

# MINUTES

## CALISTOGA PLANNING COMMISSION

February 12, 2014

1 The meeting was called to order at 5:30 pm.

### 2 **A. ROLL CALL**

3 Commissioners present: Chair Jeff Manfredi, Vice-Chair Paul Coates,  
4 Commissioners Scott Cooper, Carol Bush, Tim Wilkes. Commissioners absent:  
5 None. Staff present: City Manager Richard Spitler, Planning & Building Director  
6 Lynn Goldberg, Senior Planner Erik Lundquist.

### 7 **B. PLEDGE OF ALLEGIANCE**

### 8 **C. PUBLIC COMMENTS**

9 City Manager Spitler addressed the Commission about the Calistoga Family  
10 Apartments project. He noted that staff and the Commission were aware during their  
11 review that the project would be targeted to low-income households. It has recently  
12 come to light that part of the project's funding will limit occupancy of the apartments  
13 to farmworker families. While it would have been desirable to have full knowledge of  
14 the project during the review process, the Housing Element recognizes the special  
15 need for farmworker housing and the project will be well-designed, seek Platinum  
16 LEED accreditation and be a good addition to the community. The City recognizes  
17 that there is still a need to develop additional types of affordable housing and staff  
18 will attempt in the future to ascertain the complete range of funding sources  
19 anticipated for future affordable housing applications.

### 20 **D. ADOPTION OF MEETING AGENDA**

21 The meeting agenda of February 12, 2014 was accepted as presented.

### 22 **E. COMMUNICATIONS/CORRESPONDENCE**

23 Three letters in support of Item G.1. were distributed to the Commissioners.

### 24 **F. CONSENT CALENDAR**

#### 25 **1. Minutes for the January 8, 2014 Planning Commission meeting**

26 The January 8, 2014 Minutes were accepted as presented.

### 27 **G. NEW BUSINESS**

28 **1. Barrel Builders (UP 2014-2):** Public hearing to consider a use permit allowing a  
29 wine barrel broker including storage and repair within an existing industrial  
30 building located at 865 Silverado Trail

31 Senior Planner Lundquist reviewed the operations proposed under the use  
32 permit and the associated health and safety considerations. The Fire Chief will  
33 regularly monitor the barrel toasting operation and the sawdust storage to ensure  
34 that safe conditions are maintained. A storage plan for the barrels will be

35 required, as well as an evaluation of the fire sprinkler system. He recommended  
36 approval of the use permit with conditions.

37 **Chair Manfredi** opened the public hearing.

38 **Mike Robertson**, Robertson Engineering, spoke on behalf of the application. He  
39 reported that the proposed conditions of approval are acceptable to the applicant.

40 **Chair Manfredi** closed the public hearing.

41 In response to a question from **Vice-Chair Bush** regarding the water allotment  
42 for the property, Mr. Lundquist explained that the business will only have use of  
43 one bathroom, so there will be an insignificant water usage, especially in light of  
44 the large allocation for the property.

45 **Commissioner Cooper** observed that it is nice to see multiple letters of support  
46 from the community for the project.

47 **Chair Manfredi** believes that the project is a good use of the space.

48 A motion by Chair Manfredi and seconded by Commissioner Wilkes to adopt a  
49 resolution approving Use Permit UP 2014-2 allowing a wine barrel broker,  
50 storage and repair operation within an existing industrial building located at 865  
51 Silverado Trail was approved unanimously.

52 **2. Domaine Somm (UP 2014-1):** Public hearing to consider a use permit allowing  
53 public assembly (i.e., special events) with live entertainment within an existing  
54 commercial building located at 1345 Lincoln Avenue, Suites F & G

55 Vice Chair Bush and Commissioner Cooper reported conflicts of interest with the  
56 application due to the proximity of their businesses to the project site and left the  
57 meeting.

58 Senior Planner Lundquist presented the staff report, describing the proposed  
59 use. The proposal would help to address the lack of meeting space in the  
60 downtown. He noted that a revision to Condition No. 1 is recommended to clarify  
61 that all events must be by invitation only and shall not be open to the general  
62 public, and that the occupancy of the second floor shall be limited to 49 people in  
63 order to avoid the need for making the space handicapped-accessible, which  
64 would require extensive and expensive building improvements. Conditions are  
65 also recommended to minimize potential noise impacts to surrounding uses. He  
66 reviewed the parking deficiency that would occur with the proposed uses, based  
67 on Zoning Code standards, which the applicant suggests will be offset by the fact  
68 that many of the attendees will be arriving by shuttle or staying downtown.  
69 However, an in-lieu payment for nine parking spaces is recommended. He  
70 recommended approval of the use permit application.

71 In response to a question from **Commissioner Wilkes**, Mr. Lundquist confirmed  
72 that most events would occur during the evening, so they wouldn't overlap with  
73 existing businesses and their parking demand. **Commissioner Wilkes**  
74 recognizes that the space in question has been historically used as meeting

75 space, but asked that the City's Building Official ensure that federal accessibility  
76 requirements are met, otherwise there is the possibility of litigation, although the  
77 City may not be liable because the events will be private. Mr. Lundquist noted  
78 that the City's standard application form includes a statement that the applicant  
79 must agree to holding the City harmless from potential claims or actions.

80 **Commissioner Coates** believes that private events do not have to be  
81 handicapped-accessible, although he agrees that there is always the potential for  
82 litigation.

83 **Chair Manfredi** opened the public hearing.

84 **Gina King**, applicant, clarified that most of the groups using the space will be  
85 using commercial transportation to avoid drinking and driving concerns. Nearly all  
86 of the events will take place at night, with only small groups during the day. They  
87 will require renters to execute a contract acknowledging the liability potential. She  
88 is disappointed that the space is not readily handicapped-accessible, but it is  
89 currently federally-compliant. She hopes in the future that access will be  
90 provided. She is willing to provide documentation for future events demonstrating  
91 that group transportation will be provided.

92 In response to a question from **Commissioner Wilkes**, Ms. King acknowledged  
93 acceptance of the proposed revisions to Condition No. 1 and the limitations on  
94 amplified sound, but she doesn't agree with the in-lieu parking fee requirement.

95 **Commissioner Coates** acknowledged that downtown parking is an issue. He  
96 asked if it would be possible to monitor the operation for a year to see if parking  
97 proves to be a problem. Mr. Lundquist opined that if it is the Commission's  
98 consensus, they could make a finding that the proposed use is similar to past  
99 assembly use of the space, and waive the in-lieu parking fee. It would be difficult  
100 for staff to constantly monitor whether there an adverse parking impact is created  
101 by the operation.

102 In response to a question from **Chair Manfredi**, Mr. Lundquist confirmed that the  
103 occupancy limitations include every person on the floor, not just attendees. **Chair**  
104 **Manfredi** noted that in this case there will be catering trucks and employees  
105 parking, not just attendees. Therefore, he supports requiring the in-lieu parking  
106 fee and not setting a precedent for future applications in the downtown.

107 **Ms. King** believes that the 38 allocated spaces should be sufficient for caterers,  
108 musicians and attendees. The service people will be parking behind the building  
109 and not use any on-street parking.

110 **Bill Nance**, contractor for the project, noted that there is a considerable amount  
111 of parking behind the building that is available in the evening in addition to the 22  
112 spaces, although Susie's Bar uses some of them.

113 **Chair Manfredi** closed the public hearing.

114 **Commissioner Wilkes** believes this is a unique situation because the City's  
115 parking requirement is determined by the square footage standard, whereas the

116 limitation on occupancy will limit the actual parking demand, and the nine  
117 additional spaces are therefore not needed. It is likely that there will be few single  
118 drivers and most cars will have multiple occupants. He therefore would support  
119 revisiting the in-lieu parking fee requirement in a year or waiving the requirement  
120 entirely.

121 **Commissioner Coates** agrees and is willing to waive the in-lieu parking fee.

122 **Chair Manfredi** asked that the record reflect that the Commission believes that  
123 additional parking will not be required for the operation because of its location  
124 and the project circumstances. He doesn't want to burden staff with monitoring.

125 Mr. Lundquist suggested revising Condition No. 11 to require that after one year  
126 of operation, staff will evaluate the parking situation and require payment of the  
127 in-lieu fee if parking is insufficient or before then if complaints are received.

128 **Chair Manfredi** opined that the in-lieu fee is for the privilege of using public  
129 parking; however, he supports the concept of deferring its payment.

130 A motion by **Commissioner Coates** and seconded by **Commissioner Wilkes** to  
131 adopt a resolution approving a use permit to allow public assembly with live  
132 entertainment within an existing commercial building located at 1345 Lincoln  
133 Avenue, Suites F & G, with amendments to Conditions No. 1 and 11, was  
134 adopted unanimously.

#### 135 **H. MATTERS INITIATED BY COMMISSIONERS**

136 None

#### 137 **I. DIRECTOR REPORT**

138 Director Goldberg reported that the next agenda would include a parcel map  
139 application for a lot on Mora Avenue and the draft multi-family design guidelines.

#### 140 **J. ADJOURNMENT**

141 The meeting was adjourned at 6:17 p.m. to February 26, 2014, at 5:30 p.m.

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Lynn Goldberg  
Planning Commission Secretary