



City of Calistoga
Planning Commission
Agenda Item Summary

DATE	November 14, 2018
ITEM	Draft Minutes of October 24, 2018 Meeting
RECOMMENDATION	Approve minutes with any necessary changes

MINUTES
CALISTOGA PLANNING COMMISSION
October 24, 2018

1 **A. ROLL CALL**

2 Commissioners present: Chair Paul Coates, Vice Chair Tim Wilkes, Alissa McNair,
3 Walter Abernathy, Scott Cooper. Absent: None. Staff present: Planning and Building
4 Director Lynn Goldberg, Senior Planner Zach Tusinger.

5 **B. PLEDGE OF ALLEGIANCE**

6 **C. PUBLIC COMMENTS**

7 None

8 **D. ADOPTION OF MEETING AGENDA**

9 The meeting agenda of October 24, 2018 was accepted as presented.

10 **E. COMMUNICATIONS/CORRESPONDENCE**

11 None.

12 **F. CONSENT CALENDAR**

13 **1. Minutes for the September 26, 2018 Planning Commission meeting**

14 The minutes were accepted as presented.

15 **G. PUBLIC HEARINGS**

16 **1. Use Permit Amendment UP 2018-10:** Consideration of an increase in the
17 maximum rent levels for the Garnett Creek Apartments restricted affordable
18 housing units at 1139 Lincoln Avenue from 47 percent to 60-80 percent of area
19 median income

20 Director Goldberg presented the staff report, explaining the background of the
21 occupancy and rent restrictions on the four apartments. Should the Planning
22 Commission support the request to increase maximum rents and eligible
23 households for the affordable apartments, staff recommends adoption of an
24 increase to the 60% of area median income (AMI) threshold in order to preserve
25 them as affordable housing, consistent with the General Plan.

26 **Chair Coates** opened the public hearing.

27 **Chris Johansen**, Embrace Calistoga, responded to questions from
28 **Commissioner Abernathy** and **Vice Chair Wilkes** regarding past changes to
29 the rents charged for the affordable units. When he and his partner acquired the
30 property, they reduced the rents to bring them into conformity with the maximum
31 that could be charged and maintained them at that level for seven years. They
32 increased the restricted units' rent this year to \$950 at the request of the Housing
33 Authority to reflect increases in their tenants' household income. The alternative
34 approach would be to immediately or eventually evict the tenants because their

35 income exceeded 47% of AMI. Their goal in asking for a higher AMI is to avoid
36 further rent increases and ensure that their current tenants can remain on the
37 property. In response to a question from **Commissioner Cooper**, Mr. Johansen
38 shared information given to him by the Housing Authority that there is a greater
39 demand for very low-income housing than low-income housing.

40 **Chair Coates** observed that a number of very low-income housing units had
41 been developed in Calistoga in the last few years, and that there is also a need
42 for units affordable to low-income households. He asked if Mr. Johansen would
43 be satisfied with an increase in the affordability range to 60% of AMI. Mr.
44 Johansen confirmed that he would be.

45 In response to a question from **Commissioner Cooper** as to the benefits of
46 increasing the affordability to 80% of AMI, Mr. Johansen replied that he simply
47 doesn't want to evict anyone because their income has increased by getting a
48 new job or a second job.

49 **Vice Chair Wilkes** indicated he now has a better understanding of the request,
50 based on Mr. Johansen's testimony, and asked whether increasing the
51 affordability range to 60% of AMI would be sufficient to avoid any evictions. Mr.
52 Johansen replied in the affirmative and noted that if the change to the household
53 eligibility is approved, he plans to reduce the rents back to \$850 because he
54 believes it's wrong to penalize somebody for doing better, and they are good
55 tenants.

56 **Chair Coates** closed the public hearing.

57 **Vice Chair Wilkes** came to the hearing believing that a change to the terms of
58 the affordable housing agreement wasn't warranted because the property owners
59 agreed to the terms when they bought the property. However, after hearing from
60 Mr. Johansen, he supports the increase to 60% of AMI, and would possibly be
61 willing to go higher in the future if the circumstances were similar.

62 **Commissioner Abernathy** concurred with **Vice Chair Wilkes**.

63 A motion by **Vice Chair Wilkes** and seconded by **Commissioner Cooper** to
64 adopt Resolution 2018-18 approving Use Permit 2018-10 to amend the affordable
65 housing restrictions for the Garnett Creek Apartments was approved
66 unanimously.

- 67 2. **Setbacks Variance VA 2018-3**: Consideration of a variance request to allow a)
68 reduction in the required front-yard setback from 15 feet to 8 feet for the
69 construction of a porch, and b) a reduction in the required interior side-yard
70 setback from 5 feet to 3 feet to allow the construction of single-car garage at
71 1305 Myrtle Street

72 **Vice Chair Wilkes** announced an economic conflict of interest with the item and
73 left the meeting.

74 Director Goldberg presented the staff report, providing an overview of the unique
75 physical constraints and characteristics that apply to the property, and the

76 proliferation of porch and garage encroachments in the neighborhood that are
77 similar to those requested by the applicant. She noted evidence from the 1880s
78 showing a home in that location with a porch similar to that proposed by the
79 applicant.

80 In response to questions from **Commissioner McNair**, Ms. Goldberg confirmed
81 that the outdoor fireplace shown on the site plan did not yet exist, and that the
82 burden would be on the applicant to construct the garage in a manner that meets
83 fire safety code requirements.

84 **Commissioner Abernathy** observed that there appear to be more non-
85 conforming structures in the neighborhood in terms of setbacks than conforming.

86 In response to a question from **Commissioner Cooper**, Ms. Goldberg confirmed
87 that very few variance applications actually reach the public hearing level
88 because potential applicants are often unable to demonstrate that the
89 circumstances required for approval can be met.

90 **Chair Coates** opened the public hearing.

91 **Robert Tufts**, applicant, is very excited about improving the residence and
92 contributing to the town.

93 **Chair Coates** closed the public hearing.

94 A motion by **Commissioner Abernathy** and seconded by **Commissioner**
95 **McNair** to adopt Resolution 2018-19 approving Variance VA 2018-3 for reduced
96 setbacks at 1305 Myrtle Street was approved unanimously.

97 **H. MATTERS INITIATED BY COMMISSIONERS**

98 None.

99 **I. DIRECTOR REPORT**

100 Director Goldberg clarified the origin of the maximum number of cannabis plants that
101 are allowed by state law to be cultivated for personal use.

102 **J. ADJOURNMENT**

103 The meeting was adjourned at 6:11 p.m.

Lynn Goldberg, Secretary