

# MINUTES

## CALISTOGA PLANNING COMMISSION

December 10, 2014

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

### 2 A. ROLL CALL

3 Commissioners present: Vice Chair Carol Bush, Commissioners Scott Cooper, Paul  
4 Coates, Tim Wilkes. Absent: Chair Jeff Manfredi (excused). Staff present: Planning  
5 & Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

### 6 B. PLEDGE OF ALLEGIANCE

### 7 C. PUBLIC COMMENTS

8 None.

### 9 D. ADOPTION OF MEETING AGENDA

10 The meeting agenda of December 10, 2014 was accepted as presented.

### 11 E. COMMUNICATIONS/CORRESPONDENCE

12 None.

### 13 F. CONSENT CALENDAR

#### 14 1. Commission Minutes

15 The November 26, 2014 minutes were unanimously adopted as presented.

### 16 G. PUBLIC HEARINGS

17 **1. Wappo Guest Accommodations Use Permit UP 2014-11 & Design Review**  
18 **DR 2014-5:** Consideration of a use permit and design review allowing the  
19 rehabilitation of an existing structure and the construction of two new structures  
20 for use as three fully equipped visitor accommodations at 207 and 209 Wappo

21 **Senior Planner Lundquist** presented the staff report. The proposed project  
22 would convert the Wappo Market to a guest unit and two detached units would  
23 be constructed. Staff recommends approval of the project, as it meets all of the  
24 applicable General Plan and Zoning Code provisions with the exception of a five-  
25 foot encroachment of the parking lot into the front yard setback. There would still  
26 be five feet in front of the lot for the planting of a landscaped screen. The new  
27 buildings would emulate design styles found in the downtown. No public  
28 comments have been received on the project.

29 In response to questions from **Commissioner Coates**, Mr. Lundquist replied that  
30 the applicant is not yet under contract with Cottage Grove Inn for management.  
31 The submitted management plan would provide for the project's management if  
32 Cottage Grove Inn management is not enacted or is discontinued, which is  
33 covered by the conditions of approval. The colored renderings in the packet may

34 not accurately reflect the actual proposed colors; color samples will be submitted  
35 to staff.

36 In response to a question from **Commissioner Cooper**, Mr. Lundquist replied  
37 that there is no estimated number of maximum guests.

38 **Vice Chair Bush** opened and closed the public hearing after no public  
39 comments were offered.

40 In response to questions from **Commissioner Wilkes**, Mr. Lundquist replied that  
41 staff will ensure that accessibility by the disabled to one of the units is provided  
42 as part of the project's future building permit. The Planning and Building  
43 Department will also ensure that the exterior of the structures will not change  
44 drastically from the approved design as a result of any required modifications.  
45 The new units that are located less than six feet apart will need to meet Building  
46 Code requirements for fire safety and staff will ensure that any fire walls are  
47 constructed in an attractive manner consistent with the Planning Commission  
48 approval.

49 **Commissioner Coates** is concerned that the applicants are not present because  
50 the Commission may wish to have questions answered and discuss concerns  
51 with them.

52 A motion by **Commissioner Coates** and seconded by **Commissioner Cooper**  
53 to continue the item to the end of the meeting was approved unanimously.

54 Following the conclusion of Item G.2., a motion by **Commissioner Coates** and  
55 seconded by **Commissioner Cooper** to reopen the public hearing on this item  
56 was approved unanimously after the applicants arrived.

57 Mr. Lundquist advised the applicants about what had transpired prior to their  
58 arrival.

59 **Thomas Hodge**, applicant, apologized for arriving late to the meeting; they had  
60 got stuck in traffic coming from Napa.

61 In response to a request from Mr. Lundquist to clarify the proposed color of the  
62 buildings, Mr. Hodge shared a colored rendering with the Commission showing a  
63 gray color.

64 In response to a request from Mr. Lundquist to clarify the possible effect of  
65 Building Code requirements on the design of the new buildings, Mr. Hodge  
66 replied that the design won't change drastically. The buildings are proposed  
67 close to the property lines and each other because they wanted to provide some  
68 outdoor living space.

69 **Commissioner Wilkes** is concerned that one-hour fire assemblies will detract  
70 from the exterior detailing. It can be done, but can adversely affect the  
71 appearance of the eaves. He suggests using knee braces to support the  
72 pediment over the front door of Unit 1. Mr. Hodge replied that they were already  
73 planning to do so, with the approval of the project's historic architect.

74 Mr. Hodge recognized that one of the units will have to be disabled-accessible;  
75 they plan to make Unit 2 or 3 accessible.

76 **Commissioner Wilkes** believes the project is very attractive and well laid-out.

77 A motion by **Commissioner Coates** to adopt a resolution approving Use Permit  
78 UP 2014-11 and Design Review DR 2014-5 allowing the rehabilitation of an  
79 existing structure and the construction of two structures for use as three visitor  
80 accommodation units at 207 and 209 Wappo Avenue, was seconded by  
81 **Commissioner Cooper** and approved unanimously.

82 **2. Calistoga Pet Clinic Parcel Map PM 2014-1, UP 2014-15 & VA 2014-3:**  
83 Consideration of a parcel map to divide the property located at 2960 Foothill  
84 Boulevard into 2 parcels, and a use permit amendment and variance to allow the  
85 existing veterinary clinic to be located on a 1-acre parcel

86 **Senior Planner Lundquist** presented the staff report. He noted that although the  
87 use permit amendment and variance applications are combined into one  
88 resolution, the Commission should consider their required findings separately.  
89 The clinic is essentially operating on a one-acre portion of the two-acre parcel  
90 because of a fence that bisects the parcel and there have been no problems with  
91 this arrangement so staff believes the use permit amendment findings may be  
92 supported. The parcel is long and narrow, with the clinic located at the front of  
93 the property, providing a buffer behind it. The shape of the parcel and its use as  
94 a veterinary clinic are special circumstances to consider in making the required  
95 variance findings. The variance must be approved before the parcel map can be  
96 considered. Regarding the parcel map, there isn't a need to improve Foothill  
97 Boulevard, given its rural nature; however, access improvements are needed to  
98 proposed Parcel 2. The existing easement running along the western boundary  
99 of the parcel allows additional users and new parcels per the maintenance  
100 agreement, provided upgrades to the driveway are funded by the new parcel.  
101 Rather than fund the improvements, staff suggests that the subdivider be  
102 responsible for the physical upgrades. He illustrated an additional five-foot  
103 easement that will be necessary on the east side of the existing 15-foot access  
104 easement for access, utilities and drainage purposes,, which is included in the  
105 proposed conditions of approval. He described the preliminary drainage plan, but  
106 informed the Planning Commission that a final design will be required and  
107 improvements made prior to map recordation. There are certain aspects of the  
108 parcel map that will have to be reviewed by the City Council, such as a waiver of  
109 the utility undergrounding requirement.

110 In response to questions from **Commissioner Wilkes**, Mr. Lundquist replied that  
111 the funding for future roadway maintenance is a civil matter, so a maintenance  
112 fund wouldn't have to be established prior to map recordation. However, staff  
113 believes that the roadway should be improved now in order to address the  
114 impacts of the new parcel. All of the items called out in Attachment 9, the private  
115 roadway improvements exhibit, are reflected in the proposed conditions of  
116 approval.

117 In response to questions from **Commissioner Coates**, Mr. Lundquist  
118 acknowledged and noted deficiencies in the vet clinic's existing drainage systems  
119 due to the existing grades. Approval of the parcel map would mean that the  
120 existing retention pond would be off-site or re-established in some fashion on  
121 Parcel 1 to accommodate the existing drainage. The initial drainage plan and/or  
122 retention pond was approved early in the development of stormwater runoff  
123 standards so other alternatives may be incorporated to reduce the size of the  
124 drainage facility. **Commissioner Coates** has a major concern about how the  
125 drainage will work if the property is subdivided because the analysis has not  
126 been completely vetted and the design has not been shown.

127 **Vice Chair Bush** opened the public hearing.

128 **Ken Carr, Hogan Land Services**, engineer for the project, asked for background  
129 on the existing drainage problems.

130 **Commissioner Wilkes** noted the question is moot because their own  
131 development plans show that the retention pond will be dismantled and  
132 converted to a septic field. In response to a question from **Commissioner**  
133 **Wilkes**, Mr. Carr confirmed that his company was aware during the development  
134 of the drainage plans that the retention pond for the vet clinic was on proposed  
135 Parcel 2.

136 Mr. Carr thinks that the pre-development plan show on page 2 of the storm event  
137 plans, which shows the retention basin already filled in, is due to a drafting error.

138 **Commissioner Coates** asked if the tentative parcel map shows the retention  
139 basin being filled in, what happens with the vet clinic drainage?

140 **Dr. Steve Franquelin** believes that it's not that the retention basin doesn't work,  
141 but over the last few years, it's never held more than a puddle of water because  
142 the runoff was handled by the intermediary area.

143 **Commissioner Wilkes** is concerned that all the information seems to be  
144 anecdotal, and the future owner of proposed Parcel 2 would have a real concern  
145 about accommodating Parcel 1's drainage on their property.

146 Mr. Lundquist believes that the proposed conditions of approval adequately  
147 address the drainage requirements and would provide proper mitigation with no  
148 resulting aesthetic impact. Public Works is requesting additional analysis and  
149 drainage plans prior to recordation of the parcel map and is confident the  
150 drainage can be mitigated based upon the information received to date.

151 **Commissioner Wilkes** is uncomfortable with the fact that there has not been a  
152 hydrologic study of the large impervious area on the vet clinic parcel and that  
153 there has been a long-term drought, which could account for the lack of  
154 accumulation in the retention basin. He is interested in seeing what the existing  
155 hydrology is and what the proposed solution is. He is surprised that Hogan Land  
156 Services isn't concerned. The Tentative Map could get recorded with a drafting  
157 error. The drainage solution for Parcel 1 has to be confined to it.

158 Mr. Carr confirmed that Hogan Land Services understands that they need to  
159 mitigate the removal of the detention basin. It will be reflected in the final  
160 drainage plans.

161 In response to a question from **Commissioner Coates**, Mr. Lundquist confirmed  
162 that if the parcel divided, the clinic would fall under current stormwater  
163 regulations. **Commissioner Coates** observed that there appears to be a very  
164 limited area on proposed Parcel 1 to accommodate the run-off.

165 Mr. Carr confirmed that they will ensure that the final drainage plans are  
166 acceptable to the City. The pond may turn into trenches or some other  
167 alternative.

168 **Commissioner Coates** stated that since there is no proof that the drainage plan  
169 will work, he is uncomfortable approving a variance to reduce the clinic parcel to  
170 one acre.

171 Mr. Lundquist suggested continuing the matter to address the drainage concerns.  
172 However, the Commission could first discuss whether the findings for the  
173 variance and use permit amendment can be supported.

174 **Commissioner Wilkes** believes that the support for use permit Finding No. 2  
175 cannot be made if the drainage isn't adequate. Mr. Lundquist observed that  
176 drainage doesn't always need to be located on-site; an easement could be used  
177 to convey and accommodate it off-site.

178 Mr. Carr still wants clarification as to why staff thinks the retention pond isn't  
179 currently working; the concern wasn't raised before.

180 **Keith Wepler**, property owner of 2946 and 2970 Foothill Boulevard adjoining  
181 the project site to the east, noted that flooding had been observed on their  
182 property under an addition to their residence. The proposed EVA that is  
183 proposed to border their property appears awkward. It doesn't appear adequate  
184 to access areas of the site that are used as a garden and storage, or to Parcel 2.  
185 He is concerned about the adequacy of parking for the clinic, given the number of  
186 employees and the fact that people are currently parking in front of the existing  
187 Dumpster. When they purchased their properties, they believed that the clinic  
188 would always be located on a two-acre site, given the contentious debate that  
189 occurred at the time of its approval. He believes that approval of the parcel map  
190 would negatively affect the value of their property.

191 **Jens Vidkjer**, property owner of 2926 Foothill Boulevard adjoining the project  
192 site to the north, is surprised to hear about existing drainage problems. Runoff is  
193 actually being diverted down their driveway instead of into the detention basin.  
194 He stated that Mr. Lundquist said that issue would be addressed by construction  
195 of the driveway approach at Foothill Boulevard. He is not opposed to the project,  
196 but they are concerned about the adequacy of the access. Each of the two  
197 parcels that currently access the driveway could add a second unit, as could  
198 proposed Parcel 2. It appears that the neighbor's fence along the western

199 property line encroaches within the easement, reducing the roadway to 12 feet,  
200 from 15 feet and even causing portions of the roadway to be located on the vet  
201 clinic's parcel. A 20-foot EVA should be required on the primary access road, not  
202 in the proposed location. He would like to see the existing tree and vegetation  
203 buffer at the north end of the parcel preserved.

204 **Commissioner Coates** noted that while adding the five-foot easement to the  
205 roadway would increase it to 20 feet and provide adequate access to additional  
206 units, it would require the expensive relocation of electric utilities. It seems like  
207 the proposed EVA is the easy way out and we need a clear understanding of the  
208 EVA. He is concerned that the applicant will not make the necessary roadway  
209 improvements.

210 **Commissioner Wilkes** observed that a wider driveway access would make the  
211 Foothill Boulevard intersection safer. He assumes that the EVA would have a  
212 Knox box on it that would only be accessible by the fire and police departments.

213 **Vice Chair Bush** closed the public hearing.

214 **Commissioner Cooper** asked if there will be an opportunity to revisit these  
215 issues. Mr. Lundquist explained that the Commission could continue the item or  
216 leave it up to staff to work out the issues through the final map and subdivision  
217 improvement plans. The Council would simply accept the final map upon the  
218 recommendation from staff that it meets the requirements and would not  
219 comprehensively review it.

220 **Commissioner Cooper** noted that there are alternatives to addressing these  
221 issues, but they may be costly.

222 **Commissioner Wilkes** disagrees that the existing vet clinic has been  
223 accommodated on one acre, since the drainage is not located there. Regarding  
224 use permit Finding No. 1., he is concerned that you could substitute "winery" for  
225 "vet clinic" and approving the use permit amendment and variance could  
226 potentially set a precedent. He is not opposed to the finding with the right  
227 language; however, the existing language does not uniquely identify the  
228 characteristics of this case and could open the door to similar applications. There  
229 are enough things we don't know today, such as the adequacy of the retention  
230 area, that the application is not ready to be acted on and he thinks it should be  
231 continued until they are resolved.

232 **Commissioner Coates** concurs, especially since there are conflicts between the  
233 tentative map and the drainage study. There is also indication that the Fire Chief  
234 may not have received complete information about the proposed access. There  
235 are also issues to resolve with the neighbors.

236 **Vice Chair Bush** agrees that clarity is needed on a number of issues.

237 A motion by **Commissioner Wilkes** to continue the applications to such time as  
238 there are answers as to whether there is a means of accommodating the existing  
239 facility's drainage within the confines of proposed Parcel 1 and what will be

240 needed on the driveway access and the easements which would allow it to act as  
241 the EVA was seconded by **Commissioner Coates** and approved on a 3-1 vote  
242 (Cooper dissent).

243 **Commissioner Wilkes** believes that staff also needs to rework some of the  
244 findings in response to the issues he raised.

245 **H. MATTERS INITIATED BY COMMISSIONERS**

246 None.

247 **I. DIRECTOR REPORT**

248 Ms. Goldberg advised the Commission that the State had accepted the draft  
249 Housing Element Update with some minor revisions. She reminded the Commission  
250 that the next meeting will be January 14th.

251 **J. ADJOURNMENT**

252 The meeting was adjourned at 7:04 p.m.

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Lynn Goldberg  
Planning Commission Secretary