

MINUTES
CALISTOGA PLANNING COMMISSION
January 27, 2021 at 5:30 p.m. via Zoom

1 **Chair Cooper** called the meeting to order at 5:30 p.m. He read a special message
2 concerning the conduct of the virtual meeting in accordance with provisions related
3 to COVID-19.

4 **A. ROLL CALL**

5 Commissioners present: Chair Scott Cooper, Vice Chair Tim Wilkes, Commissioners
6 Alissa McNair, Doug Allan and Jack Berquist. Staff present: City Manager Mike Kirn,
7 Planning Technician Claudia Aceves, and Planning Consultant Justin Shiu.

8 **B. PLEDGE OF ALLEGIANCE**

9 **C. PUBLIC COMMENTS**

10 None

11 **D. ADOPTION OF MEETING AGENDA**

12 The meeting agenda was adopted as presented.

13 **E. COMMUNICATIONS/CORRESPONDENCE**

14 Secretary Aceves, on behalf of absent Director Zach Tusinger, reports that there
15 was one public comment submitted via email for one of the items, which was
16 forwarded to Commissioners and published on the city website.

17 **F. CONSENT CALENDAR**

18 **1. Approval of Draft Minutes from the January 13, 2021 meeting.**

19 The consent calendar was adopted unanimously.

20 **G. PUBLIC HEARINGS**

21 **1. Silverado Terrace – Use Permit 2020-8, Design Review DR 2020-7, and**
22 **Tentative Map TM 2020-3:**

23 Consideration of use permit, design review and subdivision applications, and a
24 request for a density bonus and affordable housing concessions/incentives for
25 the construction of 50 apartment/condominiums and related improvements at
26 1408 & 1506 Grant Street (APNs 011-101-001 and 011-101-009). This proposed
27 project is categorically exempt from the California Environmental Quality Act
28 (CEQA) under Sections 15183 and 15332 of the CEQA Guidelines.

29 **Consultant Planner Justin Shiu** provides the staff report indicating that it is a
30 50-unit project in the Community Commercial district, which proposes to remove
31 an existing building. He notes that the applicant is requesting a Design Review,
32 Use Permit and Tentative Map as part of the entitlements. He adds that the
33 applicant has requested to include an affordable housing component, noting that

34 it makes the project eligible for a density bonus. Mr. Shiu comments that the
35 project was previously approved for a 50-unit development, to which entitlements
36 have lapsed. He provides the project review against the General Plan, including
37 land use, downtown character overlay and the housing element. He reviews the
38 development standards, noting that the applicant is requesting a few deviations
39 from standards through the density bonus concessions, including the number of
40 units, underground utilities waiver and building height, which are made available
41 by right through state law. Mr. Shiu provides the environmental review noting an
42 update to one condition, which provides a clarification of public works
43 improvements.

44 **Commissioner Berquist** asks about the current height of the existing building
45 and Mr. Shiu responds that it is 20-something feet, noting that the maximum
46 allowable height in the CC district is 30 feet.

47 **Vice Chair Wilkes** asks Mr. Shiu to confirm the development standards in the
48 CC district allowing a 30-foot height limit unless it abuts a residential zone, which
49 would reduce the height to 25 feet if it were a commercial development. Mr. Shiu
50 confirms that it would only apply if the project was a commercial development.

51 Applicants with DeNova Homes, **Trent Sanson** and **Kerri Watt**, introduce
52 themselves to commissioners and provide their background in home
53 development, including a local background and projects in Napa and Sonoma
54 County. **Ms. Watt** speaks on density bonus, zoning and affordable housing. She
55 also provides the developmental goals under the General Plan. She describes
56 that under the density bonus law, the height increase is allowed at 34 feet, 6
57 inches, 11 additional units and relief from the undergrounding of overhead
58 utilities. **Ms. Watt** adds that they conducted neighborhood outreach on the
59 project and will continue dialogue. She describes some of their goals, including
60 providing usable open space, adequate parking and circulation for cars and fire
61 trucks, and keeping pedestrian paths. She explains the site plan and location of
62 buildings, open space and roadway and describes in detail, the floorplans and
63 components of the units, including the live-work units, as well as the architectural
64 style throughout the project. She describes how they meet the required setbacks
65 throughout the property and touches on the landscape, elevations, available
66 utilities, parking, open space areas and fencing. She notes that the project
67 property will be managed by DeNova Homes. She comments on their intention to
68 re-purpose some of the existing warehouse material (redwood boards), which
69 **Mr. Sanson** adds to.

70 **Vice Chair Wilkes** comments on the inviting entry and the successful buffering
71 of the neighbors. He asks about the plan of transition between renting and selling
72 the units.

73 **Mr. Samson** responds that their intent is to pursue as a 100 percent rental
74 apartment community, adding that the purpose of condos is that if in 15 years
75 market conditions change, they can sell and it provides flexibility to not require
76 PC approval again.

77 **Vice Chair Wilkes** asks about the live-work units and if they are require Title 24
78 and ADA compliance with path of travel, which **Mr. Shiu** responds will be
79 reviewed by the building division during the building permit review.

80 **Vice Chair Wilkes** asks about the condition that calls for the agreement that
81 locks the 55-year affordable units, assuming it will be consummated prior to
82 releasing a building permit. **Mr. Shiu** responds that it will be worked out with the
83 city attorney, who will lock in the affordability agreement.

84 **Chair Cooper** asks the applicant if they've done an apartment transition to
85 condos and **Mr. Sanson** responds that they have not such. **Chair Cooper** adds
86 that in case that happens, it would be nice to have a rent to own provision for
87 tenants.

88 **Vice Chair Wilkes** asks about the possibility to retain material from the
89 warehouse for use in the city and **Mr. Sanson** responds that if an offer came
90 along, it could be made available.

91 **Commissioner McNair** asks about the EVA access and Mr. Samson said that in
92 speaking with public works, fire and planning, it was decided the EVA was most
93 suitable to ensure fire had full access with safe pedestrian connectivity.

94 **Commissioner Allan** asks about live-work units and if there is an option for a
95 renter to sublease the work portion. Mr. Shiu responds that there's no
96 requirement that the work unit has to be a commercial use and can be a
97 residential use and the renter would need a business license if conducting
98 business.

99 **Commissioner Berquist** is impressed by the project and asks the applicants if
100 historically they've sold properties after completion with intent of new buyer to
101 make condos. **Mr. Sanson** says they've done it before and they also have their
102 own property management division. He adds that in full transparency, if someone
103 wanted to buy the project, they'd consider it, but their intent is to keep it for the
104 long haul.

105 **Vice Chair Wilkes** asks if they'd have an onsite manager. **Mr. Sanson** says they
106 don't until they get near the 100-unit range and there will be no leasing office.
107 They'll have a 24-hour emergency line for regular maintenance and unit
108 turnovers.

109 During public comment, **Donna Higgins** asks about the garbage on site. Mr.
110 Samson says each unit is responsible for their own garbage and they have done
111 a staging plan noting the dump truck will enter the complex.

112 **Karen Lynn Ingalls** comments that she is concerned with the height of the
113 project, as it is not in compliance with the General Plan. She adds that each
114 approval is setting precedent for more 3-story developments. She asks about
115 archeological work prior to any construction and urges commissioners to turn
116 down proposal.

117 **Mr. Shiu** comments that a historical survey was prepared for the previous
118 project, which was approved. He adds that the site was found not to have
119 historical significance, although it is associated with a historical figure. However,
120 it has been modified a number of times, which loses significance. A
121 recommendation was to salvage redwood material.

122 **Chair Cooper** asks Mr. Shiu if the density bonus concessions are the main basis
123 for each exception and **Mr. Shiu** says yes, because it's eligible for density bonus,
124 the state also allows the applicant to request concessions.

125 **Vice Chair Wilkes** comments that he thinks the project is thoughtfully done. He
126 addresses the issues about height noting that they are not discretionary
127 decisions made by the Commission, but decisions with concessions given by the
128 state related to the density bonus. The Commissioners are not in a position to
129 deny it unless they deny the entire project. He adds that the city is always in
130 need of housing. He addresses the rural small town character, noting that the
131 only way to stay small is to build up, not out.

132 **Commissioner Allan** agrees with Vice Chair Wilkes, mentioning that when
133 Yellow Rose was proposed the public comments were that we need housing, but
134 "not here," and now we have a proposal with a well thought out architecture and
135 layout, which he supports.

136 **Commissioner Berquist** supports the project, commenting that it's hard to
137 provide areas that work for developers unless they have the ability to go to three
138 stories. He thinks the design is interesting.

139 **Commissioner McNair** comments that she was excited about the original
140 project and understands that it's the third story that makes the project feasible.
141 She hopes to keep approving these projects and that they'll keep coming around
142 and make a difference.

143 **Chair Cooper** comments this is an all hands on deck problem with housing and
144 given that the town approved the resorts, we have a responsibility to carry
145 forward and provide housing.

146 **Commissioner Allan** adds about rent to own and **Chair Cooper** says it's an
147 easy process and wants to plant that seed. **Mr. Sanson** says he is happy to keep
148 that on the table.

149 **Commissioner Berquist** asks if that would require re-approval and **Chair**
150 **Cooper** says no, it could be structured in the leases.

151 A motion by **Vice Chair Wilkes** that the Planning Commission adopt a resolution
152 approving UP2020-8, DR2020-7 and TM2020-3 and approving an Affordable
153 Density Bonus and housing concessions for the project is seconded by
154 **Commissioner Allan** and approved unanimously (5-0).

155 **2. (Continued Item) Vault Wine & Artifacts – Use Permit UP 2020-6 and**
156 **Design Review DR 2020-5:** Consideration of use permit and design review
157 applications to modify the façade of an existing structure and permit an existing
158 antiques business to also allow wine tasting at 1124 Lincoln Avenue (APN 011-
159 254-005). This proposed action is exempt from the California Environmental
160 Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines.

161 City Manager Kirn (standing in for Director Tusinger) provides the staff report
162 noting that it is a continuation of a previous item in which the applicant wishes to
163 convert existing building to wine tasting concept with continuation of an antique
164 business. The applicant would modify and improve the exterior of the building.
165 He says it is consistent with the General Plan and the zoning code is satisfied.
166 He adds that the applicant is aware of city's requirements for sourcing grapes
167 from a local appellation. He notes the city has received four public comments.

168 **Vice Chair Wilkes** asks City Manager Kirn about the resolution forwarded to City
169 Council about changing wine tasting standards. He asks for clarification on the
170 assumption that City Council approves that, that this would make one of two wine
171 tasting permits allowed for the year. **Commissioner Allan** adds clarification
172 about the question asking about a retroactive action. **City Manager Kirn**
173 responds that technically an ordinance would not take effect until 30 days after
174 the adoption, which would make the ordinance effective around April 1, if it is
175 approved by City Council.

176 **Vice Chair Wilkes** says the action they took was to limit the number of wine
177 tasting facilities to no more than two a year and when that takes effect. **City**
178 **Manager Kirn** says they would have to take that into consideration, although he
179 thinks it would be a calendar year after ordinance is in effect.

180 **Applicant Mario Sculatti** comments that he took into consideration the
181 commissioners' critiques from the last meeting, specifically on the quality of
182 appearance of the building and importance of having a more professional
183 architectural rendering. He notes he went to property owner, **Daniel Merchant**,

184 for a simple design. He describes the proposed changes to the exterior of the
185 building, which will require Mr. Merchant's help.

186 **Vice Chair Wilkes** asks Mr. Sculatti if he's willing to have some level of
187 automatic irrigation to maintain the initially approved landscaping, also pointing
188 the question to Mr. Merchant, who Wilkes believes does a meticulous job with
189 Indian Springs.

190 **Mr. Merchant** agrees adding that it's logical to add irrigation. He says he will be
191 working with to Mr. Sculatti's budget and will be working toward getting the "best
192 bang for their buck."

193 **Commissioner Berquist** asks to hear Mr. Sculatti's vision and asks if the
194 business plan is that retail operations provide significant revenue or mostly
195 tasting.

196 **Mr. Sculatti** responds that he's good at finding good antique pieces and
197 connecting with other dealers. He says he'll be working with a local dealer who is
198 the largest importer of antique wine presses and wine related artifacts that will
199 help populate the store. They have a neat vision for curating the gallery, which
200 will be for sale and has an abundance of items.

201 **Chair Cooper** says the origin is in retail and now they are just adding the tasting.

202 **Commissioner McNair** notes that the prior concept was to integrate tasting and
203 sitting people and asks the applicant to elaborate on the change.

204 **Mr. Sculatti** responds that he took to heart Vice Chair Wilkes' comments about
205 where he'll draw the line with an antique and what you can sit on. He wanted to
206 have a gallery to be a stunning space with high end lighting and the wine to be its
207 own space in case people spill on a thousand dollar chair, so it made more sense
208 to segregate it.

209 **Chair Cooper** comments on the benefit of bringing architect Tom Stimpert on
210 board.

211 **Commissioner Allan** comments that a major change that makes a difference is
212 having the landlord involved in the process and thanks the applicant for having
213 Mr. Merchant collaborate on an improved proposal.

214 **Chair Cooper** asks for an estimate on the budget and Mr. Merchant responds
215 that with sod and HVAC improvements, it's roughly \$100,000 with Mr. Sculatti
216 and his partner bringing an additional \$30,000 to \$45,000 dependent on lighting.

217 **Commissioner McNair** asks for clarification about the former cupola proposal
218 and **Mr. Sculatti** says it is out.

219 **Commissioner Allan** asks about the possibility of cleaning up the neighboring
220 parcel even though they don't own it.

221 **Mr. Sculatti** agrees it needs improvements and is working with Public Works to
222 remove the two large trees at the expense of the property owner.

223 **Chair Cooper** comments that he is glad to see it evolve and happy to see that
224 Mr. Sculatti brought in Mr. Merchant and Mr. Stimpert as part of his team.

225 A motion by **Commissioner Allan** that Planning Commission adopt a resolution
226 approving Use Permit and Design Review allowing an exterior remodel and wine
227 tasting at 1124 Lincoln Avenue is seconded by **Chair Cooper** and approved
228 unanimously (5-0).

229 **H. MATTERS INITIATED BY COMMISSIONERS**

230 None.

231 **I. DIRECTOR'S REPORT**

232 City Manager Kirn, filling in for Director Tusinger, reports that the wine tasting
233 ordinance is going to City Council on February 16. The city is in conversations
234 with the city attorney's office about ringing forward a wireless ordinance related
235 to cell towers, for which the city will first conduct a community forum in March. He
236 also provides an update on a code enforcement issue with regard to 505
237 Washington Street, where an unpermitted demolition occurred and the city is
238 seeking compliance with the property owner.

239 **J. ADJOURNMENT**

240 On a motion from **Chair Cooper** that is adopted unanimously (5-0), the meeting was
241 adjourned at 7:10 p.m.

Claudia Aceves, Secretary