



City of Calistoga
Planning Commission
Agenda Item Summary

DATE

August 10, 2011

REQUESTED ACTION

Consent Calendar

Planning Commission Regular Meeting Minutes of July 13, 2011.

RECOMMENDATION

Approve the Consent Calendar as presented.

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

**Wednesday, July 13, 2011
5:30 PM
Calistoga Community Center
1307 Washington St., Calistoga, CA**

**Chairman Jeff Manfredi
Vice Chairman Paul Coates
Commissioner Nicholas Kite
Commissioner Matthew Moye
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 5:33 PM.
3

4 **A. ROLL CALL**
5

6 **Present:** Chairman Jeff Manfredi, Commissioners Nicholas Kite, Carol Bush and
7 Matthew Moye. **Absent:** Vice-Chairman Paul Coates. **Staff Present:** Ken
8 MacNab, Planning and Building Manager, Erik Lundquist, Senior Planner and
9 Amanda Davis, Executive Secretary.
10

11 **B. PLEDGE OF ALLEGIANCE**
12

13 **C. PUBLIC COMMENTS**
14

15 **Yvonne Henry, 1907 Cedar Street, Calistoga**, Calistoga’s Representative to
16 the Arts & Culture Commission, spoke in regards to a public arts ordinance. Ms.
17 Henry gave a brief description of what a public arts ordinance is and its
18 importance to Calistoga.
19

20 **Clarence Luvisi, 285 Rosedale Road, Calistoga**, reminded staff and the
21 Commission of the importance of the right-to-farm ordinance that was discussed
22 at the previous Planning Commission meeting.
23

24 **D. ADOPTION OF MEETING AGENDA**
25

26 There was motion by **Commissioner Bush**, seconded by **Commissioner Moye**
27 to approve the agenda as provided. **Motion carried: 4-0-1-0.**
28

29 **E. COMMUNICATIONS/CORRESPONDENCE**
30

- 31 1. Correspondence from Arden Burt Harlan, 07/8/11 (Attachment 1)
32 2. Correspondence from George Caloyannidis, 07/8/11 (Attachment 2)
33 3. Correspondence from Kristin Martin, 07/8/11 (Attachment 3)
34 4. Correspondence from Tom & Laurie Poggi, 07/11/11 (Attachment 4)

- 35 5. Correspondence from Mark & Teresa Aubert, 07/11/11 (Attachment 5)
36 6. Correspondence from Merrill Lindquist, 07/12/11 (Attachment 6)
37

38 **F. CONSENT CALENDAR**

39 None.

40

41 **G. TOUR OF INSPECTION**

42 None.

43

44 **H. PUBLIC HEARINGS**

- 45 1) **U 2011-09:** Consideration of a Conditional Use Permit application to establish
46 retail wine sales, including wine tasting in an existing 1,989 square foot mixed
47 use space located at 1471 First Street (APN 011-204-012) within the "CC-DD",
48 Community Commercial-Design District Overlay Zoning District. The property is
49 developed with a residential structure that is currently used for residential
50 purposes and administrative offices for Beer and Wine Services, Inc. This
51 proposed action is exempt from the California Environmental Quality Act (CEQA)
52 under Section 15332 of the CEQA Guidelines. *This item was continued from the*
53 *June 22, 2011 Planning Commission meeting.*

54

55 **Senior Planner Lundquist** presented the item. He gave a brief overview of the
56 item noting that it was continued from the June 22nd Planning Commission
57 meeting. The applicant, Andrea Anderson, who operates her business at 1471
58 First St., requested that this item be continued upon finding out that staff was
59 recommending an additional condition of approval. The additional condition of
60 approval mandates that Ms. Anderson's wine tasting facility pour only wines
61 made from a minimum of 75% Napa Valley grapes. The condition of approval is
62 being suggested in light of public comments that were received at a recent City
63 Council meeting. Senior Planner Lundquist stated that the Planning Department
64 is recommending an incorporation of a condition regulating the tasting based on
65 the City Council's direction to review grape sourcing requirements. The City
66 Council will be reviewing this item at the July 19th City Council meeting where
67 they will discuss and provide feedback and direction to staff on whether to
68 proceed forward with an ordinance.

69 There was motion by **Chairman Manfredi**, seconded by **Commissioner Kite** to
70 continue this item subsequent to City Council consideration and/or clarification.
71 **Motion carried: 4-0-1-0.**

72

- 73 2) **DR 2009-03:** Consideration of a Design Review application to install a 31.5
74 square foot gas price sign. The proposed sign is 5.5 feet in height and 7 feet in
75 width and will replace the existing monument sign located at the corner of Lincoln
76 Avenue and Foothill Boulevard. The subject gas station is located at 1108

77 Lincoln Avenue (APN 011-254-003) within the "DC-DD", Downtown Commercial-
78 Design District Overlay Zoning District. No changes to use or operations are
79 being proposed as part of this application. This proposed action is exempt from
80 the California Environmental Quality Act (CEQA) under Section 15303 of the
81 CEQA Guidelines.

82
83 **Commissioner Kite** recused himself from this item.

84
85 **Planning Manager MacNab** recommended that this item be continued to the
86 August 10th Planning Commission meeting. The Commission may not have a
87 voting majority at the July 27th Planning Commission meeting.

88
89 There was motion by **Chairman Manfredi**, seconded by **Commissioner Bush** to
90 Continue the Public Hearing to August 10, 2011. **Motion carried: 4-0-1-0.**
91

92 **I. NEW BUSINESS**

- 93
94 **1) CDR 2011-01:** Review of revised conceptual development plans for
95 development of the Brian Arden Winery located at 331 Silverado Trail (APN 011-
96 050-030) within the "PD", Planned Development Zoning District. The proposed
97 structures and site improvements planned on the 2.25 acre site have been
98 modified based upon feedback received during the Planning Commission
99 meeting of June 22, 2011.

100
101 **Senior Planner Lundquist** introduced the item and noted that there is no formal
102 action being taken tonight by the Planning Commission.

103
104 **Burt Harlan, Principal of Brian Arden Wines, 331 Silverado Trail**, gave a brief
105 presentation and overview of the item. He addressed the various concerns and
106 comments that were received in the communications regarding this item. He
107 described modifications that were made to the plans since the Planning
108 Commission's consideration on June 22nd 2011.

109
110 **PUBLIC HEARING OPENED**

111
112 **Jim Rose 1734 Emerald Drive, Calistoga;** spoke in support of the item. He
113 wanted to clarify that this is a conceptual review process by the Planning
114 Commission and many items addressed in the communications received were
115 items that are more appropriate for a use permit application submittal. He noted
116 that a great majority of the communications received were from people that are a
117 part of competing wineries. He discussed the economic vitality that exists in
118 Calistoga and the importance of keeping this alive by maintaining a variety of
119 wineries.
120

121 **Vito Serano, Director of Facilities for Solage, 755 Silverado Trail, Calistoga;**
122 spoke on behalf of Solage and their opposition to the item. Solage is concerned
123 with the following: the proposed winery plans to sell very inexpensive Lake
124 County wine and they feel that the wine should come from Napa County; the
125 plans call for a commercial kitchen with events that generally have been
126 prohibited in Napa County; the site plan is too dense with buildings and the
127 parking lot dominating the site; as the gateway to Calistoga the site should be
128 carefully planned to preserve the rural character of the entry to the town; and
129 finally there are concerns with traffic with the addition of the Silver Rose hotel
130 project across the street.

131
132 **Lester Hardy 1312 Oak Avenue, St. Helena;** spoke in opposition of the item.
133 He represents Mark and Theresa Aubert. He presented an aerial view of the
134 property to the Planning Commission demonstrating the relationship between
135 August Briggs Winery and the proposed project. He expressed his concerns with
136 the visual impacts. He discussed the relationship between parking capacity and
137 visitor capacity and the effects this will have. He and his clients recognize that
138 significant changes have been made to the plans and thanked and
139 acknowledged the applicants for their efforts.

140
141 **Mark and Teresa Aubert, 333 Silverado Trail, Calistoga;** spoke in opposition
142 of the item. They thanked Brian Harlan and Jim Rose for meeting with them to
143 discuss the details of the proposed project. They stated that originally when the
144 Planning Commission approved the August Briggs Winery, they felt assured that
145 another winery would not be constructed in the area because it would affect the
146 entry corridor and would violate the Maxfield/Adams Beverage Company
147 Properties Planned Development Overlay land use designations. They stated
148 that there are many items about this project that are non-conformant with the
149 General Plan. They expressed their concerns with the visual impacts, balance of
150 use, easement agreement, traffic and parking and feel the proposal is overall too
151 intense for this location.

152
153 **Kristin Martin, 1723 Dean York Lane, St. Helena;** spoke in opposition of the
154 item. She stated that having two wineries in such close proximity should not be
155 allowed and expressed her concerns regarding this.

156
157 **Tom Poggi, 30 Rosedale Rd., Calistoga;** spoke in opposition of the item. He
158 expressed his concerns with the location of the proposed winery and feels that it
159 would create congestion.

160
161 **George Caloyannidis, 2202 Diamond Mountain Road, Calistoga;** He stated
162 that one of the issues being brought up is the viewshed and the effects the
163 project will have on this. He suggested that a viewshed ordinance be put in place
164 to assure that such issues do not arise in the future.
165

166 **David Goodrich, 1597 Greenwood Avenue, Calistoga;** spoke in opposition to
167 the item. He stated that the Brian Arden Winery is still in conflict with the
168 Maxfield/Adams Beverage Company Properties Planned Development Overlay
169 land use designations as well as the Down-Valley Silverado Trail entry corridor.
170 He stated that his concerns with traffic, on-site sales and the possibility of this
171 creating a futile relationship between two entities.
172

173 **Norma Tofanelli, 1001 Dunaweal Lane, Calistoga;** spoke in opposition to the
174 item. She discussed the General Plan and its intent. She stated her concerns
175 with the types of driveways being created in a very small area and the effects the
176 proposed project will have on the entry corridor.
177

178 **Carlo Di Fede, 3475 St. Helena Hwy North, St. Helena;** spoke in support of the
179 item. He made reference to two wineries located in St. Helena that are adjacent
180 to one another and noted their ability to work together and their ability to sell
181 100% of their product off of those sites.
182

183 **Chair Manfredi closed the public portion of the discussion.**
184

185 Commission discussion ensued. The Commission discussed the agricultural
186 predominance, massing, scale, height and compatibility of land use with regard
187 to the development of the Brian Arden Winery. Some concerns include the height
188 of the proposed building, parking and its impact, the crush pad, winery events to
189 take place, and the effect this project will have on Calistoga's entry corridor. The
190 Commission discussed their interpretations of the General Plan and its meaning
191 in accordance with the proposed project. There was commission consensus that
192 there are various ambiguities that should be addressed and clarified by the
193 applicant.
194

195 **Senior Planner Lundquist** addressed the Commission's questions and
196 comments. He reported that the applicant has the ability to come back for a third
197 round of conceptual review or they have the option to submit a formal application.
198 If the applicant submits a formal application, staff will process this along with the
199 necessary environmental review which will be re-advertised for a public hearing
200 at which point the Planning Commission will then consider the formal application.
201

202 **2) Election of Planning Commission Secretary**

203

204 **Planning and Building Manager MacNab** presented the item.
205

206 There was a motion by **Chairman Manfredi**, seconded by **Commissioner Moyer**
207 to Elect Amanda Davis as the 2011 Planning Commission Secretary. **Motion**
208 **carried: 4-0-1-0.**
209

210 **J. MATTERS INITIATED BY COMMISSIONERS**

211
212 **Commissioner Moyer** reported that he has been working with community
213 members on a possible right-to-farm ordinance to be enacted in the city limits of
214 Calistoga. He met with the Farm Bureau and the Chamber of Commerce. The
215 Chamber of Commerce will be taking this to their board to discuss possible
216 concerns. Commissioner Moyer is requesting that staff bring this forward to the
217 City Council. **Planning and Building Manager MacNab** responded that he will
218 work with City Manager Spitler in reviewing this request and possibly presenting
219 it to the City Council for direction.

220
221 **Chairman Manfredi** expressed his interest in reviewing the City of Napa's Public
222 Arts Ordinance and feels it would be worthwhile for the Commission to review it,
223 make suggestions and bring it forward to the City Council. **Planning and**
224 **Building Manager MacNab** provided clarification about where the money is
225 coming from.

226
227 **Commissioner Bush** commended Commissioner Coates for the American
228 Legion's 4th of July Float which won best of show.
229

230 **K. COMMENTS/PROJECT STATUS**

231
232 **Planning and Building Manager MacNab** reported that there is a housing
233 workshop being held in St. Helena on the evening of July 14th and invited the
234 Commission to attend. The purpose of this meeting is to solicit public opinion on
235 what should be the factors that guide how the County and its jurisdictions
236 allocate or direct housing growth within the County. He reported that the July
237 27th Planning Commission meeting has been canceled. He reported that due to
238 some of the recent changes in staffing levels in the Planning and Building
239 department, staff had to appoint a new secretary. Consequently staff will not
240 have the resources to prepare a full set of detailed minutes that the Commission
241 is accustomed to and will be transitioning to action oriented minutes.

242 **L. ADJOURNMENT**

243 There was motion by **Commissioner Bush**, seconded by **Chairman Manfredi**
244 to adjourn to the next regular meeting of the Planning Commission, Wednesday,
245 August 10, 2011, at 5:30 PM. **Motion carried: 4,0,1,0.** The meeting adjourned
246 at 7:06 PM.

247
248
249 _____
250 Amanda Davis
251 Secretary to the Planning Commission