

**CITY OF CALISTOGA
PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Wednesday, February 11, 2009
3:00 PM
Calistoga Community Center
1307 Washington St., Calistoga, CA**

**Chairman Jeff Manfredi
Vice-Chairman Clayton Creager
Commissioner Carol Bush
Commissioner Paul Coates
Commissioner Nicholas Kite**

“California Courts have consistently upheld that development is a privilege, not a right.”

Among the most cited cases for this proposition are Associated Home Builders, Inc. v. City of Walnut Creek, 4 Cal.3d633 (1971) (no right to subdivide), and Trent Meredith, Inc. v. City of Oxnard, 114 Cal. App. 3d 317 (1981) (development is a privilege).

Chairman Manfredi called the meeting to order at 5:35 PM, after returning from the Tour of Inspection as described below.

A. ROLL CALL

Present: Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Carol Bush, Paul Coates, and Nicholas Kite. **Staff Present:** Charlene Gallina, Planning and Building Director. **Absent:** Ken MacNab, Senior Planner, Erik Lundquist, Associate Planner and Kathleen Guill, Planning Commission Secretary.

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS

D. ADOPTION OF MEETING AGENDA

There was motion by **Commissioner Coates**, second by Vice-Chairman Creager to approve the agenda as submitted. **Motion carried. 5-0-0-0.**

E. COMMUNICATIONS/CORRESPONDENCE

Letters to the Commission regarding **Item #H1** under **New Business – PA 2008-04, CDR 2008-04** were submitted by the following people: Elizabeth Hammond, 304 Foothill Blvd., Calistoga, CA 94515; and Ron Taddei, Vice President, Napa County Farm Bureau, 811 Jefferson Street, Napa, CA 94559. The letters are attached at the end of these minutes.

F. CONSENT CALENDAR

No matters for consideration.

G. TOUR OF INSPECTION

PA 2008-04, CDR 2008-04 – Chairman Manfredi noted that this item had been continued from the Planning Commission meeting of January 28, 2009.

Shortly after 3:00 p.m. the Planning Commission left the Community Center to inspect the project site for the proposed Bounsall & Wright Winery and Event Center to be located at 414 Foothill Blvd. (APNs 011-260-045 through 011-260-076) within the “I” Light Industrial Zoning District.

The purpose of this inspection was to view the physical characteristics of the site only. No discussion took place on the tour of inspection. The following people were in attendance on

39 this tour of inspection: Planning Commission Chair Jeff Manfredi, Commissioner Nick Kite,
40 Planning and Building Director Charlene Gallina, Jeff Bounsall, Bill Bounsall, Kathy Bowser,
41 Jean Kapolchok, Urban Designer, Kari Abreu, Windy Johnson, Barbara Moler, and Michelle
42 Wing of the Calistoga Tribune.

43

44 The Regular Planning Commission Meeting resumed at 5:35 p.m. in the Calistoga Community
45 Center, 1307 Washington Street, City of Calistoga, CA, as noted above at the beginning of
46 these minutes.

47

48 **H. NEW BUSINESS**

49

50 **1. PA 2008-04, CDR 2008-04.** Conceptual Design Review for the proposed Bounsall &
51 Wright Winery and Event Center on a 7-acre site to be developed in three phases. The project
52 proposes to feature two wineries, a tasting room with a delicatessen and outside picnic areas,
53 two retail buildings, winery office space, and a special event area with an adjacent reception
54 building for a site total of 80,289 square feet. The project site is located at 414 Foothill
55 Boulevard (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning
56 District. *(This item was continued from the Planning Commission Meeting of January 28,*
57 *2009.)*

58

59 **Chairman Manfredi** asked **Director Gallina** to summarize the project.

60

61 **Director Gallina** did a brief introduction of the item and clarified the intent of the conceptual
62 design process. She noted that after the Commission reviews the conceptual plan and
63 comments from the public, the Project would be presented to the City Council for consideration
64 of a Memorandum of Understanding (MOU) for the processing of a Development Agreement
65 and the submittal of formal development application. If the MOU is executed, this project would
66 possibly involve working with a subcommittee of the Council for negotiating terms of a
67 Development Agreement. Director Gallina then turned the presentation over to the applicant for
68 a presentation on the project, before staff gave an assessment on the project.

69

70 **Jeff Bounsall, 414 Foothill Blvd.,** spoke on behalf of the Bounsall family. He started by giving
71 a brief history of his family (several generations) and their contributions to the City of Calistoga.
72 He then noted that they have tried to develop their plan with the idea of preserving the
73 character and history of Calistoga. He stated that the plan has been developing over 15 years
74 and includes: two wineries, two retail buildings, a tasting room with a deli and outside picnic
75 area and garden, fruit stand, winery office space, and a special event area with an adjacent
76 reception building. Chairman Manfredi then asked for clarification of the project. Mr. Bounsall
77 responded by explaining that there would be four separate parcels on the property and they are
78 proposing to merge them in order to complete the project as a whole, rather than separate
79 projects. He also noted that the Bounsall family believes that their plan is a "less intense" use
80 of the land than what it is zoned for and could potentially have on it such as an inn or spa, and
81 by purposely not doing one of these other kinds of businesses; they would not be competing
82 with the businesses in downtown Calistoga. This is important to them because they want to do
83 something that draws people to Calistoga and other local businesses. They want to support
84 and compliment other local businesses, and stated additional benefits to the community as a
85 whole (jobs, etc.) He concluded by stating that this proposed project is not for him or this

86 generation, but for future generations and the legacy of his family. "We have a substantial
87 investment in the community's vitality and future."
88

89 **Jean Kopolchok, Urban Designer** then gave a power point presentation on the planning
90 aspects of the project. She noted that there are 31 separate parcels on the property and that
91 the zoning for it is industrial and light industrial. She reviewed the guidelines from the General
92 Plan for this property which is that it will be designed to "convey agricultural qualities". She
93 also noted that this property is located at one of the gateways to Calistoga and reviewed the
94 guidelines for this aspect of the project.
95

96 **Mary Sites, Project Architect** then gave a presentation of the overall design concept for the
97 project site and each proposed building.
98

99 **Director Gallina** then pointed out that the applicant would be completing the project in three
100 phases, and noted that the proposed winery was in keeping (appropriate) with the zoning
101 guidelines for the property's location. She stated that one of the remaining issues seems to be
102 the "intensity" and size of the winery, and that is what she is asking the Planning Commission
103 to focus on in their discussion and comments. She then gave an overview of remaining issues
104 with this project that need to be addressed which includes: appropriate height of buildings,
105 parking, traffic, access for emergency vehicles, affordable housing requirements, etc. She also
106 provided an overview of the list of wineries provided in the staff report in which the Commission
107 could use to conduct a review on the proposed project.
108

109 **Chairman Manfredi** then opened the floor to the public and the applicant for any comments or
110 questions before the Commissioners commented.
111

112 **Jeff Bounsall** stated that Adobe Engineering, the engineering firm on this project has reviewed
113 the Caltrans Right-of-Way and egress, and stated that there would be enough room for
114 emergency access only. He also commented on the list of wineries that Director Gallina had
115 prepared and presented, and noted that the list includes wineries outside of Calistoga and
116 asked the Commission to focus on the Calistoga wineries only. He noted that there are only 3
117 local wineries in the City of Calistoga.
118

119 **Kari Hammond Abram, 1720 Reynard Lane**, stated that she was speaking on behalf of her
120 mother, Elizabeth Hammond, who lives on the south side of the Bounsall property. She
121 distributed a copy of the letter written by her mother to the members of the Planning
122 Commission. She noted that there is an ongoing dispute regarding the property boundary line.
123 She then read the letter for the record and a copy is attached to these minutes. After reading
124 the letter she added the following points of concern: 1) in the Staff Report under Requests, the
125 acreage amount is 6.68 acres not 7; 2) the height of one of the proposed buildings is 50.6 feet
126 which would completely block the view of the Palisades and Mt. St. Helena, which can now be
127 seen from Ms. Hammond's property. 3) she noted that there has never been a business on this
128 parcel except for one man who dehydrated walnuts, and had only one small tractor; 4) possible
129 soil contamination from storage tanks which has not been addressed; and 5) a concern
130 regarding a possible one million gallons of wastewater from the production of the proposed
131 wineries that has not been addressed.
132

133 **Michael Brooks, Land Surveyor, business located at 6525 Washington Street, Yountville**
134 spoke on behalf of his client Elizabeth Hammond. He noted that there is still a boundary
135 dispute that is unresolved, which boils down to a difference of $\frac{1}{4}$ of an acre. This difference in
136 what the survey prepared by the surveyor for the Bounsall's (Howard Bruner) and his survey
137 show could impact the size of the proposed structures because they are based on percentages
138 of the total gross area. He also noted that with regard to the floodway line, in September 2008,
139 FEMA (Federal Emergency Management Agency) issued a new floodway map, which shows a
140 different shape and location of the floodway for the Bounsall and Hammond properties. This
141 could also impact the size of the proposed structures and the amount of buildable area.
142 Additionally, as it is shown now on the Bounsall's architectural rendering, the proposed event
143 center (building G) is located in the floodway. The last point of concern he raised is with regard
144 to the issuance of the Certificates of Compliance. In reading the certificates, he noted that the
145 property is described in lots and blocks but there is no mention of the streets between the
146 blocks. He also noted that it appears to him that the property has not been conveyed in lots
147 and blocks prior to the issuance of the Certificates of Compliance. He then questions if the City
148 of Calistoga still owns these "streets" or if they have been "vacated". This would also have an
149 impact on the proposed project.
150

151 **Chairman Manfredi** stated that he wanted to remind everyone at the meeting that the purpose
152 of tonight's meeting was for the purpose of design review and would like any other speakers to
153 please stick to design issues. However, he appreciates the points that Mr. Brooks and others
154 have brought forward and stated that the Commission will review them.
155

156 **Jeff Bounsall** said he appreciates the comments made by the Hammonds and spoke in
157 response to Mr. Brooks's comments regarding the floodway. He stated that in 1987 he was a
158 part of the study that was conducted on the floodway from the city limits to Elm Street in
159 Calistoga. A study was done in 1988 which updated floodway data, and then there was
160 another study done by FEMA in 1992, which was based on data from 1929. In order to get
161 accurate information, Mr. Bounsall believes that the data from these two studies need to be
162 combined because they use different terminology. This work has been completed by the
163 original engineer and will be submitted to the City. He noted that the Bounsall's surveyor has
164 taken the information from this new document and marked the floodway to the inch. He
165 believes that this should "put this issue to bed." He also noted that with regard to the issue of
166 the "streets" on the Bounsall property, they have not been dedicated and are owned by his
167 mother Marion Bounsall. He also mentioned that several other studies have been completed.
168

169 **Norma Toffenelli, 10001 Dunaweal Lane**, thanked staff for their extra efforts in preparing data
170 pertaining to this project. She first noted that according to the staff report, after carefully
171 reviewing the City's General Plan, "staff does have concerns with this development proposal
172 with respect to the proposed scale and intensity of the two wineries coupled with proposed
173 intensity of the retail component, as well as the special events to occur on the project site,
174 especially if all these activities occur at the same time that the two wineries are at their peak
175 operation." She further referred to the letter by the State Department of Fish and Game (that
176 was attached to the staff report of January 28, 2009) in which their concerns are outlined with
177 regard to the possible impacts on sensitive resources in particular the Napa River and water
178 resources, storage, and infrastructure for irrigation. She noted that if production at the wineries
179 goes to the maximum of 40,000 cases each, the amount of water needed would be a million
180 and a half gallons of water for each winery. She further noted that based on a 2008 report

181 done by Local Agency Formation Commission (LAFCO) on Calistoga's ability to serve the
182 water needs of the population, the amount of flow and demand on the sewer system during the
183 wet winter months would be when the wineries use the most water, and the added amount of
184 waste water would far exceed the permitted limits of capacity of Calistoga's sewer system. She
185 added that the bearer of the burden of impact for an overtaxed sewer system is the citizens
186 who live outside the City limits (of which she is one). She then referred to the comments in the
187 staff report of January 28th from the Public Works Director regarding the possible need to
188 "condemn" certain properties to expand the sewer capacity and wonders what properties would
189 be involved. She believes this is a critical issue in considering this proposed project.

190
191 **Director Gallina** pointed out that with regard to the comments in the staff report from Public
192 Works, some of these are "standard conditions that may not relate to the project".

193
194 **Ron Tadaï, Napa County Farm Bureau, 811 Jefferson Street, Napa.** Said that he was
195 speaking tonight because the Farm Bureau believes that the City would be best served if they
196 adopted winery development standards for all potential new wineries that are consistent with
197 the provisions that the County has adopted in what is known as the "Winery Definition
198 Ordinance." The Farm Bureau urges the City to adopt these standards for all new wineries
199 within the Bounsall property as well as any new wineries within the City limits. There are two
200 main provisions of the Ordinance that the Bureau believes come in to play. One is that 75% of
201 the grapes to be used in the wine production be sourced from Napa Valley vineyards. This is
202 so that the appellation and economy of Napa Valley be preserved. The second provision
203 relates to wine touring and tasting of new wineries and that it be "ancillary to wine making",
204 which would tend to cut down on conflicts with neighboring properties. He mentioned that the
205 City of Napa had worked closely with the Farm Bureau to incorporate the Winery Definition
206 Ordinance into their Municipal Code, and they would extend the same service to Calistoga.
207 They support Calistoga for an opportunity to permit wine production facilities within the City
208 limits, and to showcase Napa's premium wine products. They will look forward to working with
209 staff, the applicant, the Planning Commission, and the City Council on developing sound and
210 sensible guidelines.

211
212 **Kristin Casey, 1132 Denise Drive, Calistoga** stated that she had sent a letter outlining her
213 concerns to the Commission and the local newspaper. She stressed that she believes the
214 project is too big, especially given the emphasis in the revised General Plan on the importance
215 of preserving the "ruralness and smallness " of the entry corridor areas. She went on to read a
216 section on page LU 46 – Goal LU2, Policy 2 of the Land Use Element of the General Plan that
217 talks about overlay designation regulations that states: "all new developments on sites with
218 overlay designations shall follow the overlay designation regulations in section D of this Land
219 Use Element to insure that their development is in harmony with the surrounding environment."
220 She asked that the Planning Commission take this into consideration as they review this
221 project.

222
223 **Aaron Harkin, 1019 Myrtle Street, Calistoga,** noted that "in concept the proposed project is a
224 worthwhile endeavor", and urged the Commission to urge the developer to "continue working
225 with the community and the neighbors to tweak the intensity issues but overall move forward
226 with what he believes will be an economically viable project that will enhance the entry corridor
227 to the town."

229 **Chairman Manfredi**, seeing no one else coming forward to speak, called for a 10 minute break
230 before resuming with the Commissioners' discussion.

231
232 After the break, **Chairman Manfredi** then asked the Commissioners if they had any questions
233 of staff or the applicant.

234
235 **Director Gallina** stated that before discussion started she wanted to note into the record that a
236 letter of communication from **Mr. Paul Smith** had been received and distributed to the
237 Commissioners.

238
239 **Commissioner Kite** asked for clarification about the total site area if it included going out into
240 the center of the Napa River.

241
242 **Director Gallina** confirmed that yes, the total site area did include going out into the center of
243 the river.

244
245 **Commissioner Kite** then asked about whether residential replacement was a requirement of
246 this project.

247
248 **Director Gallina** stated that in her comments to the applicant, she had informed them that
249 whatever housing was lost, would need to be replaced, which they do propose to have a three
250 bedroom unit to replace the housing. She added that there is also another unit on the site that
251 will need to be looked at as well as meeting the City's affordable housing requirement resulting
252 from the employees that would be utilized at this site.

253
254 **Commissioner Kite** asked if the replacement housing, as well as any additional affordable
255 housing is required to be on site.

256
257 **Director Gallina** stated that it does not have to be on the site, it could be provided somewhere
258 else.

259
260 **Commissioner Kite** then asked the applicant "why two wineries?"

261
262 **Jeff Bounsall** responded that after a very thorough review of looking at other potential uses
263 such as an inn or a wine warehouse, which would be permitted under the General Plan, they
264 decided that they did not want to compete with the downtown merchants by establishing
265 another inn, and that the plan they came up with incorporated the uniqueness of the site and
266 seemed to be the best use of the land and merging the parcels that would have the least
267 amount of impact.

268
269 **Commissioner Kite** further asked if the reason had to do with economics.

270
271 **Jeff Bounsall** said yes, it was an issue of economics, which also included the reason for the
272 design of the buildings and facilities and the related expenses.

273
274 **Katherine Bowser, 1619 Washington Street**, stated that the applicants did go back and forth
275 about proposing a winery or another bed and breakfast and they decided that they did not want
276 to compete with the other bed and breakfast's in town. She continued by commenting that the

277 back of the site would be open space with only temporary structures such as a gazebo or a tent
278 going up by request only. She added that this would be an alternative site for celebrations held
279 at the Napa County Fairgrounds, which might generate more revenue for the City as opposed
280 to it going to the County, if in fact that is where the fees from the Fairgrounds go.

281
282 **Vice-Chairman Creager** asked for clarification on the interplay between the PD Overlay
283 designation and the zoning designation and which has precedent?
284

285 **Director Gallina** responded that: “the General Plan takes precedent over the industrial zoning
286 of the property because of the time in which the General Plan was updated versus the zoning,
287 and so the PD provides us that guidance for what type of uses should go on the property as
288 well as looking at policies that we have because this property is located within the entry
289 corridor, and the General Plan gives us that guidance.”
290

291 **Commissioner Bush** noted that she “thought that the architect stated that you (the applicant)
292 were not going to use one of the buildings (building B) that is designated retail for retail” and
293 asked if they had some other idea for it?
294

295 **Jean Kalpolchok** responded that building B would have a residential unit on top and the
296 bottom would be used for storage of gardening equipment, a commercial kitchen, and a
297 changing area and would not include the small retail area that they had originally been included
298 in the design.
299

300 **Commissioner Bush** asked for clarification of the type of retail items that would be sold in the
301 retail building and whether they would be “agriculture or winery related”?
302

303 **Jean Kalpolchok** replied that it would be “winery related to the extent that in wineries with wine
304 tasting you have dishes and cheeses and breads.” She then commented that “the General
305 Plan Land Use for this property remains industrial; it is not simply the zoning.”
306

307 **Commissioner Coates** then stated “based on that statement that it is light industrial, and we
308 were talking about the Certificates of Compliance (COCs), and if this project (and proposed
309 land use) does not take place, how do these come into play? It is in conflict with the General
310 Plan and Director Gallina just stated that the General Plan takes precedent pretty much over
311 everything and now we are talking about the light industrial approach to it and yet we have 29
312 or 31 lots which was based on the probability of it being way back when, residential? So, where
313 does that leave that parcel with those COCs?”
314

315 **Director Gallina** responded that she has had several discussions about this with the applicant,
316 and “if they were not to do this proposal and wanted to come in with an industrial proposal of a
317 warehouse or something else other than what is stated in the General Plan, we would have to
318 say it is inconsistent with the General Plan even though there is an industrial designation from
319 a General Plan standpoint, the policies in the General Plan give us a more specific direction on
320 other type of land uses.” She further stated that she does not know why “when we did the
321 General Plan update that if we did have these policies in here why we just didn’t go in and
322 amend the land use diagram to say it’s a PD overlay or something else? – but that’s my
323 reading of the General Plan and we’ve tried to be consistent on that, but even though its got
324 the industrial zoning, as long as a proposal comes in here and it’s consistent with the policy of

325 the PD then we would be in favor of the project as opposed to if something came in contrary to
326 that policy direction; and I'm looking to the Planning Commission too for that concurrence on
327 that interpretation especially for those that were here during that time frame."
328

329 **Chairman Manfredi** stated that he had made a list of the issues that were brought up and
330 asked if the Commissioners wanted to start their discussion that way. He noted that the first
331 area of concern is the height of some of the proposed buildings and asked Commissioners to
332 comment on this.
333

334 **Commissioner Kite** opened his comments by stating that he appreciated that the applicants
335 have worked long and hard on this proposal and appreciated that they are trying to produce
336 something that will be a legacy for their family and he likes the general concept, "so in the
337 comments that come, please don't take it as calling your baby ugly; we're trying just to address
338 aspects of the design, but appreciate all the effort you have put into it."
339

340 **Jeff Bounsall** stated that he wanted to clarify the Certificate of Compliance issue again. He
341 stated that he disagreed with Planning staff and that "if we continue down this path, I don't see
342 it being a good fruition; we have single parcels, separately described, they are legal, they can't
343 take away building rights on each single lot, we're not after that, we haven't asked for that, if
344 we wanted to merge a couple of parcels, we can do that and then comply with the zoning, but I
345 don't have to work with my brother or sister – this is a legal question that is very difficult for any
346 of you to answer, so I would urge you to – I don't know how we continue on with this Charlene,
347 but obviously we have had a difference of opinion regarding our parcels that we own that are
348 separately described and what you are saying is we're going to take them away from you. That
349 can't happen in the United States and California. I didn't want to go down this tract with you
350 guys. I wanted to go through the project, wanted to go through the concept review; just want
351 you to have in your mind that if want to talk to someone who is a professional that understands
352 law regarding that – it's called the taking of land, taking of property rights, so, with that, I didn't
353 want to take you away from looking at the site, looking at the concepts, so if we want to speak
354 further on this – thank you."
355

356 **Commissioner Kite** responded by saying that "none of us are trying to consider that, the only
357 reason it has come up is because there's been kind of an implied, if we don't do this look what
358 could happen."
359

360 **Jeff Bounsall** stated that "that is correct, bottom line."
361

362 **Chairman Manfredi** brought the discussion back to building heights, and asked Commissioner
363 Kite to comment on this.
364

365 **Commissioner Kite** stated that he feels that the building heights are high and they are not
366 compatible with other buildings in the entry corridor with the tallest buildings being closest to
367 the road and no scaling back with going from lowest to highest.
368

369 **Commissioner Bush** stated that she likes the architecture very much, but agrees that the
370 heights are just a little too high. She thinks the landscaping is wonderful and really likes the
371 idea of an event center.
372

373 **Chairman Manfredi** stated that his initial overall issue with the proposal is that it lacks
374 cohesiveness and he doesn't understand the 2 wineries and all of the other different uses all
375 together and generally thinks it does not really have an identity or an understandable rhyme
376 and reason. He is also concerned about the impact if a lot of people showed up at the same
377 time for the different uses of the site. He also feels that the bulk of the buildings are too high
378 and too big. He would much prefer to see something at the entrance to town which is along the
379 lines of what Kristin Casey spoke to; more of a sense of entering a town that is low key and has
380 a mixture of types of buildings, with some smaller and some larger. He suggested that the
381 applicant look at and work on the heights of the buildings.
382

383 **Vice-Chair Creager** commented: "I think you can't separate the height from the intensity of
384 development; I appreciate the use of the buildings as the architect noted to accommodate
385 some of the machinery, which would interfere with some of the multiple use stuff, so that is
386 what I mean by there is a lot of interrelatedness to these individual issues and so I think the
387 height with the intensity of development is too much, that the scaling on the site relative to the
388 surrounding landscape – so if we change one part of the element I understand it's going to
389 affect others and I think we will touch on that."
390

391 **Chairman Manfredi** suggested that they touch on it now because they do go hand-in-hand.
392

393 **Commissioner Coats** commented that: "I'm going to go back to problems we are having with
394 the conceptual design approach. It's a great idea, what's happening here is that you end up
395 with reports from different agencies that provide information for us to look at without a clear
396 view of what the true intent is – a good example is Fish and Game." He then read the following
397 quote from the report: "Proposed project does not provide a sufficient buffer along the Napa
398 River to prevent impact to sensitive resources." He went on to say that it does not mean it can't
399 be mitigated, "but if it can't, you can just about throw out half of those buildings, so the whole
400 concept goes down the tubes. So I guess where I'm coming from is – and I get frustrated with
401 this is because back in my day, was that you had these reports in hand when you came
402 forward, we didn't have the design concept approach, which is a good approach because it
403 does help the applicant and the City to understand things, but there are sometimes there are
404 these big hurdles that they have to cross over and if you don't have some minimal assurance
405 that they can accomplish those we all sat up here for nothing. And then we go back to density
406 – so if you have to set back 100 feet from the river, these poor folks are out, and I don't have
407 the answer; water is another huge issue that has a direct impact on whether you do 2 wineries,
408 how much water can the City handle? We don't have an answer and they don't have an
409 answer so how can we sit here as a board and make a good decision?" He went on to say that
410 he loves the architectural design, but agrees with the Commission on the density issue, though
411 he likes where the applicant is going with the project. He closed his comments by stating:
412 "there are two big issues that have such an impact on this how can we honestly and truly come
413 up with a consensus that the applicant can go with?.... these are questions I don't know how to
414 answer short of having some kind of minimal research done on it to see if indeed they are
415 mitigatable and that the project is going to go forward as presented or in some form like that."
416

417 **Chairman Manfredi** commented that during the site visit he did mention that in his opinion
418 having read all the reports, it was a 100 foot setback from the river and "you guys said no it was
419 30."
420

421 **Commissioner Coates** stated: “But that’s my whole point, we’re talking about structures, and
422 so based on a typical State agency throwing so much at you and what you can and can’t do,
423 and then,... and I would direct this to our Planning Director – I guess it has to be mitigated to
424 the satisfaction of Fish and Game in this particular issue and then does it override our (the
425 City’s) required minimum of a 30 foot, setback?”
426

427 **Mary Sites**, stated that she has worked on projects in the past where they were within a
428 setback and in working with Fish and Game, they have considered “if the land was already in
429 use and is being changed from plowed earth (which is something that is really bad around the
430 river) to something that is permanent landscaping, they don’t generally have, they’re actually
431 kind of glad that it happened. So we have to review this with them more thoroughly.”
432

433 **Commissioner Coates** reiterated that this is where he has a problem with the process and big
434 issues.
435

436 **Director Gallina** noted that with other projects, such as the Pool Project, sometimes it is
437 necessary to meet with Fish and Game on the site so that they can be walked through a project
438 and then come to a better understanding and perhaps is able to negotiate the required amount
439 of setback.
440

441 There was a little bit of discussion between **Commissioner Coates** and **Chairman Manfredi**
442 on the setback issue, and then **Chairman Manfredi** stated that: “I think we should recognize
443 that there are setbacks and we are just not sure what they are which will ultimately impact the
444 design.” He then suggested that the Commission focus on what they think of what the
445 applicant is proposing physically on the site and the use, and that “all of the other issues that
446 have been raised are very important, but will be dealt with one way or the other and proved to
447 be either insurmountable or require a real change and a real redesign.”
448

449 **Vice-Chair Creager** noted that their understanding is consistency with the General Plan, and
450 believes that there is real value there at this stage.
451

452 **Chairman Manfredi** then responded: “yes, and that goes to the fact that I think the project is
453 too intense for stated goals of the General Plan overall for this City and in particular for a
454 gateway.” He then asked the Commission how they felt about the idea that was brought up by
455 the Farm Bureau about establishing some guidelines and also the issue of replacement
456 housing.
457

458 **Commissioner Kite** responded by mentioning the density of some of the wineries included in
459 Director Gallina’s data on other local wineries, as a way of comparing them to the proposed
460 project.
461

462 **Vice-Chair Creager** responded that he wanted to go back to the height issue as it relates to
463 intensity, and noted that barn buildings can be high, and so in terms of consistency with the
464 surrounding area, if the intensity were down, he would not have as much of a problem with the
465 height if it is being used to store equipment and shielding surrounding areas from noise, as
466 opposed to other repercussions from having machinery running, but with the intensity, the
467 height is too much – too much mass.
468

469 **Commissioner Kite** added that “the relationship of the building to the site also works into that
470 equation in terms of where it is most frequently viewed from and if it is right up close to a road
471 edge and sixty feet that is one thing, if it’s at the back of a site, it just has a different visual feel.”
472

473 **Director Gallina** then asked the Commission to “weigh in on the design of the driveway
474 access, the parking, its proximity to the front of the site, whereas the entry corridor policies talk
475 about moving parking areas to the rear of the site; whether you are comfortable with the layout
476 or want to see something different because if you’re not, then that really plays into a redesign
477 of the site so that’s an important element to this site layout.”
478

479 **Vice-Chair Creager** stated that no measurements were taken and that this was a similar
480 problem that came up with the Solage project and their use of berms, and noted that the
481 Commission did work with Solage to allow them to have parking near the road, but he feels that
482 did not work out as well as he had hoped. “The feeling is that there is a big parking lot in front
483 of a lot of buildings.” Therefore, in his opinion he is skeptical that the same thing would not
484 occur again with this project.
485

486 **Director Gallina** noted that parking close to the road was also allowed for the Highlands
487 Church project.
488

489 **Vice-Chair Creager** noted that he had opposed the parking for the Highlands Church project
490 and still believes it was not a good decision to let it go forward.
491

492 **Mary Sites** responded by saying that in this project, the road is about 7 feet higher than where
493 the cars will be sitting, which will actually help to hide the visibility of the cars, especially with
494 shrubbery in front of it.
495

496 **Commissioner Kite** agreed that the height will help, but he still feels that some sort of a brum
497 will be necessary to help screen the cars.
498

499 **Mary Sites** further responded by explaining that the parking is not designed as a big lot like in
500 a mall, but rather like perpendicular street parking that is seen in Calistoga.
501

502 **Chairman Manfredi** stated that he wished the Commission could be more concrete and helpful
503 at this stage of the project, but he believes that the consensus is that the intensity of the project
504 has to be reduced, and that there is too much going on within the site, which leaves him with a
505 feeling of not really having an identity.
506

507 **Commissioner Coates** then excused himself from the meeting to attend to a family matter.
508

509 **Chairman Manfredi** then opened the floor to further comments or questions.
510

511 **Jean Kolpolchok** stated that perhaps she had not explained the project as well as she could
512 have in tying all the parts together, but essentially she sees two uses for the project; one being
513 special event use and the other being the deli/retail tasting room division as servicing the 2
514 wineries. She also commented that they appreciate all of the Commissioners’ comments and
515 will “take them to heart and go from here.”
516

517 **Commissioner Kite** summarized his feelings about the project by stating that he believes
518 there are a lot of positive aspects to the project, such as the architecture and the concept in
519 general.

520
521 **Chairman Manfredi** commented that he agrees with Commission Kite, but still believes the
522 scale of the project doesn't work. He then moved on to the next item on the agenda.

523
524 **I. PUBLIC HEARING**

525
526 **1.** Consideration of an amendment to the General Plan Overlay Districts Map, Figure LU-6
527 designating the properties located at 1001 and 1007 Myrtle Street (APN 011-256-005 & 004)
528 within the Visitor Accommodation Overlay designation. The Planning Commission will also
529 consider a Rezone (Zoning Ordinance Map Amendment) of the properties located at 1001,
530 1007, 1013 Myrtle Street (APN 011-256-005, 004 & 003) including them within the "VA", Visitor
531 Accommodations combination district. These requests have been filed by the property
532 owners Christopher and Adele Layton. The proposed amendments to the General Plan and
533 Zoning Ordinance are exempt from the California Environmental Quality Act (CEQA) pursuant
534 to Section 15061(b)(3) of the CEQA Guidelines.

535
536 **Chairman Manfredi** and **Commissioner Kite** excused themselves from this item due to a
537 conflict of interest. Due to the fact that there was not a quorum present, there was a coin toss
538 to see which of the two commissioners would participate. **Commissioner Kite** won the coin
539 toss and was reseated.

540
541 **Vice-Chair Creager** then read the details of the item (as written above) and stated that the
542 recommended action was to continue the item to the next regularly scheduled meeting of
543 February 25, 2009.

544
545 **Director Gallina** stated that the continuance would allow staff to do additional research on the
546 item and present a new staff report on this item.

547
548 **Commissioner Kite** made a motion, seconded by **Commissioner Bush** to continue the item
549 to the next Planning Commission meeting on February 25, 2009. **Motion carried: 3-0-1-1.**

550 **Chairman Manfredi** was then reseated.

551
552 **J. MATTERS INITIATED BY COMMISSIONERS**

553
554 **Chairman Manfredi** asked if any of the Commissioners had any matters that they wanted
555 to bring forward. No Commissioners initiated any items. **Chairman Manfredi** then asked if
556 anything was going on with the Terrano Project or the old hospital property.

557
558 **Director Gallina** stated that these projects are still on hold due to insufficient funding for
559 project commencement.

560
561 **Commissioner Kite** thanked **Director Gallina** for the action to address the sign on the
562 Santa Fe West.

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K. DIRECTOR'S COMMENTS/PROJECT STATUS

Director Gallina had no project status to report.

L. ADJOURNMENT

Chairman Manfredi made a motion, seconded by Vice-Chair Creager to adjourn the meeting to the next regularly scheduled meeting of the Planning Commission on February 25, 2009, at 5:30 PM. **Motion carried: 4-0-1-0.** The meeting adjourned at 8:25 p.m.

Charlene Gallina,
Acting Secretary to the Planning Commission