

**CITY OF CALISTOGA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**Wednesday, May 11, 2011  
5:30 PM  
Calistoga Community Center  
1307 Washington St., Calistoga, CA**

**Chairman Jeff Manfredi  
Vice-Chairman Paul Coates  
Commissioner Nicholas Kite  
Commissioner Matthew Moyer  
Commissioner Carol Bush**

**“California Courts have consistently upheld that development is a privilege, not a right.”**

Among the most cited cases for this proposition are Associated Home Builders, Inc. v. City of Walnut Creek, 4 Cal.3d633 (1971) (no right to subdivide), and Trent Meredith, Inc. v. City of Oxnard, 114 Cal. App. 3d 317 (1981) (development is a privilege).

1  
2 **Chairman Manfredi** called the meeting to order at 5:39 PM.  
3

4 **A. ROLL CALL**

5 **Present:** Chairman Jeff Manfredi, Vice-Chair Paul Coates, Commissioners Nicholas Kite,  
6 Matthew Moyer and Carol Bush. **Staff Present:** Ken MacNab, Planning and Building Manager,  
7 Erik Lundquist, Senior Planner, and Kathleen Guill, Planning Commission Secretary.  
8

9 **B. PLEDGE OF ALLEGIANCE**

10  
11 **C. PUBLIC COMMENTS**

12  
13 **D. ADOPTION OF MEETING AGENDA**

14 There was motion by **Commissioner Bush**, seconded by **Commissioner Kite** to approve the  
15 agenda as provided. **Motion carried: 5-0-0-0.**  
16

17 **E. COMMUNICATIONS/CORRESPONDENCE**

18  
19 **F. CONSENT CALENDAR**

20  
21 The following items listed on the Consent Calendar are considered routine and action taken by the  
22 Planning Commission is by a single motion. Any member of the Planning Commission, staff or  
23 the public may request that an item listed on the Consent Calendar be moved and action taken  
24 separately. In the event that an item is removed from the consent calendar, it shall be consider  
25 after the last scheduled item under New Business.  
26

27 Planning Commission regular Meeting Minutes of April 13, 2011.  
28

29 There was motion by **Vice-Chairman Coates**, seconded by **Commissioner Bush** to approve the  
30 Consent Calendar as presented. **Motion carried: 5-0-0-0.**  
31

32 **G. TOUR OF INSPECTION**

33 None.  
34

35 **H. PUBLIC HEARING**

36  
37 **1. U 2011-08 & DR 2011-07:** Consideration of Conditional Use Permit and Design Review  
38 applications to construct a 720 square foot structure for professional office use on the property

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39 located at 509-A Washington Street (APN 011-260-079) within the "R3", Residential / Professional  
40 Office Zoning District. This proposed action is exempt from the California Environmental Quality  
41 Act (CEQA) under Section 15332 of the CEQA Guidelines.

42

43 **Vice-Chairman Coates** recused himself from the discussion because he is the owner and  
44 applicant of this project.

45

46 **Chairman Manfredi** disclosed that he visited and walked the project site with the applicant on  
47 Monday, May 09, 2011.

48

49 **Planner Lundquist** provided an overview of the project advising:

- 50     ▪ The property access was from Camp Street with a private driveway that serves four  
51     properties;
- 52     ▪ A recent lot line adjustment had been recorded to accommodate further development of the  
53     property.
- 54     ▪ The property has an existing barn and two sheds that are currently used for miscellaneous  
55     storage.
- 56     ▪ Paul Coates Construction has an existing presence in the community and has operated  
57     from the Fair Grounds for many years.

58

59 **Planner Lundquist** summarized the request included a new 720 sq. ft. office building to be used  
60 for administrative services and retention of an existing barn on the property for storage use. There  
61 are several protected trees in the front yard that will be retained. No additional site improvements  
62 are planned, with the exception of installing one additional handicap parking space and an ADA  
63 compliant path of travel. Staff is recommending approval of the use permit.

64

65 **Paul Coates**, 1710 Reynard Street, reported as the applicant he was in agreement with just about  
66 everything, but shared a minor concern with a possible misunderstanding. He clarified the small  
67 shed will not be destroyed, but the larger shed is not in good shape and will be torn down.

68

69 **Planner Lundquist** stated this did not alter his recommendation for approval because it will not  
70 instigate an excessive increase to the footprint

71

72 **Paul Coates** referenced Resolution PC 2011-11, page 6 of 7, item 9. Mr. Coates requested the  
73 Commission consider amending the language to provide a little flexibility associated with activities  
74 within the barn. He assured there would not be any form of industrial use or servicing of  
75 equipment, but he would like the ability to occasionally assemble a cabinet or something that  
76 would be acceptable to do in any residential garage. He reported he owns a flat bed truck that  
77 may be on site sometimes, but that will be the only "fleet" type vehicle that would have an  
78 occasional presence.

79

80 **Commissioner Kite** stated it was unclear which wood shed was staying and which shed would  
81 be demolished and asked the applicant to provide clarification.

82

83 **Paul Coates** provided necessary confirmation.

84

85 **Commissioner Kite** shared the concern for potential activity in the barn and questioned the  
86 duration and intensity of the activities.

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87

88 **Paul Coates** reported any activity would be periodic, or almost never, and would likely be fixing or  
89 assembly of something, he further noted it would not be business driven. He stated it would not  
90 be a mechanic shop, etc. – because that would be inappropriate.

91

92 **Commissioner Moye** questioned a reference to special flood hazard.

93

94 **Planner Lundquist** reported the property is in the flood plain fringe and needed to meet  
95 standards that enable the structure to withstand flood waters.

96

97 **Commissioner Moye** inquired if they have had a problem with water up there.

98

99 **Paul Coates** reported FEMA maps were created with a lot of margin. Also noting it is not an  
100 inexpensive thing to do.

101

102 **Paul Coates** pointed out sewer and water fees and special requirements are the reason why  
103 small businesses cannot get off the ground in Calistoga. To illustrate that it is not a small number  
104 when you are a small business group, he reported that impact fees for this project were estimated  
105 at 37.5% the of cost of the total project, and this is what makes new projects not viable. Hopefully  
106 Council will be more aware that this is one of the reasons why it is so difficult to get new business  
107 in our city.

108

109 **Manager MacNab** reported the City Manager and Council are aware of the burden impact fees  
110 present and at end of last year passed measures to encourage economic development, including  
111 allowing necessary impact payments to be spread over years to minimize the initial impact. He  
112 wanted to remind it is something the city is continually looking at.

113

114 **Commissioner Kite** reported an analyzed water study has always been available as an option as  
115 well as paying standardized fees; but subsequent more or less use does not create an outcome.  
116 He suggested if a person uses less than estimated during the first year the City should owe them  
117 some money for the difference.

118

119 **Manager MacNab** agreed that people should only pay the fair usage. However it may be more  
120 reasonable to review the engineered analysis, monitor the actual water use and any fluctuations  
121 over a couple of years for a true analysis of use.

122

123 **Paul Coates** was pleased that the Council and City Manager are aware of these issues.

124

125 **Chairman Manfredi** closed the public portion of discussion at 6:01 PM.

126

127 Considering the potential for change of ownership, etc, in the future **Commissioner Kite**  
128 suggested they discuss what the applicant is able to do in the barn to assure it would not turn into  
129 a noisy production area or disturb any neighbors. With this clarification he would be supportive of  
130 approval.

131

132 **Commissioner Bush** asked the applicant if he had any suggested wording.

133

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134 **Paul Coates** suggested stating only minor or mechanical repair associated with residential zoning  
135 would be allowed.

136

137 **Planner Lundquist** stated the proposed conditions were carried over from a similar project for an  
138 arborist office. Since a contractors activities may be different we could look at changing condition  
139 9., noting the word “workshop” may suggest a higher intensity use. Maybe an alternative could be  
140 “no carpentry activities”.

141

142 **Planner Lundquist** stated he would revise the language with reliance on the residential use  
143 zoning code and was confident that language would be sufficient.

144

145 **Chairman Manfredi** stated with the shed issue resolved, design was the only outstanding issue  
146 remaining for discussion. He concluded stating the structure was very nice and will provide a  
147 remarkable improvement.

148

149 **Chairman Manfredi** asked if there were any further questions regarding the design.

150

151 **Commissioner Bush** noted the proposal fits the area well, is attractive and she liked the design.

152

153 There was motion by **Commissioner Bush**, seconded by **Chairman Manfredi** to file of a Notice  
154 of Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines. **Motion carried:**  
155 **4-0-0-1.**

156

157 There was motion by **Chairman Manfredi**, seconded by **Commissioner Moyer** to adopt  
158 Resolution PC 2011-11 approving Conditional Use Permit (U 2011-08) and Design Review (DR  
159 2011-07) to allow the construction of a 720 square foot structure for office use on the property  
160 located at 509-A Washington Street (APN 011-260-079) within the “R3”, Residential/Professional  
161 Office District, based upon the Findings presented in the resolution and subject to conditions of  
162 approval and amending language within condition #9 as per the Commissions direction. **Motion**  
163 **carried: 4-0-0-1.**

164

165 **Vice-Chair Coates** resumed his seat on the commission at 6:06 PM.

166

### 167 I. NEW BUSINESS

168

### 169 J. MATTERS INITIATED BY COMMISSIONERS

170 **Chairman Manfredi** reminded during the previous Planning Commission meeting he had  
171 requested the City Manager and Council take into consideration raising penalties for illegal  
172 vacation rentals and asked if it would be considered.

173

174 **Manager MacNab** reported that the City Council adopted an update to the city’s code  
175 enforcement ordinance, including the fees. Mr. MacNab noted the fees may appear low, but they  
176 are accrued on a daily basis.

177

### 178 K. DIRECTOR’S COMMENTS/PROJECT STATUS

179 **Manager Mac Nab** provided a status update of applications in progress reporting Enchanted  
180 Resorts, T Vine and Lava Vines projects were moving forward. Staff has been working with Olof  
181 and Elizabeth Carmel regarding a proposed new project to be located where the Lincoln Avenue

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182 Pocket Park currently exists. Mr. MacNab also noted that Chevron is back in town and interested  
183 in moving forward with design review and new canopies.

184

185 **Commissioner Moye** asked if the Chevron has been fined by Napa County.

186

187 **Manager MacNab** stated he is unaware of any fines that have been levied, but staff has been  
188 working with the Napa County Department of Weights and Measures to bring signage into  
189 compliance.

190

191 **Manager MacNab** reported the next Planning Commission agenda would include an annual Bed  
192 and Breakfast inspection report and a administrative review report for the Pink Mansion and the  
193 Craftsman Inn.

194

195 **L. ADJOURNMENT**

196 There was motion by **Commissioner Kite**, seconded by **Commissioner Moye** to adjourn to the  
197 next regular meeting of the Planning Commission, Wednesday, May 25, 2011, at 5:30 PM. The  
198 meeting adjourned at 6:09 PM.

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Kathleen Guill  
204 Secretary to the Planning Commission

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