

**CITY OF CALISTOGA
PLANNING COMMISSION MINUTES**

1 **5:30 PM**

DATE: February 25, 2004

2 **COMMUNITY CENTER**
3 **CALISTOGA, CALIFORNIA**

4
5 **A. ROLL CALL**

6
7 **Commissioners Present:** Chairperson Manfredi, Vice-Chairperson Casey, and
8 Commissioner Creager. Commissioner Dill arrived during
9 the Consent Calendar item of the agenda.

10
11 **Commissioners Absent:** Commissioner Citaku-Perrett

12
13 **Staff Present:** Planning and Building Director Tooker, Associate Planner
14 Prentiss, and Administrative Secretary Guill

15
16 **B. PUBLIC COMMENTS**

17
18 Public Comments is time reserved on each regular meeting agenda to provide an
19 opportunity for the public to directly address the Planning Commission on items of interest
20 to the public, which do not appear on the agenda. Comments should be limited to three
21 minutes. The Commission will not be able to take action on items raised during Public
22 Comments.

23
24 No comments were provided under this agenda item.

25
26 **C. ADOPTION OF MEETING AGENDA**

27
28 **Director Tooker** advised item D-2, Minutes of the Planning Commission Regular meeting
29 of February 11, 2004, were not provided and the item should be removed from the agenda.

30
31 **Motion by Commissioner Creager, seconded by Vice Chair Casey,** to approve the
32 Agenda. **Motion approved: 3-0-0-2.**

33
34 **D. CONSENT CALENDAR**

35
36 The following items listed on the Consent Calendar are considered routine and action
37 taken by the Planning Commission is by a single motion. Any member of the Planning
38 Commission, staff or the public may request that an item listed on the Consent Calendar
39 be moved and action taken separately. In the event that an item is removed from the
40 consent calendar, it shall be consider after the last scheduled item under New Business.

41

- 42 1. Minutes of the Planning Commission Regular Meeting of January 28, 2004.
43 Recommended Action: Approve the Minutes
44

45 **Vice Chairperson Casey** requested the Planning Commission Regular Meeting Minutes
46 of January 28, 2004 be pulled from the Consent Calendar for discussion.
47

48 **Chairman Manfredi** advised the discussion on the Minutes of the Planning Commission
49 Regular Meeting of January 28, 2004 shall be considered after the last scheduled item
50 under New Business.
51

- 52 2. Minutes of the Planning Commission Regular meeting of February 11, 2004.
53 Recommended Action: Approve the Minutes
54

55 No discussion. This item was removed from the agenda.
56

57 **E. TOUR OF INSPECTION**
58

59 There were no items listed for the Tour in this agenda.
60

61 **F. COMMUNICATIONS/CORRESPONDENCE**
62

- 63 1. Centre Court, receipt of letter dated 02/14/04, including applicable emails and
64 summary memo from staff.
65

66 **Director Tooker** advised this item was included on the agenda for information purposes
67 only, with no action required.
68

69 It was further reported while speaking with property owners and advising of the scheduled
70 Special Planning Commission Meeting "Workshop", to be held Wednesday, March 17,
71 2004 at 4:00 p.m.. The majority opinion of the current Centre Court property owners was
72 they would prefer to deal with possible issues individually, on a case by case basis, and
73 stay with the current zoning designation.
74

75 **Commissioner Creager** stated he was surprised at the response, asking if it was clear the
76 Commission was offering them an open forum for dialogue and communication, because
77 the standard bi-weekly Planning Commission meeting forum did not lend itself well to open
78 exchange of information on one subject.
79

80 **G. PUBLIC HEARINGS**
81

- 82 1. U 2003-12. Application for a Conditional Use Permit submitted by Curtis Helmer,
83 property owner, for a vacant 7.37 acre parcel (Assessor's Parcel Number 011-050-
84 032) located approximately 1,500 feet southeast of the intersection of Silverado
85 Trail and Rosedale Road. The property is presently designated Planned
86 Development District - PD 2002-2. The applicant proposes to construct a two-story

87 residence with a three-car garage with a combined footprint size of 5,031 square
88 feet on the southernmost portion of the parcel. Included in the proposal are 2
89 detached carriage houses totaling 4,124 square feet, a pool and a 1,722 square
90 foot pool house, and a tennis court, for a total developed area of 10,877 square feet
91 on the site. A Negative Declaration is proposed subject to compliance with the
92 California Environmental Quality Act (CEQA).

93 Recommended Action: Adopt a Negative Declaration, approve the project design,
94 and approve the Conditional Use Permit.

95
96 **Chairman Manfredi** opened the Public Hearing requesting a staff report from Associate
97 Planner Prentiss.

98
99 **Associate Planner Prentiss** provided report stating the Commissioners would probably
100 find the project familiar as the proposal had been presented to the Commission five
101 previous times. Continuing she reported there was only one minor change to the proposed
102 single family residence design. Noting the location of the garage and carriage houses
103 were now placed further from the adjacent mobile home park. The request on the table
104 was for final approval of the Conditional Use Permit.

105
106 **Associate Planner Prentiss** reported the single family residence was in compliance with
107 the General Plan, although the project was presented prior to the adoption of the 2003
108 General Plan. While the General Plan speaks to subdivision gates, it does not dictate
109 rules or conditions on single family residential gating. The general consensus of the
110 Commission was that this structure was somewhat large, however it was commensurate
111 with the size of the seven and one-half acre parcel. It was also noted that Mount
112 Washington camouflaged the structure from view from Silverado Trail.

113
114 **Associate Planner Prentiss** provided an overview of the Conditional Use Permit No. U
115 2003-12, Attachment 4 within the staff report, directing attention to Findings and Conditions
116 amendments, page 4 of 5, and reading aloud for the record the addition of the following
117 conditions:

118
119 *19. The driveway connecting the subject property to Silverado Trail shall be*
120 *coordinated with future development on the adjacent vacant parcel to the*
121 *east. By accepting this permit, the property owner agrees to a shared*
122 *driveway that will also allow access to future development of the Mount*
123 *Washington parcel, and will provide an easement for such access to*
124 *minimize safety considerations resulting from multiple driveways on*
125 *Silverado Trail, an important gateway to the community and an arterial*
126 *that is restricted from view by Mount Washington. Any entry driveway gate*
127 *approved by the City in this permit shall be set back from the property line*
128 *a minimum of 23 feet to provide shared access to the Mount Washington*
129 *parcel and to provide safe queuing on the property for emergency vehicles*
130 *and other vehicles to park while the gate is opening inward toward the*

131 *property. The design of this gate shall be approved by the City prior to*
132 *issuance of the Building Permit.*

133
134 28. *Prior to issuance of a building permit, the applicant shall submit a study,*
135 *prepared by a licensed Civil Engineer, analyzing the existing road*
136 *conditions on Silverado Trail and the potential impacts resulting from the*
137 *revised driveway connection to the approved residential use of the*
138 *property. The purpose of this study is to consider the safety*
139 *considerations resulting from turning movements to and from the subject*
140 *site and their relationship to the driveway at Silver Rose Winery and Inn,*
141 *also considering planned development on area properties (including the*
142 *approved restaurant at Silver Rose, service driveway at Palisades Resort*
143 *and Spa, and driveway for adjoining single-family residence and water*
144 *tank). This study shall also include the visibility of the driveway approach,*
145 *lane width and striping in the project area to determine if changes are*
146 *required prior to issuance of a building permit for development on the site.*

147
148 Staff recommendation was to approve the Conditional Use Permit # U 2003-12, to include
149 the above amendments.

150
151 **Chairman Manfredi** opened the Public portion of the Hearing to the public.

152
153 **Mr. Henry Wix**, of Wix Architects and representing Curtis and Jillian Helmer approached
154 the Commission presenting architectural drawings and describing the project as a
155 “California Contemporary” structure, including columns consistent with other properties
156 within Calistoga. He pointed out the front gate entrance, noting it was replicated in style at
157 the secondary entry to the carriage houses. Mr. Wix continued reporting the owners had
158 expressed a desire to make a change to the existing drawing, placing a deck at the pool
159 house.

160
161 **Director Tooker** advised per condition #9, the deck or any future exterior alteration could
162 be approved by staff through design review.

163
164 **Commissioner Dill** stated she preferred that any major material changes would require
165 the Planning Commission look at it.

166
167 **Commissioner Creager** asked if the new deck would face south.

168
169 **Mr. Wix** reported the deck would wrap completely around the structure, with no height
170 change. Further stating with the mobile home park approximately 100 to 140 feet away he
171 did not foresee a visual impact.

172
173 **Director Tooker** interjected the deck shouldn’t be an issue at this time, especially with a
174 general consensus of no potential problem.

175

176 **Chairman Manfredi** asked if there were any other anticipated changes.

177

178 **Mr. Wix** replied “no”.

179

180 **Commissioner Dill** inquired what the intended use of the carriage house would be.

181

182 **Mr. Wix** reported the intention was to use it for storage, cars, a tractor, or the things you
183 wouldn’t want sitting around the yard. No accommodations were intended.

184

185 **Mr. Wix** requested the Commissions attention be brought to Findings and Conditions,
186 page 5 of 5, line item 26:

187

188 *26. The property owner shall receive approval of a Construction Management*
189 *Plan prior to issuance of a Grading Permit or Building Permit which*
190 *identifies how the site will be protected during grading activities from dust,*
191 *identifies the location of haul trucks exporting any material from the site,*
192 *the hours of construction, and a plan for addressing archaeological*
193 *resources, if encountered, during grading to include the following:*

194

195 *The previously unknown archaeological resources are discovered during*
196 *any land alterations, the construction crew will cease work immediately in*
197 *the discovery area (i.e., within 20 meters). A qualified archaeologist*
198 *approved by the City of Calistoga and the County of Napa shall be*
199 *consulted to evaluate the resource in accordance with State and Federal*
200 *guidelines. If prehistoric Native American remains are discovered, the*
201 *State Native American Heritage Commission and affected Native*
202 *American groups shall be notified according to State regulations.*
203 *Mitigation measures consistent with CEQA Section 21083.2 will be*
204 *devised and a mitigation plan submitted for approval of the City of*
205 *Calistoga Department of Planning and Building and the Napa County*
206 *Conservation, Planning, and Development Department. All archaeological*
207 *activities will be conducted in accordance with prevailing professional*
208 *standards as outlined in CEQA and will be implemented before*
209 *recommencement of work within the area of the resource discover.*

210

211 Continuing he reported an archaeological study was addressed in the negative declaration
212 process. The property owners had hired an archaeologist during the due diligence period
213 and their recommendation included within their report “no further archaeological study
214 would be necessary”. Therefore, Mr. Wix requested consideration for the wording of
215 condition item #26 to be stricken from the conditions.

216

217 Addressing Findings and Conditions, page 4 of 5, line item19, **Mr. Wix** stated they had no
218 problem with this condition and would be glad to work with the neighbors. However, Mr. &
219 Mrs. Helmer believed a share of costs for legal documentation should be coordinated,
220 considering the easement for access was a requirement.

221 **Director Tooker** advised the condition states only “there shall be a shared access” and
222 expressed for the record, that although the easement was a condition of the Helmer’s
223 project, the easement would be a three party agreement between the Tolbert’s, Helmer’s
224 and the City of Calistoga.

225
226 **Director Tooker** further reported the reference to the 23’ gate setback - Condition item 19,
227 was based on the Fire Department requirements for turn around of emergency vehicles.

228
229 **Assistant Planner Prentiss** reminded she would like the Commission to also address the
230 issue of a gate to a community, verses gate for a property gateway.

231
232 **Commissioner Creager** agreed with Mr. Wix that negotiations should transpire for
233 consideration of costs incurred due to sharing access with the neighbors.

234
235 **Vice Chair Casey** stated that in her opinion a gated property would not be synonymous
236 with a gated community. The general Commission consensus was the gate was ok.

237
238 **Director Tooker** brought the discussion back to Findings and Conditions, page 5 of 5, line
239 item 28, dictating the applicant shall submit a road study of Silverado Trail, advising this
240 condition was added at the request of the Public Works Department engineers, due to the
241 narrowness on the highway and the inability of the property owners to make a left turn
242 across the roadway onto the property. There were safety concerns needing to be
243 addressed including visibility of the driveway approach and the lane width.

244
245 **Mr. Wix** stated he and his clients were frustrated with the request for one more study. He
246 stated this is a residential area and the residents will simply follow traffic laws and not
247 make illegal turns.

248
249 **Chairman Manfredi** stated doing a road traffic study may be prudent. Although it would
250 be another expense, making it safer is always wise.

251
252 **Vice Chairperson Casey** stated in her opinion the request was a little draconian.

253
254 **Assistant Planner Prentiss** stressed that condition #28 was driven by the Public Works
255 City Engineer, and in his opinion this study was needed because the ingress/egress will
256 change the roadway environment.

257
258 **Vice-Chairperson Casey** asked what the intent of the condition was. If it is safety the she
259 asked what is the resulting change to prevent liability.

260
261 **Commissioner Creager** advised existing striping prohibits left turns, and any change
262 would result to increase safety.

263

264 **Director Tooker** advised although he doubted a turn out for a left turn would be required,
265 additional signage "No left turn" could be considered, but he was not a City Engineer.

266
267 **Commissioner Dill** stated the opinion that it was not fair to ask the Helmer's to delay their
268 project for a study and/or bear the cost.

269
270 **Vice Chairperson Casey** agreed with Commissioner Dill.

271
272 **Commissioner Creager** stated he didn't see the need for the study.

273
274 Consensus was for Associate Planner Prentiss to amend the Findings and Conditions,
275 page 5 of 5, deleting line item 28.

276
277 The Public Hearing was closed by **Chairman Manfredi** at 6:30 p.m..

278
279 **Chairman Manfredi** thanked Mr. Wix and Mr. and Mrs. Helmer, advising it had been a
280 pleasure working with them.

281
282 **Motion by Vice Chairperson Casey, seconded by Commissioner Creager**, to adopt
283 Resolution 2004-5, A Resolution Adopting a Mitigated Negative Declaration and Approving
284 The Design and a Conditional Use Permit (U 2003-12) for a Residential Development
285 within Planned District PD 2002-2, Located 1,500 Feet Southeast Of The Intersection Of
286 Silverado Trail And Rosedale Road (APN: 011-050-032), amending condition #26,
287 researching the existing study to mitigate the archaeological study issue, and striking
288 condition #28. **Motion approved: 4-0-0-1.**