

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

**Wednesday, April 14, 2010  
5:30 PM  
Calistoga Community Center  
1307 Washington St., Calistoga, CA**

**Chairman Jeff Manfredi  
Vice- Chairman Clayton Creager  
Commissioner Paul Coates  
Commissioner Nicholas Kite  
Commissioner Matthew Moye**

**“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 5:44 PM.  
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4 **A. ROLL CALL**

5 **Present:** Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Paul Coates,  
6 Nicholas Kite, and Matthew Moye. **Staff Present:** Charlene Gallina, Planning and Building  
7 Director, Ken MacNab, Senior Planner, Erik Lundquist, Associate Planner, and Kathleen Guill,  
8 Planning Commission Secretary.  
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10 **B. PLEDGE OF ALLEGIANCE**

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12 **C. PUBLIC COMMENTS**

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14 **D. ADOPTION OF MEETING AGENDA**

15 **Chairman Manfredi** requested the order of the agenda be amended moving item I-1 Conceptual  
16 Design Review for the proposed Bounsall Family Winery Project to follow I-3, County of Napa’s  
17 Vacation Rental Proposal discussion.  
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19 There was motion by **Vice-Chairman Creager**, seconded by **Commissioner Coates** to approve  
20 the agenda as amended. **Motion carried: 5-0-0-0.**  
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22 **E. COMMUNICATIONS/CORRESPONDENCE**

23 The following writings or documents were distributed to the Planning Commission

- 24 **1.** Letter from Bingham Ranch dated April 08, 2010, re: item I-1 Conceptual Design Review for  
25 the proposed Bounsall Family Winery Project. (Attachment 1)  
26 **2.** Letter from Elizabeth Hammond dated March 24, 2010, received April 12, 2010, re: item I-1  
27 Conceptual Design Review for the proposed Bounsall Family Winery Project. (Attachment 2)  
28

29 **F. CONSENT CALENDAR**

- 30 **1.** Planning Commission regular meeting Minutes of March 24, 2010.

31 There was motion by **Commissioner Moye**, seconded by **Commissioner Coates** to approve the  
32 Minutes of March 24, 2010 as presented. **Motion carried: 5-0-0-0.**  
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34 **G. TOUR OF INSPECTION**

35 None.

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**I. PUBLIC HEARING –**

**2. ZO 2009-03.** Consideration of a Zoning Ordinance Text Amendment, initiated by the City of Calistoga, to amend the bed and breakfast regulations and other requirements pertaining to such use. This proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines.

**Commissioner Kite** recused himself from discussion due to a conflict of interest noting he is a bed and breakfast business owner.

**Planner Lundquist** provided an overview reporting on September 23, 2009 the Planning Commission adopted a resolution recommending City Council adoption of an ordinance that would amend the Bed and Breakfast Inns and Facilities Zoning Ordinance. The primary reason was to meet the General Plan policy referencing protection of the residential areas from further commercial expansion in residential neighborhoods while encouraging the visitor accommodation industry to expand to meet current trends. Recommended changes included consideration to reduce the onsite manager requirement and provide flexibility to increase the allowable maximum units from six to ten units. On October 20, 2009 the City Council requested the Planning Commission further review the recommendation to tighten the regulations to assure protection of the neighborhoods. This came back to the Commission in December and a subcommittee including Chairman Manfredi and Commissioner Moye was formed. The subcommittee held two meetings looking at specific zoning districts that would be appropriate to allow the changes

**Planner Lundquist** advised that the subcommittee recommendation would provide an the exception only in the R-1-10 Zoning District since the district is along the transportation corridor of Foothill Blvd., which contains larger lots and could accommodate an opportunity to increase in the number of units (minimum lot size 10,000 sqft), and only if the facility is already established as a bed and breakfast prior to January 01, 2010.

**Commissioner Moye** identified the only residential neighborhood that calls out for bed and breakfasts is the hillside. He shared concern for sending this to Council when it is not a clean ordinance, suggesting changing other residential districts (RR, R1, R-2 and R-3).

**Planner Lundquist** added Commissioner Moye’s comments are appropriate and don’t change the intent of the proposed changes to the Bed and Breakfast regulations. There is a general inconsistency between the various chapters. The recommendation is to incorporate the language elsewhere into the Zoning Ordinance to reduce ambiguity.

**Chairman Manfredi** opened the public portion of the hearing at 5:54 PM.

**Kurt Becker**, 1715, Michael Way, read aloud a letter written by his wife Gwen Becker and included in the Staff Report as attachment 6 expressing her outrage with recommended changes and shared her relief that Councilperson Slusser questioned the need. Mr. Becker further complained about the lack of notification to the general public when topics like these are presented and suggested decisions should be put to a vote on a ballot, presenting pros and cons.

**Nick Kite**, 1019 Foothill Blvd., reminded the intent has never been to change the small town rural character of the community. He noted he understood there are sensitive areas, however, there are less sensitive areas where current guidelines are more restrictive, and reminded transient

84 occupancy tax generates revenue for the City. It is his belief the amended proposal applies to  
85 very few areas. Mr. Kite recommended approval of the revised recommendation.  
86

87 **Chairman Manfredi** reminded the Commission is only providing recommendations to City  
88 Council. People are encouraged to go to that meeting to express their support/lack of support for  
89 the recommendations. As far as notification notices are published appropriately. It is published  
90 appropriately.  
91

92 **Norma Tofanelli**, 1001 Dunaweal Lane, thanked the Commission for trying to produce a more  
93 rational update. Read aloud correspondence (see Attachment 7), directing attention to two  
94 primary issues. 1) Protect the integrity of neighborhoods and stating on site management is  
95 essential. Ms. Tofanelli noted it should not be the burden of neighbors to police, report and quiet  
96 neighborhoods, it is the responsibility of the business owner.  
97

98 **Chairman Manfredi** closed the public portion of the hearing at 6:02 PM and requested  
99 Commissioners comments.  
100

101 **Commissioner Moye, Vice-Chairman Creager, Commissioner Coates and Chairman**  
102 **Manfredi** supported resolving the inconsistency in the Zoning Ordinance noting the changes were  
103 appropriate.  
104

105 **Chairman Manfredi** reminded there would be no impact to zoning districts except within the R-1-  
106 10 zoning designation.  
107

108 **Director Gallina** noted appropriate public notification will go out at that time. She encouraged the  
109 audience to please sign up to receive City Council and Planning Commission public notices and  
110 meeting agenda's automatically by email at "E-Notify" on the City at website.  
111

112 There was motion by **Commissioner Moye**, seconded by **Vice-Chairman Creager** to rescind PC  
113 Resolution 2009-26 and adopt PC Resolution 2010-05 recommending approval to the City Council  
114 of a Zoning Ordinance Text Amendment amending the bed and breakfast regulations, Chapter  
115 17.35 of the Calistoga Municipal Code, including the appropriate revisions in the appropriate  
116 zonings. **Motion carried: 4-0-0-1.**  
117

118 **Commission Kite** resumed his seat on the Commission at 6:05 PM.

## 119 **H. NEW BUSINESS**

120  
121 **2.** Review and assessment of the County of Napa's draft Winery-related Zoning Ordinance  
122 Amendments, Associated Interpretive Guidance Resolution, and Draft Negative Declaration in  
123 order to submit written comments during their public hearing process.  
124

125 **Director Gallina** provided an overview identifying Napa County's three proposals to amend the  
126 Winery-related Zoning Ordinance as follows:

- 127 • .Development of a draft ordinance implementing consensus-based clarification to the definition  
128 of "marketing of wine" and to other sections of Napa County code permitting retail sales of wine-  
129 related items and food-wine pairings;

- 130 • Development of a draft resolution articulating Planning Commission policies related to  
131 business events and other matters; and  
132 • Development of a draft ordinance permitting tours and tastings without appointment.  
133

134 **Director Gallina** reported review of the ordinance has been promoted by business such as  
135 caterers, event planners, and wineries based on their desire to have more flexibility in using  
136 wineries as venues for special events. On April 8, 2010 the City Council forwarded a letter  
137 expressing city opposition to any changes that would expand winery business activities based on  
138 reasons identified in the staff report, pages 1 and 2, noting development belongs in the cities not  
139 in the unincorporated areas. We do not want to increase business activities in the rural county  
140 area and have requested a delay in determining this issue until there is discussion with the cities  
141 on this topic. Due to required timeliness staff asked the Commissioners to look at the proposal  
142 and provide comments. Director Gallina reported it was her intent to forward her report to City  
143 Council this week expressing Planning Commission recommendations and concerns.  
144

145 **Chairman Manfredi** opened the public portion of discussion at 6:10 PM.  
146

147 **George Caloyannidis**, 2202 Diamond Mountain Road, directed attention to the dates of the  
148 letters in the Staff Report, stating they are quite old and have had no affect on the current draft of  
149 the proposal. Mr. Caloyannidis stated the County has excluded the upper valley towns from the  
150 process and industry has been more involved than the cities themselves. He suggested our  
151 Chamber of Commerce should take a lead and coordinate to develop a stronger voice, and our  
152 involvement should be more than a letter. The argument of the proponents is we don't have an  
153 event center, so they are providing facilities for events. Mr. Caloyannidis stressed the need for an  
154 event center in this town. Referencing the City Council Strategic Planning meeting he reported a  
155 presentation was provided for development of a business model, event center and a gentleman  
156 offered to do a study to do a feasibility study to get this underway. He shared his concern that  
157 once the privilege goes to wineries we won't have an event center here.  
158

159 **Norma Tofanelli**, read aloud correspondence (see Attachment 8), stating she supported the city's  
160 intention to oppose any changes to the Winery Definition Ordinance because Napa County does  
161 not enforce the codes and policies which limit these activities and has allowed events to take  
162 place illegally. We need assurances from County they will not attempt to expand clarification of  
163 commercial uses or provide elements to legalize their illegal activities. Ms. Tofanelli stated any  
164 expansion of this harms the integrity of the agricultural preserve and the cities economic health  
165 and she requested the City send a strong message to support and enforce the rules that already  
166 exist, not to amend or expand the activities.  
167

168 **Christopher Layton**, 1010 Foothill Blvd., wanted to reinforce the previous comments related to  
169 illegal activities. The Bed and Breakfast Organization is against these changes.  
170

171 **Vice-Chairman Creager** reported there is a nexus between our Housing Element update and this  
172 Winery Ordinance update, because the more intense the activities become in the preserve, the  
173 more pressure there is to provide more housing. He stated he supports the agricultural preserve  
174 100% and we already have overcrowding. Any intensification of events in the unincorporated  
175 area exacerbates the housing activity.  
176

177 **Commissioner Kite** stated the danger with increased intensification in the unincorporated area it  
178 detracts from the activities that should be in the cities. He recommended no changes.

179  
180 **Commissioner Coates** stated he supported the Staff Report and agreed with Vice-Chairman  
181 Creager that the housing needs do become the responsibility for cities to meet. Every city needs  
182 to strongly send a signal to endorse “no” support for change.

183  
184 **Commissioner Moye** was also in agreement.

185  
186 **Chairman Manfredi** stated this is serious and the County should uphold the existing regulations.

187  
188 **Director Gallina** noted there are wineries that existed prior to the Winery Definition Ordinance  
189 and they would be asked to cut back on their activities. However this targets new wineries and  
190 what they can and can’t do.

191  
192 **3.** Review and assessment of the County of Napa’s Vacation Rental Proposal in order to submit  
193 written comments during their public hearing process.

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195 **Director Gallina** provided highlights of the Staff Report advising a letter had been submitted  
196 identifying objections (see Staff Report page 2) to any change in County regulations that would  
197 legalize any type of short term vacation rentals.

198  
199 **Chairman Manfredi** opened discussion for public comment at 6:28 PM.

200  
201 **Norma Tofanelli** reported Napa County has not enforced its own ordinances which limit illegal  
202 activities with short term rentals over the last 30 years. In December the County clarified the  
203 existing prohibition on these rentals and directed staff to enforce the law. Since that action the  
204 Board has been under pressure of the operators claiming it causes economic hardship. Again the  
205 cities bare the burden with illegal operators siphoning visitor business away from legitimate  
206 operators within our cities. Ms. Tofanelli urged a strong message of support not to amend the  
207 short-term rental ordinance in any way and reaffirm enforcement of the law. (see Attachment 9)

208  
209 **Commissioner Moye** stated Supervisor Dillon was not in attendance during discussion in  
210 December and questioned what her position is.

211  
212 **Director Gallina** reported Supervisor Dillon is not in favor of vacation rentals.

213  
214 **Chairman Manfredi** pointed out it is easy to recognize the blatant illegal short term rentals and  
215 suggested the City and the Board of Supervisors have staff determine how long each have owned  
216 their property and back tax them. Send them a transient occupancy tax bill advising them they  
217 owe the City or County thousands of dollars in back taxes.

218  
219 **Commissioner Coates** suggested this method may legitimize them, thinking now we have paid  
220 we are legal.

221  
222 **Chairman Manfredi** called for a ten minutes recess at 6:35 PM.

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224 **Chairman Manfredi** reconvened the meeting at 6:48 PM.

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**1. CDR 2008-04.** Conceptual Design Review for the proposed Bounsall Family Winery Project on the property located at 414 Foothill Boulevard (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning District. The project has been revised and now proposes two wineries, a wine shop and deli, a retail/winery office building, picnic grounds and a special event area with an adjacent reception building all contained on the property.

**Chairman Manfredi** reminded this item is scheduled for discussion purposes only. The Planning Commission will not take action on this item.

**Chairman Manfredi** disclosed in January he had met with the Bounsall's and Director Gallina regarding this project.

**Vice-Chairman Creager** and **Commissioner Moyer** individually met with the Bounsall's on site to review plans.

**Chairman Manfredi** reported proceeding with review starting with Staff providing background, receive comments from Commissioners, presentation from the applicant, open discussion to the public and return to the Commissioner's for questions and deliberation.

**Commissioner Kite** reported he had the opportunity to meet with Mr. Bounsall and had declined. Advising this would be the time to say what you need.

**Planner Lundquist** pointed out this is a conceptual review only and is meant to provide the applicant with feedback and guidance that will steer their formal application. Planner Lundquist reported an initial conceptual review was considered by the Planning Commission in February 2009, with positive and negative feedback provided including some issues with the scale, massing, the river trail, and property boundaries. All of those comments were carried to City Council where Council looked at the merits and expressed an interest in the project, creating a Memorandum of Understanding (MOU). It was reported the applicant has brought forward a revised conceptual plan to meet terms of the MOU and for their own edification to be supported by the Commission and the community. Staff asked the Commission to look at the project with a more microscopic review of traffic, pedestrians, circulation, the entry road, the drive way loop, and bike path. He reported the back buildings have been scaled back and they have reduced the project by one structure completely. They have also looked more closely to identify the uses and how they work together to integrate open space into the plan. This proposal includes two wineries, retail, open picnic area, and an event lawn. All comments are welcomed with the hope the end discussion will provide direct feedback for incorporation with their formal review application. He asked if the design review scale and massing of this revision satisfactory.

**Commissioner Kite** referenced the letter from Mrs. Hammond which included a copy of a legal document and asked if that document affects the Commissions ability to have this meeting and provide comments.

**Planner Lundquist** reported it does not preempt discussion.

**Chairman Manfredi** questioned the reasoning of why the roadways are configured the way they are.

273

274 **Planner Lundquist** reported the project is located within the Cal Trans right-of-way and the  
275 highway is designated as an expressway. Cal Trans only allows certain encroachment identified  
276 by a triangular access. This is not impossible to move, but there are not a lot of alternatives.

277

278 **Jeff Bounsall**, 414 Foothill Blvd. explained he has been working with the City since 1997 to  
279 establish a master plan for this property. He was pleased to present this concept plan because  
280 they have implemented direction from the Urban Design Plan goals and concepts, tried to be  
281 respectful of agriculture and historic structures, compliment downtown, and yet provide a stimulus  
282 for the town economy. Their legacy is to protect and serve town and family. Mr. Bounsall  
283 introduced Michele Gervais as the Bounsall family representative.

284

285 **Michele Gervais** highlighted changes to the site plan, which included a reduction in footprints,  
286 increased setbacks primarily to those in view from the street, preservation of trees, diversion of  
287 traffic from the core, and rotation of buildings. She reported this represented a 15% reduction in  
288 coverage. Ms. Gervais reviewed the submittal package identifying old verses new, the record of  
289 survey, and highlighted community benefits. Further reporting they were letting go of the  
290 questions related to certificates of record and creating four distinct lots.

291

292 **Jeff Bounsall** interjected reference to the recent letter from Peter Hurd (the Bingham Ranch  
293 letter) in support of the project and read it aloud. (See attachment 1.)

294

295 **Mary Sikes**, Architect, provided the Commission a winter photo of the site to help with visualizing  
296 the site. She then provided an overview of the shifting, rotation and reduction of the buildings,  
297 directing attention to the increase in landscape area.

298

299 **Chairman Manfredi** asked if they would share what led to the layout of the main roadways.

300

301 **Planner Lundquist** referenced the 1871 Morgan Map which laid out a pattern of streets on paper  
302 for Calistoga including this property. This lay out maintained the grid pattern and frontage road,  
303 for a more linear fashion than organic. This can theoretically be seen in the street pattern layout.

304

305 **Vice-Chairman Creager** asked what the relationship of event activities in the buildings were, and  
306 asked how all the activities would be coordinated between buildings.

307

308 **Chairman Manfredi** asked for this to be reserved for later to allow complete discussion of lot  
309 patterns.

310

311 **Commissioner Coates** questioned the report of twenty-nine perfected Certificates of  
312 Compliance.

313

314 **Planner Lundquist** confirmed there were perfected Certificates of Compliance, but there were  
315 also records of surveys on these properties.

316

317 **Commissioner Coates** asked if that leads back to the trueness of the street layout.

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319 **Planner Lundquist** stated the street layout was not affected.

320

321 **Commissioner Moyer** drew attention to the reported estimated case production at 25,000.  
322 However the Staff Report reported 40,000 cases.

323  
324 **Mr. Bounsall** reported it would be 25,000 cases per winery.

325  
326 **Commissioner Coates** noted that was a substantial change.

327  
328 **Planner Lundquist** reported there was a reduction in the intensity in response to previous  
329 comments from the Planning Commission and the community.

330  
331 **Chairman Manfredi** opened the public discussion at 7:25 PM.

332  
333 **Elizabeth Hammond**, 304 Foothill Blvd. referenced her letter of March 24, 2010 (see Attachment  
334 2) providing a copy of a legal agreement between the Hammonds and the Bounsalls stating this  
335 agreement is the reason the development should be rejected. Reporting there is a cloud on the  
336 deed to their property. Ms. Hammond further reference an article about this project in the  
337 Calistoga Tribune, where Director Gallina was quoted the disputed land had been given back to  
338 Elizabeth Hammond and staff was confident the project is entirely on Bounsall property. Ms.  
339 Hammond reported there still is a discrepancy. The proposed development is based on seven  
340 acres, but the Bounsall property is actually 6.68 acres.

341  
342 **Loren McGee**, Pine Street, representing Left Coast Restaurants and was a friend of the  
343 Bounsalls. Ms. McGee stated she was excited about the project and her feedback was it is an  
344 amazing project. She read aloud a letter from Ron Golden, owner of four Calistoga restaurants,  
345 (see Attachment 4) She reported Calistoga hospitality is in desperate need of new business, and  
346 the Bounsall development does not compete but will add to Calistoga's economic base.

347  
348 **Gordon Brunell**, 2016 Urbani Place, read aloud their letter (see Attachment 5) reiterating the  
349 same support as Loren McGee and Mr. Golden. Adding on a personal level, they were excited  
350 and anticipated good things from the project. He appreciated the proposed conservative case  
351 production and noted the Bounsall's intentions were deeply rooted in the well being of the  
352 community.

353  
354 **Kenneth O'Farrell**, 1801 Aurora Drive, read aloud his detailed letter in support of the proposed  
355 Bounsall family project, (see Attachment 3) and clarified three reasons why. It will help increase  
356 tax revenues; it will create jobs, and it will provide a beautiful entry corridor improvement with  
357 incredible brand name recognition, adding sizzle to the downtown core. He urged the  
358 Commission to approve project soon.

359  
360 **Kerri Abreu, 1017 Washington St.** reported no one was notified and no documentation has been  
361 provided to verify when the Bounsall property was changed from rural residential to light industrial.  
362 The Commission is considering a conceptual design to develop land when there is no ordinance  
363 that shows parameters for such a large production in that zoning. She stated it is not the Planning  
364 Department's job to add economic benefit to someone's personal land. Ms. Abreu further  
365 questioned the capacity for this land to support two wineries, and believed there should be an  
366 appropriate study and reported the ordinance for rural residential designation requires a winery to  
367 be an ancillary use on the property. She asked why that wouldn't be appropriate in this  
368 designation. Ms. Abreu reported there should be a review of the estimated loads per day and



369 determination of where the solid waste is going to be stored. With an estimated one hundred  
370 events per year his project will have a huge impact on the entry corridor and shared concern that  
371 the rules were being made as we go along. Ms. Abreu requested to receive in writing  
372 documentation that shows when the designation was changed. Further noting they were not  
373 informed of any meetings with an adhoc committee on this project to review plans, landscaping,  
374 fencing, or screening and she refuted this has been a dream of the applicant since. (see  
375 Attachment 10)

376

377 **Norma Tofanelli** shared her concern that the Planning Department was steam rolling ahead  
378 without even reference to the General Plan (GP). She cited the GP section LU-26 which  
379 references development of the Bounsall property should convey agricultural qualities and  
380 encourage open space that may include a winery and/or inn, set within vineyards and orchards,  
381 meaning the agriculture should be scaled proportionately. Design review comments in February  
382 2009 indicated the project was too big, too high, and in conflict with the GP was brought up by the  
383 public. Ms. Tofanelli stated it is still too big and too high and she believed the staff report  
384 promoted the project. Staff should only provide relevant data and applicable law that must be  
385 considered. In her opinion staff is increasingly not fulfilling that role. She has also determined the  
386 prior record of comments does not address how it violates the GP, it only speaks to "if" the GP is  
387 amended. The Staff Report and previous meeting minutes differ about comments on intensity and  
388 height. Ms. Tofanelli shared concern with the two wineries, noting they will add a million dollars to  
389 the value of the property per winery and the project was not in compliance with the County 75 %  
390 rule and allowed crush grapes from outside sources. Ms. Tofanelli pointed out there are a lot of  
391 legal issues, Certificates of Compliance not legally signed, a cloud on the title, a bike path that will  
392 cause increased litter and noise, in addition to being in violation of the GP.

393

394 **Director Gallina** responded to Ms. Tofanelli's reference to the General Plan, stating that this  
395 report is a continuation of a report dated January 2009. The January report had provided a full  
396 assessment of the General Plan and the Memorandum of Understanding which further pointed out  
397 a GP amendment will be needed with a formal application. This would be in addition to an  
398 environmental review and conditional use permit application. She apologized for not making the  
399 staff report more than one hundred pages by repeating the previous report information, but during  
400 this meeting the focus was to provide clarification to the applicant on what the City would like to  
401 see included in the project.

402

403 **Planner Lundquist** interjected that this property is not similar to that of the Tedeschi's located in  
404 the Rural Residential area, and the Briggs development was actually a Planned Development  
405 (PD) that was created site specific for that property.

406

407 **Vice-Chairman Creager** clarified for the record that different Zoning Districts require different  
408 rules.

409

410 **Planner Lundquist** reported three to four zones allow for winery operations, the Industrial and  
411 Rural Residential Zone rules are based on their size, and Planned Developments are parcel  
412 specific, but noted this property is currently in Industrial.

413

414 **Chairman Manfredi** reminded the discussion is the Cities attempt to give the Bounsalls direction  
415 of what will fit on this property.

416

417 **Dan Abend**, 1116 Pine St., reported he has lived in Calistoga for six years and stated this was a  
418 vibrant community but the community is starting to falter. He noted what he does know is the  
419 Bounsall family loves this community and was offering a project with consideration of City and the  
420 environment. Mr. Abend stated this is a good project and they are good people and he is excited  
421 and proud to be part of a community that will work with the Bounsalls to make this happen.  
422

423 **Aaron Harkin**, 1019 Myrtle St., Enchanted Resorts Project Manager stated he commended the  
424 Bounsalls on coming forth with this project and wanted to reiterate this is a concept design, the  
425 new circulation and the massing is within the general spirit of the General Plan and appropriate for  
426 the site. Future details will determine efficiency and how each use will be integrated, along with in  
427 depth General Plan consistency, CEQA, and Fish and Game analysis, reminding those are all the  
428 next steps. Mr. Harkin urged the Commissioners to tell the applicants to continue on with the  
429 investment aiming ultimately for an approved project.  
430

431 **Jennifer Barclay**, 216 Foothill Blvd., shared her concern with the size of the project as it relates  
432 to other business owners in town. She recommended the Commission step back and compare it  
433 with relativity, keeping in mind that Main street can't keep alive right now. Ms. Barclay suggested  
434 the City put funding in what is here in town to support the failing community. Why not renovate.  
435 She asked what this project will do to benefit the community as a whole.  
436

437 **Jack Smith**, 2000 Cedar St., stated he is a friend of the Bounsalls and has watched the project  
438 from idea to design. He stated he cannot think of anything that could better serve the community  
439 and recommended the Planning Commission go forward with approval to get it done.  
440

441 **George Caloyannidis**, 2202 Diamond Mountain Road offered his comments regarding  
442 architecture stating it was too tall, and too dense, He suggested the project can compliment  
443 Calistoga and the steep roofs were a good idea. One concern he shared was the character of the  
444 layout was reminiscent of an industrial development, suggesting all factors have to be balanced.  
445 However he agreed the project will help the economy.  
446

447 **Christopher Layton**, 1010 Foothill Blvd., stated the issue seems ongoing recommending the  
448 Planning Commission institute a subcommittee to reach a comfortable transition from an  
449 architectural stand point, further noting he would volunteer his time to participate.  
450

451 **Glen Bomar**, Silverado Trail, stated he would like to see a new fresh look in a cleaned up entry  
452 corridor and this project is something that will help the community.  
453

454 **Vice-Chairman Creager** inquired about coordination of events, suggesting there was a conflict in  
455 design with a more industrial - village concept, which included an event center to gather. He  
456 stated he didn't see the integration. Vice-Chairman Creager stated the applicant has made huge  
457 strides since the previous conceptual review but didn't think it was there yet.  
458

459 **Michele Gervais** acknowledged the properties were distinct different pieces but complimentary,  
460 created with the intention to stimulate downtown. The events will fit with the structures proposed,  
461 and will be managed by the retail hospitality component. The event center could supplement  
462 wineries, and will be ancillary and inter dependent to the wineries, available to each other but not  
463 dependent on each other.  
464

465 **Vice-Chairman Creager** stated he had been a member of the General Plan Committee, and  
466 recalled the discussions with the Bounsalls, and it was unclear if the zoning and under laying map  
467 would inhibit the design.

468  
469 **Jeff Bounsall** advised the certificates provided a parcel layout with a future Cedar Street  
470 intersection. They were not interested in continuing South through the Hammond property so this  
471 pattern makes sense. Further noting they cannot ingress into the oak tree so the grid pattern is in  
472 the right location.

473  
474 **Planner Lundquist** stated if you look at the back of Cedar St. it is the more appropriate  
475 connection to town. There is no connection back to the highway due to the lack of access onto  
476 the Caltrans right of way which restricts Lark access, therefore future connection is mute.

477  
478 **Michele Gervais** stated this pattern also works well with the site plan for placement of cars and  
479 parking, making it convenient to divide up the parking.

480  
481 **Jeff Bounsall** stated this is a Master Plan that drives control of what happens in future.

482  
483 **Chairman Manfredi** noted this basically splits the property into four parcels, reduced from nine.  
484 He shared concern for if one parcel were to be sold, he feared the project could start and then lay  
485 idle or fall apart, which is not a good scenario. That is why plan phasing is usually not a good  
486 idea. He asked if the project were approved and the applicant sells one, does what is approved  
487 go with that parcel.

488  
489 **Planner Lundquist** advised that is what it means, but the new owner could ask for a modification.  
490 So it doesn't mean that it is the only project that can go there.

491  
492 **Director Gallina** reminded that included with a development agreement is a definition on how to  
493 develop, including conditions, and provisions if a major modification were to occur all bets were off  
494 and a new development agreement would need to be negotiated. They are locking in that project.  
495 If they sell a portion the new developer has to abide by the land use entitlements or start the  
496 review process over.

497  
498 **Commissioner Kite** restated if the land is sold the entitlement is sold.

499  
500 **Planner Lundquist** agreed, however it could be renegotiated with review.

501  
502 **Commissioner Kite** acknowledged the new owner could choose to do something different.

503  
504 **Director Gallina** stated we would approve a Master Plan, but in the end it may not turn out that  
505 way.

506  
507 **Jeff Bounsall** stated there are lots of next steps, many things to comply with, affordable housing,  
508 and a bike path negotiated with the development agreement. If we were to scale back, we would  
509 have to determine if the expense of the bike path with the project was equitable. We know that it  
510 is as presented, we have to consider the economic times, expense, and the community benefits  
511 we pay for. Phasing is the only way to develop the property, and it is a standard way of doing  
512 business. Understand the safeguard.

513

514 **Commissioner Coates** understands building projects phased, but questioned what if you build  
515 two wineries and the rest doesn't get built. The wineries could be sold to investors but what will  
516 happen to the rest. Commissioner Coates asked if it could be sold as a package, then he  
517 wouldn't have a problem with a winery there.

518

519 **Planner Lundquist** said the Development Agreement could include timelines on specific  
520 components of the project such as building retail first, then the winery.

521

522 **Commissioner Coates** suggested the applicant could sit down with representatives of the  
523 Commission to streamline this, and talk to people. This provides transparency when people in the  
524 community participate.

525

526 **Director Gallina** advised this did not have to be finalized during this meeting, the item could be  
527 continued and come back for more discussion.

528

529 **Commissioner Coates** stated for the record he was not against the project.

530

531 **Jeff Bounsall** stated they have done everything they can with one neighbor. The adjacent owner  
532 will not sit down with them, however they have worked well with the other neighbor.

533

534 **Planner Lundquist** reported there was already a subcommittee established for the Memorandum  
535 of Understanding and for the Development Agreement process.

536

537 **Director Gallina** stated the applicant needs direction before they can put final plans together and  
538 move forward with technical information and an environmental assessment. Until we give the  
539 applicant what we want to see in the project they can't move forward.

540

541 **Chairman Manfredi** asked for a clear indication of what Commissioners want.

542

543 **Vice-Chairman Creager** reminded the Commission is part of a process, appointed by elected  
544 officials and stated design by citizen participation would be death to most projects. He stated the  
545 Commission has to assume responsibility for long term concerns with efficiency and streamlining  
546 and maintain a balance in that interpretation.

547

548 **Commissioner Kite** questioned how much of a square footage reduction was there in this  
549 proposal for the wineries.

550

551 **Mary Sikes** referenced page four, Building C and F, reporting about a ten percent reduction.  
552 Noting it is much more economical to increase one winery bigger to produce more wine. Also  
553 improving the flexibility, enhancing the value.

554

555 **Commissioner Kite** noted if we allow for two wineries it increases the value higher than just one  
556 larger winery could. The problem is massing and the amount of buildings, and it conflicts with  
557 financial objectives and causes an awkward position as one development

558

559 **Mary Sikes** suggested one bigger winery would be out of scale for a small project and not fit in  
560 the community.

561

562 **Commissioner Kite** stated he understood her point but he didn't agree with it.

563

564 **Chairman Manfredi** stated the issue since the beginning has been two wineries.

565

566 **Jeff Bounsall** stated as presented the square footage of lot coverage was only at seventeen  
567 percent. As it is zoned today the property is industrial and they were presenting an opportunity to  
568 develop the front part of property with a small winery in front and provided an opportunity for open  
569 space. The allowable Industrial Zone floor area ratio is sixty percent.

570

571 **Michele Gervais** stated one versus two wineries basically was a vision thing rather than one  
572 larger facility. The question is does this constellation of activity feed into town as a whole. Will  
573 the village complement the town.

574

575 **Jeff Bounsall** asked the Commission if they want a Beringer or Sutter Home project with a million  
576 gallons. What they are suggesting are two small boutique wineries. Small scale and planning to  
577 do pre treatment of the water and disperse on site, requiring no domestic water.

578

579 **Commissioner Moye** asked for confirmation that there would be no city water used and that it will  
580 all come from a well.

581

582 **Jeff Bounsall** stated their intent is to use their own water.

583

584 The following is a summary of Commissioner comment's and opinions:

585

586 **Commissioner Kite**

- 587 • Personal preference is to allow one winery – possibly a little bigger;
- 588 • Why not grape vines in the open space, comments in general plan reference a vineyard  
589 setting;
- 590 • Provide a less ninety degree type grid structure.

591

592

593 **Commissioner Moye**

- 594 • Vineyards and orchards are called out in the General Plan;
- 595 • He reported it would be difficult for a 40 gallon well to support two winery facilities;
- 596 • Reminded this is in the entry corridor of town and recommended no more than one winery;
- 597 • There are too many buildings.

598

599 **Vice-Chairman Creager**

- 600 • Understood how two wineries works on this project but would ask the applicant to consider  
601 ideas for potential changes from the informal discussion;
- 602 • See's the potential of design and is in support of this project;
- 603 • Can see the applicant has taken some of the rough edges off and the idea of vines and  
604 orchard and provides an impression of rural agriculture;
- 605 • The landscaping has a rural feel;
- 606 • The General Plan language was not intended to be literal, but was to provide an interpretation  
607 for landscape design;

- 608 • He liked the original walnut tree setting on site;  
609 • Suggested the applicant reach out for some expertise to address the concern with the village  
610 design;  
611 • Would like to see safeguards in place in the event the project were to fall apart in the future.  
612

613 **Commissioner Coates**

- 614 • Shared he had a problem with size;  
615 • Provided a compromise suggesting they make the front winery a smaller building reflecting a  
616 different capacity near the roadway, and in back the winery could be larger (next to Bingham  
617 Ranch which is agricultural.  
618

619 **Commissioner Coates** announced he needed to excuse himself from the rest of the meeting at  
620 8:43 PM.  
621

622 **Bill Bounsall** questioned why not two wineries, it is all about balance.  
623

624 **Planner Lundquist** asked if it was possible to have one winery in two buildings.  
625

626 **Commissioner Kite** stated that would not help because the problem to him is the two buildings.  
627

628 **Jeff Bounsall** stated they could move the hospitality to the right and increase the size of the rear  
629 winery and reduce winery in the front, or remove the front winery entirely and leave that parcel  
630 undeveloped until a later date.  
631

632 **Planner Lundquist** stated reference within the General Plan is a direction that evolves when it  
633 becomes real. The reference to a winery simply meant winery use, and that of a small country inn  
634 simply means a visitor accommodation not quantity. He asked the applicant if he eliminated the  
635 front parcel would he develop the roads or realign circulation outside of that parcel.  
636

637 **Jeff Bounsall** noted if the parcel were to remain undeveloped he couldn't develop the other  
638 parcels without access, so they would have to make sure there were access rights.  
639

640 **Director Gallina** reported when the applicant came in with a formal application, staff would relook  
641 at the vision for that fourth parcel. In the event the Planning Commission were to recommend  
642 denial the applicant would have the option to appeal it.  
643

644 **Chairman Manfredi** recapped that the direction seemed to be that two wineries, a reception area,  
645 deli, and wine tasting collectively may present too much activity. One way of solving the problem  
646 is to take out one parcel/winery as Jeff Bounsall suggested, or only one winery possibly larger as  
647 per Commissioner Kites recommendation; and a third suggestion that the rear winery could be  
648 larger, if the front one was smaller per Commissioner Coates. Vice-Chairman Creager stated he  
649 could live with two wineries in accordance with Commissioner Coate's suggestion  
650

651 **Chairman Manfredi** stated he was in support of the project, he wanted something to happen and  
652 wants the applicant to be happy but needs to be able to defend their position. He questioned the  
653 estimate for anticipated persons per day for events at both wineries. He recommended it be  
654 conditioned to prohibit simultaneous events in the two winery facilities and event center.

655

656 **Michele Gervais** stated it should be handled keeping in mind an activity level with consideration  
657 for the small town character of Calistoga and the key will be management.

658

659 **Chairman Manfredi** stated it will be the obligation of the owner to make this work.

660

661 **Chairman Lundquist** reported at this stage staff will continue to work with the applicant to  
662 provide clarification for recommendations provided during this meeting, however he questioned if  
663 there was a need for the applicant to come back with another conceptual review or implement  
664 changes and submit a formal application.

665

666 **Chairman Manfredi** suggested the applicant provide one more brief revised description summary  
667 of what they plan, there would be no need for more graphics required.

668

669 **Commissioner Kite** asked if the applicant would be coming back presenting two wineries or one.

670

671 **Mary Sikes** stated they will review and look at either a management plan, or a change in design.

672

673 **George Caloyannidis** suggested the issue was not the size or the number of buildings. Basically  
674 one winery will cut down on traffic lanes, require less pavement and still provide a big benefit.

675

676 **Mary Sikes** noted with one large winery they will still need to deal with parking and it would likely  
677 require one larger parking area. Separate parking area's would be better and less obtrusive and  
678 provide an interchangeable use that can be better managed.

679

680 **Director Gallina** further suggested a shuttle system could be established from hotels in town.

681

682 **Mary Sikes** stated she loved the bike path allowing the opportunity to walk from town without  
683 going on the highway.

684

685 **Commissioner Kite** stated he would have to look at the whole project in concert with the General  
686 Plan, he was in support of the project except for two wineries because additional buildings add to  
687 the amount of hardscape.

688

689 **Mr. Bounsall** recited language from the light Industrial Zoning section, further noting they had  
690 waited for completion of the Urban Design Plan and incorporated those elements into their project.

691

692 **Commissioner Kite** agreed it is better than light industrial.

693

694 **Director Gallina** reported it is anticipated the ideas and suggestions included in the Urban Design  
695 Plan will be incorporated in the General Plan.

696

697 **Commissioner Moyer** stated that is an assumption and they will take those suggestions and  
698 incorporate them into the General Plan, but there will be confirmation of what those updates might  
699 be.

700

701 **Commissioner Kite** stated the Commission appreciates the efforts of the applicant but he has the  
702 same comments as last time, to much overall hardscape and massing near road.

703

704 **Mary Sikes** stated they had reduced the total square footage by 12,000 square feet.

705

706 **Commissioner Kite** persons driving should see agricultural landscape in the front, his concern  
707 was less about total lot coverage and more about massing toward the road.

708

709 **Jeff Bounsall** thanked the Commission for their comments, advising they would look at the  
710 potential for reducing the front winery.

711

712 **Commissioner Moye** stated he would still refer to the General Plan and interprets it to clarify only  
713 one winery or inn.

714

715 **Vice-Chairman Creager** could live with two wineries with a revised design concept.

716

717 **Commissioner Kite** stated if they reduce the size of the front winery they were real close.

718

719 **Chairman Manfredi** stated he agreed with Commissioner Coate's suggestion for a reduction in  
720 the front winery and that equates to four Commissioners that would seriously look at that as a  
721 viable plan.

722

723 **Mary Sikes** suggested altering the design of the front building to more of a barn look.

724

725 **Chairman Manfredi** stated the current architecture was not a concern, just return with a concept  
726 the Commission can live with.

727

728 **Planner Lundquist** asked if the applicant may incorporate changes and come forward with a  
729 formal application.

730

731 **Chairman Manfredi** stated he would like to see a letter from the applicant detailing their  
732 anticipated changes before they race forward. The letter should indicate what they are going to  
733 pursue and confirm they have understood the recommendations.

734

#### 735 **I. MATTERS INITIATED BY COMMISSIONERS**

736 Chairman Manfredi's report on the Special City Council Strategic Planning and Goal Setting  
737 Meeting of April 13, 2010.

738

739 **Chairman Manfredi** reported most departments are maxed out, but the most interesting item is it  
740 turns out that Public Works has seven unfilled positions.

741

742 **Director Gallina** reported City Council has asked that staff come back with a budget, identifying  
743 what levels of service can be accomplished with regards to budget reductions.

744

745 **Chairman Manfredi** reported there is an eyesore at the dumpsters behind the old Fire Station,  
746 noting it seems to be out of control. He requested staff look into how to make it right.

747

#### 748 **J. DIRECTOR'S COMMENTS/PROJECT STATUS**

749 Director Gallina reported the following:

750

#### **Earth Day 2010 Activities**



751 Calistoga will have Earth Day 2010 activities this weekend in Pioneer Park.

752

753 **Napa County Climate Action Planning Public Meeting Schedule**

754 **Director Gallina** reported the next Napa County Climate Action meeting was scheduled in St  
755 Helena, April 15, 2010, from 6:30 – 8:30 pm at the Vintage Hall boardroom.

756

757 **Napa County Transportation Planning Agency Vine 29 Commuter Express Schedule**

758 There will be a new Commuter Express Schedule for Vine 29, connecting to the ferry as well as  
759 Bart, during the week.

760

761 A community meeting on domestic violence has been scheduled in Calistoga for April 22, 2010, at  
762 6:00 pm

763

764 **ADJOURNMENT**

765 There was motion by **Chairman Manfredi**, seconded by **Commissioner Moye** to adjourn to the  
766 next regular meeting of the Planning Commission of Wednesday, April 28, 2010, at 5:30 PM.

767

768 **Motion carried: 4-0-1-0.** The meeting adjourned at 9:50 PM.

769

770

771

772

773 

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Kathleen Guill

774 Secretary to the Planning Commission

775

776 Attachments

777