

MINUTES

CALISTOGA PLANNING COMMISSION

December 10, 2014

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

A. ROLL CALL

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

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS

None.

D. ADOPTION OF MEETING AGENDA

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

E. COMMUNICATIONS/CORRESPONDENCE

None.

F. CONSENT CALENDAR

1. Commission Minutes

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

G. PUBLIC HEARINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vice Chair Bush opened the public hearing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vice Chair Bush closed the public hearing.

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

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

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

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

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

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

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

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

H. MATTERS INITIATED BY COMMISSIONERS

None.

I. DIRECTOR REPORT

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

J. ADJOURNMENT

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



Lynn Goldberg
Planning Commission Secretary

