

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

**Wednesday, March 12, 2008
5:00 p.m.**

**Chairman Jeff Manfredi, Vice-Chairman Clayton Creager
Commissioners Carol Bush, Paul Coates, and 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).

1 **A. ROLL CALL**

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3 **Chairman Manfredi** called the meeting to order at 5:46 PM

4
5 **Present:** Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Carol Bush, Paul
6 Coates, and Nick Kite. **Staff:** Charlene Gallina, Planning and Building Director, Ken MacNab,
7 Senior Planner, Erik Lundquist, Associate Planner, Dan Takasugi, Director of Public Works,
8 Kathleen Guill, Planning Commission Secretary.

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10 **B. PUBLIC COMMENTS**

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12 **C. ADOPTION OF MEETING AGENDA**

13 There was motion by **Commissioner Kite**, seconded by **Vice-Chairman Creager** to adopt the
14 agenda as presented. **Motion carried: 5-0-0-0.**

15
16 **D. CONSENT CALENDAR**

17
18 1. Planning Commission Minutes of the regular meeting of February 13, 2008.

19 There was motion by **Commissioner Coates**, seconded by **Vice-Chairman Creager** to accept
20 the Minutes of the regular Planning Commission meeting of February 13, 2008 as presented.

21 **Motion carried: 5-0-0-0.**

22
23 **E. TOUR OF INSPECTION**

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25 **F. COMMUNICATIONS/CORRESPONDENCE**

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27 **G. PUBLIC HEARINGS**

28 1. **U 2007-01 and DR 2007-01.** Consideration of Conditional Use Permit and Design Review
29 applications to allow the construction of a 2,225 square foot single-family residence with an
30 attached 472 square foot garage located at 2945 Foothill Boulevard (APN 011-360-039) within

31 the "RR-H", Rural Residential-Hillside District. This application also includes a request to
32 develop a 750 square foot residential second unit with a 750 square foot attached garage. The
33 property owner is Victor Manuel Hernandez. This proposed action is exempt from the California
34 Environmental Quality Act (CEQA) under Section 15303 of the CEQA Guidelines.
35

36 **Associate Planner Lundquist** provided an overview directing attention to issues typical to
37 residential hillside, i.e. trees, water, sewer and access. He reported the Ordinance allows
38 residential second units specific to standard use permit conditions of approval, which primarily
39 includes a condition of no short term rental and addressing tree cover. Noting the arborist report
40 recommended four trees to be removed with the recommended replacement ratio of 3 to 1.
41 Referencing Water/wastewater he reported the applicant plans to connect to city water service,
42 and due to location he will be required to provide a booster pump. The household will also be
43 served with an on site septic system.
44

45 **Commissioner Coates** asked if the pumps and pressure maintenance would be the
46 responsibility of the owner.
47

48 **Associate Planner Lundquist** confirmed that was correct.
49

50 There was no public comment provided so **Chairman Manfredi** closed the public portion of the
51 hearing.
52

53 **Commissioner Kite** noted a number of structures were designated to be demolished and
54 shared concern there may be a historical history.
55

56 **Associate Planner Lundquist** advised there was no known historical issue.
57

58 There was motion by **Vice-Chairman Creager**, seconded by **Chairman Manfredi** to direct Staff
59 to file a Notice of Exemption for the Project pursuant to Section 15303 of the CEQA. **Motion**
60 **carried: 5-0-0-0.**
61

62 There was motion by **Commissioner Kite**, seconded by **Vice-Chairman Manfredi** to approve
63 the Conditional Use Permit (U 2007-01) and Design Review (DR 2007-01) applications to allow
64 the construction of a 2,225 square foot single-family residence with an attached garage and a
65 750 square foot residential second unit with attached garage located at 2945 Foothill Boulevard
66 (APN 011-360-039) within the "RR-H", Rural Residential Hillside Zoning District, subject to
67 conditions of approval. **Motion carried: 5-0-0-0.**
68

69 **2. ZO 2008-01/DA 2007-02/TTM 2007-02/ DR 2008-01.** Vineyard Oaks Subdivision – Zoning
70 Ordinance Amendment, Development Agreement, Tentative Subdivision Map and Design
71 Review. Consideration of a request to subdivide the properties located at 2400 Grant Street
72 (APN 011-010-013 & 014) and 1881 Mora Avenue (APN 011-021-002) within the "RR", Rural
73 Residential District into 15 lots for single-family residential uses and associated ancillary
74 residential uses, which may include light agricultural uses such as cultivation of vineyards.
75

76 **Associate Planner Lundquist** provided an overview of the project advising Staff conducted an
77 initial study to determine the potential impact and found mitigation measures reducing the
78 impacts to less than significant. The study was provided to the State Clearing House and one
79 comment was provided by the Department of Substance Control concerning potential pesticides
80 over the years. A determination was provided advising the two acre parcel was not a "wetland",
81 however the drainage outfall into Garnett Creek stream is still wetland, therefore the approval
82 process may have more mitigation. Components include aesthetics and design review
83 guidelines to mitigate view shed, tree cover and lighting implemented for every lot on Valencia
84 Lane and Hawthorne Lane. The emergency access was to be held in private ownership with
85 access restricted by two gates.

86
87 **Associate Planner Lundquist** reported on the building envelopes, drainage, and traffic and
88 provided review of street standards advising a sidewalk may be recommended for frontage.
89 Other elements included a change to the Zoning Ordinance allowing a negotiated amount
90 determined by development agreement process to allow the project to satisfy their affordable
91 housing obligation through payment of in lieu fees at \$600,000. Additional benefits were
92 reported to include a recommendation for Grant Street improvements estimated at \$200,000
93 and payment of Quality of Life fees with a total of \$845,000. Most important to the community
94 would be the under grounding of utilities to provide a great entry and enhanced view sheds.

95
96 **Associate Planner Lundquist** noted the project is subject to design review and guidelines
97 have been provided, all individual residential projects will be subject to the manual, with Design
98 Review of dwellings less than 4000 square feet to go through the architect and those over 4,000
99 square feet of habitable space required to come before the Planning Commission for design
100 review approval. Staffs recommendation based on the findings was for approval.

101
102 **Rich Waller**, BNK introduced the Architecture team and reported the project team was available
103 for questions if needed.

104
105 **Chris Laretta**, of Backen Gilliam provided a summary of the proposed fifteen lot project to be
106 located on eighteen acres NE of Grant. He reviewed the orientation of buildings and reported
107 natural and local materials were to be used. Valencia Lane was reported as the public access
108 to this site. The proposal included a five foot bicycle lane and walkway on the side. The
109 Hawthorne Place extension was designated as a fire lane only. A rock wall was proposed for
110 around the project frontage at Grant Street. Lot diagrams were provided for each lot along with
111 review of the different regions and building envelopes for establishing fifteen single family, single
112 story dwellings. It was reported standard setbacks are usually 15 to 20 feet in front. However,
113 this project proposed front set backs at 40 feet, with 30 feet on the sides to maintain neighbor
114 privacy. It was reported street trees will be provided to separate the main drive, but will not be
115 extended into the rear of the project due to existing trees that are available in the area.

116
117 The materials were described as earth tone colors, with the use of wood, stone, and local rocks,
118 the objective was not to have them look the same but to provide order and keep them natural
119 and blended, plus a desire for a community that will mature gracefully.

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121 **Vice-Chairman Creager** asked if a hydrology study was conducted.

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Rich Waller reported currently on Grant Street the water runs down to the Fairgrounds, and they would be diverting this to the Garnett Creek outfall.

Vice-Chairman Creager wanted to insure during the development process the engineering of stormwater should be retained and infiltrated.

Rich Waller reported the preliminary review included bio swales and natural retention of stormwater and build out engineering plans on site.

Commissioner Coates referenced the site building envelope of lot 15 stating it was sitting up very close to the people living adjacent and appeared to have more of an impact than the other lots and asked if this can be realigned. He stated he would like to see the building envelope moved more to the front of this lot.

Rich Waller responded noting there was potential for the building envelope to move slightly to the northwest but noted the analysis/determination consideration was because this lot adjoins a side setback to the Grant street residence, not a rear setback.

Commissioner Coates noted he was familiar with the residents and their use of their land and the current proposal may be intrusive to their way of life, noting it seems so obvious.

Rich Waller stated he was open to recommendations.

Carol Bush added she agreed and believed the developer would have much happier neighbors if they would separate those houses.

Rich Waller stated he was fine with taking direction on this lot and requested advice as to what the Commission believes is appropriate on that lot.

Chairman Manfredi opened the Public portion of the hearing at 6:23 PM.

Donna Dill, 2320 Grant Street, advised she was the resident of the lot referenced and stated she would like to encourage the footprint for lot 15 be moved because she will have issue with privacy. Mrs. Dill noted other items of concern included:

- How water moves in this area, stating it is like a river especially with heavy rains. She questioned how that will be rerouted;
- Commented on proposed sidewalk and walls requesting discussion on how that fits in keeping the area rural;
- referenced the \$800,000 for quality of life stating it would be nice to see this directed to a specific project rather than piece mealed out;
- Referenced money for affordable housing, asking if we have identified a specific dollar amount and noted she is a proponent on moderate rate housing and would like to see enough money identified to see three moderate rate houses built.

Chairman Manfredi reported the affordable housing in lieu fee amount of \$600,000.

168

169 **Director Gallina** noted the affordable housing in lieu fee money could be used toward other
170 housing projects as it was not enough to build three for sale homes. The money goes into the
171 housing fund and is co-mingled with other funds to build housing.

172 **Donna Dill** asked if it can be directed for use to a specific site. Mrs. Dill also asked if a four way
173 stop has been recommended to slow traffic down.

174

175 **Lorraine Bianci**, 1712 Garnett Creek Ct. asked what the total building heights would be,
176 referencing the 25 feet from mid-point.

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178 **Associate Planner Lundquist** reported the mid point of roof is slightly dependent on the slope,
179 so considering the average natural grade the total height is usually 29-30 ft.

180

181 **Karen Slusser**, 1715 Mora Avenue, referenced the proposed sidewalk on Grant Street stating
182 her desire to keep Grant Street as a country lane and suggesting consideration for a pathway
183 instead to make it less formal. She complimented City Staff and the developer for their
184 consideration of "night sky" in this development and suggested even less lights on the street
185 might be a nice thing. As far as the proposed sidewalk within the new development, she
186 suggested also keeping it as a country lane, however understands drainage could be an issue.
187 Lastly, she referenced roof heights, referencing another project in the neighborhood where a
188 foundation site was built up, so relative to scale to the neighborhood it put that house towering
189 over everyone. She would like to alleviate that from happening again and would like to see that
190 taken into consideration when development occurs.

191

192 **Bob Fiddaman**, 1700 Mora, neighbor to the home with the high elevation that was spoke of.
193 He stated there had been good compromises made with regard to the number of units in this
194 development, as well as the developer not proposing access to Mora Avenue; he stated the
195 design guidelines were not particularly detailed but he thought they were ok with the building
196 envelopes and materials as specified. He further thought the neighbors would like flexibility of
197 the sidewalk issue if there was a way to keep this rural looking. The project is making a major
198 contribution in improvements, and he was pleased with result of negotiations for a \$600,000
199 affordable housing in lieu payment.

200

201 **Jack Gingles**, 2401 Grant Street, echoed comments on sidewalks, and suggested placing the
202 bike pathway on his side. He reported his property was the last one on Grant Street and he
203 wanted to donate land to the City for the bike path in lieu of a sewer hook up fee. He stated this
204 looks like a good project and he had no problem except for the sidewalk, although he liked the
205 rock wall.

206

207 **Donna Dill** stated she really did like the layout of the project and asked if they were leaving
208 vineyard in the open area.

209

210 **Rich Waller** stated it was their intent to look at retaining as much vineyard as they could.

211

212 **Donna Dill** also shared her concern for sidewalks and curbs and asked they keep the area as
213 rural as possible.

214 **Richard Bianci** wanted to talk about the properties and the desire to retain natural vineyard
215 areas. He asked if there could be a homeowner association to enforce that. He reported they
216 were adjacent to the property and currently have an existing fence. He questioned if the project
217 will also have a fence and leave a break between fences, or will there be screening for privacy
218 between properties.

219
220 **Chairman Manfredi** closed the public portion of the hearing at 6:44 PM.

221
222 **Commissioner Kite** requesting clarification acknowledged the significant sums of monies
223 promised and asked if/when there will be water and wastewater fees applied.

224
225 **Associate Planner Lundquist** reported the developer will provide a portion upfront, and the
226 rest are to be paid at the current rate applicable at the time of each building permit.

227
228 **Chairman Manfredi** requested additional explanation of the money for affordable housing and
229 asked about improvements on Grant Street.

230
231 **Associate Planner Lundquist** reported \$600,000 was the total money to be paid for affordable
232 housing to be paid at the time of issue of building permits or after four years. Quality of Life or
233 "recreation" fee's were set at \$800,000 and were due at the time subdivision map, plus \$3000
234 per lot.

235
236 **Commissioner Kite** asked when individual units were built if they would be subject to design
237 review.

238
239 **Associate Planner Lundquist** noted units less than 4000 sq ft would be reviewed by the
240 Association pursuant to the guidelines. Those over 4000 sq ft would be reviewed by the
241 Planning Commission.

242
243 **Director Gallina** stated in some instances due to size of a subdivision or size of lots there have
244 been conditions imposed requiring design review.

245
246 **Vice-Chairman Creager** asked if they could condition low impact guidelines to be used for
247 guidelines for the stormwater component of this development, and would the department be
248 prepared to conduct such a review.

249
250 **Dan Takasugi**, Public Works Director stated they encourage low impact developments per the
251 California Standards and those standards were used in this development as well. However,
252 there were limited opportunities based on the engineering design.

253
254 **Kevin Moss**, Civil Engineer, Adobe Associates stated typically the drainage drains from north-
255 east to southwest with a fair amount of area draining into the properties. The intent on individual
256 lots is to create bio-swailes, with a series of swales on street frontage. This will go to a pipe
257 system and everything else side slopes and will be vegetated for filtration with no standing
258 water. He reported they are installing improvements in the subdivision to relieve overburden on
259 Grant Street, with lots 14 and 15 inlet and piped back.

260 **Vice-Chairman Creager** questioned the pipe for drainage on the south side.

261
262 **Kevin Moss** reported they would install on the existing 6" water line corridor.

263
264 **Associate Planner Lundquist** reported submittal of green sustainable guidelines to incorporate
265 energy efficient methods in addition to the infiltration system.

266
267 **Commissioner Coates** commented as follows:

- 268 • Noted stop signs to control traffic was an issue and asked if we could consider speed
269 bumps;
- 270 • Stated with a commitment of \$800,000 set aside for Park and Recreation he did not want it
271 to be frittered away, and requested the money not be used to support projects that simply
272 cannot support themselves;
- 273 • Referencing the housing in lieu fee he reported the General Plan requires 20% of land to be
274 dedicated or the developer shall pay an in lieu fee equal to the housing, after the Turner issue
275 with housing he recommended serious thought be given about housing and he didn't know if this
276 was an adequate fee. He noted development continues the opportunities go away so he
277 wanted to be certain the project would benefit the community.

278
279 **Vice-Chairman Creager** reported his trust with an opinion of Calistoga Affordable Housing
280 relative to in lieu fee or housing. However, he reminded the Commission does have the primary
281 tools to provide a density bonus to allow a higher density and provide affordable housing and we
282 have continually elected not to.

283
284 **Commissioner Coates** noted we do encourage granny units and in some subdivisions in Santa
285 Rosa a condition is imposed. The Commission could condition they shall provide a granny unit.

286
287 **Vice-Chairman Creager** recalled the very first conceptual design had a cluster of four
288 affordable houses and the community came out against that. If we condition affordable housing
289 it would crimp the lot marketability.

290
291 **Bob Fiddaman** provided comment on affordable housing noting they would like to provide
292 moderate housing as part of development, but concluded it was not appropriate in this area.
293 Another argument could be it makes sense to provide smaller sites mixed in there at possibly a
294 one-quarter acre per site. However, the \$200,000 per house in lieu basically was looked at in
295 terms as a comparable contribution with other development and this is appropriate for this
296 project. Calistoga Affordable Housing is committed to providing moderate rate housing and are
297 most proud of Saratoga Manner, but this is a built for sale project.

298
299 **Karen Slusser** stated she believed the amount of money to be too low considering a fifteen
300 home project at 3-4 million dollars each; \$600,000 was just a trickle. Calistoga Affordable
301 Housing can parley the funds, but she felt the amount was insufficient.

302
303 It was agreed the Commission would proceed with individual review and motion as needed.
304 There was motion by **Commissioner Bush**, seconded by **Vice-Chairman Creager** to Adopt
305 Planning Commission Resolution PC 2008-06 recommending to the City Council adoption of a

306 Mitigated Negative Declaration based on an Initial Study prepared for the Vineyard Oaks
307 Subdivision incorporating the findings and mitigation measures as provided in the resolution.
308 **Motion carried: 5-0-0-0.**

309
310 There was motion by **Vice-Chairman Creager**, seconded **Commissioner Coates** to Adopt
311 Planning Commission Resolution PC 2008-07 recommending to the City Council approval of a
312 Zoning Ordinance Text Amendment (ZO 2008-01) amending Chapter 17.08 to provide an
313 alternative means for residential projects to satisfy the affordable housing requirements and
314 incorporating the findings as provided in the resolution.. **Motion carried: 5-0-0-0.**

315
316 **Chairman Manfredi** opened the floor for discussion related to the Development Agreement.

317
318 **Director Gallina** referenced staff report Summary of the Draft Development Agreement
319 reporting applicable fees compute to approximately \$33,000 per unit.

320
321 **Rich Waller** noted that \$100,000 shall be due right at Final Map, with a balloon provision of four
322 years, and this was only possible with the development agreement.

323
324 **Chairman Manfredi** reported he agreed with the Calistoga Affordable Housing methodology.

325
326 **Commissioner Kite** asked if the affordable housing component meets what the ordinance
327 dictates.

328
329 **Associate Planner Lundquist** stated the alternate allowed staff to make those findings.

330
331 **Rich Waller** summarized the analysis for the \$200,000 was accurate. He reported Napa
332 County defines an amount of \$350,000 per unit for affordable housing, and they as a developer
333 are subsidizing the difference between that and the market rate. \$200,000 is the gap needing to
334 be subsidized.

335
336 **Director Gallina** reported the municipal code allows for options such as land dedication, on site
337 - off site, or fee in lieu, Staff is asking what is appropriate.

338
339 **Commissioner Kite** noted based on the logic provided \$600,000 was reasonable.

340
341 **Commissioner Bush** agreed.

342
343 **Vice-Chairman Creager** noted we have found by not having the developer be responsible for
344 building the housing it leads to a more reasonable and more efficient mechanism.

345
346 **Commissioner Coates** directed attention past the in lieu fee issue, asking the need for
347 condition 8, referencing Resolution PC 2008-09, page 3 of 9.

348
349 **Associate Planner Lundquist** stated this is standard language included to protect the City in
350 the event of anything unforeseen.

351

352 **Chairman Manfredi** reported he considered the \$800,000 for Quality of Life as a generous offer
353 and stated he would like to see the funds dedicated to the Logvy Park Development. The other
354 Commissioners concurred.

355
356 There was motion by **Chairman Manfredi**, seconded by **Vice-Chairman Creager** to adopt
357 Planning Commission Resolution PC 2008-08 recommending to the City Council approval of
358 Development Agreement (DA 2007-02) incorporating the findings as provided in the resolution.
359 **Motion carried: 5-0-0-0.**

360
361 **Associate Planner Lundquist** noted the shared concern for inclusion of sidewalk and asked for
362 direction on what to do on frontage of the project.

363
364 **Vice-Chairman Creager** stated he was surprised to see this for consideration on Grant Street
365 recalling review by the Grant Street Improvement Subcommittee. He noted Grant Street is a
366 tremendous walkway, but there is a negative interaction with cars, bikes and pedestrians, with
367 use on the south side of the street as an informal gravel walkway. He reported the Mora Street
368 pathway drops off into nothing and in front of the Dill residence there is no where to go. The
369 intent was to create a walkway from downtown to Garnett Creek or the Geyser and into the
370 heart of rural Calistoga and extending the pathway would help that objective.

371
372 **Charlene Gallina** noted the pathway ends at Mora on the south side.

373
374 **Vice-Chairman Creager** suggested continuing the existing plan on the south side, and keep it
375 unpaved.

376
377 **Director Gallina** noted concern that children from within the subdivision would have to cross at
378 the corner to access the pathway on the south side of Grant Street.

379
380 **Vice-Chairman Creager** suggested pathway improvements should continue with the existing
381 plan.

382
383 **Director Gallina** shared concern that this project be conditioned to do improvements on the
384 other side, the intention has been as projects come along, frontage improvements would be
385 contingent with projects developed on the south side.

386
387 **Karen Slusser** stated she did not want sidewalk on Grant Street, noting they want a path with a
388 meridian to proceed from the Mora hydrant.

389
390 **Chairman Manfredi** asked if it mattered if the required frontage improvements were on their
391 side or the other side.

392
393 **Associate Planner Lundquist** stated the Vineyard Oaks property has flexibility because they
394 own the land and therefore they can dedicate it. The difficulty with the other side is because
395 they don't own that land it is outside their control.

396

397 **Ed Nagel** stated during negotiations the path was never been proposed to be on their side and
398 Public Works does not want to maintain decomposed granite paths. During discussion with
399 Public Works they have agreed to have large setbacks with a wall, and agreed to improvements
400 from Centennial down to Mr. Gingles property if the land was acquired.

401
402 **Chairman Manfredi** provided the following recommendations:

403 • In lieu of any path in front of the project, we should direct Staff to look into the applicant
404 providing a path from Centennial to Mr. Gingles property on the south side, with the same type
405 of path that is in front of the Connolly property. He suggested if this was not doable the money
406 should go into a trust.

407 • He stated he did not want to see sidewalk and curb and gutter and he didn't know how he
408 felt about the stone wall.

409
410 **Director Gallina** clarified the recommendation was an in lieu fee would be applicable to pay for
411 those improvements.

412
413 **Vice-Chairman Creager** recommended they should work within the guidelines of the Grant
414 Street project.

415
416 There was discussion related to interior sidewalk (Valencia Street), and Associate Planner
417 Lundquist reported Valencia included plantings placed outside the pathway, with non continuous
418 curb and gutter.

419
420 **Rich Waller** stated the proposed sidewalk separated from the street section was based on
421 Public Works recommendations.

422
423 **Bob Fiddaman** suggested not having Public Works decide street scape, noting he
424 recommended meandering decomposed granite, reminding it is a rural area.

425
426 **Ed Nagel** stated he also did not want sidewalks, noting without it would be more charming and
427 more rural, however through the process they were asked to provide street standards.

428
429 **Commissioner Bush** and **Commissioner Kite** agreed the rural character should be
430 maintained as much as possible.

431
432 **Vice-Chairman Creager** recommended hydrology be built into the roadway condition. Noting
433 while it is obvious they have thought this through he had concern for any new addition of
434 stormwater into the channel because it leads to channel instability.

435
436 **Commissioner Coates** stated he had no problem with excluding sidewalks, but suggested the
437 money be redirected to the pathway on Grant Street in exchange. This would maximize the
438 benefit of the community.

439
440 **Chairman Manfredi** re-confirmed the consensus for the interior roadway was no sidewalks – no
441 pathway – Staff was to delete that condition.

442

443 **Vice-Chairman Creager** stated he agreed no sidewalk, but was thinking they would have a
444 pathway.

445
446 **Ed Nagel** agreed no curb and gutter, but include a pathway.
447

448 **Chairman Manfredi** directed attention to the concern with the 30' setback and design of the lot
449 15 footprint, and asked if this was a component of the Tentative Map Resolution.

450
451 **Associate Planner Lundquist** stated they need to modify the lot 15 building envelope.
452

453 **Chairman Manfredi** asked if 50 feet is doable and the applicant agreed.
454

455 **Donna Dill** reported she had measured 30' from her property and it was not very far,
456 considering noise and privacy she requested 60 feet.

457
458 **Chairman Manfredi** obtained consensus at a 50' minimum.
459

460 There was motion by **Vice-Chairman Creager**, seconded by **Commissioner Bush** to adopt
461 Planning Commission Resolution PC 2008-09 recommending to the City Council approval of a
462 Tentative Subdivision Map (TTM 2007-01) incorporating the findings and subject to conditions of
463 approval as amended. **Motion carried: 5-0-0-0.**
464

465 There was motion by **Chairman Manfredi**, seconded by **Vice-Chairman Creager** to adopt
466 Planning Commission Resolution PC 2008-10 recommending to the City Council approval of
467 Design Review (DR 2008-01) for the project incorporating the findings and subject to conditions
468 of approval as provided in the resolution.
469

470 **Chairman Manfredi** asked the applicant if they were aware and understood all of the
471 conditions. The applicant responded affirmatively. **Motion carried: 5-0-0-0.**
472

473 **Chairman Manfredi** called for a brief recess at 8:00 PM.
474

475 The meeting reconvened at 8:08 PM.
476

477 **3. U 2006-17.** Consideration of a use permit extension of time for a previously approved
478 amendment to Calistoga Mineral Water's original Use Permit adopted April 18, 1990, to allow
479 the temporary bulk transfer of Geothermal Water in two tanker trucks from their Calistoga facility
480 to a bottling facility in Healdsburg, California. This amendment was approved by the Planning
481 Commission on January 24, 2007. The Calistoga Mineral Water property is located at 865
482 Silverado Trail, within the "I", Industrial, and "CC-DD", Community Commercial – Design District
483 Zoning Districts (APN 011-050-024). This proposed action is exempt from the California
484 Environmental Quality Act (CEQA) under Section 15301 of the CEQA Guidelines.
485

486 **Chairman Manfredi** announced for the record Carol Bush is on the Chamber Board of Directors
487 with the applicant however it has determined as no conflict of interest.
488

489 **Director Gallina** provided an overview of the current use permit and reviewed the conditions
490 placed on the temporary bulk transfer of geothermal water from the Calistoga Beverage
491 Company located at 865 Silverado Trail. Staff reported the recommendation was for an
492 extension that would not exceed six months for a maximum transfer set at 4.3 million gallons per
493 year of geothermal water volume with a condition for the applicant to come back to the City for a
494 revised Conditional Use Permit for their juice line operation and installation. This would allow
495 Calistoga Mineral Water to commence the bottling of the sparkling juice product and processing
496 of capital expenditure request with their corporate office. She reported in December Mr.
497 Canning had provided a status update and noted the launching of the transfer of water did not
498 start to occur until late March of last year. This impacted their ability to place the product on the
499 shelf. So they are almost a year behind in their processing. It was reported the applicant was
500 asking for an 18 month extension. Director Gallina reported to date there had been no
501 complaints since commencement of bulk transfer operations and Calistoga Mineral has kept
502 staff apprised of activities. Staff's recommendation was to grant a six month extension. It was
503 Staff's belief a shorter time frame will encourage the applicant to come in sooner for their
504 amendment to their current use permit and at that time the applicant could ask for another
505 extension of one year. Staff modified findings to accommodate a six month extension.
506

507 **Chairman Manfredi** opened the public portion of the hearing at 8:16 PM.

508 **Jack Gingles**, 1408 Grant Street reported he received public notice of this hearing but his
509 property was not within the 500 feet radius. However, he noted he was here in support of the
510 proposal and strongly recommended approval for going forward with the application.
511

512 **Commissioner Kite** stated he had no objection but advised the applicant in terms of approach,
513 noting it appears the company is still test marketing for approval of the capital expenditure. This
514 wasn't the case initially presented, and stated if a clearer picture were provided at the start the
515 Commission could have given more time.
516

517 **Chris Canning**, Calistoga Beverage, reviewed the process reporting they were not test
518 marketing, however the product missed launch and therefore missed the resale window. The
519 product will be in stores the last week of March. If they had attained distribution they would
520 have made the reset window.
521

522 **Commissioner Kite** asked the applicant if an extension of six months was a condition they
523 were able to meet.
524

525 **Chris Canning** stated they needed 18 months, however the Staff recommendation was for six
526 months, and this would allow the opportunity to pursue a revised conditional use permit and at
527 that time they could ask for the extension of one year.
528

529 There was motion by **Commissioner Bush**, seconded by **Chairman Manfredi** to approve
530 Resolution PC 2008-13 approving a six (6) month extension to Use Permit CUP 2006-17 for the
531 continuation of temporary bulk transfer of geothermal water from the Calistoga Beverage
532 Company located at 865 Silverado Trail, within the "I", Industrial, and "CC-DD", Community
533 Commercial – Design District Zoning Districts (APN 011-050-024) to a bottling facility located in

534 Healdsburg, California, based upon the findings presented in the staff report and subject to
535 conditions of approval. **Motion carried: 5-0-0-0.**

536

537 **H. NEW BUSINESS**

538

539 **I. MATTERS INITIATED BY COMMISSIONERS**

540

541 **Commissioner Coates** asked about the progress on addressing lot coverage.

542

543 **Director Gallina** reported the topic was scheduled for the first Planning Commission agenda in
544 April.

545

546 **Commissioner Kite** asked if anyone else had noticed the unattractive new sign at Nicolas, and
547 asked if it had been reviewed for approval.

548

549 **Director Gallina** reported she would have Staff verify if an application was submitted and write
550 the owner a letter.

551

552 **Chairman Manfredi** drew attention to the unkempt vacant veterinary on Lincoln Avenue.

553 **Director Gallina** reported she would direct Staff to issue a letter to the owner.

554

555 **J. DIRECTOR'S COMMENTS/PROJECT STATUS**

556

557 **Director Gallina** reported anticipation for release of the Urban Design Plan availability in May
558 and they were currently looking at the process to distribute and get the word out. The desire
559 was to present and allow time to absorb. Director Gallina requested Commissioners provide
560 availability in April.

561

562 Commissioners Creager, Kite and Manfredi provided dates they would not be available during
563 the month of April.

564

565 **K. ADJOURNMENT**

566

567 There was motion by **Vice-Chairman Creager**, seconded by **Chairman Manfredi** to adjourn the
568 meeting. **Motion carried: 5-0-0-0.** The meeting adjourned at 8:30 PM.

569

570 The next regular meeting of the Planning Commission is scheduled for Wednesday, March 26,
571 2008 at 5:30 PM.

572

573

574 Kathleen Guill,

575 Secretary to the Planning Commission

576 .

577