

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

**Wednesday, June 23, 2010
3:00 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).

1
2 **Chairman Manfredi** called the meeting to order at 5:35 PM.
3

4 **A. ROLL CALL**

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

10 **B. PLEDGE OF ALLEGIANCE**

11
12 **C. PUBLIC COMMENTS**

13
14 **D. ADOPTION OF MEETING AGENDA**

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16 There was motion by **Vice-Chairman Creager**, seconded by **Commissioner Coates** to approve
17 the agenda as amended. **Motion carried: 4-0-1-0.**
18

19 **E. COMMUNICATIONS/CORRESPONDENCE**

20
21 **F. CONSENT CALENDAR**

- 22 1. Planning Commission regular meeting Minutes of May 12, 2010.
23 2. Planning Commission regular meeting Minutes of June 09, 2010.
24

25 There was motion by **Commissioner Kite**, seconded by **Vice-Chairman Creager** to approve the
26 Consent Calendar as presented. **Motion carried: 4-0-1-0.**
27

28 **3. TOUR OF INSPECTION**

29 None.
30

31 **4. PUBLIC HEARING**

32 **1. Highlands Christian Church** – Consideration of a Variance (VA 2010-02), Conditional Use
33 Permit (U 2010-01) and Design Review (DR 2010-02) applications, requested by Upper Valley
34 Ministries, to allow the construction and operation of a church, pre-school and kindergarten on the
35 property located at 970 Petrified Forest Road (APN 011-360-030) within the “RR”, Rural
36 Residential Zoning District. Variances are being requested to allow parking to be located within
37 the front, side and rear yard setbacks and within the street and highway setback as established

38 pursuant to Section 17.56.030(E) of the Calistoga Municipal Code. A Variance is also being
39 requested to exceed the established height limitation.

40

41 In accordance with the California Environmental Quality Act (CEQA), the City of Calistoga,
42 Planning and Building Department has prepared an Initial Study/CEQA Checklist for the above
43 referenced project. The Planning and Building Department has initially determined that the
44 proposed project as amended by the included mitigation measures will not have a significant
45 adverse effect on the environment. The Planning Commission will consider adoption of a
46 Subsequent Mitigated Negative Declaration for the project. Additional comments will be
47 considered at the public hearing.

48

49 **Chairman Manfredi** announced the public hearing item.

50

51 **Commissioner Coates** recused himself from discussion due to conflict of interest, disclosing that
52 he is the General Contractor of record for this project.

53

54 **Planner Lundquist** reported the proposed project is representative of our demographics. The
55 applicant had previously processed land use entitlements but due to changes in the economy they
56 needed to rethink the project and their design. Their desire is to design one facility to be used for
57 fellowship on Sunday and a preschool during the week. Planner Lundquist provided an overview
58 describing the 5670 square foot auditorium/classroom noting the new design will allow for future
59 phases and growth. He advised primary changes included scaling down the size of the facility
60 and minor trend changes to address storm water runoff (i.e. bio-swells). Frontage improvements
61 were re-considered through an updated traffic study, with a determination it would be better to
62 propose a turn lane providing an area for vehicles to merge. Due required enforcement of the
63 State Water Efficiency and Landscape Ordinance there is also some change in the landscaping
64 proposal, including scaling back the amount of turf and implementing a vegetable garden.

65

66 **Planner Lundquist** reported the applicant is seeking two variances; the first is a request to allow
67 parking in the setbacks, with a finding that the shallow lot depth presents a hardship so to allow
68 parking in the east area rather than behind the building could alleviate the hardship. The second
69 is a request to allow a building height up to 27 feet. The code currently allows for a limit up to 25
70 feet in height, the use as a church tends to illustrate itself through design, with steeples, etc.;
71 likewise the church has a predominant building height approximately two feet higher than what is
72 allowed. Restricting the height of the church would in essence reduce the overall integrity of the
73 use and its need architecturally to establish itself as a religious institution. The development and
74 proposed operation of the project is appropriate and consistent with the entry corridor findings.

75

76 **Vice-Chairman Creager** recollected the last time the Planning Commission reviewed the parking
77 lot area there was an agreement about the design of the outdoor lighting.

78

79 **Planner Lundquist** reported that mitigation measures do address outdoor lighting. Originally the
80 proposed lighting standards were of a bollard style lighting. However the architect has said
81 that bollard lighting does not provide sufficient aluminares for a safe path of travel.

82

83 **Director Gallina** recalled previous discussions with Kingdom Hall, and Palisades Apartments,
84 where visually attractive decorative lighting had prevailed over standard lighting due to concern
85 with height because they were in our entry corridor.

86

87 **Vice-Chairman Creager** recommended language also be included to reduce the visual impact of
88 the parking lot since it is so close to the roadway.

89

90 **Chairman Manfredi** asked if it was going to be possible for the applicant to come back to amend
91 the use permit for more improvements, and asked if these road improvements were going to be
92 adequate to accommodate future development.

93

94 **Planner Lundquist** replied in theory yes.

95

96 **Chairman Manfredi** opened the public discussion portion of the hearing at 5:52 PM.

97

98 **Kelland Ingram**, 2426 Kathy Way, expressed how helpful, supportive, and informative staff had
99 been and how much it was appreciated. He presented a brief overview of the project providing
100 elevations, site plan, basic floor plan, and landscape plan. To conserve time and yet emphasize
101 support for the project he asked all those in the audience who were attending the meeting to show
102 support for the project to stand and the majority of the audience stood. Mr. Ingram introduced
103 Paul Coates as the project representative to answer technical questions on the project.

104

105 **Paul Coates**, 1711 Reynard, opened with information about the parking lot, stating their intent
106 was to eliminate as much concrete as possible. He reported the addition of more bio swells in the
107 center of the parking lot that filtered to a larger bio swale would soften the appearance. Mr.
108 Coates pointed out they remain at 117 parking spaces with no street parking and they will use
109 native vegetation. Mr. Coates said they are working with staff regarding traffic lanes to protect the
110 community as a whole. He believed they have incorporated every thing they can for safety and
111 aesthetics; colors will be of neutral tones and the height will be within one to one and one-half feet
112 of the requirement.

113

114 **Paul Coates** referenced the proposed bollard lighting, stating they were great for pedestrian
115 purposes, but the concern is will they meet state standards. Therefore consideration has been
116 given to add light standards to meet requirements. They want to keep it simple and yet safe.

117

118 **Vice-Chairman Creager** suggested there are no state standards.

119

120 **Planner Lundquist** reported there are no standards, i.e. State School of Architects, no building
121 code standards related to the amount of light needed, it just addresses security purposes.

122

123 **Vice-Chairman Creager** asked if churches are held to the same liability requirements as schools.

124

125 **Planner Lundquist** reported they are held to building and fire code standards, and those do not
126 speak to lighting, just security.

127

128 **Paul Coates** reminded they don't want anyone to be endangered due to lack of appropriate
129 lighting.

130

131 **Chairman Manfredi** asked if lighting would only be on when there is activity on the premises and
132 not automatically turned on and off with a timer.

133

134 **Paul Coates** stated lights would not run all night mainly because it would be cost prohibitive.

135

136 **Commissioner Kite** stated he wanted to assure the lighting around the parking lot would not look
137 like a Wal-Mart shopping center parking lot. He further requested the landscaping be pushed
138 closer to the road where you don't easily see parked car headlights from the roadway.

139

140 **Paul Coates** stated you will see head lights, but there will be some vegetation growing up. There
141 is a need for line of sight for exiting the parking lot.

142

143 **Shelby Valentine**, 2771 Foothill Blvd., as a neighbor she shared great support for the project and
144 reported they have a birds eye view of the entire piece of land. She was agreeable as far as the
145 height variance and even higher would be acceptable because it will mitigate noise to their
146 property. Shelby Valentine stated the project provided a unique opportunity for them to get good
147 neighbors and she hoped they have a speedy way to process the application.

148

149 **Tina Ingram**, 2426 Kathy Way stated the Christian Preschool has been in operation for twenty-
150 two years producing many high achievers, some of which are currently Calistoga firefighters and
151 police officers. They are based on excellence, and do not provide a day care component, and the
152 new building will provide a place where the school will prosper, and be confidence inspiring.

153

154 **Ray Centanni**, 3764 Silverado Trail, reported the church design is an attractive craftsman style
155 that will appeal to every economic background. Mr. Centanni provided a brochure showing it is
156 not just a building and then gave an overview of the established connections their organization
157 has by serving the community.

158

159 **Chairman Manfredi** closed the public portion of the discussion at 6:12 PM.

160

161 **Commissioner Kite** recognized the project has previously been approved, it is a good project,
162 and there is nothing here except enthusiasm. He noted the proposed height didn't bother him and
163 the lighting and landscape plan will need to mitigate any impacts.

164

165 **Vice-Chairman Creager** stated he was looking forward to the project happening, no delay in any
166 way, would like to direct staff to work with design and building team to be as consistent as
167 possible with previous projects to address night sky and Gateway being careful to work hard to
168 achieve the objectives.

169

170 **Planner Lundquist** read aloud mitigation measures.

171

172 **Chairman Manfredi** stated he had nothing to add. Chairman Manfredi supported the project
173 before, and the revised plan has been toned down and it is a very nice project.

174

175 There was motion by **Chairman Manfredi**, seconded by **Vice-Chairman Creager** to adopt
176 Resolution PC 2010-09 adopting a Subsequent Mitigated Negative Declaration, finding that with
177 the inclusion of mitigation measures, the project will not have a significant adverse impact on the
178 environment. **Motion carried: 5-0-1-1.**

179

180 There was motion by **Vice-Chairman Creager**, seconded by **Chairman Manfredi** to adopt
181 Resolution PC 2010-10 approving Variances allowing parking within the front, side and rear yards

182 and within the highway and street setbacks on the property located at 970 Petrified Forest Road
183 (APN 011-360-030) within the "RR", Rural Residential Zoning District, based upon the findings
184 and subject to conditions of approval contained in the Resolution. **Motion carried: 5-0-1-1.**
185

186 There was motion by **Commissioner Kite**, seconded by **Vice-Chairman Creager** to adopt
187 Resolution PC 2010-11 approving a Variance allowing a building height of up to 27 feet on the
188 property located at 970 Petrified Forest Road (APN 011-360-030) within the "RR", Rural
189 Residential Zoning District, based upon the findings and subject to conditions of approval
190 contained in the Resolution. **Motion carried: 5-0-1-1.**
191

192 There was motion by **Chairman Manfredi**, seconded by **Commissioner Kite** to adopt Resolution
193 PC 2010-12 approving a Conditional Use Permit and Design Review allowing the construction and
194 operation of a 5,660 square foot church, pre-school and kindergarten on the property located at
195 970 Petrified Forest Road (APN 011-360-030) within the "RR", Rural Residential Zoning District,
196 based upon the findings and subject to conditions of approval contained in the Resolution.
197 **Motion carried: 5-0-1-1.**
198

199 **Commissioner Coates** resumed his seat on the Commission.

200 I. NEW BUSINESS

201 202 J. MATTERS INITIATED BY COMMISSIONERS

203 **Chairman Manfredi** raised the issue that once again more and more sidewalk dining is cropping
204 up on Lincoln Avenue in front of business. He stated while he is not opposed to sidewalk dining,
205 it is not currently permitted on Lincoln. Stating further that businesses such as Pacifico's
206 Restaurante have followed process to obtain proper permitting for sidewalk dining, with significant
207 expense, and non enforcement for others is not fair.
208

209 **Director Gallina** advised she will raise the issue with the City Manager and Chamber of
210 Commerce, noting he is right, it is not fair.

211
212 **Vice-Chairman Creager** asked what the status was for the Bistro project.
213

214 **Planner Lundquist** stated the applicant is at the second round level of building permit comments,
215 He noted the addition of food to their use has triggered the need to address additional dry storage
216 for the Napa County Environmental Management Department.
217

218 K. DIRECTOR'S COMMENTS/PROJECT STATUS

- 219 • Housing Element Update

220
221 **Director Gallina** announced the community meeting for the Housing Element Update was
222 scheduled for July 7, 2010, at 6:00 PM. Staff has finished and presented the preliminary draft,
223 and will be moving forward to the Planning Commission. He noted the coming Friday he would be
224 sending out the Planning Commission packet to allow additional time for review.
225

226 **Director Gallina** provided a new Building Department Inspection Schedule. Changes include a
227 change in hours and days of service.

228

- 229 • Napa County Vacation Rental Proposal

230

231 **Director Gallina** acknowledged distribution of communications from Norma Toffanelli and
232 George Calyodonis. June 29, 2010 the Napa County Board of Supervisors will determine if the
233 County will enforce code, allow vacation rentals, or put the issue on ballot, for determination.

234

235 **Chairman Manfredi** asked what time on Tuesday.

236

237 **Director Gallina** reported the meeting starts at 9:00 AM and the item was scheduled around
238 10.00 AM. Director Gallina stated she will send information out when it is available. She advised
239 that St Helena is holding a Special Council meeting on this topic and opposes county allowing
240 approval.

241

242 **Commissioner Kite** stated our city should take a leadership role in enforcement on this
243 especially with the state of the economy.

244

245 **Commissioner Coates** agreed.

246

247 **ADJOURNMENT**

248 There was motion by **Chairman Manfredi**, seconded by **Vice-Chairman Creager** to adjourn to
249 the next regular Planning Commission meeting of Wednesday, July 14, 2010, at 5:30 PM. **Motion**
250 **carried: 4-0-1-0**. The meeting adjourned to the next regular meeting of July 14, 2010 at 6:26 PM.

251

252

253

254

255 Kathleen Guill

256 Secretary to the Planning Commission

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