

**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).

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2 Chairman Manfredi called the meeting to order at 5:35 PM, after returning from the Tour of
3 Inspection as described below.
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5 **A. ROLL CALL**

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

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11 **B. PLEDGE OF ALLEGIANCE**

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13 **C. PUBLIC COMMENTS**

14 **D. ADOPTION OF MEETING AGENDA**

15 There was motion by Commissioner Coates, second by Vice-Chairman Creager to approve
16 the agenda as submitted. **Motion carried. 5-0-0-0.**
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19 **E. COMMUNICATIONS/CORRESPONDENCE**

20 Letters to the Commission regarding Item #H1 under **New Business – PA 2008-04, CDR**
21 **2008-04** were submitted by the following people: Elizabeth Hammond, 304 Foothill Blvd.,
22 Calistoga, CA 94515; and Ron Taddei, Vice President, Napa County Farm Bureau, 811
23 Jefferson Street, Napa, CA 94559. The letters are attached at the end of these minutes.
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25 **F. CONSENT CALENDAR**

26 No matters for consideration.
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28 **G. TOUR OF INSPECTION**

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

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32 Shortly after 3:00 p.m. the Planning Commission left the Community Center to inspect the
33 project site for the proposed Bounsall & Wright Winery and Event Center to be located at 414
34 Foothill Blvd. (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning
35 District.
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37 The purpose of this inspection was to view the physical characteristics of the site only. No
38 discussion took place on the tour of inspection. The following people were in attendance on

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

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

48 H. NEW BUSINESS

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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.)*

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59 Chairman Manfredi asked Director Gallina to summarize the project.

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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.

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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

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

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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.

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

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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.

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

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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.

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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.

135 **Michael Brooks, Land Surveyor, business located at 6525 Washington Street, Yountville**
136 spoke on behalf of his client Elizabeth Hammond. He noted that there is still a boundary
137 dispute that is unresolved, which boils down to a difference of ¼ of an acre. This difference in
138 what the survey prepared by the surveyor for the Bounsall's (Howard Bruner) and his survey
139 show could impact the size of the proposed structures because they are based on percentages
140 of the total gross area. He also noted that with regard to the floodway line, in September 2008,
141 FEMA (Federal Emergency Management Agency) issued a new floodway map, which shows a
142 different shape and location of the floodway for the Bounsall and Hammond properties. This
143 could also impact the size of the proposed structures and the amount of buildable area.
144 Additionally, as it is shown now on the Bounsall's architectural rendering, the proposed event
145 center (building G) is located in the floodway. The last point of concern he raised is with regard
146 to the issuance of the Certificates of Compliance. In reading the certificates, he noted that the
147 property is described in lots and blocks but there is no mention of the streets between the
148 blocks. He also noted that it appears to him that the property has not been conveyed in lots
149 and blocks prior to the issuance of the Certificates of Compliance. He then questions if the City
150 of Calistoga still owns these "streets" or if they have been "vacated". This would also have an
151 impact on the proposed project.

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.

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.

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

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

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

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

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

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

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

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

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

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

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

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Commissioner Kite then asked about whether residential replacement was a requirement of this project.

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

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

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

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Commissioner Kite then asked the applicant "why two wineries?"

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

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

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

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

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

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

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

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

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

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Commissioner Bush asked for clarification of the type of retail items that would be sold in the retail building and whether they would be "agriculture or winery related"?

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

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

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

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

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

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

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

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

Jeff Bounsall stated that "that is correct, bottom line."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 **I. PUBLIC HEARING**

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

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

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

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

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Commissioner Kite made a motion, seconded by **Commissioner Bush** to continue the item to the next Planning Commission meeting on February 25, 2009. **Motion carried: 3-0-1-1.**
Chairman Manfredi was then reseated.

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

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


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

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

