

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

**A. ROLL CALL**

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

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENTS**

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

**D. ADOPTION OF MEETING AGENDA**

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

**ELECTION OF OFFICERS**

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

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

**E. COMMUNICATIONS/CORRESPONDENCE**

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

**F. CONSENT CALENDAR**

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

The consent calendar was adopted as presented.

**G. PUBLIC HEARINGS**

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

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

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

**Chair Coates** opened the public hearing.

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

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

**Chair Coates** closed the public hearing.

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

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

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

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

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

3. Signage Requirements:

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

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

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

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

**Chair Coates** opened the public hearing.

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

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

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

**Chair Coates** closed the public hearing.

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

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

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

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

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

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

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

## H. GENERAL GOVERNMENT

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

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

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

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

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

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

## I. MATTERS INITIATED BY COMMISSIONERS

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

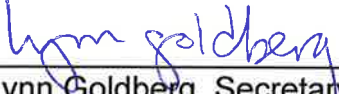
**J. DIRECTOR REPORT**

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

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

**K. ADJOURNMENT**

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

  
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Lynn Goldberg, Secretary

