards which include access from each unit's entry, main living space, and bedroom. Privacy for these spaces is provided by the stairwell walls and small exterior closets and wall which divide the two courtyards. The third unit, a deed-restricted affordable studio unit, has its private entry off Humboldt Street via an open-air gate and stairwell east of the smaller retail shop entry. The studio unit's courtyard open space is situated above the port cochere structure along Humboldt Street.

The parking lot on the eastern side of the site includes fourteen parking spaces: ten parking stalls for the retail space and 4 parking spaces for the residential units. Two of the residential spaces will be garages, which would be dedicated to the one-bedroom residential units. One additional space at the rear of the lot would be for the studio unit. The applicant is proposing the remainder of the parking spaces be available as shared parking among the uses given the limited hours of the retail units and the complementary nature of residential and retail uses in terms of parking demand.

Site design includes frontage improvements and landscaping, including replacement street trees and lower plantings along both Jefferson and Humboldt Streets. A 6-foot privacy fence is proposed along the northern and eastern boundaries to provide privacy to adjoining properties and screening of the parking area. Trees are proposed along the eastern property line, with shrubs and lower landscape plants along the northern property line.

## **ANALYSIS**

In addition to the Town's General Plan, the following Yountville Municipal Code (YMC) sections are applicable to this application:

- YMC § 16.20 Minor division of land (four or less parcels), and applicable State Subdivision Map Act (SMA) provisions
- YMC § 17.56 Residential-Scaled Commercial
- YMC § 17.72 Nonresidential and Mixed Use Design Standards
- YMC § 17.188 Design Review
- YMC § 17.192 Master Development Plans
- YMC § 17.200 Use Permits
- YMC §§ 17.100 - 17.178 General Development Standards & Standards for Specific Land Uses and Activities
- YMC § 17.100 Floor Area Ratio and YMC § 17.178 Commercial and Mixed-use Development Incentives
- YMC § 17.108 Setback Encroachments
- YMC § 17.116 Off-street Parking and Loading
- YMC § 17.120 Open Space
- YMC § 17.124 Water Efficient Landscaping
- YMC § 17.128 Tree Preservation
- YMC § 17.132 Outdoor Lighting
- YMC § 17.136 Walls, Fences, and Landscape Screening
- YMC § 17.140 Utilities and Refuse Storage
- YMC § 17.144 Regulations for Impact on Adjacent Uses
- YMC § 17.148 Public Art Program
- YMC § 17.152 Signs
- YMC § 17.160 Provisions for Affordable Housing

The following Municipal Code Sections require Findings for Approval:

- YMC § 16.16.020 Tentative Parcel Map Approval
- YMC § 17.160.030 Provisions for Affordable Housing
- YMC § 17.188.060 Design Review Findings
- YMC § 17.192.060 Master Development Plan Findings
- YMC § 17.200.060 Use Permit Findings

### **General Plan – Land Use Designation Background – Residential-Scaled Commercial**

The General Plan designation for the site is Residential-Scaled Commercial. Extensive community input during the General Plan Update process helped identify where revised land use designations and development standards and incentives could create positive changes in the built environment. The site is one of these areas and is identified in the General Plan as a “Change Area” (General Plan Land Use Element, Section 5.3 Change Areas, pages 58-61).

As described in this section of the General Plan, the land use designation of these two parcels was changed from Old Town Historic to Residential-Scaled Commercial due to their proximity to commercial uses on Washington Street. The General Plan provided for a program to rezone the two parcels and to require a minimum lot size of 10,000 SF (GP LU-6.2b). The rezoning was completed in 2020.

The General Plan requires that two second-story housing units be required in the site's development to ensure there is no loss of housing sites. Additionally, the General Plan specifies the design should be oriented toward the corner, with parking behind the building, and accessed from Humboldt Street. The General Plan states that the residential and commercial uses could share parking spaces. An appropriate buffer to adjoining residential properties would be required to mitigate potential impacts, including light and noise. Buildings would be required to be of a scale and design that complements the surrounding buildings and utilizes design features to break up the building mass, such as building modules, partial and/or setback upper stories, balconies, awnings, and a variety of roof forms.

Lastly, Land Use Policy LU-6.2B states the following regarding the rezoning and uses for the parcels:

*LU-6.2b Humboldt Rezoning.*

*Rezone two vacant residential parcels at the northeast intersection of Humboldt Street and Jefferson Street from Old Town Historic to Residential-Scaled Commercial with a minimum lot size of 10,000 square feet. Food and wine use incidental to a related retail use, such as a pharmacy soda fountain, may be acceptable as determined by the Town Council. Full-service restaurant, cannabis businesses, tasting rooms, wine bars, and similar uses are not permitted. Require at least two second-story rental housing units in any development proposal. One of the units may be used as a primary dwelling by either the owner or the owner's immediate family subject to a use permit.*

The requirement to merge the parcels was to ensure the parcels are an appropriate size for mixed-use development and so that parking could be tucked towards the rear, rather than two smaller, crowded commercial sites with inefficient parking.

The commercial use restrictions were established to ensure the commercial uses would be compatible with the adjoining residential areas in intensity, including noise and traffic. Most of these uses are not permitted in the RSC Zoning District, so were not included as site-specific requirements in the Zoning Ordinance provisions. The requirement for the minimum of two rental units was two-fold: the minimum two units to replace the two single-family zoned parcels ensures that the two potential housing units were retained, and the requirement for rental housing supports the goal of providing additional rental opportunities within the Town. The Residential-Scaled Commercial Zoning District language (along with the rezoning of the two parcels) was amended in 2020 to incorporate specific conditions for these two parcels to implement the above Policy (see Zoning Analysis below).

Additionally, the newly adopted General Plan Housing Element Update identifies the two parcels as suitable for development of housing, with a minimum of two and maximum of 16 units, and a likely development density of 3 units, with 2 units on the western parcel and 1 on the eastern parcel (General Plan, Table E-2 Land Inventory, page E-13).

Staff Analysis - General Plan Consistency Key Items

The proposed Project is consistent with the following key elements of the General Plan Land Use Goals, Policies, and Actions (note, a full analysis of General Plan Consistency is included as Attachment 2):

*LU-5.2 Residential Development. Encourage new residential developments that are designed to serve the needs of all income levels and the residents of the town.*

*LU-5.6 Mixed Use. Encourage mixed use development of residential or office above commercial along the Washington Street commercial corridor.*

*LU-6.2 Mix of Uses. Encourage a well-integrated mix of uses that will create an attractive, vibrant, and walkable Washington Street experience.*

*LU-6.2b Humboldt Rezoning. Rezone two vacant residential parcels at the northeast intersection of Humboldt Street and Jefferson Street from Old Town Historic to Residential-Scaled Commercial with a minimum lot size of 10,000 square feet. Food and wine use incidental to a related retail use, such as a pharmacy soda fountain, may be acceptable as determined by the Town Council. Full-service restaurant, cannabis businesses, tasting rooms, wine bars, and similar uses are not permitted. Require at least two second-story rental housing units in any development proposal. One of the units may be used as a primary dwelling by either the owner or the owner's immediate family subject to a use permit.*

As proposed, the project is consistent with the above General Plan goals and policies for this site, including the use of local-serving commercial, which will be much-needed retail space, and the inclusion of residential units. The residential units also provide for a mix of income levels with two market-rate units and one affordable to low-income households.

The corner element also provides a commercial presence to support the Washington Street corridor as a pedestrian-oriented point of interest along the corridor. The modifications to the first-floor facade of the building, with more detailed wood framed windows and highly articulated entries, will create a more attractive commercial facade oriented towards Washington Street.

*Goal LU-2: Preserve and enhance the small-town character, scale, and pace of life in Yountville and the Town's connection to its natural surroundings.*

*LU-2.1 Compatibility of Development. Require that new development, remodels, and additions be of a scale, intensity, and design that integrates with the immediate neighborhood, the town as a whole, and the natural surroundings.*

*LU-2.2 Variety of Buildings Heights and Sizes. Encourage a variety of building heights and sizes in new development.*

*LU-2.4 Building Massing. Require use of massing techniques that mitigate heavy or bulky forms (such as modulating building mass, partial upper stories, setbacks for upper story volume, variety of roof forms), building placement that does not obstruct view corridors, and building design that is compatible with adjacent structures to ensure that new buildings do not overwhelm their sites or their neighborhoods.*

*LU-2.5 Maximum Building Height. Permit two story buildings. All buildings shall adhere to the requirements for massing in Policy LU-2.4.*

*Goal LU-6: Promote the character and design of the Washington Street commercial area in a manner that integrates it into the immediate neighborhood and the town as a whole; ensure that new commercial development is pedestrian-oriented, features gathering places, and preserves view corridors.*

*LU-6.6 Screening for Parking. Screen parking where feasible with buildings, walls, and/or landscape elements.*

The revised project includes a two-story facade on Jefferson Street that does not have setbacks for the upper floor areas. The proposed project incorporates a pitched roof only at the corner element, which helps set it apart, but results in the bulk of the Jefferson Street facade having a flat, 26-foot roof. This design differs from the immediate neighborhood to the north, which is composed of one and one-and-a-half story residences with pitched roofs. Where two-story residences and commercial buildings exist within the surrounding blocks, they integrate pitched roofs and are generally limited to a smaller percentage of the footprint.

The Humboldt Street facade now incorporates a setback for the second-floor studio unit, which also provides landscape opportunities to soften the facade in this area.

Parking is accessed from Humboldt Street, with the parking area screened by a port-cochere along Humboldt Street, the proposed building from Jefferson Street, and from the adjoining residential properties by a 6-foot privacy fence. The scale of the port cochere has been reduced from the prior proposal. Staff recommend the ZDRB consider how the approximately 17-foot-tall port cochere contributes to the massing of the building and site in light of relevant General Plan Goals and Policies and Design Guidelines.

The General Plan Policies above are subject to discretionary review by the ZDRB and Town Council. As such, the ZDRB should review the project modifications to the building heights, massing, and forms to determine if the project changes achieve the required massing as well as transitions to the surrounding development.

### **YMC § 16.20 TENTATIVE PARCEL MAP**

Pursuant to YMC Chapter 16.12, a Tentative Parcel Map is required for the subdivision of land into 4 or fewer parcels. The Town Council is the responsible reviewing authority for the approval of Tentative and Final Maps, with the Town Engineer and the ZDRB responsible for reviewing and making recommendations to the Town Council in accordance with YMC § 16.20.010(C).

The project site is currently composed of two parcels. The applicant is proposing to merge the parcels into one parcel. The subdivision for the condominium project would have three condominium units: the retail/studio and its associated parking as one unit, and the market-rate residential units (and their associated parking and open space/courtyard areas) as two additional condominium units.

#### Findings

Pursuant to YMC §§ 16.20.010(D), the ZDRB may adopt findings and recommend approval to the Town Council if they find that the proposed subdivision, together with its provisions for design and improvement, is consistent with the General Plan, applicable specific plans, the Master Utility Plan, and applicable subdivision improvement standards adopted by the Town of Yountville.

Pursuant to YMC § 16.04.030, Tentative Parcel Map must be in conformity to General Plan and zoning ordinances as follows:

*A. No land shall be subdivided and developed for any purpose that is not in conformity with the General Plan and zoning ordinance of the Town.*

#### **STAFF FINDING:**

As noted above, the General Plan and Zoning Ordinance requirements specify the size of this site shall be a minimum of 10,000 square feet. Additional General Plan Consistency criteria are discussed elsewhere in this report and the General Consistency Analysis Memo (Attachment 2). A merger of the two parcels will be required prior to either the issuance of a building permit or the subdivision of the land/recording of the Final Parcel Map. The proposed Tentative Parcel Map includes one parcel, which (once the two parcels are merged) will be greater than 10,000 square feet, with condominium units within the parcel. As conditioned, this criterion will be met.

*B. The type and intensity of land use as shown on the General Plan shall determine the type of street, utilities, and public services that shall be provided by the subdivider. These public improvements shall be consistent with the General Plan, Master Utility Plan, and any Town Design Standards and Standard Plans.*

#### **STAFF FINDING:**

The Town Engineer has reviewed the proposed Tentative Parcel Map (TPM) and provided conditions of approval for the TPM, which will be required to be integrated into the Final Map to ensure the public improvements are consistent with the General Plan, Master Utility Plan, and any Town Design Standards and Standard Plans. These include the required lot merger and the provision for separate utility lines for each condominium unit. As conditioned, this criterion will be met.

### **YMC § 17.56 ZONING - RESIDENTIAL-SCALED COMMERCIAL (RSC)**

#### § 17.56.020 General Conditions

The site is zoned Residential-Scaled Commercial (RSC). The land use designation RSC is intended to reinforce Washington Street as the main commercial street in Yountville, and to encourage an appropriate transition to adjacent residential neighborhoods.

Per YMC Section 17.56.020 (A), *“all new uses listed in YMC Section 17.56.030 shall require a use permit (per YMC Chapter 17.200) and new development proposal shall require a Master Development Plan (per YMC Chapter 17.192). Additionally, design review is required (per YMC Chapter 17.188) and all commercial operations shall be subject to YMC Chapter 17.144 (Impact on Adjacent Use).”*

The required permits are included in this application and compliance is discussed in the corresponding sections below.

YMC Section 17.56.020 (B) states that *“development shall be of an intensity and scale which preserves and enhances Yountville’s small-town character and integrates well with the surrounding neighborhood and natural setting. Commercial uses on the east side of Washington Street should be less intense than those on the west side of the street.”*

The retail space proposed is limited to less than 2,500 square feet, below the maximum allowed Floor Area Ratio (FAR) for commercial uses within the Residential-Scaled Commercial Zoning District (2,711 SF would be allowed). The residential density (3 units, where between 2-16 units are allowed), meets the requirements of the General Plan and Housing Element, and is less intense than if the high end of the density allowed for the Site was proposed.

YMC Section 17.56.020 (C) states *“buildings shall be residential in scale, and generally street-oriented with pedestrian entrances from the street. Building height, massing and size shall be compatible with residential development and comply with the design standards established in YMC Chapter 17.72.”*

The project is oriented towards the corner of Humboldt and Jefferson Streets, facing Washington, and incorporates small-scale retail spaces with highly articulated entries and window displays and minimal signage. The building is two stories, with second story setbacks on Humboldt Street and the eastern side of the structure. While there are breaks in the two-story roof line on the Jefferson Street elevation to try to create the appearance of multiple smaller buildings, the facade on this side is still two-story without any setbacks or pitched roofs.

YMC Section 17.56.020 (D) states that *“parking shall be accommodated in ways which limit visibility and prominence, typically in small lots screened from public view (per YMC Chapter 17.116) (Off-Street parking and Loading), and YMC Chapter 17.136 (Walls, Fences and Landscape Screening).”*

The parking is fully screened from the public and adjoining properties, by the building from Jefferson Street, by the port cochere at Humboldt Street, and by privacy fencing on the north and east property lines that adjoin residential uses. However, as noted above, the parking could also be screened by fencing or a lower stucco wall and landscaping elements, which could help to soften the facade and further reduce the overall massing.

YMC Section 17.56.020 (E) states development *“shall contribute to a well-integrated mix of uses that create an attractive, vibrant, and walkable Washington Street experience.”*

The project is oriented towards the corner facing Washington Street, and includes window displays at the pedestrian level to create an attractive experience to those walking to the site from Washington Street or Van De Leur Park.

YMC Section 17.56.020 (F) requires *“development shall maintain an appropriate balance between the needs of residents, visitors, and businesses to assure a livable community for residents.”*

The Project meets this requirement as it includes residential units and two smaller scale local-serving retail shops.

YMC § 17.56.030 Site-Specific Conditions

In accordance with the General Plan policy discussed above, the following specific conditions apply to the two parcels (APNs 036-054-22 and -023) that constitute this Project:

YMC § 17.56.030 Site-specific conditions. *The following conditions shall apply to APNs 036-054-022 and -023:*

- A. *Lot size shall be a minimum of 10,000 square feet*
- B. *A minimum of two second-story residential rental units shall be required as part of any development proposal. One of these residential units may be owner-occupied subject to the granting of a use permit as provided in Chapter 17.200 of this title; and*
- C. *Wine tasting rooms are a prohibited use.*

A. *Lot size shall be a minimum of 10,000 square feet*

**STAFF FINDING:**

The two parcels will be merged prior to issuance of a building permit, The merger of the two lots will create a 10,846 square foot lot, with a merger required as part of the conditions of approval prior to issuance of a building permit. The Tentative Map will retain the larger parcel, and create air-space condominiums within the parcel, and will conform to this standard.

*B. A minimum of two second-story residential rental units shall be required as part of any development proposal. One of these residential units may be owner-occupied subject to the granting of a use permit as provided in Chapter 17.200 of this title; and*

**STAFF FINDING:**

Three second story residential units are proposed. Two of these units are proposed to be one-bedroom market rate units while the third is proposed as a studio unit. The studio unit is proposed as a deed-restricted affordable housing unit. As noted above, the one-bedroom units would be separate condominium units, while the studio would be held in ownership as part of the retail space along with the parking lot (other than the garage spaces for the one-bedroom units). A use permit has been submitted to allow one of the market-rate units to be owner-occupied. The other one-bedroom unit and the studio unit would remain as rental units. The deed-restricted affordable unit must be a rental (cannot be owner-occupied). Additionally, both condominium housing units can be rented at market rate, and one may be owner-occupied subject to use permit approval.

*C. Wine tasting rooms are a prohibited use.*

**STAFF FINDING:**

The commercial proposed is retail and does not include any of the uses prohibited in the General Plan or Zoning Ordinance § 17.56.030(C).

**Site Specific Requirements Comparison Chart**

	<b>YMC Requirements</b>	<b>Proposed June 11 hearing</b>	<b>Revised Proposal</b>
Lot size	Min. 10,000SF	10,992 SF (estimate from assessor map and General Plan) when the two lots are merged – if approved, the Project would be conditioned to merge the lots	10,846 SF (revised per Survey) when the two lots are merged. If approved, the Project would be conditioned to merge the lots.  Conforms to standard.
Residential Density (minimum density per YMC 17.56.030(B; Maximum density per Table D-8, 2023-2031 Housing Element)	Min. (2) units - 2nd story residential rental units as part of any development proposal  maximum density of	Two (2) two-bedroom 2nd story apartments proposed  Conforms to standard.	Three (3) 2nd story apartments proposed  (2) one-bedroom with den residential units (1) studio residential unit

	16 units (8 units per parcel)		Conforms to standard.
Residential Occupancy	One unit may be owner-occupied by owner of retail complex	Two rental units proposed.	Use Permit requested – owner-occupancy proposed for one market-rate one-bedroom unit.
Mixed Use Development	Requires a Use Permit	Use Permit requested	Use Permit requested

§ 17.56.030 General Development Standards (YMC § 17.56.060 & Table 17.56-1), and YMC § 17.100 Floor Area Ratios and YMC § 17.178 Commercial and Mixed-Use Development Incentives

Development Standard	YMC Requirement	Proposed June 11 Hearing	Current proposal (October 31, 2024)
Max Floor Area Ratio (FAR)	<p>Max FAR: 0.40, or 10,846 SF x 0.4= 4,338 SF</p> <p>0.25 for commercial plus, an additional 0.15 FAR for housing uses &amp; professional office use (17.178)</p> <p>There shall be only one additional FAR bonus of 0.15 and it may include a combination of uses listed.</p>	<p>0.54, or 5,826 SF (1,488 SF over the maximum FAR)</p> <p>Does not comply,</p> <p>A deviation through the MDP was requested.</p>	<p>0.475, or 5,149 SF (811 SF over the maximum FAR)</p> <p>Retail: 2,413 SF Retail 2nd floor volume: 299 SF = 2,712 SF</p> <p>Residential: Unit A: 1,049 SF Unit B: 1,073 SF Unit C: 315 SF Total Res.: 2,437 SF</p> <p>Total SF for FAR: 5,149 SF</p> <p>Applicant is requesting a deviation through the MDP process for the additional residential square footage / 0.075 FAR</p>
Setbacks			
Front (Jefferson St)	15' minimum	<p>10'</p> <p>Does not comply.</p> <p>A deviation through the MDP was requested.</p>	<p>10'</p> <p>Does not comply</p> <p>Applicant is requesting a deviation through the MDP process.</p>
Side - Humboldt St (west)	Determined by MDP	10'	7'-9.5"
Side – North	Determined by MDP	5'	7'-8.5"
Rear – East side yard	Determined by MDP	6'-3¼"	5'9" to port cochere 47'2" to main structure
Height	Two stories maximum Max – 22' to plate and 30 feet to peak	<p>30' to top parapet at flat-roofed entry point</p> <p>27'4" for main roof</p>	<p>30' peak of roof at entry</p> <p>26'0" for main roof parapet, with breaks in the higher roof every 30' or</p>

		22' to plate Conforms to standard.	less 22' to plate Conforms to standard.
Top Story Floor Area Limit No more than 40% of the floor area of any building may be on the top floor.  Building area is calculated based on the total footprint of each floor	40% of total building area	Proposed 2nd floor: 3,202 SF (46%)  Does not comply. A deviation through the MDP was requested.	Proposed second Floor: 2,726 SF (39%)  Building area: First Floor: 4,228 SF Second Floor: 2,726 SF Total Area: 6,954 SF  40% = 2,781 SF 2,726 SF = 39%  Conforms to standard.
Minimum Open Space 17.56.060, Table 17.56-1  Open Space - any front, side and rear yards or setbacks, courts, landscaping, usable open space. Areas not covered by buildings, parking or refuse / service areas	Lots 10,000 – 20,000 SF:  15% of gross area 15% of 10,846 SF = 1,627 SF  17.120.020(B) requires private open space for dwelling units	Shared Open Space: 773 SF (uncovered deck)  Unit A Private Open Space: 208 SF  Unit B Private Open Space: 208 SF  1st Floor Open Space: 3,974 SF	Dwelling Units (Private Open Space required)  Unit A: 431.5 SF Unit B: 431.5 SF Unit C: 494.5 SF Total: 1,357.5 SF  1st Floor Open Space: approx. 2,500 SF  Conforms to standard.
Parking (17.116)  Retail - 1 space per 250 SF  Residential – 4 spaces (one covered and one screened)	As required by Chapter 17.116, Off-Street Parking and Loading  Retail/Commercial: one space per 250 SF  Residential Uses: (Duplex): Four spaces – one covered and one screened for each unit  Three Units: four spaces- two covered and two screened spaces	14 parking spaces  (3,114 SF of retail = 12 parking spaces + 2 Dwelling units = 4 spaces (2 covered, 2 screened)  =16 spaces required  Does not comply. A deviation through the MDP was requested.	Total of 14 parking spaces required:  2,413 SF of Retail = 10 spaces  Three residential units = 4 spaces, 2 covered and 2 screened.  Conforms to standard.
Bicycle Parking (17.116.020I) Bicycle storage space shall be provided in all parking areas of 10 or more spaces.	Retail = min of 5% of the required vehicles spaces.  Residential (multi-family) –	2 racks provided which hold two bikes each = 4 bike spaces provided.	2 racks provided which hold two bikes each = 4 bike spaces provided.

	min. of 10% of the required vehicle spaces.	Conforms to standard.	Conforms to standard.
Signage  0.5 Square Feet (SF) per Linear foot (LF) of frontage, 25 SF max per sign	Master Sign Permit required/requested  Allowed: [125 SF x.5 = 63 SF]; 25 SF max each sign	None requested	Proposed Signs (Wall signs):  Hunter Gatherer: 10'-6" W x 1'H = 10.5 SF  Flower Shop: 6'W x 0'-9"H = 4.5 SF Total SF: 15 SF  Conforms to standard.

**YMC § 17.72 NONRESIDENTIAL AND MIXED-USE DESIGN STANDARDS**

In the prior design (June 11, 2024, hearing and drawings), the building was 30' in height at the tallest point (the maximum allowed per the Code), with a uniform roof parapet at 28' for the full length of both Jefferson and Humboldt Streets. As such, the ZDRB expressed concerns that this design was inconsistent with General Plan and Zoning Ordinance provisions related to residential-scaled commercial design, maintaining community character and scale, and creating a multi-building appearance.

The prior design proposed a uniform appearance, with the front corner entrance parapet with a flat roof at the 30-foot maximum height, and an unbroken 27'-4" roof parapet line along both the Humboldt and Jefferson Street facades. This parapet had no interruptions or variety in roof plane or building height, and no step backs from the first to second floor. The port cochere design terminated in a similar two-story, 27'4" tall wall and parapet at the eastern setback on Humboldt Street, which loomed over the adjacent one-story residential structure at 2008 Humboldt Street.

Similarly, the Jefferson and Humboldt facades had no articulation or relief along the length of these facades in the June 2024 design. The fenestration on the ground floor was composed of monotonous steel storefront window systems with little setback from the stucco walls. There were no step backs from the front facade, and no articulation to the building planes along either facade. Site improvements included a 8-foot concrete wall property line fence along the north and east boundaries, rather than a fencing detail more suited to residential-scaled development.

Since that time, the applicant modified the design to respond to these concerns and the General Plan policies as follows:

- The current revised design modulates the massing to create a series of 'buildings' in accordance with the General Plan guidance. While breaks in the two-story parapet design are provided every 30-feet or less along Jefferson Street facade, the building still has a two-story vertical facade without setbacks and a 26-foot high flat roof with parapet.
- The roof line has been modified from the prior design, with the introduction of a sloped roof element at the corner entry; reduction in the parapet height by almost 1-1/2 feet, and modulation in roof heights and building facade articulation along the Jefferson Street facade. This elevation and the north elevation do not contain second-story setbacks or pitched roof elements.
- The two-story wall terminating the port cochere at the eastern setback has been eliminated, and a step down introduced at this location (stepping down from the port cochere structure height) to allow planter boxes. The port cochere is 17'6" tall, and the step down is 14' tall.
- Step backs at the second floor have been introduced at the corner entry and along the Humboldt elevation. The Juliette balconies with two-foot bump-outs and forged metal work balcony details, as well as metal awnings, have been retained/added along the Jefferson Street elevation, and window boxes have been added to the second story windows.
- Planting is being provided along the entire port cochere roofline and the step backs at the corner entry

and Humboldt elevations.

- The windows along the north elevation have been modified to be clerestory windows to address privacy concerns expressed by adjacent property owners.
- The first-floor fenestration has been changed from the modern steel storefront system to wood casement windows (similar to the Redd Wood/The Restaurant at North Block), with the main entrance at the corner to feature a covered entry and a more ornate antique wood door entry. The fencing has been changed to a 6-foot solid wood fence (which could include a 2-foot trellis if adjoining neighbors prefer and the ZDRB approves).

Staff recommend the ZDRB review the proposed design in accordance with the General Plan design policies as well as Zoning Ordinance standards and policies and provide feedback for the applicant and staff and/or related to any design modifications needed.

Pursuant to YMC § 17.72, *the following nonresidential and mixed-use design standards apply to new or modified nonresidential and mixed-use structures and auxiliary structures. The nonresidential and mixed-use design standards are subjective design criteria which are mandatory for commercial projects unless waived through design review approval to allow alternative design approaches deemed appropriate for the unique conditions of the subject site and its surroundings.*

17.72.020 District design intent. *The following description defines the design intent for new nonresidential structures in the applicable zoning district.*

**A. Residential-Scaled Commercial** *buildings are intended to provide an appropriate transition between commercial and residential areas. Typically, these buildings are similar in size to single-family houses and other residential buildings. The design standards outlined below intend to encourage the development of multiple, small, pedestrian-oriented buildings that combine to form publicly accessible courtyards and passageways, with parking at the rear of the Site.*

17.72.030 Design Standards. *The following are design standards which all nonresidential projects are required to conform with, unless waived by design review approval as regulated by Chapter 17.188 of this title.*

A. Building Scale and Massing

*1. Use massing techniques that mitigate heavy or bulky forms, such as modulating building mass, partial upper stories, setbacks for upper story volume, and varying roof forms.*

The building design modulates the massing with breaks in the two-story parapet design at 30-foot intervals to try to create the appearance of a series of three smaller buildings, two on the Jefferson Street elevation and an articulated setback second story element on the Humboldt Street elevation. The west and north elevations do not include setbacks for the upper floor massing and have two-story vertical facades. The facade on the north elevation is a 26-foot vertical wall with a flat roof/parapet along the length of the facade, with the facade limited to 30-feet in width. The east elevation of the building is broken into three sections with open areas (the courtyards) in between the building massing. The corner elevation and Humboldt Street elevation include step backs on the upper floor, with the first-floor parapet lined with trailing plants to provide additional relief and soften the building edges.

*2. Break up the massing of buildings and the scale of long façades to fit the rhythm of the surrounding block.*

The surrounding block along Humboldt and Jefferson Streets include one, one and one-half, and two-story structures, with one and a half story more predominate along Jefferson and two-story on Humboldt Street. Most structures have breaks in the facade every 30-40 feet (whether at the end of building or building articulation).

The articulation of the proposed building follows this pattern with breaks in the second story elements of the facade, through breaks in roof and wall planes approximately every 30 feet. The Jefferson Street facade remains taller than the residential properties to the north and does not include any sloped roof elements. The revised proposal instead increased the setback from the north property line. The proposed structure has incorporated a setback for the second-floor element on the Humboldt Street facade. The design includes a sloped roof element

at the entry as seen in other structures in the vicinity and as recommended by the ZDRB, although this is the only sloped roof on the project, with the other flat roofs remaining.

*3. Avoid placement of structures or dense landscaping which obstructs public view corridors as defined in the General Plan.*

The Site does not have any public view corridors as listed in the General Plan Open Space Element Figure OS-2 and therefore will not obstruct any view corridors.

*4. In the Residential-Scaled Commercial District, proposed development should consist of multiple small buildings rather than one large building. If total proposed building square footage exceeds 5,000 square feet, consideration and preference shall be given to multiple buildings. Building size and location should take into account existing trees or similar site conditions which are considered important to the Town's character.*

The building does not exceed 5,000 square feet. The proposed design modulates the massing to create the appearance of three buildings and one corner element, with lower roof levels between these building sections. As noted, however, the Jefferson Street facade elements are 26-foot tall vertical walls. The ZDRB should review if the multiple second story massing is successful in creating the appearance of multiple smaller buildings.

The site has few trees, and only one protected tree, which is in poor health and recommended for removal. The applicant proposes to plant multiple scarlet oak trees along the frontage to maintain the rhythm of street trees along the street frontages.

*5. In the Old Town Commercial District, proposed development should consist of multiple small buildings rather than one large building. If total proposed building square footage exceeds 2,500 square feet in size, consideration and preference shall be given to multiple buildings. Building size and location should take into account existing trees or similar site conditions that are considered important to the Town's character.*

The property is not within the Old Town Commercial District. This criterion is not applicable.

*6. In the Old Town Commercial District, there shall be a combination of different building heights with an emphasis on one-story buildings.*

The property is not within the Old Town Commercial District. This criterion is not applicable.

*7. Blank walls (facades without doors or windows) shall be less than 30 feet in length if visible from adjacent street(s).*

The Jefferson and Humboldt facades are both highly articulated, with detailed wood window frames with multiple lights on the first floor, metal Juliette balconies, light fixtures, and planter boxes to provide detail to the facades. There are no exterior walls greater than 30 feet in length, except for the north elevation (at thirty feet six inches). This elevation has a series of four second floor windows (clerestory for neighbor privacy) and openings on the first floor for the parking area, so is not a blank facade.

#### **B. Street Frontage**

*1. Buildings should be pedestrian-oriented, creating an attractive and active sidewalk and street frontage.*

The first-floor facades facing the public streets are both highly articulated, with detailed wood window frames with multiple lites, creating engaging and attractive retail storefronts along the street frontage. The second story is also highly articulated, with Juliette balconies, awnings, and window boxes to create visual interest.

*2. Create or reinforce a well-defined rhythm of intervals of built and open spaces. Pedestrian passageways between buildings should generally be at least 12 feet in width.*

The only pedestrian passageway for the project is a private pedestrian walkway on the north side of the building (for resident access to/from the parking lot and utility areas and sidewalk). This walkway is less than 12-feet in

width, but the width (4 ½ feet) is similar in scale to private entry walks along Jefferson Street, which has smaller passageways and entries. Additionally, this walkway helps to terminate the sidewalk, which is required for the project, but does not continue to properties to the north along Jefferson Street and is not required in the Old Town Historic Residential Zoning District.

*3. Where possible, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street to encourage pedestrian activity and informal community gathering.*

Some members of the ZDRB requested the Applicant look at integrating open space into the project at the June 11, 2024, hearing. The project does not do so. Staff have identified a couple of locations which could be utilized as such with appropriate design features. The first could be an enhancement with benches at the bulb out at the corner, which is currently proposed to be entirely landscape plantings.

The second is the potential for a bench within the niche created along Jefferson Street in front of the espalier magnolia tree (the niche is 5-feet wide by 4-feet deep, which is wide enough to accommodate a two-person bench). However, the applicant has noted this is in close proximity to the PG&E gas vent infrastructure on the west side of the sidewalk.

If the ZDRB, in its review, determines benches for public seating would be appropriate at either of these (or other) locations, a condition could be added to the Project to provide appropriate open space amenities.

*4. Support adjacent sidewalks and public spaces with active ground floor uses and amenities such as seating and public art.*

As noted above, the project does not propose public spaces with seating. However, as there are some opportunities to add seating, the ZDRB should determine if this is appropriate. The applicant is proposing to relocate the existing corner public art, which would conflict with the new proposed sidewalk, and instead provide a public art piece to highlight and celebrate the bicycle parking. Both the relocation of the existing art piece and the new proposed public art component will require approval of the Yountville Arts Commission, as included in the Conditions of Approval.

*5. Create a human-scale environment at street level with architectural detailing that adds variety and rhythm to the facade.*

The facades are highly detailed along the ground floor, with an alcove that houses an ornate antique doorway at the corner entry for the main retail space, and wood display windows with multiple lites inset from the stucco walls along both the Humboldt and Jefferson Street facades. The first-floor windows have fabric awnings, while the upper floor awnings are proposed to be metal.

*6. Give prominence to pedestrian entrances over vehicle access.*

The pedestrian entries are focused at the corner of the site, and nearby along Humboldt Street, with parking and vehicle access further east, away from the prominent pedestrian corner entrance.

*7. Create focal points and integrated public spaces at prominent corner sites.*

The public entry to the retail store at the corner is oriented towards the corner of Humboldt and Jefferson, facing Washington Street, and presents an inviting entry. The entry itself is highlighted as the tallest building element of the structure, with a sloped roof and two-story space with a first-floor alcove that houses an ornate antique doorway at the entry.

*8. Ground floor façades shall be articulated, with a variety of measures to create a streetscape of interest, such as indentations in plane, change of materials in a complementary manner, façade modulation, and façade elements like transparency, building entries and other architectural details that engage the pedestrian.*

The ground floor facade is articulated with a niche and espalier tree and multiple display windows along the

Jefferson Street facade, an entry alcove at the corner, and display windows and entry on the Humboldt Street facade. There is a high level of architectural detail in these components, including multiple lites in the fenestration, an antique wood entry door at the corner entry, and fabric awnings.

*9. In the Old Town Commercial District, all new construction and expansions of existing structures shall be required to install and maintain pedestrian pathways along the Washington Street frontage in accordance with the Town Bicycle and Pedestrian Pathways Master Plan. Pedestrian pathways shall be interrupted with the minimal number and width of driveways. In consideration of the site limitations along Washington Street, various types of pathways shall be permitted including at-grade paving changes, poured-concrete sidewalks with curb and gutter or other pathway designs that meet the approval of the Zoning and Design Review Board or Town Council.*

The project is not within the Old Town Commercial District. This criterion is not applicable.

#### C. Exterior Building Materials and Colors

*1. Buildings shall have consistent materials, details, and architectural theme on all sides of the buildings. Materials that appear faux or veneer-like should be avoided, and joints, or raw edges of materials shall be concealed to create an appearance of authenticity.*

The proposed materials include high quality and authentic materials, with color-integrated smooth soft-white stucco, black metal work, painted wood windows, and fabric and metal awnings (fabric on first floor, metal on residential windows). No veneers are proposed.

#### D. Parking and Driveways.

*1. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view. Limit the amount of Washington Street frontage that can be used for parking or vehicular access.*

Entry to the parking is on the eastern half of the parcel on Humboldt Street, away from the corner entry and about 30-feet from the smaller retail (flower shop) store entry. The parking is screened by a port cochere and one-story wall that continues as an extension of the building facade.

*2. In larger developments, parking should be provided in smaller lots, rather than one large lot.*

The subject property is a small-scale development and lot; this criterion is not applicable.

*3. Provide bicycle parking near access points and active areas to maximize visibility and convenience.*

The bicycle parking is proposed along Humboldt Street, with a sculpture of an espalier tree in black to contrast against the white stucco wall to highlight the bicycle location. Additional bicycle parking for residents is provided within the parking and garage areas.

*4. Consider measures that maximize the amount of onsite and offsite parking, including valet, tandem, parking structures and other creative solutions provided they take into account neighborhood context, view corridors, setbacks, screening and massing.*

The parking layout is an efficient double-loaded corridor and, as proposed, the 12 parking spaces in the open parking area would be shared between retail use and residential uses, as these are complementary uses in terms of demand.

*5. Access drives to off-street parking shall be designed and constructed to provide adequate safety for pedestrians and drivers. In no case shall car movements result in blocking of the street right-of-way. The number of access drives shall be limited to the minimum that will accommodate anticipated traffic.*

The parking lot is designed with a single access drive and a double loaded corridor with adequate back-up space for turning movements, such that vehicles will exit the parking lot in a forward motion. As conditioned, a path of

travel will be provided from the parking lot to the public sidewalk on Humboldt Street.

*6. To minimize the amount of paved area, the sharing of driveways and access to parking lots is encouraged. An easement providing for shared use shall be recorded.*

The residential and commercial uses share a single driveway, with most parking (excepting the two residential garage bays) shared among the uses. Five of the parking spaces are 'tucked under' the building to provide a more compact footprint and less exposed paving area.

*7. Where practical, on-site paving for vehicles should be of a permeable material.*

The on-site paving is not defined at this time. While permeable paving is not accepted to meet stormwater requirements (BASMAA, COA #45), the applicant should consider permeable paving for the parking lot area.

*8. Lighting for parking areas shall be designed to confine emitted light to the parking areas, and the light source shall not be visible from adjacent properties. Average illumination at the ground shall be no more than one foot candle, except where an increase in lighting level is recommended by a lighting consultant or qualified professional as necessary for safety.*

As conditioned, the parking lot lighting will be required to adhere to the Municipal Code requirements regarding lighting levels.

#### E. Open Space

*1. Use landscape design to connect a network of open spaces appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use and pedestrian circulation.*

Open space on the ground floor is provided by landscaping the setbacks along the street frontages. This includes over 10-feet of planting area on the Jefferson Street frontage, the large bulb-out at the corner, and an approximately eight-foot planting strip on the Humboldt Street frontage. Additional planting areas are integrated into the building facade and rooftops, including planter boxes at the second story residential windows, raised planters at the southern edge of the Humboldt Street roof deck with trailing plants that will cascade over the parapet. Larger potted plants are proposed at the corner entry step back, north and eastern edge of the port cochere roof deck, and along the eastern edge of the one-bedroom unit courtyards.

*2. Encourage interaction between the building's interior uses and exterior public space, including plazas, seating areas and other hardscape areas to support public activities appropriate to the site context and building use.*

The Project focuses on the visual / retail interest at the sidewalk via numerous display windows for the retail uses to create a vibrant pedestrian experience. As proposed, no seating areas or plazas are provided, however there are seating opportunities that could be added through conditions of approval.

*3. Choose plantings that complement the proportions and scale of the building, offer color and interest throughout the year, and are water efficient.*

The planting selections include scarlet oaks along the street frontages to provide color interest in fall and the structural branch interest in winter, complemented by a variety of evergreen plants and grasses in a palette that ranges from white to blue agave and purples against the green of the foliage. The planting plan, as conditioned, will meet the Town's water efficient landscape requirements.

*4. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter.*

The proposed trees are all deciduous, and the plantings along the western and southern frontages will provide shade in the summer and sun in winter. Additional plantings on the second-floor roof decks are evergreen but are located in areas (east and north edges) that will allow light into the residential courtyards year-round.

*5. Use public art as required by Chapter 17.148 of this title to enhance buildings and publicly accessible spaces.*

The Project is proposing to provide art on-site via a sculpture at the eastern edge of the Site, integrated into and highlighting the bicycle racks. This, and the relocation of the larger sculpture at the corner to another site, will require approval of the Yountville Arts Commission. As conditioned, provision of Public Art or payment of in-lieu fees for Art will be met in accordance with Chapter 17.148.

*F Utilities and Auxiliary Structures*

*1. Locate utility areas away from public areas and adjacent sensitive uses.*

Two trash enclosures are proposed, one accessed from the parking lot near Humboldt Street (for the retail and studio unit) and one along the north side of the building (for the two studio units). This will minimize the amount of refuse in any one location. The parking and stairwells to the upper floors are either behind an entry gate (for the studio unit) or accessed from the parking lot area. Storage areas are provided in the garage areas, rather than at the edges of the Site.

*2. Integrate utilities and service functions into the architectural design. Screen rooftop equipment from view and group roof penetrations to the extent feasible.*

Mechanical equipment is proposed to be located on the roof and, as conditioned, would be screened by the roof parapets. Any mechanical equipment located on the first-floor port cochere roof, which also serves as the open space for the studio unit, will also be required to be screened. As conditioned, this criterion will be met.

*3. Utilities and refuse storage areas are not permitted in any setback area or front yard.*

No refuse areas or utility areas are within the setback areas or front yard. This criterion is met.

*4. All new electrical, telephone, CATV and similar service wires or cables shall be installed underground. Risers on poles or buildings are permitted.*

As conditioned, this criterion will be met.

*5. Electrical vaults and meter boxes must be screened from view and discreetly located. Fire pipes and extinguishers must be easily identified, but discreetly located.*

As conditioned, this criterion will be met.

*6. Refuse storage areas shall be screened from public and adjacent properties view or located within a building. All refuse storage areas shall be maintained to minimize odor and other impacts.*

The proposed refuse storage areas are integrated into the building structure and fully enclosed, accessed via exterior doors on the building. Additionally, the commercial refuse area (and studio's trash area) is separated and located close to Humboldt Street, away from any nearby residents. The provision of two trash locations will help address neighbor concerns regarding trash bin location on trash collection days, with the commercial/studio bins to be set along the Humboldt Street frontage.

*7. Trash and recycling areas shall be fully enclosed structures with solid roofs and shall conform with all mandated water quality requirements and building codes, including accessibility requirements for persons with disabilities. Chain link fencing and gates with wood or plastic slats shall not be used for trash and other utility enclosures.*

The proposed trash/recycling areas are integrated into the structure and behind doors / under roof cover.

*8. All exterior mechanical and electrical equipment shall be screened by landscaping or fencing or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not*

*limited to, all roof-mounted equipment, air conditioners, heaters, cable equipment, telephone entry boxes, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems.*

As conditioned, the existing mechanical equipment will be screened within the roof parapets. Any additional equipment located on the port cochere roof will also be required to be screened.

*9. Reduced pressure backflow prevention devices are required for connection to the Town's water system, and are required to be above ground, but shall be screened from adjacent public street(s) by landscaping or fencing while allowing access for annual testing.*

As conditioned, this criterion will be met.

## **YMC § 17.160 PROVISIONS FOR AFFORDABLE HOUSING**

The applicant proposes to include a deed-restricted affordable housing unit (the studio dwelling unit) restricted to persons at the low-income level (50-80% of area median income, or AMI) for a minimum of 55-years. This unit would account for 33% of the dwelling units being proposed. The applicant originally submitted an application for an Inclusionary Housing/Density Bonus Housing Agreement. However, State Density Bonus Law requires a minimum of five residential units in a development to qualify for the Density Bonus process.

In addition to providing an additional unit of housing, the applicant intended to apply for Density Bonus Waivers to the Town's Development Standards for the Jefferson Street setback (10-feet instead of 15-feet) and the additional FAR (0.475 where 0.40 is the standard), with a request to consider these through the MDP deviation process if the waivers were denied.

The applicant had requested deviations through the Master Development Plan previously for these two standards, as well as two other standards (parking and top story % limit, which both now comply with the Development Standards due to project modifications). This was in response to questions from the ZDRB at the June hearing as to what the justification was for the deviations requested.

The provisions of YMC § 17.160.020 (Inclusionary Housing Program), § 17.160.030 (State Density Bonus Program), § 17.160.040 (Town Density Bonus Program) and Gov. Code, § 65915 (Density Bonus Law) do not apply to this project due to the number of residential units proposed.

The applicant is still willing to provide the deed restricted unit and execute an Affordable Housing Agreement for the affordable studio rental unit and instead request the two deviations to the standards through the Master Development Plan process.

## **YMC § 17.192 MASTER DEVELOPMENT PLAN**

A Master Development Plan (MDP) is required for all new or expanded commercial development or for any subdivision or development of five or more parcels or residential dwelling units. The project requires a Preliminary and Final Master Development Plan, which may be processed together.

Pursuant to YMC 17.192.030 D, the MDP process allows the Town Council to approve deviations to the following development standards as part of a preliminary or final Master Development Plan process:

- minimum yards and setbacks;
- maximum heights of buildings,
- walls and fences; minimum and
- maximum lot size;
- maximum floor area ratio;
- minimum number of parking spaces, location, and design;
- design standards related to the relation of buildings to streets; minimum open space; and signage.

Analysis

The voluntary provision of an affordable housing unit is encouraged by the General Plan Housing Element (see Attachment 2 - General Plan Consistency Memo), as well as the Zoning Ordinance (YMC § 17.160) Although the project does not qualify for the Density Bonus process due to the number of units in the development, the applicant is willing to provide a deed-restricted affordable housing unit and execute an Affordable Housing Agreement in compliance with YMC 17.160.030(C) if the Town grants the following MDP deviations:

- 1) Setback at Jefferson Street (front yard), to be 10-feet where 15-feet is the development standard
- 2) Total Floor Area Ratio (FAR), to allow an FAR of 0.475 where 0.40 is the development standard

1) Deviation in the Setback at Jefferson Street (front yard) to allow a 10-foot setback where 15-foot is the development standard. The reduction in the setback is requested to be able to accommodate the retail space of just over 2,400 square feet without any reduction to the parking, which meets the Town’s requirements (the Project could be set back further, but a full bay of parking would be lost).

The retail space and the deed-restricted affordable studio unit are part of the same condominium unit. As described by the Applicant, the retail space and associated revenues will subsidize the cost of providing the affordable studio unit. Reduction in the ground floor square footage to meet the 15’ setback would result in reduction in revenues from the retail stores and ability to subsidize the affordable housing unit. The ground floor retail space also supports the second-story residential square footage. Similarly, reduction in the ground floor square footage to meet the 15’ setback would result in reduction to the residential square footage, and potentially elimination of one of the dwelling units, from the project.

As noted in the Design Review findings below, although the setback would be 10-feet instead of 15-feet there is 17-feet between the building and the curb (5-foot sidewalk and approximately 12-foot landscape strip, part of which is in the right-of-way). The Humboldt Street frontage has a setback of almost 8 feet for the main building (with the 5-foot sidewalk in the right of way for a total of 14-feet to the curb), which steps back to almost 10-feet for the port cohere near the east setback nearest residential uses. Therefore, staff support this deviation as it both allows for provision of the affordable housing unit and, from a design perspective, will still provide a larger curb to building setback than the required 15-foot setback.

2) Deviation in the Total Floor Area Ratio (FAR) to allow an FAR of 0.475 where 0.40 is the development standard (equal to an additional 811 square feet).

The retail component FAR is 0.25, which meets the maximum 0.25 FAR limit for commercial uses in this zoning district per the Municipal Code. The residential FAR is the remaining 0.24 (.15 allowed by Code, plus the requested .075 FAR requested, or 811 square feet). The request for additional FAR is linked to the provision of the three residential units. The Applicant has noted that if the additional FAR is not granted, the residential area would need to be reduced by 811 square feet, and one of the residential units would need to be eliminated, likely the affordable unit, and therefore are requesting the deviation.

<p>Max Floor Area Ratio (FAR)</p> <p>0.25 for commercial plus an additional 0.15 FAR for housing uses &amp; professional office use (17.178)</p> <p>There shall be only one additional FAR bonus of 0.15 and it may include a combination of uses listed.</p> <p>Max FAR: 0.40, or 10,846 SF x 0.4= 4,338 SF</p>	<p>0.475, or 5,149 SF (811 SF over the max. FAR)</p> <p>Retail: 2,413 SF Retail 2nd floor volume: 299 SF = 2,712 SF Residential: Unit A: 1,049 SF Unit B: 1,073 SF Unit C: 315 SF Total Residential: 2,437 SF</p> <p><b>Total SF for FAR: 5,149 SF</b></p>
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*\*Note, the applicant notes a .44 Far request, but has not included the retail 2nd floor volume in calculations which the above table includes.*

The project has been revised such that, even with the additional FAR, which is all attributable to the top floor residential unit square footage, the proportion of the building massing meets the 40% of area on the top story development standard (which was not met in the June 2024 submittal). However, the additional FAR, most of which is on the second story, adds to the massing of the project. A reduction in the FAR would impact the ability to provide the affordable housing unit (315 SF) as well as require a reduction in the size of the one-bedroom units, (between approximately 100-250 square feet, depending on other modifications).

The ZDRB should deliberate the request for a FAR deviation. If the ZDRB finds the deviation is not supportable due to the increase in massing of the project, the ZDRB should provide direction to staff and the applicant on FAR reductions. These could include reducing the 2-story commercial element (299 SF) to be less than 16' clear, which would reduce the FAR and massing, and/or reducing the size of the one-bedroom apartments.

#### Findings for a Master Development Plan (MDP)

Pursuant to YMC § 17.192.060, the following findings must be made to approve a Preliminary and Final Master Plan (note, there are no separate findings regarding granting deviations as part of the MDP):

*(A) The proposed development, and each increment of a phased project, creates an environment of sustained desirability and stability.*

#### STAFF FINDING:

The proposed development creates an environment of sustained desirability and stability by implementing the vision of the General Plan to enhance and sustain the Washington Street commercial corridor with a mixed-use project at this site. The project provides commercial uses on the ground floor with the main retail corner entry oriented towards Washington Street. The project also provides residential units on the upper story. The project's inclusion of both local-serving retail and residential units provides a transition from commercial to residential zoning. No phasing of the project is proposed.

*(B) The land uses and design of the proposed development are consistent with the intent of the General Plan, Title 17, and any other applicable plans or policies adopted by the Town Council, or those in the process of being prepared and adopted, and*

#### STAFF FINDING:

The proposed development implements mixed-use commercial and residential development on the two Residential Scaled Commercial parcels as outlined in the General Plan, Section 5.3 Change Areas (General Plan Land Use Element, Section 5.3 Change Areas, pages 58-61). The proposed development also provides needed housing units that exceed the General Plan requirement of two units and meets the allowed residential density of two to sixteen units and is therefore consistent with the General Plan Housing Element. However, the ZDRB may find the Project, as currently designed, is not consistent with other aspects of the General Plan, as described earlier in this staff report and in the attached General Plan Consistency Analysis (Attachment 2), such as massing and transitioning to adjoining properties.

The voluntary provision of an affordable housing unit is encouraged by the General Plan Housing Element (see Attachment 2 - General Plan Consistency Memo), as well as the Zoning Ordinance (YMC. § 17.160). As conditioned, the applicant would provide a deed-restricted affordable housing unit and execute a Affordable Housing Agreement in compliance with YMC 17.160.030(C), which is possible due to the two MDP deviations:

#### Setback deviation:

The proposed project's retail component, at the square footage proposed, will help to subsidize the cost of the affordable housing unit through retail and rent revenues. The deviation to the setback on Jefferson Street allows the project to construct the required amount of retail space needed to produce these revenues. The ground floor square footage also physically supports the construction of residential units on the upper floor.

The proposed setback deviation, with project conditions, would be consistent with the applicable sections of the Code, as the site has robust landscaping and pedestrian amenities within the setback and public right-of-way, which is greater than 15-feet between the building and the curb.

Floor Area Ratio (FAR) deviation:

The retail component of the project meets the 0.25 FAR for commercial uses in the zoning district. The additional FAR requested, 0.075 FAR or 811 square feet, is needed to support the construction of the affordable housing unit in addition to the two market rate units, as the additional FAR is above the 0.15 additional FAR granted in the YMC for residential uses in a mixed-use project. A reduction in the FAR would impact the ability to provide the affordable housing unit as proposed. However, the Floor Area Ratio deviation increases the massing of the structure on the second story.

*(C) Findings can be made as required by Sections 17.188.060 (Design Review Findings) and 17.200.060 (Use Permit Findings) of the YMC.*

STAFF FINDING:

The findings required by Sections 17.188.060 and 17.200.060 are described below in this report.

### **YMC § 17.200 USE PERMIT**

Pursuant to YMC 17.200.060, the responsible reviewing authority may approve the application and authorize a use permit if, from all the facts presented, all of the following Findings can be made:

*A. The proposed use, at the intensity represented and at the proposed location, will provide a use that is compatible with the neighborhood and community.*

STAFF FINDING:

The proposed mixed-use development of two small local-serving retail stores totaling less than 2,500 square feet and three residential units is an intensity appropriate and compatible with the neighborhood and the community.

*B. The proposed use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.*

STAFF FINDING:

The site is surrounded by existing residential and local-serving commercial uses, the same uses proposed for this site. The proposed uses (retail and residential) do not include any hazardous materials, excessive noise or other components that would be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity.

*C. The proposed use would not conflict with the Town's goal of achieving economic sustainability with a mix of varied commercial services.*

STAFF FINDING:

The proposed use of two smaller-scale local-serving retail spaces supports the Town's goal of achieving economic sustainability with a mix of varied commercial services in that two retail spaces of varying sizes will be provided.

*D. The proposed use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, will provide safe and adequate ingress and egress, and will furnish adequate off-street parking and loading for both customers and employees to the extent deemed feasible by the decision-making body.*

STAFF FINDING:

The use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, and the project as designed will provide safe and adequate ingress and egress, with the main access driveway on Humboldt Street, across from another commercial use, and an appropriate distance from the intersection of Jefferson and Washington Streets. A traffic analysis was conducted and concluded that impacts to traffic would be less than significant and below the thresholds for the Town's and State's Vehicle

Miles Traveled (VMT) thresholds of significance. (see further discussion in CEQA Analysis of this staff report and Attachment 7, Traffic Impact Analysis).

*E. The proposed use provides sufficient safeguards to prevent noxious or offensive emissions such as glare, dust and odors, or levels of noise which may exceed the Town's noise regulations.*

**STAFF FINDING:**

The proposed uses (retail and residential) do not include any hazardous materials, excessive noise or other components that would exceed the Town's regulations. As conditioned, the project will be required to adhere to the Town's Noise Ordinance during both construction and during operations. Noise, dust, and odors during construction will be conditioned accordingly to comply with the Town's and/or other applicable requirements. Additionally, the proposed uses will be required to operate within the proposed hours of operation per the use permit of 10 am and 6 pm for the retail spaces and required to comply with the Town's noise ordinance.

*F. The proposed use does not require excessive amounts of water or generate excessive amounts of waste.*

**STAFF FINDING:**

The proposed uses (retail and residential) will not require excessive amounts of water or generate excessive amounts of waste.

*G. The existing or proposed utility, police and fire services are adequate to serve the proposed use.*

**STAFF FINDING:**

The project has been reviewed by the appropriate authorities, and as conditioned, the proposed use will be adequately served by utilities, police, and fire services.

*H. The proposed use will comply with all applicable provisions of Title 17 and will be consistent with the policies and standards of the General Plan.*

**STAFF FINDING:**

The proposed uses directly comply with the General Plan, which identifies the two parcels which make up the site as a "Change Area" that led to the rezoning of these parcels to Residential Scaled Commercial zoning (See Attachment 2 General Plan Consistency Analysis for additional analysis).

The provision of three residential units, one of which is proposed be owner-occupied (meaning it may be occupied by the fee owner of the underlying real property) while the other two remain rental, is consistent with the Land Use Element of the General Plan, which specifies a minimum of two second-story housing units be required as part of any development on the site and limits one unit to owner-occupancy.

The three units proposed are also consistent with the Housing Element of the General Plan, which anticipates three units for the parcels for the site and sets a maximum density of sixteen units (eight units per parcel, Table D-8 Housing Element, page D-48).

## **YMC § 17.188 DESIGN REVIEW**

The reviewing authority may approve the application for design review if the facts presented establish all the following Findings:

*A. The proposed development or physical improvement is appropriate for the site with regard to the siting and scale of buildings, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape;*

*B. The location of structures preserves significant trees, natural features and identified public view corridors;*

*C. The project will be compatible with neighboring properties and developments with regard to setbacks, building heights, and massing;*

*D. The project will not be detrimental to neighboring properties and developments with regard to the*

*location of parking facilities, siting of trash enclosures, placement of mechanical equipment, and privacy considerations;*

*E. The project presents an attractive design, utilizing high-quality building finishes and materials, and design techniques to mitigate potentially bulky building forms, such as modulating varied rooflines, partial upper stories, setbacks for upper story volume and/or a variety of roof forms;*

*F. Proposed landscaping provides sufficient visual relief, complements the buildings and structures on the site, and provides an inviting environment for the enjoyment of occupants and the public;*

*G. The existing or proposed infrastructure and utility capacity are adequate for the proposed development; and*

*H. The proposed project will comply with all applicable provisions of this Title 17 and will be consistent with the policies and standards of the General Plan.*

## Staff Analysis

As noted, the ZDRB provided feedback on a number of design review elements of the prior submittal at the June 11, 2024, hearing, and continued the item for the applicant to modify the project. The following is a summary of the ZDRB concerns from that hearing, and staff's analysis of the current revised proposal in relation to these concerns:

- The uninterrupted roof parapet along the entire elevation of the building creates a single long mass. Additionally, the revised elevation presented at the hearing had roof elements that stepped up, further enlarging the perceived height.
- The scale of the building, with the long uninterrupted roof parapet and overall height, did not meet the requirement that the building be scaled similar to residential architecture.
- The applicant should consider peaked roof elements, more articulation in the architecture, and provide a multi-building appearance as noted in the design standards.

The roof line has been modified from the prior design in that the corner parapet element has been removed and a sloped roof element introduced at the corner entry. The flat roof with parapet remains along both the Jefferson Street elevation and the Humboldt Street. The overall parapet height has been reduced to 26-foot maximum parapet height, and now includes breaks in the two-story parapet approximately every 30-feet along the Jefferson Street elevation. The roof level at the main break steps down to a one-story level for five feet to break the upper floor massing and create the appearance of multiple buildings. However, both of these second story masses still have a two-story vertical wall with no setback and the roofline is still a flat parapet along the majority of the building. The 30-foot building width between breaks in roof line are similar to the width of residential structures along Jefferson, Humboldt, and Yount Streets.

The corner element and the second floor along Humboldt Street are both stepped back from the first-floor elevation. While the building is a single structure, the roof articulation and step backs help create the perception of multiple buildings and breaks down the massing of the upper floor.

- Design elements of the building have the appearance of a prefabricated building, with little to show that the building was customized to the Town's design standards or the site. The building as presented does not integrate well into the neighborhood. It is designed as a commercial property with some residences over it.

*June 11 2024 design:*



*October 2024 Design:*



The revised design changes the character of development by eliminating many of the larger, unbroken and unadorned plain exterior walls on the first floor with highly articulated entries, windows, landscaping, and other elements. The design includes details more consistent with the Town's design aesthetic and materials, including inset wood-framed storefront windows rather than the steel storefront design previously proposed, window awnings and window planter boxes, and detailed railing design for the Juliette balconies all add customized design details to the project. The smooth stucco with integrated color and inset windows are also consistent with other buildings in the Town.

- Concerns related to privacy to adjacent properties, and with the tall 8-foot fence is not residential in scale and may block light access. Suggestions were made to de-mass the perimeter in lieu of the tall wall.
- Appreciated the screened and hidden parking area, but concerned with the height of the port cochere at the Humboldt property line. While this wall may create privacy, there was concern about the massing.

The prior design presented a tall two-story wall to adjoining neighbors. The revised design reduces some of these impacts: the fencing on the north and east property lines shared with single family residential properties has been reduced to 6-feet, and the material changed from concrete block to horizontal steel panels at a residential scale.

The two-story wall at the east end of the port cochere has been eliminated, which is now a one-story parapet wall that steps down at the east end to provide a lower wall at the property setback. While the port cochere screens the parking, it still extends the massing of the building along Humboldt. The ZDRB should review this component as consider whether potential alternatives should be implemented to reduce the project's massing.

These could include terminating the port cochere just east of the parking entry and step this down to be a lower site wall to still screen the parking without continuing the 17-foot port cochere wall along the eastern part of the site. This would still provide for a second-floor open space for the studio unit and entry gate to the parking. Alternatively, the port cochere could be eliminated, although the studio unit open space would need to be replaced elsewhere, such as within the step back.

- Appreciated the corner entry and how it addresses this unique corner, but concerned with the 30-foot high corner element with flat roof and blank wall at the 2nd floor.
- The height and appearance at the corner and along parapet wall at Jefferson in particular would fit better in an urban infill site than the exurban, more rural town setting of the site.
- Appreciated the vintage storefront and felt this was appropriate as the store entrance.

The corner element has been modified and is now a sloped roof element that is stepped back from the first-floor entry element. The second-floor corner element also incorporates a window, planter boxes along the first-floor parapet, and potted plants to eliminate the blank walls and soften the design at the corner. The vintage storefront element has been maintained and is inset into an entry alcove. However, the two-story facade along Jefferson retains a flat roof and the two elements with two-story massing along Jefferson are identical to each other. The ZDRB should discuss and provide any direction on the transition to the immediate neighborhood to the north as well as the massing implications.



- Concern that there were no amenities provided in the ground floor open space.

The revised design includes approximately 2,500 square feet of ground floor open space along the street frontages as well as north and east of the parking area. The project includes the required private open space for the residential units (required by YMC 17.120). Staff notes there may be opportunities to provide seating at the corner bulb-out (proposed as landscape areas) to address this concern if the ZDRB feels appropriate.

Design Review Findings

- A. *The proposed development or physical improvement is appropriate for the site with regard to the siting and scale of buildings, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape;*

**STAFF FINDING:**

The proposed development and physical improvement to the Site are appropriate for the Site with regard to the siting of the building, which fronts the corner and Jefferson Street, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape as the design places the pedestrian entry at the prominent corner element with retail windows along the Jefferson and Humboldt sidewalk frontages. Vehicle access is provided further along Humboldt Street, away from the corner entry and across from commercial uses. The parking is screened from the public and adjacent residential uses, but the port

cochere could be reduced in scale and massing.

The project places the structure on the west side of the site, providing a buffer to the residential to the northeast and east through the parking area and landscaped setbacks. The project includes clerestory windows along the north elevation to provide privacy to the residential uses to the north.

The building does not use pitched roofs, setbacks of upper floor massing or partial second floors, particularly on the Jefferson Street facade, and retains a tall one-story port cochere on the Humboldt Street facade. The ZDRB should review these elements and the impact to the scale of the building and provide direction to the applicant and staff.

*B. The location of structures preserves significant trees, natural features and identified public view corridors;*

**STAFF FINDING:**

The Site is a vacant parcel that does not include any significant trees or natural features. There is one regulated tree which will require a Tree Removal Permit, however it is in declining health. The site is not near any public view corridors identified in the General Plan.

*C. The project will be compatible with neighboring properties and developments with regard to setbacks, building heights, and massing;*

**STAFF FINDING:**

Although the project is requesting a deviation from the setback standard as part of the Master Development Plan to have a 10-foot setback at Jefferson Street where 15-feet is required, there is a distance of 17-feet between the building and curb (a 5-foot sidewalk and approximately 12-foot landscape strip, part of which is in the right-of-way but maintained by the owner). The Humboldt Street frontage has a setback of almost 8 feet for the main building (with the 5-foot sidewalk in the right of way for a total of 14-feet to the curb), which steps back to almost 10-feet for the port cohere near the east setback adjacent to the residential uses.

The proposed building is on the western side of the lot, nearest the Washington Street corridor and directly opposite another commercial structure on Humboldt Street, with the parking lot on the east side acting as a screened buffer to adjoining properties to the northeast and east. The building height is tallest at the corner entry, and steps down to 26-feet for the residential spaces.

Although the massing is moderated in that the majority of the building is four-feet lower than the maximum height allowed, includes breaks in the roofline on the west elevation, and step backs on the corner and south elevations, and open courtyard areas on the east elevation, the north and west elevations are two-story elements with flat roofs and no step backs for the second-floor volumes.

*D. The project will not be detrimental to neighboring properties and developments with regard to the location of parking facilities, siting of trash enclosures, placement of mechanical equipment, and privacy considerations;*

**STAFF FINDING:**

As designed, the parking is screened from neighboring properties by the building, a port cochere, and privacy fencing at the north and east property lines. The trash enclosures are integrated into the building design and fully enclosed, with one area on the north side of the building and another near Humboldt Street. Mechanical equipment is located on the roof and will be screened by the building parapets. A condition of approval will require any other mechanical equipment to be screened.

The project includes clerestory windows on the second floor's north elevation to provide privacy to adjoining properties. The rooms located on this side of the building include the bedroom, bathroom, and den, and are not the main living areas. The upper-level courtyard areas are screened from adjoining properties by the building (to the north for the one-bedroom units) and planting areas (to the east for the courtyard on the port cochere roof).

- E. The project presents an attractive design, utilizing high-quality building finishes and materials, and design techniques to mitigate potentially bulky building forms, such as modulating varied rooflines, partial upper stories, setbacks for upper story volume and/or a variety of roof forms;*

**STAFF FINDING:**

The project design includes high quality materials, such as color-integrated smooth stucco, wood windows, a vintage wood storefront entry, fabric and metal awnings, Juliette balconies with forged metal railings and window boxes for the second-floor windows. The windows and storefront are highly detailed with multiple lites, are inset from the stucco to provide additional depth to the design. The planter boxes provide breaks in the building surface and adds detail to the second floor.

The proposed design steps back the upper floor volumes at the corner entry, Humboldt Street, and east elevations. However, the second-floor massing on the Jefferson Street elevation does not include setbacks or other elements such as pitched roofs or varying roof forms to mitigate the two-story building form. There are breaks approximately every 30-feet in the roof form along the Jefferson Street elevation, however the building sections are two-story sections with flat roofs at 26-feet. Additionally, while the port cochere screens the parking, it also creates a 17-foot-high wall along the parking lot frontage of Humboldt Street, which increases the bulk and mass of the building.

- F. Proposed landscaping provides sufficient visual relief, complements the buildings and structures on the site, and provides an inviting environment for the enjoyment of occupants and the public;*

**STAFF FINDING:**

The landscape proposed includes multiple planting areas integrated into the building design, including second floor window boxes, plantings along and overhanging the first-floor building parapets, and taller potted plants along the first floor roof decks, all of which will be enjoyed by the building occupants, and many of which are also visible to the public. The proposed landscaping on the ground level includes deciduous street trees that will provide a variety of color and interest throughout the year, lower plantings along the streetscape that will enhance the pedestrian experience.

- G. The existing or proposed infrastructure and utility capacity are adequate for the proposed development;*

**STAFF FINDING:**

The project has been reviewed by the Public Works Department, and there is adequate infrastructure and utility capacity to serve the proposed development.

- H. The proposed project will comply with all applicable provisions of this Title 17 and will be consistent with the policies and standards of the General Plan.*

**STAFF FINDING:**

The project is consistent with the General Plan as described in Attachment 2: General Plan Consistency Analysis, and with Title 17: Zoning, as described in this report.

**YMC 17.100 - 17.178 GENERAL DEVELOPMENT STANDARDS**

**YMC § 17.108.010 SETBACK ENCROACHMENTS**

Pursuant to YMC § 17.108.010(D), Architectural features, such as eaves, awnings, sills, cornices, and chimneys, may encroach into front, side or rear yards or setbacks in a manner consistent with the building design but in no case greater than two feet in depth; and

*YMC § 17.108.010(L), The responsible review authority for design review approval as regulated by Chapter 17.188 of this title may authorize variations in the requirements of this section when warranted to provide relief from existing site constraints or to achieve a superior aesthetic or environmentally preferable design.*

**STAFF FINDING:**

The awnings, window boxes, and Juliette balconies for the first and second stories are integral architectural features of the building design. These elements encroach into the front and side elevations by no more than two feet. The balconies and window boxes are variations of the allowed architectural features and will be a superior aesthetic design compared to the design without these elements, and are eligible for approval by the review authority.

#### YMC § 17.116 OFF-STREET PARKING AND LOADING

As noted above in the Development Standards Table, and pursuant to YMC § 17.116.020(F)1 and (4), the project requires 4 residential spaces for three units (two covered and two uncovered) and 10 retail spaces. The project proposes a total of 14 spaces, including two covered spaces for residential uses and five covered/shared spaces, with seven uncovered spaces. Two uncovered spaces will be reserved for residents, and one for employee parking, consistent with YMC § 17.116.020(J), as the retail components anticipate 1-2 employees.

Additionally, the project provides bicycle storage space at the front of the two residential garages, and a publicly accessible bicycle rack with capacity for two bicycles is provided at Humboldt Street (a minimum of 1 is required for the retail and one for the residential units).

The parking lot complies with the parking space, drive aisle, and driveway dimensions in YMC § 17.116.030. Three trees are provided on the east side of the parking lot, in conformance with YMC § 17.116.070 (one tree for every six spaces. As conditioned, the lighting in the parking area will meet the requirements of YMC § 17.116.080.

#### YMC § 17.120 OPEN SPACE

Pursuant to YMC § 17.120.020(B), Every dwelling unit in a multifamily dwelling or any dwelling built in conjunction with a commercial structure shall be provided with private usable open space for each building type as established in the applicable zoning district.

The three units each have a dedicated private courtyard area for usable open space which meets the requirements of this Section. None of the usable open space areas are covered by upper floor balconies, in compliance with YMC § 17.120.020(C).

#### YMC § 17.124 – WATER EFFICIENT LANDSCAPE ORDINANCE

As conditioned, the project will need to demonstrate compliance with the Town's Water Efficient Landscape Ordinance at the time of building permit submittal.

#### YMC § 17.128 TREE REMOVAL PERMIT

Pursuant to YMC § 17.128.040(A), a Tree Removal Permit is required for any of the following:

1. A heritage tree identified in the Heritage Tree Survey;
2. Any native oak tree with a trunk that measures 10 inches diameter at breast height (DBH) (equal to 31 inches in circumference) or more;
3. Any tree with a trunk that measures 12 inches DBH (equal to 38 inches in circumference) or more or a multi-stemmed perennial plant having an aggregate DBH of 20 inches (equal to 63 inches in circumference) or more;
4. A tree shown to be preserved on an approved development entitlement or specifically required by the Town Council or Zoning and Design Review Board to be retained as a condition of approval of an entitlement; or
5. A tree required to be planted as a replacement tree.

The project site has one tree meeting the above criteria, a California Black Walnut tree 24 inches DBH (category 3). Therefore, a tree removal permit is required as part of this project.

Pursuant to YMC 17.128, the applicant has submitted an Arborist Report reviewing this and other trees on the Site.

There are three native trees on the site's interior and a number of ornamental pear trees that serve as "street trees", all of which are proposed for removal for the Project. Of the native trees one, a 24-inch California Black

Walnut, is a protected tree in accordance with YMC 17.128.040(A)(2). (Attachment 11 - Arborist Report, Tree 1). Two additional trees are native oaks, but less than 10-inches in diameter. (Attachment 11, Trees 2 and 3) and therefore not subject to YMC § 17.128.

The native trees are proposed to be removed due to proximity to development and, in the case of Tree 1, the protected Walnut tree, due to poor condition of the tree and proximity to development. The ornamental pear “street trees” are proposed to be removed due to construction impacts from the required sidewalks and proximity to the tree roots. However, the removal of these trees is not regulated by YMC § 17.128.

Pursuant to YMC § 17.128.040(B)2 and 17.128.060(A)3, If an application is being jointly considered with any other application for a development entitlement, then the Town Council or the Zoning and Design Review Board shall render the decision as part of the development entitlements. Therefore, the tree removal permit determination will be made with this application.

Staff recommend the tree, which is in poor health, and already in decline with several dead branches and decay at the branch junctions, be approved for removal. Staff further recommend a condition of approval that requires the project to provide the minimum replacement diameter of 24-inches in compliance with YMC § 17.128.070.

The applicant is proposing nine replacement street trees as part of their Design Review application, to include Scarlet Oak and Crepe Myrtle trees at 36” and 24” box size and would likely be able to meet this requirement with the on-site tree plantings.

#### YMC § 17.132 OUTDOOR LIGHTING

Pursuant to YMC § 17.132.020(A), New outdoor lighting,

*All outdoor lighting fixtures installed after the effective date of the ordinance codified in this chapter and thereafter maintained upon private property, public property, or in the public right-of-way shall be fully shielded and use directional lighting methods, including, but not limited to, fixture location and height.*

The lighting proposed for the project includes wall-mounted gooseneck lights that are shielded for down-lighting and path lights within the landscape that are also downlit (see Attachment 4 - Master Development Plan book, page 20, and building elevations).

As conditioned, the project will comply with the lighting standards and general requirements, including illumination levels, in YMC § 17.132.040.

#### YMC § 17.136 WALLS, FENCES, AND LANDSCAPE SCREENING

The proposed fence on the north and east property lines is a six-foot privacy fence, as allowed by YMC § 17.136.020. The applicant is also willing to add two feet of landscape screen to the top of the fence if desired by adjoining neighbors and allowed by YMC § 17.136.020(J)1. No fencing is proposed on the west or south elevations.

#### YMC § 17.140 UTILITIES AND REFUSE STORAGE

All new utilities will be undergrounded in accordance with YMC § 17.140.020(B). The proposed refuse areas are incorporated into the building in compliance with YMC § 17.140.020(E). As conditioned, mechanical and utility equipment will be screened in compliance with YMC § 17.140.020.

#### YMC § 17.144 REGULATIONS FOR IMPACT ON ADJACENT USES

Because the project is located in the RSC Zone adjacent to existing or planned residential areas, it must comply with the following “Impact Category I” standards (YMC § 17.144.020):

*1. Noise. a. Impact category I. All noise generating operations shall be buffered so that they do not exceed noise levels identified in chapter 8.04 of this code.*

The project will be conditioned to comply with the noise requirements of the Municipal Code for construction of the project and after the project has been built.

*2. Light impact. a. Impact category I. No bright or flashing light shall be visible in a residential district a lighted sign shall be subject to section 17.132.090 and end chapter 17.152, Signs, of this Title.*

As noted in the Outdoor Lighting Section above, the proposed lighting meets the requirements of the YMC and are down lights. The plant lighting along Jefferson Street, which is within a building alcove and will not bleed to the residential area. A condition of approval will require that plans submitted for building permit be reviewed to ensure consistency with the lighting requirements of the Municipal Code.

*3. Traffic circulation and parking. a. Impact category I. New development must demonstrate that it will not substantially increase truck traffic on residential streets. Trucks over 210 shall not be permitted on local residential streets customer and employee parking and truck loading area shall be provided in accordance with chapter 17.116, off street parking and loading of this title.*

A Traffic Impact Assessment dated October 30, 2024 (Attachment 7), was prepared by AMS Associates for the proposed project. The analysis concluded that no significant impacts on traffic flow and operations were anticipated. The parking as proposed satisfies Chapter 17.116. Additionally, the access to the parking lot is on Humboldt Street across from a commercial use and away from residential properties.

*4. Vibration. a. Impact Category I. No perceptible vibrations shall be permitted off the development site.*

Vibrations should only potentially occur during construction; the potential impacts would be temporary.

*5. Flammable material. a. Impact category I. No operations involving the use or storage flammable materials or fuses shall be permitted adjacent to any residential area.*

The proposed use is a mixed-use project that includes retail and residential, there will be no flammable materials for the operations of the proposed uses.

*6. Airborne emissions. a. Impact category one. No use shall exceed the maximum permissible emission standards established by the San Francisco Bay Area Air Quality Management District.*

The Project Site is located in the San Francisco Bay Area Air Basin (SF Air Basin). The air quality of the SF Air Basin is a product of sources of air pollution within the basin, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography. The local air quality regulatory agency responsible for the SF Air Basin is the Bay Area Air Quality Management District (BAAQMD).

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM10 and PM2.5 state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m<sup>3</sup> for PM10 and less than 12 µg/m<sup>3</sup> for PM2.5. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM2.5). All other national ambient air quality standards within the Bay Area Air Basin are attained. Implementation of the BAAQMD Best Management Practices for Construction-related fugitive dust is imposed as a condition of approval of the Master Development Plan. As such the Project will not have a significant effect from fugitive dust emissions.

*7. Water Quality. a. Impact Category I. The town shall evaluate liquid waste to be disposed into its sewer system and report upon the town's capacity to provide treatment industries not connecting to the municipal sewer system are subject to water quality standards administered by the San Francisco Bay Regional Water Quality Control Board.*

The proposed Project will be required to connect to the Town's municipal sewer and water systems and comply with the regulations applicable thereto.

*8. Building Size and Architectural Design a. Impact Category I. All building design inside layouts shall be approved by the Zoning and Design Review Board or Town Council.*

The project application includes Design Review which will be reviewed and considered by the ZDRB and the Town Council.

**YMC § 17.148 PUBLIC ART PROGRAM**

Pursuant to YMC § 17.148, and as conditioned, the project will be subject to the Town's Public Art requirement to provide public art on the site or pay the in-lieu fee. The applicant is proposing a new art sculpture bicycle rack on the east side of the site to meet the public art requirements, which will require the approval of the Yountville Art Commission (Attachment 4 - Master Development Plan Application Book, page 25). The applicant has also proposed to relocate the public art piece at the corner of Jefferson and Humboldt Streets; YMC § 17.148.100(A) requires the removal or alteration of existing art be approved by the Art Commission.

**YMC § 17.152 SIGNS**

Pursuant to YMC § 17.152.020(J), a Master Sign Plan is required buildings with two or more businesses. The reviewing authority (ZDRB or Town Council) is the authority for approval of Master Sign Plans. The applicant has applied for a Master Sign Permit for the two retail spaces. The applicant is proposing two smaller wall signs, one above each retail entry. The Hunter Gatherer sign would be one-foot in height by 10.5 feet wide, while the flower shop would be 9-inches in height by six feet wide, for a total of 15 square feet, where 63 square feet is allowed under the Master Sign Plan regulations. The sign for Hunter Gatherer, the main retail space, would be individual raised brass lettering and be lit by gooseneck lighting. The flower shop sign would be the same coloring but done as an awning sign. (See Attachment 4 - Master Development Plan Application Book, pages 21-24).

Signage	Proposed Master Sign Plan:
0.5 Square Feet (SF) per Linear foot (LF) of frontage, 25 SF max per sign	Hunter Gatherer: 10'-6" W x 1'H = 10.5 SF Wall Sign
Allowed: 125 Linear Feet of building x .5 = 63 SF	Flower Shop: 6'W x 0'-9"H = 4.5 SF Awning Sign
	Total SF: 15 SF

**STRATEGIC PLAN GOALS**

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

**ENVIRONMENTAL REVIEW**

The project is eligible for an exemption from the California Environmental Quality Act under CEQA Guidelines § 15332 Infill Development Projects, which applies when:

- A. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- B. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- C. The project site has no value, as habitat for endangered, rare or threatened species.
- D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- E. The site can be adequately served by all required utilities and public services.

*A. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

The project is a mixed-use development that would add a mix of retail and three new residential units, consistent with the General Plan designation and Zoning district. The project is consistent with the General Plan as

described in this report and Attachment 2 – General Plan Consistency Analysis.

*B. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The site is less than five acres and is substantially surrounded by existing development. The site is currently undeveloped and is served by existing utilities and public services.

*C. The project site has no value, as habitat for endangered, rare or threatened species*

**Biological Resources** - A biological resource study dated October 25, 2024, conducted by WRA Environmental Consultants, confirms that the subject property does not currently have any sensitive biological communities or special-status plant species. Additionally, the site is bounded by developed properties, and does not have any habitat value for endangered, rare, or threatened species. The conditions of approval require a nesting study to be performed if project development activities commence between February and August to address any concerns regarding nesting birds.

*D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

**Traffic** - A Traffic Impact Assessment dated October 30, 2024, was prepared by AMS associates for the proposed project (Attachment E). The analysis concluded that no significant impacts on traffic flow and operations were anticipated. The Project would result in a net increase of approximately 140 vehicle trips per day – 120 from the local serving retail and 20 from the residential uses.

The California Governor's Office of Planning & Research (OPR) in the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018 contains several criteria to identify certain types of projects that are unlikely to have a Vehicle Miles Traveled (VMT) impact and can be "screened" from further VMT analysis. Additionally, the Town of Yountville adopted VMT screening criteria and mitigations on December 7, 2021. The Town adopted OPR's screening criteria which exempts local serving retail of 50,000 square feet or less and also exempts small projects which generate less than 110 trips per day. Additionally, the Town of Yountville adopted mitigations for VMT that included encouraging mixed-use development. While no metric was adopted at that time, the Napa County Transportation Authority provides a "VMT calculator" with a potential VMT reduction of 30% of trips for mixed use projects (if applied to this project, would be a reduction of 42 trips, for a VMT of 98 trips per day).

The proposed local serving retail is 2,413 square feet, less than 5% of the 50,000 square foot threshold for VMT analysis. Likewise, the three residential units would generate 20 trips per day, less than the 110-trip threshold. VMT criteria allows mixed use projects to analyze each use component separately (for instance, 50,000 square feet of retail would generate over 2,000 trips per day compared to 'small project' criteria of 110 trips, and would be in direct conflict to the adopted criteria if the retail were also subject to the small project threshold of 110 trips). Therefore, the project is below the screening level, would not result in a significant effect relating to traffic, and meets this criterion for a Class 32 exemption.

**Noise** - The construction phases of the project would generate maximum noise, however these activities would be temporary in nature and anticipated to occur during normal daytime working hours. Noise would also be generated by increased truck traffic, which would also be of short duration and occur during daytime hours.

The Town's General Plan requires implementation of Best Management Practices which are a standard condition of approval of the Master Development Permit. Implementation of Best Management Practices will ensure that temporary construction noise will not have a significant effect. The Project design elements include the use of Best Management Practices and the use of static drum rollers instead of vibrations for soil compaction. Implementation of Best Management Practices are a condition of approval of the Master Development Plan and as designed and conditioned, the project will not have a significant effect on vibration. The operation of the project would include typical commercial and residential noise which is consistent and compatible with existing adjacent & residential uses. As analyzed and with uniformly applied development standards imposed as project

conditions of approvals, the project will not have a significant effect on noise. Therefore, the project would not result in a significant effect relating to noise and the project meets this criterion for a Class 32 exemption.

**Air Quality** - The project site is in the San Francisco Bay Area Air Basin (SF Air Basin). The air quality of the SF Air Basin is a product of sources of air pollution within the basin, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography. The local air quality regulatory agency responsible for the SF Air Basin is the Bay Area Air Quality Management District (BAAQMD).

The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM10 and PM2.5 state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m<sup>3</sup> for PM10 and less than 12 µg/m<sup>3</sup> for PM2.5. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM2.5). All other national ambient air quality standards within the Bay Area Air Basin are attained.

Fugitive Dust. Pursuant to General Plan OS-7.1d, the Project will implement BAAQMD Best Management Practices for Construction-related fugitive dust. These practices include:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas and access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.
- The applicant/general contractor for the project shall demonstrate to the local jurisdiction that all off-road equipment greater than 25 hp that will be operating for more than 20 hours over the entire duration of the construction activities at the site, including equipment from subcontractors either produce zero emissions or meet both of the following requirements: 1) have engines that meet or exceed either US EPA or ARB Tier 2 off-road emission standards; and 2) have engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS), if one is available for the equipment being used (equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required).
- Idling time of diesel-powered construction equipment, trucks and generators shall be limited to no more than 2 minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturers' specifications.
- Portable diesel generators shall be prohibited. Grid power electricity should be used to provide power at construction sites; or propane and natural gas generators may be used when grid power electricity is not feasible.

Implementation of the BAAQMD Best Management Practices for Construction-related fugitive dust are included in the conditions of approval of the Master Development Plan. As such the Project will not have a significant effect from fugitive dust emissions.

**Water Quality** - The proposed project includes a stormwater control plan prepared by AMS Associates (Attachment 8) as well as a Hydrology/Hydraulic Study (Attachment 9). Pursuant to YMC Chapter 13.128 Control of Urban Runoff, Public Works conditions require final approval of stormwater management and treatment, erosion control, and implementation of the hydrology plan.

Through the implementation of uniform standards and as conditioned, the Project will not have a significant effect on water quality and this criterion is satisfied qualifying the Project for a Class 32 exemption.

#### Review for Exceptions to CEQA Exemption

If a project qualifies for use of a categorical exemption, then the lead agency must determine whether the project is subject to any of the exceptions that would preclude the use of a categorical exemption, pursuant to CEQA Guidelines Section 15300.2:

*(a) Location. Certain classes of projects (Classes 3, 4, 5, 6, and 11) are qualified by consideration of where the project is to be located and whether it may impact an environmental resource of hazardous or critical concern. Section 15300.2(a) does not apply to the Class 32 exemption; therefore, this exception does not apply.*

*(b) Cumulative Impact. All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The proposed project will develop the site in its entirety and will not result in successive projects of the same type or in the same place over time. Therefore, this exception does not apply.

*(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The proposed project site is located within the Town limits of Yountville. The proposed project is a mixed-use development (retail & residential – three residential units). There are no known site conditions or elements of the proposed project that would have a significant effect on the environment due to unusual circumstances. As such, this exception does not apply.

*(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources within a highway officially designated as a state scenic highway.*

The project site is not located on, adjacent to, or in a location visible from a highway officially designated as a state scenic highway. Therefore, this exception does not apply.

*(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

A search of GeoTracker indicates that there are no known LUST clean-up sites within the vicinity of the proposed project or onsite. Additionally, there are no federal superfund, state response, voluntary cleanup, or school cleanup sites within the vicinity of the project or onsite. Therefore, the project is not on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code and this exception does not apply.

*(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

Not applicable as there are no historic resources on the Site.

As provided above, the project qualifies for an exemption under CEQA Guidelines Section 15332, because it meets all the criterion and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply.

Additionally, should the Town deny the project, the project would be exempt under CEQA Guidelines Section 15270, which exempts projects an agency rejects or disapproves. Therefore, the Project is categorically exempt

from CEQA.

## **RECOMMENDATION**

Receive staff report and direct questions to staff.

Receive the Applicant's presentation.

Conduct public hearing and receive public comments.

Conduct ZDRB discussion on project application.

Consider motion and second to adopt Resolution Number 25-021 recommending the Town Council conditionally approve the Preliminary and Final Master Development Plan, Tentative Parcel Map, Use Permit, Design Review, Tree Removal Permit, and Master Sign Plan for the "Humboldt Mixed Use" project at 2010 & 2012 Humboldt Street (the "Project"), subject to Conditions of Approval, and recommending the Town Council find the Project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 (Infill Development).

## **ZDRB Options include:**

- Direct the applicant regarding modifications needed to the project to gain a recommendation for approval and continue the hearing. Staff have provided a draft set of Project Conditions (Conditions of Approval) in Attachment 1a for the ZDRB to consider and adjust if this option is chosen.
- Direct staff to provide a Resolution forwarding a recommendation to the Town Council to deny the project.
- Adopt the Resolution forwarding a recommendation to the Town Council to conditionally approve the project as stated in the above recommendation and in the attached Resolution, along with any additional Conditions of Approval the ZDRB recommends.

## **ATTACHMENTS**

1. Resolution No. 25-021
- 1a. Exhibit A - Conditions of Approval
2. General Plan Consistency Analysis
3. Project Narrative Letter, prepared by Palisades Land Use Consultancy, revised December 13, 2024
4. "Master Development Plan Application Book" dated Oct 31, 2024
5. Project Plans dated Oct 31, 2024 and Renderings dated December 3, 2024
6. Tentative Parcel Map, prepared by AMS Associates, dated October 31, 2024
7. Traffic Impact Assessment, prepared by AMS Associates, dated October 30, 2024
8. Stormwater Control Plan, prepared by AMS Associates, dated January 25, 2024
9. Hydrology and Hydraulic Study, dated January 25, 2024
10. Biological Resources Assessment, prepared by WRA Environmental Consultants, dated October 30, 2024
11. Tree Evaluation Letter, prepared by Focal Point Arboriculture Consulting, dated October 8, 2024
12. Public Comments