

MINUTES
CALISTOGA PLANNING COMMISSION
November 28, 2018

A. ROLL CALL

Commissioners present: Chair Paul Coates, Vice Chair Tim Wilkes, Alissa McNair, Walter Abernathy, Scott Cooper. Absent: None. Staff present: Planning and Building Director Lynn Goldberg.

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS

None

D. ADOPTION OF MEETING AGENDA

The meeting agenda of November 28, 2018 was accepted as presented.

E. COMMUNICATIONS/CORRESPONDENCE

A letter regarding Item F.1. from Peter Hurd and Marshall Seymour of Bingham Ranch was distributed to the Commission.

F. PUBLIC HEARING

1. **Calistoga Hills Resort Project** Use Permit Amendment for the Relocation of Accessory Structures and Uses (UP 2018-2) and Vesting Tentative Map Amendment to Expand the Project Boundary at 411 & 515 Foothill Boulevard

Director Lynn Goldberg presented the staff report, providing background on the original project and details on the proposed modifications. The relocated structures and uses would not increase the development potential of the approved resort project or affect approved building massing or heights. No changes are proposed to the number or scope of guest rooms, hotel facilities or residences. An Addendum to the previously-certified Final EIR for the Enchanted Resorts Project has been prepared in accordance with the California Environmental Quality Act. She reviewed an additional recommended use permit condition of approval that would require adequate on-site screening of the relocated improvements.

In response to a question from **Commissioner Cooper**, Ms. Goldberg confirmed that no additional square footage would be added to the project through approval of the use permit amendment.

Commissioners McNair, Cooper, Wilkes and **Abernathy** reported that they had visited the resort and project sites with the applicant.

Aaron Harkin, representative for the applicant, reiterated that all conditions of approval for the original project would remain in effect. The applicant is not seeking any new uses or structures, or additional hotel rooms located along the ridgeline. The proposed project modifications would result in a better design by

hiding back-of-house facilities from residents and resort guests. Circulation would be improved by providing a looped system. All vehicles will use the main entry, with service vehicles splitting off to the proposed service center. The second access point on Highway 29 would only be used during an emergency. He summarized on- and off-site infrastructure improvements that had been made to date, and shared photographs and video of construction activities.

In response to questions from **Vice Chair Wilkes**, Mr. Harkin responded that no trees have been removed yet in the previously-approved location of the parking lot. Fewer trees would potentially be removed based on their preliminary analysis. The tree stand at the top of the project site is different than the one below, which is primarily an abandoned orchard. The upper-level trees are older and native. The service center construction would remove less-desirable trees that would have likely been removed as part of the project's forest management plan.

Vice Chair Wilkes thinks that the proposed relocation of uses is a good idea. However, the proposed service center design relies on trees located on another property for screening; the potential visual impacts need to be mitigated within the project site. He hopes that shotcrete for the proposed retaining walls is darker than that used on the completed sections to minimize visual impacts. Mr. Harkin indicated he would be happy to accept the proposed additional condition of approval; they were planning to provide on-site landscaping of the service center.

In response to a question from **Commissioner McNair** regarding the easement and fencing concerns raised in the letter from the Bingham Ranch owners, Mr. Harkin responded that the referenced 1964 document does not specify metes and bounds for the easement, but they have acted neighborly and allowed them access to their property. A fence is not proposed in order to keep the wildlife corridor open. However, he is willing to install a fence if that's the desire of the Commission.

Chair Coates opened the public hearing.

Kerri Abreu believes that there will be considerable traffic related to the project and it will be difficult for emergency vehicles to travel throughout the project site. Nowhere does it show that the road opposite Pine Street will be limited to emergency access. A separate EIR should be required to address the expanded project as well as the six adjoining acres located in the county that have been acquired by the applicant. There is a possibility of petrified wood on the site. Traffic on SR 29 is already bad. The proposal seems like a back-door way of expanding the project and sets a precedent.

Kurt Larrecou, 1707 Michael Way, agrees that this seems to be a new project. He wonders what the approved parking lot area will be used for instead of parking. Another EIR circulated to the public is needed to cover the whole project. The approved EIR identifies storm drainage problems. Project drainage plans were supposed to be approved prior to approval of the project's final map.

They still haven't been prepared. There are no detention ponds included. City master plans say the runoff can't be accommodated by the infrastructure.

Chair Coates closed the public hearing and asked staff or the applicant to answer questions that were asked during public testimony.

Mr. Harkin advised the Commission that the easement through the DeGuarda property allows only for emergency access and utilities. All resort traffic – guests, employees and services – will use the primary access. The project's access roads have been designed to accommodate all emergency vehicles.

Jason Kirchmann, BKF Engineering, noted that three detention basins designed to accommodate project run-off have already been constructed. Storm water quality basins are designed to slow and sink the run-off. The project's original hydrology report has been amended and was submitted with the approved grading and infrastructure plans. Every-day events would be retained on-site. The 100-year storms would be detained and metered out. Retention and treatment facilities are included in the service center plans.

Commissioner Abernathy thinks that additional environmental review of the proposal is not needed; the project would just rearrange components and impacts would be the same and possibly less. Ms. Goldberg confirmed that was the conclusion of the Addendum to the EIR.

Ms. Goldberg advised the Commission that the project's final map has not been recorded, and confirmed that required storm drainage measures have been incorporated into the project's approved grading and drainage plans.

Vice Chair Wilkes noted that there has been additional environmental analysis conducted for the proposal, and that the Addendum is an addition to the original environmental analysis. He supports staff's additional condition of approval with some minor changes and would like to expand it to require an illustrative planting diagram showing how on-site landscaping would be used to screen the service area, along with the retaining wall finish colors.

Commissioner Cooper requested that the environmental consultant address questions as to the adequacy of the EIR and the proposed Addendum in addressing potential environmental impacts.

Grant Gruber, FirstCarbon Solutions, stated that the Enchanted Resorts EIR did not conclude that there would be storm drainage problems and identified measures that would adequately accommodate it. The addition of impervious surfaces to the project site will require detention/retention. What's been constructed on the project site to date is consistent with the adopted mitigation measures.

Jason Brandman, FirstCarbon Solutions, stated that an exhaustive analysis of the original project's environmental impacts had been conducted. The EIR Addendum for the subject proposal, which maintains the same uses and

densities, is based on a number of additional technical studies. It meets the California Environmental Quality Act's standards for this type of project.

Commissioner McNair thinks that the proposed modifications seem like a logical modification to the project and are needed for the internal functions to be successful. She would like to see a preliminary plan for the service center landscaping and screening, including colors and height. Screening efforts could help mitigate the noise concerns that were expressed by neighbors.

Chair Coates cited the intent of the General Plan's Rural Residential designation to serve as buffer between the urbanized area and agricultural uses. He reiterated concerns about visual impacts and noise that he had expressed during the original project's review. He is glad to see that additional property was acquired so that adequate emergency access can be provided. However, the community doesn't benefit from additional development on the hillside. There should have been a separate EIR for this proposal. It is not clear to him what the area of the previously-approved parking lot would now be used for. Pedestrians would be further removed from the parking area, and he is concerned about additional pedestrian traffic and drinking.

Vice Chair Wilkes noted the commitment from the developer that net development of the project will be the same; it's the same number of chess pieces on the hill. He doesn't see a downside to moving pieces around on 100 acres instead of 88 acres. The EIR Addendum is pretty thorough aside from his visual impacts concerns. Moving the back-of-house uses downhill, closer to an exit route, is a positive move.

Commissioner Cooper would have like to have seen Chair Coates' concerns addressed before the additional property was purchased and the project was designed.

Chair Coates suggested that the applicant could have submitted a conceptual plan to get Planning Commission and community input.

Mr. Harkin explained that the applicant did not own this parcel of land originally nor was it confident that they could acquire it. This is the natural progression of entitlements. All structures will have to go through additional review. He is happy to submit a conceptual design for the service area screening. The proposed revisions to the project design will result in an overall better project.

Vice Chair Wilkes observed that part of the original project approvals was to outline the process and define the footprint of what can occur. The process is not finished yet – we're in the midst of it. The City will be able to review what replaces the approved parking lot. The Commission is not here to re-litigate the project's earlier approval.

Commissioner McNair noted that her position on the project's modifications would be completely different if the applicant was requesting additional uses.

Commissioner Abernathy believes the changes improve the project.

A motion by **Vice Chair Wilkes** and seconded by **Commissioner Abernathy** to adopt a resolution adopting an Addendum to the Certified Final Environmental Impact Report for the Enchanted Resorts Project, was approved on a 4-1 vote (dissent Coates).

A motion by **Vice Chair Wilkes** and seconded by **Commissioner McNair** to adopt a resolution approving Use Permit 2018-2 and an Amendment to the Calistoga Hills Vesting Tentative Map with conditions, as amended per Vice Chair Wilkes, was approved on a 4-1 vote (dissent Coates).

Ms. Goldberg noted the 10-day appeal period.

G. MATTERS INITIATED BY COMMISSIONERS


In response to a request by **Vice Chair Wilkes**, Ms. Goldberg advised the Commission of the status of the 1514 Washington Street apartments application.

H. DIRECTOR REPORT

Director Goldberg provided follow-up to the Commission on actions taken at their previous meetings. She recommended that the December 26, 2018 meeting be canceled due to the lack of agenda items, and the Commission concurred.

I. ADJOURNMENT

The meeting was adjourned at 6:49 p.m.



Lynn Goldberg, Secretary

