# CITY OF CALISTOGA PLANNING COMMISSION MEETING MINUTES

Wednesday, July 11, 2012 5:30 PM Calistoga Community Center 1307 Washington St., Calistoga, CA Chairman Jeff Manfredi Vice Chairman Paul Coates Commissioner Carol Bush Commissioner Nicholas Kite Commissioner Walter Kusener

"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).

# MEETING CALLED TO ORDER AT 5:30 p.m.

#### A. ROLL CALL

**Present:** Chairman Jeff Manfredi, Vice Chairman Paul Coates, Commissioners Nick Kite and Walter Kusener. **Absent:** Commissioner Carol Bush (excused). **Staff Present:** Ken MacNab, Planning and Building Manager, and Erik Lundquist, Senior Planner.

## B. PLEDGE OF ALLEGIANCE

## C. PUBLIC COMMENTS

 Joe Bob Hitchcock, 1322 Berry Street. Mr. Hitchcock asked if Planning Commissioners are prevented from commenting on projects that they abstain from.

Planning Manager MacNab responded that staff advises Commissioners who are required to abstain on a project not to comment on the project in order to avoid any appearance of influencing the decision.

# D. ADOPTION OF MEETING AGENDA

**MOVED** by Vice Chairman Coates, seconded by Commissioner Kusener, to approve the meeting agenda of July 11, 2012 as provided.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

## E. COMMUNICATIONS/CORRESPONDENCE

None.

# F. CONSENT CALENDAR

**MOVED** by Commissioner Kusener, seconded by Vice Chairman Coates, to approve the regular meeting minutes of June 13, 2012 as provided.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

## G. TOUR OF INSPECTION

None.

# H. PUBLIC HEARINGS

1. ARCO (MORE 4 LESS): Consideration of a Design Review (DR 2012-01) application to upgrade the exterior imagery at the service station by: installing new decals and laserline lighting to canopy; replacing undercanopy lights; and refacing gas dispensers located at 940 Petrified Forest Road (APN 011-370-024) within the "CC-DD", Community Commercial-Design District. No changes to use or operations are being proposed as part of this application.

**Senior Planner Lundquist** gave the staff report.

Stig Werelius (Stantec Architects, applicant's representative). Mr. Werelius stated he is general agreement with the staff report, excepting the recommendation to reduce the number of canopy lights in each row from four to three. Mr. Werelius stated that reducing the number lights involves structural considerations and would leave holes that would have to patched – which would not be a good look. Mr. Werelius also stated reducing the number of lights would require electrical work that is beyond the company's illuminate program.

Mr. Werelius stated that they can propose a non-illuminated sheet metal pump topper in place of an illuminated version.

Mr. Werelius made additional comments regarding the recommendation to reduce the number of canopy from lights from four to three. Mr. Werelius stated that deck surface of the canopy structure is such that sealing a flush mounted light would be difficult. Mr. Werelius stated that if the Commission supports staff's recommendation they would probably remove replacement lighting from the scope of work.

Mr. Werelius stated that the concern is reducing lighting levels and noted other changes proposed as part of the project that would reduce the amount of light. Mr. Werelius also noted that lighting is important for security and requested that the proposed lighting improvements not be modified.

Mr. Werelius requested that they be allowed to add a corporate "sparkle" logo to the canopy fascia.

Mr. Werelius provided some background information on why stucco was being proposed for the existing convenience store building.

**Commissioner Kite** asked for clarification on what lighting currently exists on the canopy structure.

**Commissioner Kite** asked for clarification on whether any logo's currently exist on the canopy.

Commissioner Kusener asked staff if there were any standards for lighting levels on commercial buildings.

**Senior Planner Lundquist** responded that regulations require lighting to be hooded/shielded and directed down. Mr. Lundquist also noted General Plan policies that call for unobtrusive lighting.

**Commissioner Kusener** asked the applicant to confirm if the overall lighting level would be reduced after the proposed changes are made.

Mr. Werelius stated that it would and explained why.

Commissioner Kusener asked for clarification on whether TV display units that exist on top of the pumps would be changed as part of the project.

Mr. Werelius stated they would not change in any way.

Chairman Manfredi opened the public hearing.

**Norma Tofanelli**, 1001 Dunaweal Lane. Ms. Tofanelli expressed her amazement at the level of detail being discussed for a gas station project. Ms. Tofanelli noted that there are large development projects where the City refuses to require story-poles or answer public questions but belabors a gas station proposal for years.

**Joe Bob Hitchcock**, 1322 Berry Street. Mr. Hitchcock suggested that the Planning Commission have the applicant look at possible measures to discourage drivers from attempting to make a left turn into the site from Foothill Boulevard.

Chairman Manfredi closed the public hearing.

Vice Chairman Coates concurred with Mr. Hitchcock's comments and asked staff to look at this issue with the applicant.

**Vice Chairman Coates** supports the lighting as proposed, but does not support the addition of a logo to the canopy fascia.

Senior Planner Lundquist asked Vice Chairman Coates for clarification on whether he supports interior illuminated pump spanners. Vice Chairman Coates stated he did not.

Commissioner Kite stated he concurs with Vice Chairman Coates comments and noted that reducing the number of canopy lights could end up looking like a mess.

Commissioner Kite stated he supports lower lumen down lights would work toward reducing lighting levels.

Commissioner Kite stated he does not support the request to add a logo to the canopy fascia.

**Commissioner Kite** asked the applicant what would happen if the Commission were not to support the "laser line"

Mr. Werelius stated that they would still remove the existing "eye-brow" lighting and install the backing laser line decal. Mr. WERELIUS stated that the laser line adds a nice accent and does not generate much light.

Chairman Manfredi summarized the majority position on following points of Commission discussion:

1. Canopy lights. No change to what the applicant proposed.

- Canopy logo. No support for request to add a "sparkle" logo to canopy fascia.
- 3. Laser line lighting. No support for proposal to install "laser line" light on canopy fascia.

Commissioner Kite explained that in his review of the proposal took into consideration the precedent that might be set for other gas station proposals that may come before the Commission in the future.

Vice Chairman Coates supported Commissioner Kite's point on setting precedent.

**Senior Planner Lundquist** requested that the Commission identify its preference for a single-color or two-tone stucco application on the existing convenience market building. The Commission stated its preference was for a two-tone application.

**MOVED** by Chairman Manfredi, seconded by Commissioner Kite, to direct staff to file a Notice of Exemption for the project pursuant to Section 15303 of the CEQA Guidelines.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

MOVED by Vice Chairman Coates, seconded by Commissioner Kite, to adopt PC Resolution 2012-18 approving (DR 2012-01) to upgrade the exterior imagery at the service station by: installing new decals and laserline lighting to canopy; replacing under-canopy lights; and refacing gas dispensers located at 940 Petrified Forest Road (APN 011-370-024) within the "CC-DD", Community Commercial-Design District Overlay Zoning District, subject to conditions of approval as modified.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

2. BOUNSALL CONTRACTOR YARD: Consideration of a request to determine if a Contractor's Office and Storage Yard is an allowable use in

the "I", Light Industrial Zoning District pursuant to Section 17.26.020(K) of the Calistoga Municipal Code and consideration of a request for Conditional Use Permit (U 2012-04) to allow the operation of a contractor's office and storage yard on the property located at 414 Foothill Boulevard (APN 011-260-045 to -052; 011-260-076) within the "I", Light Industrial Zoning District.

Senior Planner Lundquist gave the staff report.

Commissioner Kite clarified that the zoning interpretation would not just be applied to the Bounsall property but to all properties designated Light Industrial. Mr. Kite asked staff where other Light Industrial zoned properties were located.

**Commissioner Kite** asked what protections the City would have [to ensure compatibility].

**Senior Planner Lundquist** stated that the City would retain Conditional Use Permit authority initially and subsequently if expanded at a later date.

Commissioner Kite asked if the City could apply reasonable design standards to proposals through this process. Senior Planner Lundquist responded yes.

Chairman Manfredi opened the public hearing and requested that the public first comment on the issue of similar use. Chairman Manfredi stated that if the Planning Commission finds that a contractor yard is a similar use it will then discuss the use permit issue and take additional comments from the public.

**Kerri Abreu** 1720 Reynard Lane. Ms. Abreu stated her opinion that the staff report was not accurate and factual. Ms. Abreu stated that there are inconsistencies in it, citing the noted acreage of the project site.

Ms. Abreu provided background information on when the complaint was first filed and noted that to this day no written response has been provided by the Planning Department.

Ms. Abreu recalled her discussion with Napa County officials in 2004 regarding the heavy equipment and fuel tanks being stored on the property. Ms. Abreu stated that the Napa County official commented that he was having trouble getting information from the City of Calistoga.

Ms. Abreu stated her opinion that planning staff and the former City Manager have failed in their judicial responsibilities.

Ms. Abreu stated that the Bounsall's did not get permits for trees they removed in 2007.

Ms. Abreu stated that the Bounsall's do not have a permit for the garden shed structure.

Ms. Abreu stated that the Bounsall's do not have a permit for the utility trailer.

Ms. Abreu stated she finds it laughable that a general engineering contractor has a garden shed and contractor yard operation.

Ms. Abreu stated her opinion that there has been a blatant attempt to cover up the wrong-doing rather than take responsible action.

Ms. Abreu stated that its not fair to allow some people to continually violate City regulations while at the same time holding other people to strict conformance, like the Barberis family.

Ms. Abreu discussed some of her observations of what occurs on the property.

Ms. Abreu requested that the application be denied and said that any requested change must be done the way things are supposed to be done.

Commissioner Kite acknowledged there is a lot of history and that Ms. Abreu was upset. Mr. Kite asked Ms. Abreu if she was now satisfied with the actions now being taken by the City. Ms. Abreu responded yes, but that the request needs to be scrutinized and monitored if it is approved.

Norma Tofanelli, 1001 Dunaweal Lane. Ms. Tofanelli stated she has concerns about allowing contractor yards in the Light Industrial Zoning District.

Ms. Tofanelli questioned how this one particular property came to be designated for light industrial use.

Ms. Tofanelli expressed her concern about storing fuel near the Napa River, the potential for contamination and the inability to really control contamination.

Ms. Tofanelli noted that she heard the City's corporation yard operation resulted in the contamination of the Crystal Geysers well.

Ms. Tofanelli stated her belief that this contamination is the reason why Crystal Geyser is leaving town and the reason behind the need for Crystal Geyser to truck outside water into town.

Ms. Tofanelli questioned how the City will control contamination and the number of trucks coming into town if it allows contractor's yards in the Light Industrial zoning district.

**Elizabeth Hammond**, 304 Foothill Boulevard. Ms. Hammond noted that issues have been going on since 2004.

Ms. Hammond read a statement into the record.

Ms. Hammond stated her position that the zoning should not be changed and identified the different contractor yard uses on the property.

Ms. Hammond stated her opinion that the Bounsall's should not be rewarded and fined instead.

Ms. Hammond recalled her experience in trying to get information on the Bounsall property from the Planning Department over a period of time between 2007 and 2009. Noting that planning staff was unable to produce any information or permits.

Ms. Hammond shared information from the Napa County Assessor's office records on what structures exist on the property.

Ms. Hammond alleged that the Bounsall's have been trying to retaliate against her for the past six years.

Ms. Hammond alleged that the Bounsall's tampered with a survey marker on her property.

Ms. Hammond discussed the three land designations on the Bounsall property and the identified property owners.

Ms. Hammond alleged that the Bounsall's completed another structure in May that appears to be another rental structures.

Ms. Hammond questioned the statement in the staff report that employees of use the bathroom in the residence on the property.

Ms. Hammond alleged that there are illegal septic systems on the property.

Ms. Hammond read a letter from Ms. Francis Holmes - who sold the property to the Marion Bounsall – which included appraisal information from the mid-1980's.

Ms. Hammond accused the Bounsall family of lying about everything they've done on the property.

Ms. Hammond alleged that Erik Lundquist is guilty of collusion with the Bounsall's.

Ms. Hammond noted that Erik Lundquist is also the planner working on Enchanted Resorts.

**Jeff Bounsall**, 414 Foothill Boulevard (applicant). Mr. J. Bounsall requested that he be allowed to address the Commission on both issues being considered regardless of the Commission's decisions. Mr. J. Bounsall noted that there have been a lot of accusations made and would like to be able to rebut.

Mr. J. Bounsall noted that Ed Grimsley was allowed to have contractor storage on the old airport property when it was industrial and stated that he believed contractor storage is an allowable use.

Joe Bob Hitchcock, 1322 Berry Street. Mr. Hitchcock stated that he did not know a lot about the history of the project, but based on the testimony he's heard he believes there should be an independent investigation before this request be allowed to proceed.

Mr. Hitchcock commented on the definition of contractor yard, noting that there are low-end and high-end contractor yard uses. Mr. Hitchcock stated that he would not support allowing contractor yards in light industrial without a better definition.

**Chairman Manfredi** closed the public hearing on the similar use portion of the item.

Commissioner Kusener asked if there was a standard definition for light industrial and heavy industrial uses.

**Senior Planner Lundquist** responded by noting that in other jurisdictions there are separate definitions for light and heavy industrial uses, but that in Calistoga there is only a definition for light industrial.

Mr. Lundquist referred to Commissioner Kite's earlier comments that through the Conditional Use Permit process the Commission has the ability to discern and regulate between the two.

Commissioner Kusener commented that it is likely that the terms will mean different things to different people.

Commissioner Kusener asked for clarification on whether the stated acreage reflects the size of the entire property and how much of the property would be used for the contractor yard use.

Commissioner Kusener asked if the owner would be able to move the contractor yard operation around on the property once approved. Senior Planner Lundquist stated that movement of the use from the location where approved would require review and approval.

Commissioner Kusener asked what the distance was between the proposed contractor yard use and Ms. Hammond's property. It was estimated that the distance is approximately 100 yards.

Planning Manager MacNab provided additional information on what distinguishes light industrial and heavy industrial uses – noting that heavy industrial uses tend to generate nuisances such as odors, noise, hazardous waste, etc. Mr. MacNab reiterated earlier discussion that the Commission's ability to control the type of uses allowed in the Light Industrial zoning district is through the Conditional Use Permit process and that staff would recommend that if the Commission finds contractor yards to be a similar use, it be allowed only as a conditionally permitted use.

Commissioner Kusener stated that some of the uses Mr. MacNab are allowed already allowed in Light Industrial and that there appears to be a mixing of heavy and light industrial uses in the Light Industrial districts.

**Senior Planner Lundquist** reviewed the findings that the Planning Commission needs to make to determine whether is use is similar to other uses allowed in the district.

Commissioner Kite clarified that while there is an identified list of uses allowed in the district it does not mean they would automatically be approved. The uses would first be subject to condition use permit and design review approval.

Vice Chairman Coates identified a number of issues he would like the applicant to address when he speaks, including fuel containment. Vice Chairman Coates questions whether the Commission should try and create some guidelines for contractor yard uses.

Senior Planner Lundquist noted that the City does have guidelines that would be applicable to contractor yard uses, including standardized conditions of approval.

Planning Manager MacNab noted that the contractor yard use would be required to go through the same process and subject to the same conditions as any other use that is conditionally permitted in the district.

Commissioner Kite stated that he does not have any issues with finding a contractor yard use to be similar to other currently allowed used in the district.

Commissioner Kusener stated he too felt the use was similar enough to other uses currently allowed in the district.

**MOVED** by Chairman Manfredi, seconded by Commissioner Kusener, to direct staff to file a Notice of Exemption for the project pursuant to Section 15303 of the CEQA Guidelines.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

**MOVED** by Vice Chairman Coates, seconded by Chairman Manfredi, to adopt PC Resolution 2012-19 determining pursuant to Section 17.02.190 of the Calistoga Municipal Code that a contractor's office and storage yard are similar to those uses listed in the "I", Light Industrial Zoning District.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

**Chairman Manfredi** opened the discussion on the second issue/consideration in this item.

Chairman Manfredi explained that the existing structure on the site will require installation of fire sprinklers. The requirement for fire sprinklers will involve installation of a holding tank and fire pump. Chairman Manfredi stated that without any information about the location or design of the tank

he is concerned about proceeding – citing the Moye water tank as an example of what could wrong.

**Chairman Manfredi** suggested that the Planning Commission should require details on the water tank – its location, how it will be screened, etc. – before proceeding with this review.

**Jeff Bounsall**, 414 Foothill Boulevard. Mr. Bounsall was agreeable to continuing the item as suggested by Chairman Manfredi.

- Mr. J. Bounsall informed the Planning Commission that it is their intent to appeal this item to the City Council.
- Mr. J. Bounsall asked to respond to Commissioner Kusener's question of how the property came to be designated for light industrial uses.

Commissioner Kusener clarified that his question is not so much about how the zoning came into existence as it was about what will actually happen on the property if the use is approved.

**Mr. J. Bounsall** stated he misunderstood Commissioner Kusener's question and indicated he wanted to discuss the survey issue. Mr. Bounsall provided the Planning Commission with background information on the difference of opinion between the property line survey's conducted by the Bounsall's and the Hammond's.

Chairman Manfredi advised Mr. Bounsall to keep his comments focused on the issue before the Commission.

- **Mr. J. Bounsall** stated that he should be allowed to continue because others were not restricted during their comments.
- **Mr. J. Bounsall** stated that they were going to file a harassment suit against the Hammonds.

Commissioner Kite stated that Mr. Bounsall's comments are not pertinent to the issue before the Planning Commission.

Mr. J. Bounsall asked Planning Manager MacNab if they could just appeal this item to the City Council. Planning Manager MacNab advised that the only action taken by the Commission is the determination that a contractor yard is a similar use to other uses allowed in the Light Industrial zoning district. The Planning Commission has not acted on the Use Permit request so there is no action to appeal. Mr. MacNab stated that it may be possible for a Councilmember to call the item up, but he would have to check.

**Senior Planner Lundquist** asked Mr. J. Bounsall if he would like the Planning Commission to deny the Use Permit request.

Mr. J. Bounsall indicated that they believe the fire suppression is unnecessary in such a small office space.

Senior Planner Lundquist suggested three options for Mr. J. Bounsall to consider: (1) continue the item to allow the Bounsall's time to address the fire tank issues; (2) request that the Planning Commission deny the conditional use permit: or (3) conditionally approve the use permit subject to subsequent review and approval of the fire tank.

Mr. J. Bounsall stated he needs to defer to his brother on the options.

Bill Bounsall, 1624 North Oak Street (applicant). Mr. B Bounsall asked for clarification from the Commission on what level of detail they would like to see for the fire sprinkler related improvements.

Chairman Manfredi stated that Commission was looking for information on the fire sprinkler system, including the size and location of the tank, where the fire pump goes and how it is enclosed, and where these things are located in relationship to the trailer.

**Mr. B. Bounsall** asked why the Use Permit can't be approved if we know everything can be designed to work.

Chairman Manfredi stated that the Planning Commission needs to see what the system looks like.

**Mr. B. Bounsall** questioned why any of this is required if the use is grandfathered.

**Chairman Manfredi** stated the information is required for consideration of the Use Permit.

**Commissioner Kite** noted that the Commission is not reviewing the question of whether this is a grandfathered use.

**Mr. B. Bounsall** stated that two attorneys have told them that the use is a grandfathered use.

Chairman Manfredi reiterated that the consideration before the Planning Commission is a use permit and that there are certain requirements that must be addressed. Mr. Manfredi stated that they need the requested information to be able to avoid past mistakes.

**Commissioner Kite** asked for clarification from staff on whether the use is grandfathered.

Planning Manager MacNab informed the Commission that for staff to be able to determine if the use is grandfathered staff needs documentation that demonstrates the use was legally established.

Commissioner Kite suggested that the decision to apply for a use permit is a decision not to contest the determination that the use is not grandfathered.

Planning Manager MacNab stated that because this is a code enforcement action the applicant was given the choice of either removing the contractor yard use or applying for a Conditional Use Permit. The applicant was compelled to make the application, it was not a voluntary action.

Mr. MacNab stated that if the applicant believes the use is grandfathered they can provide staff with documentation that shows the use was legally established and it will be considered. Mr. MacNab stated if the use was legally established it would change the discussion.

Mr. MacNab concurred with Chairman Manfredi suggestion that the item be continued to give the applicant time to decide how they want to proceed.

**Commissioner Kite** asked what the proper procedure for contesting staff's determination that the use is not grandfathered.

Planning Manager MacNab responded that staff's decision can be appealed.

Chairman Manfredi suggested that the Bounsall's need to decide whether they want to proceed with the use permit application or appeal staff's determination that the use is not grandfathered.

**Senior Planner Lundquist** summarized the steps that would be taken should the Bounsall's decide to proceed with the use permit application.

Commissioner Kusener stated he has additional comments to make about the proposed use permit and asked if this was the appropriate time to make them.

**Commissioner Kusener** asked for clarification on how issues of potential contamination and/or hazardous waste are addressed.

**Senior Planner Lundquist** recited a number of regulations and conditions that already exist and/or are included in the recommended conditions of project approval that address these issues.

Commissioner Kite stated he would like more information on the types of vehicles to be parked/stored, the types of racks that would be used, etc.

Mr. B. Bounsall stated he felt a lot of the information discussed has already been provided. Mr. B. Bounsall disputed the suggestion that the site plan was inadequate and also said hazardous materials have been addressed.

Chairman Manfredi suggested that the item be continued for one month.

**Mr. B. Bounsall** had no objection to continuing the item as long as they remain in good standing.

Chairman Manfredi responded to inquiries he's received about other entitlements that the Bounsall's have. Mr. Manfredi noted that Bounsall's do not have approval to construct a winery. Mr. Manfredi stated that the winery proposal has not been approved and is not a done deal.

**MOVED** by Chairman Manfredi, seconded by Commissioner Kite, to table this portion of the item to allow time for the Bounsall's to decide how they would like proceed/or return with the requested information.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH

**Norma Tofanelli**, 1001 Dunaweal Lane. Asked for clarification on the references to the Moye water tank. Ms. Tofanelli reviewed her understanding the situation. **Chairman Manfredi** concurred.

**Joe Bob Hitchcock**, 1322 Berry Street. Mr. Hitchcock asked if the whole property would be reviewed under the proposed use permit and who would be responsible for enforcement.

#### I. NEW BUSINESS

None.

# J. MATTERS INITIATED BY COMMISSIONERS

Commissioner Kite responded to the accusations made against Senior Planner Lundquist by Ms. Hammond. Mr. Kite stated he has worked with Mr. Lundquist for several years he has found Mr. Lundquist to exhibit honesty and integrity and was taken aback by the accusations. Mr. Kite stated he has upmost faith in Mr. Lundquist's honesty and integrity.

Planning Manager MacNab added to Commissioner Kite's comments by noting that the accuser's family has been provided with copies of internal e-mails documenting that Mr. Lundquist in fact was of the opinion that the City should proceed with enforcement action against the Bounsall's and was instructed not to by the City's former City Manager. Mr. MacNab also stated that he concurs with Commissioner Kite's comments.

Vice Chairman Coates stated he has copies of the e-mails Mr. MacNab referred to and can share them with the Commission. Mr. Coates reiterated that the e-mails do show that Mr. Lundquist did his due diligence and was stopped by the former City Manager.

#### K. COMMENTS/PROJECT STATUS

**Planning Manager MacNab** informed the Planning Commission that the Vineyard Oaks Development Agreement amendment was going to Council next week along with the referendum petition on the Silver Rose project.

**Mr. MacNab** also informed the Planning Commission that on the July 25<sup>th</sup> meeting the Commission would be considering a conceptual design review application for a new affordable housing project by Calistoga Affordable Housing.

**Mr. MacNab** also informed the Planning Commission that on July 18<sup>th</sup> the Planning Commission would hold a special meeting to continue its review of the Enchanted Resorts project.

#### L. ADJOURNMENT

**MOVED** by Chairman Manfredi, seconded by Commissioner Kusener, to adjourn to a special meeting of the Planning Commission on July 18, 2012.

The motion carried with the following vote:

•AYES: (4) MANFREDI, COATES, KITE, KUSENER

•NOES: (0)

•ABSTENTIONS: (0) •ABSENT: (1) BUSH Planning Commission Minutes July 11, 2012 Page 17 of 17

MEETING ADJOURNED AT 7:27 p.m.

Ken MacNab,

**Planning Commission Secretary**