

**MINUTES**  
**CALISTOGA PLANNING COMMISSION**  
**January 23, 2019**

1 **A. ROLL CALL**

2 Commissioners present: Chair Paul Coates, Vice Chair Tim Wilkes, Alissa McNair,  
3 Walter Abernathy. Absent: Scott Cooper (excused). Staff present: Planning and  
4 Building Director Lynn Goldberg, Senior Planner Zach Tusinger.

5 **B. PLEDGE OF ALLEGIANCE**

6 **C. PUBLIC COMMENTS**

7 Chair Coates expressed appreciation and support for his fellow commissioners, and  
8 feels privileged to serve on the Commission. He believes the Commission operates  
9 with honesty, integrity and transparency.

10 **D. ADOPTION OF MEETING AGENDA**

11 The meeting agenda of January 23, 2019 was amended to add Election of Officers.

12 **ELECTION OF OFFICERS**

13 A nomination by Vice Chair Wilkes and seconded by Commissioner McNair to elect  
14 Paul Coates as Planning Commission Chair was adopted on a 3-0 vote (abstention  
15 Coates).

16 A nomination by Chair Coates and seconded by Commissioner Abernathy to elect Tim  
17 Wilkes as Planning Commission Vice Chair was adopted on a 3-0 vote (abstention  
18 Wilkes).

19 **E. COMMUNICATIONS/CORRESPONDENCE**

20 An email from David Moon-Wainwright regarding all of the items on the agenda, and  
21 letters regarding Item G.2 were distributed to the Commission.

22 **F. CONSENT CALENDAR**

23 **1. Minutes Approval:** Draft minutes for the December 12, 2018 meeting

24 The consent calendar was adopted as presented.

25 **G. PUBLIC HEARINGS**

26 **1. Kaiser Permanente Office - Use Permit UP 2019-1:** Consideration of a use  
27 permit application to allow the establishment of a formula business at 2436  
28 Foothill Boulevard, Suite D

29 Senior Planner Tusinger presented the staff report. He noted that the 2,500  
30 Calistogans who are members of Kaiser have to drive out of town for their  
31 medical services. Medical offices are normally a permitted use in the Community  
32 Commercial Zoning District, but the proposed office is considered a formula  
33 business by the Zoning Code, which requires a use permit. The use would clearly  
34 be resident-serving. The proposed conditions of approval related to signage are

35 based on those adopted for the NextHome Realty formula business use permit  
36 approved last year.

37 **Shiyama Clunie**, Public Affairs Director for Napa Solano Kaiser Permanente,  
38 explained that the proposed office is intended to serve local patients with high-  
39 acuity needs. Traveling extended distances to receive care is an issue that they  
40 are trying to address. They appreciate the unique and historic character of  
41 Calistoga. Nearly half of Calistoga residents are Kaiser members, and a high  
42 percentage of those are seniors, which will be the focus of these medical  
43 services. She distributed exhibits of potential signs for the office to the  
44 Commission.

45 **Dr. Andrea Clarke**, Physician-in-Charge, Napa Kaiser Permanente, reviewed  
46 the range of services that might be offered at the office. They are starting with  
47 limited hours, with possible expansion in response to demand, probably limited to  
48 weekdays. They have elderly patients who need wayfinding signage to locate  
49 their office. They worked with a designer to develop a sign with colors that blend  
50 with those currently on the shopping center's monument sign. In addition to  
51 "Kaiser Permanente," it would contain the phrase "By appointment only" to  
52 minimize impacts to staff by drop-ins. Normally their sign would say "No  
53 emergency services available," which they don't want to include in this case.

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

55 **Commissioner Abernathy** thinks the proposed service is a wonderful idea, but  
56 thinks that reasonable signage should be allowed.

57 **Vice Chair Wilkes** thinks that Kaiser Permanente does a great job with  
58 wayfinding signage. He feels there are significant differences between this  
59 application and NextHome Realty in terms of what signs should be allowed. This  
60 office would not be located in the city's historic downtown. The proposed  
61 business would overwhelmingly serve the needs of residents and clearly qualifies  
62 for an exception to the Land Use Element policy that otherwise prohibits formal  
63 businesses. He supports approving any signage that would be allowed by the  
64 normal sign guidelines.

65 **Commissioner McNair** agrees that this is obviously a local-serving business.  
66 She thinks that having the words "Kaiser Permanente" on the center's monument  
67 sign rather than "medical services" would be much more helpful.

68 **Chair Coates** supports leaving the business' signage to staff for review.

69 A motion by **Vice Chair Wilkes** and seconded by **Commissioner McNair** to  
70 adopt a resolution approving use permit application UP 2019-1 was approved  
71 unanimously with the following wording for Condition of Approval No. 3:

72 3. Signage Requirements:

- 73 a. Final sign design shall be subject to the approval of the Planning and  
74 Building Department.

75           b. Signage on the center identification sign shall include the phrase 'By  
76           Appointment Only'.

77       **2. RE/MAX Gold Office - Use Permit UP 2019-2:** Consideration of a use permit  
78       application to allow the establishment of a formula business at 2450 Foothill  
79       Boulevard, Suite K

80       Senior Planner Tusinger presented the staff report. The application involves an  
81       existing Calistoga business that is relocating. Staff supports approval of the use  
82       permit, subject to the recommended conditions of approval.

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

84       **Anthony Pereira**, applicant, stated that he has operated a real estate business  
85       in Calistoga's downtown in four locations over 20 years. He was involuntarily  
86       displaced from his previous Washington Street location at the end of 2018 and is  
87       unable to afford another downtown location. At no time during his discussions  
88       with the City before he moved to his current office location was he advised that  
89       he needed to obtain approval of a use permit. He applied for a business license  
90       under a new address and paid the transfer fee. He assumed he was  
91       grandfathered in under the formula business regulations because he had  
92       relocated several times since adoption of the ordinance. He would like to  
93       continue providing real estate and property management services to the  
94       community, as well as keep his two existing window signs. His new location is  
95       not downtown, so he has lost all his walk-in customers. The City does not allow  
96       sandwich board signs. He shouldn't be subject to the same sign limitations that  
97       were applied to NextHome Realty, which is located downtown.

98       **Richard Johnson** reported that the applicant helped his daughter find a home in  
99       the community so that she and her family didn't have to move away. He strongly  
100       supports the proposal, including the requested signage.

101       **Joe Schneider** supports the formula business ordinance in general in order to  
102       keep the community unique, but there is a need for the services offered by the  
103       applicant. He cited other formula businesses that exist in the community.

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

105       **Commissioner McNair** recognizes that RE/MAX is relocating rather than  
106       initiating a new business. She doesn't object to the requested signage.

107       **Chair Coates** thinks it's important to not lose any more businesses in town, and  
108       tenants in the Riverlea Square Shopping Center need help with their signage.  
109       The formula business ordinance was not designed to prevent small businesses  
110       from locating in the town. He strongly supports the requested signs.

111       **Vice Chair Wilkes** thinks it's important to differentiate this application from other  
112       businesses. The RE/MAX owner was not required to obtain a use permit for his  
113       other locations, including one directly across the street of City Hall. His relocation  
114       was not voluntary and he supports all of the requested signage.

115 **Commissioner Abernathy** thinks that adequate signage should be allowed if the  
116 use permit is approved.

117 **Chair Coates** reiterated that staff was following the Code and prior actions taken  
118 by the City in requiring the use permit application and drafting the recommended  
119 conditions of approval.

120 A motion by **Chair Coates** and seconded by **Commissioner Abernathy** to adopt  
121 a resolution approving use permit application UP 2019-2 was approved  
122 unanimously with the following wording for Condition of Approval No. 3:

- 123 3. Signage shall be as requested in the application, specifically:  
124 a. On the Riverlea Square Shopping Center identification sign.  
125 b. On the window and door of the office.

## 126 H. GENERAL GOVERNMENT

127 **1. General Plan Consistency Determination for Fairgrounds Property**  
128 **Purchase:** Consideration of a General Plan consistency determination for the  
129 purchase of a portion of the Napa County Fairgrounds property by the City of  
130 Calistoga

131 Director Goldberg presented the staff report and recommended that the  
132 Commission find the proposed purchase of a portion of the Napa County  
133 Fairgrounds property by the City of Calistoga to be consistent with applicable  
134 provisions of the Calistoga General Plan. She noted that easements necessary  
135 for access and utilities will be secured as part of the City's negotiations with the  
136 County.

137 **Vice Chair Wilkes** noted that the consistency determination is for the potential  
138 purchase of property only, not its development.

139 Ms. Goldberg confirmed Vice Chair Wilkes's observation, and noted that any  
140 development proposal for the property would be subject to a public outreach  
141 process and environmental review.

142 **Commissioner McNair** thinks that the City's purchase of the property is a very  
143 smart move.

144 A motion by **Commissioner Abernathy** and seconded by **Commissioner**  
145 **McNair** to adopt a resolution determining that the proposed Fairgrounds property  
146 acquisition is consistent with the Calistoga General Plan was approved  
147 unanimously.

## 148 I. MATTERS INITIATED BY COMMISSIONERS

149 **Commissioner Abernathy** believes that a formal downtown parking plan is needed.  
150 A number of downtown businesses have left recently, and it may be due in part to  
151 the lack of parking. If the City accepts in-lieu parking fees, there should be plan to  
152 spend them. Staff agreed to add the topic as a future agenda item.

154 **J. DIRECTOR REPORT**

155 Planning and Building Director Goldberg updated the Commission on pending  
156 applications. She advised the Commission that staff is now posting a copy of an  
157 item's application materials on the City web site when the public hearing notice is  
158 mailed in order to provide information to the public as early as possible.

159 Senior Planner Tusinger related that one of his former professors is on sabbatical  
160 and that her particular area of study is "staff reports." She will be talking to various  
161 planning commissions about how to improve staff reports. He outlined the  
162 commitment that would be required from any commissioners who are interested in  
163 volunteering to participate in her study.

164 **K. ADJOURNMENT**

165 The meeting was adjourned at 6:21 p.m.

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Lynn Goldberg, Secretary