

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

**Wednesday, October 13, 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).

1
2 **Chairman Manfredi** called the meeting to order at 5:33 PM.
3

4 **A. ROLL CALL**

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

9 **B. PLEDGE OF ALLEGIANCE**

10
11 **C. PUBLIC COMMENTS**

12 None.
13

14 **D. ADOPTION OF MEETING AGENDA**

15 There was motion by **Commissioner Coates**, seconded by **Commissioner Kite** to approve the
16 agenda as provided. **Motion carried: 5-0-0-0.**
17

18 **E. COMMUNICATIONS/CORRESPONDENCE**

19 None
20

21 **F. CONSENT CALENDAR**

22
23 1. Planning Commission regular meeting Minutes of September 8, 2010.
24

25 There was motion by **Vice Chairman Creager**, seconded by **Commissioner Coates** to approve
26 the Consent Calendar as presented. **Motion carried: 5-0-0-0.**
27

28 **G. TOUR OF INSPECTION**

29 None.
30

31 **H. PUBLIC HEARING**

32 1. **Rios & Ochoa Wine Retail and Tasting Facility:** Consideration of Conditional Use Permit (U
33 2010-06) application to establish retail wine sales, including wine tasting and wine education in an
34 existing 1,200 square foot commercial space located at 1307-A Lincoln Avenue (APN 011-221-
35 027) within the “DC-DD”, Downtown Commercial-Design District Overlay Zoning District. Live
36 entertainment and/or amplified music is also proposed to occur periodically.
37

38 **Planner Lundquist** stated when you strip all the jargon away what we have here is an
39 established business that wants to relocate from one side of Lincoln Avenue to the other side of
40 Lincoln Avenue. Although being in a new establishment our downtown commercial zoning district
41 does require them to obtain a Use Permit so Mr. Rafael Rios is the proprietor in partnership in
42 Rios Wine Company. They have been established along Lincoln Avenue for a couple years now
43 and we have not had any complaints with their current operation. The operation does not change
44 any, only the design elements of the property have changed. The applicant is proposed to do
45 wine retail sales, tasting, and education inside the structure located 1307A Lincoln Avenue which
46 is shared with adjoining 1307B which is also wine tasting retail establishment. Those two uses
47 should be quite compatible to each other as well as being compatible with the other uses in the
48 area. Rios Wine Company is proposing to do outdoor seating that would occur inside of the
49 footprint of the building under some covered patio spaces that are located along the front façade
50 as well as at the rear of the property. The applicant is also requesting to include periodic live
51 entertainment. Generally, live entertainment would occur during special events that are put on
52 and in cooperation with the Chamber of Commerce, but they also want to have events for
53 marketing of their business. With that said, staff recommends the filing of a Notice of Exemption
54 for this project, waving of the Design Review requirement, and approval of the Use Permit.
55

56 **Chairman Manfredi** inquired if any Commissioners have any questions of staff.

57
58 **Chairman Manfredi** asked if the owner has anything to say.

59
60 **Rafael Rios**, 3970 Peterson Drive, Calistoga, stated he did not have any more to add that was not
61 in the staff report except to emphasize it is just a relocation of their current operations on the other
62 side of Lincoln and the only difference that was mentioned also is that the location will be shared
63 with his Uncle.

64
65 **Commissioner Kite** asks one of the conditions limits your use of music to indoor spaces, might
66 you have the ability to have it outdoor as well?

67
68 **Rafael Rios** responded that they actually had the ability at the former space, which they used
69 once or twice to have music outdoors, but also had music indoors which worked out very well. As
70 Mr. Lundquist pointed out, most of their music events will occur during city-wide events and stated
71 that he would also like to have the ability to have a promotional party or marketing event that
72 would include music outside.

73
74 **Commissioner Moyer** asked if all the wines to be provided are made and produced in Napa
75 Valley.

76
77 **Rafael Rios** responded, yes, all are Napa Valley wines produced up and down the Valley, and as
78 a point of interest, he indicated that they are producing their wine down in Napa and are in the
79 process of transferring permits up to his sister's winery located on Old Lawley Toll Road.

80
81 **Commissioner Creager** inquired if during city-wide events, (i.e. Jazz & Blues Festival) are there
82 temporary exemptions allowed for outdoor music, which in this case would allow Mr. Rios to have
83 music during the times in which he said he would like to have it occur.

84

85 **Planner Lundquist** explained those events are handled through a Special Event or
86 Administrative Use permitting process. The comment is, if Mr. Rios would like to do those events
87 separate, like a wine marketing event for his label, he recommended additional language be
88 added to Condition 1 after "indoor spaces." (Line 94) "unless otherwise approved by the Planning
89 & Building Director". What that would mean is Mr. Rios would have to come in and seek approval
90 for a special event having outdoor entertainment on a certain day and time.

91
92 **Commissioner Creager** asked the question, when Mr. Rios came in and requested a permit for
93 an event would you then follow-up with neighbors to see if there was anything else going on
94 during that time that an outdoor event might be disruptive?

95
96 **Planner Lundquist** stated under that requirement, staff generally would not, although the
97 Commission could also add, "Upon notification to the adjoining property owners within 300 feet" or
98 some offset of the property.

99
100 **Commissioner Creager** stated not that it would be particularly important for this, but as a
101 precedent we should have that element of ability for review.

102
103 **Rafael Rios** commented that most of uses around our property of operation are mostly all
104 commercial, an empty lot behind us, the river, it wouldn't seem to be a problem, everything we do
105 we want to make sure we are not disturbing our neighbors and, for the most part, those around us
106 would be in support of such activities as it draws people downtown.

107
108 **Chairman Manfredi** stated he feels this would be unnecessary to add this language as we would
109 be setting a precedent for the downtown and suggested that what is being discussed today is
110 what Mr. Rios is after.

111
112 **Commissioner Creager** suggested what he has heard, on fairly frequent occasions, is that
113 people do wish that we had more control over the live music downtown as we currently have no
114 mechanism because many are grandfathered in and so, just going forward, it would be more of
115 the same.

116
117 **Director Gallina**, explained she just met with the Police Chief and Aquatics and Recreation
118 Manager Olivia Lemen to discuss the development of a new special event permit process and
119 standard conditions of approval to be applied especially to music events because we did receive a
120 lot of public comments on the noise generated by the Rock of Ages program. She indicated that
121 this new process will be implemented within a few months. She also stated that when the
122 Chamber has an event they too have to come in and get a special event permit (or Administrative
123 Use Permit) from the City which allows staff to regulate any issues so we can address community
124 concerns.

125
126 **Chairman Manfredi** closed the Public discussion and opened for Commission discussion.

127
128 There was no further Commission discussion on this item.

129
130 There was motion by **Chairman Manfredi**, seconded by **Vice Chairman Creager** to direct Staff to
131 file a Notice of Exemption for the project pursuant to Section 15332 of the CEQA. **Motion**
132 **carried: 5-0-0-0.**

133

134 There was motion by **Vice Chairman Creager**, seconded by **Commissioner Coates** to adopt
135 Resolution PC 2010-15 approving Conditional Use Permit (U 2010-06) to establish retail wine
136 sales, including wine tasting and wine education and waive the requirement of Design Review in
137 an existing 1,200 square foot commercial space located at 1307-A Lincoln Avenue (APN 011-221-
138 027) within the "DC-DD", Downtown Commercial-Design District Overlay Zoning District based
139 upon the findings provided in the Resolution and subject to conditions of approval. **Motion**
140 **carried: 5-0-0-0.**

141

142 I. NEW BUSINESS

143

144 **1. PA 2010-01; CDR 2010-01:** Review of conceptual development plans for expansion of the
145 Indian Springs Resort and Spa. The proposed expansion includes the following improvements:
146 (1) 79 new guest rooms (for a total of 120 guest rooms); (2) a 3,000 square foot pavilion
147 restaurant; (3) a 4,000 square foot event barn; (4) a wine cave on the western side of Mt. Lincoln;
148 (5) a family swimming pool; (6) replacement of an existing observation deck on top of Mt. Lincoln;
149 and (7) other related site and landscaping improvements. The project site is located at 1712
150 Lincoln Avenue (APNs 011-340-017 and 011-240-001) within the "CC-DD", Community
151 Commercial-Design District Overlay Zoning District.

152

153 **Commissioner Coates** abstained from this item since he represented the applicant.

154

155 It was disclosed by **Chairman Manfredi, Vice Chair Creager, Commissioners Kite and Moye**
156 that independent project site visits were made.

157

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

160

161 **Planner MacNab** explained this item is Conceptual Design Review and the process is an
162 opportunity for a developer or project proponent to informally present an idea for development to
163 the City and receive feedback on that idea. The scope of the review is wide open. The
164 Commission can comment on anything it wants regarding the proposal. Those comments are not
165 binding. This is a conceptual review; however, staff's expectation is that when the developer
166 comes back with a formal application those comments will be addressed one way or another.
167 There is no action being taken tonight. With that said, he proceeded in providing a detailed
168 description of the proposed project and issues identified by staff.

169

170 **Commission Creager** requested Planner MacNab to talk about workforce housing.

171

172 **Planner MacNab** stated there is a brief section in the staff report on affordable housing. This
173 project will generate a lot of employment or new employment which is a good thing for the City
174 and absolutely for businesses in the City. And with that comes a need to house those new
175 employees. The applicant has indicated that they will be seeking a development agreement with
176 the City and, part of that discussion, will involve how they propose to address the City's
177 inclusionary housing requirement which requires a project of this size and scope to make some
178 contribution towards providing for affordable housing. Whether that be housing onsite, off-site,
179 land, constructed somewhere. Staff did not receive any information on how that will be addressed

180 or the early thinking by the applicant on meeting the inclusionary housing requirement. That might
181 be a question you want to pose to them tonight.

182

183 **Commissioner Moye** posed the question, has anyone looked a how much water this project will
184 be used out of the system.

185

186 **Planner MacNab** stated preliminarily, Public Works has reviewed this concept plan and have not
187 heard any concerns about water or wastewater availability. A bigger issue is how the applicant is
188 going to connect to the City's water and wastewater system and how they are going to dispose of
189 their geothermal water. But as far as we know and based on the comments received so far, water
190 supply or wastewater capacity does not seem to be an issue at this point.

191

192 **Commissioner Creager** asked if the City is prepared to accept if the State Department of Fish &
193 Game and others decide that it could enhance the existing wetlands on the former Gliderport
194 property that something that might transfer the geothermal water away from our system and into
195 another benefit.

196

197 **Planner MacNab** stated the applicant has been talking with the State Department of Fish &
198 Game, US Fish & Wildlife Service and the Regional Water Quality Control Board about the
199 resources on the Gliderport property and the possibility of creating a walkway and a preserve on a
200 portion of the Gliderport property. Certainly, staff will want to work with the applicant and resource
201 agencies in exploring and implementing that idea if it turns out to be feasible.

202

203 **Commissioner Creager** asked how would the City address that issue in that it would be a
204 separate project as that space is not included in our consideration here as it is a linked strategy.

205

206 **Planner MacNab** explained as part of this project an analysis will be required on their discharged
207 storm water and geothermal water. In this analysis, the applicant will need to show the City how
208 they are proposing to dispose of it and, in that review, if they are going to propose some discharge
209 or run it through the former Gliderport property. That will open up the door for further
210 investigation. Should they do something different, than the City will have to analyze.

211

212 **Chairman Manfredi** asked Mr. Merchant if he would like to make a presentation.

213

214 **John Merchant**, 1712 Lincoln Avenue, Indian Springs, congratulated Planner Ken MacNab on
215 doing a great job and stated that his presentation was pretty clear but would like to bring up a
216 couple of points that were not as clear. He clarified that the wine cave has to have an entrance
217 and an exit, so ideally there would be a restaurant with a wine cave. Therefore, you will be able to
218 use the cave daily as part of the restaurant. He stated that it is extra-ordinary that any town has
219 hill in the middle of their town. The tourist will just love its access. In the event cave, it would be
220 much less frequently used but again to have gardens, for a wedding, the cave is great asset for us
221 and we think for the City. Off-site events would not be booked. The reason you have an event is
222 to fill your hotel rooms. Consequently, someone who is holding a wedding on the property will be
223 parked on-site because they will be staying at the resort, eating, and using the spa, so there will
224 be multiple uses for that one car to park.

225

226 Mr. Merchant stated that the other item that came up was the wooden walkway. Everyone knows
227 that the property has a gate and people want to get off of Hwy 29. Pedestrians walk down the

228 road and then exit. It is a natural path that people take because they want to get away from
229 traffic. They intend to meet ADA codes. Someone could walk down and so could someone on a
230 bicycle.

231

232 Mr. Merchant further indicated that as far as the City's needs to get rid of their reclaimed water
233 that has been treated, they would run a pipe along the perimeter of the site to take some of the
234 City's water. It would be a benefit for the City to get rid of that water.

235

236 He indicated that the open pavilion and restaurant would have visibility from the street. Especially
237 for lunch; hotel guests would have priority for seating. In addition, he stated that the pool is the
238 heart and soul of Indian Springs and Calistoga hot water. 20% of Indian Springs business is family
239 and, in the future, the families are a huge part of the business for Calistoga. There are not many
240 hotels or spas in Napa Valley that are conducive to children. When they were looking at a
241 children's pool they realized how much the children love the 2 foot shallow end, 90 degree water
242 and when families come, they are in it all the time. That said, with the restaurant at that location,
243 they would probably end up placing it behind where the Buddha pond is located, since it would be
244 easy to get to. Also, the pool would be solar heated which is very efficient and would only be a
245 summer pool so there is not need to do geothermal heat.

246

247 **Commissioner Creager** noted that there is geothermal water and the run-off on the property.
248 Specifically, there is 3 foot pipe under the mobile home park and that pipe goes straight back to
249 the back ditch and runs to the back of the former Gliderport property and into the Napa River. He
250 stated that Indian Springs is talking with the State Department of Fish & Game, US Fish & Wildlife,
251 and Army Corp of Engineers. This water used to flow across the former Gliderport property until
252 the mobile home park was built and they put in this 3 foot drainage. The drawback to that is, the
253 water stays hot, goes very quickly through that pipe because it is not meandering as there is
254 nothing to slow it down, so you get hotter water going back there and when it rains you get faster
255 water. So, that back ditch always has to be cleaned.

256

257 **Mr. Merchant** offered to get copies of what has been proposed to the State Department of Fish &
258 Game and US Fish & Wildlife, which Commissioner Creager has recently been given a copy. He
259 stated that the majority of the plants that are in question are on the back portion of the Gliderport
260 property on a 7 to 8 acre parcel, which is where they would love to take this water to create a
261 stream that was once there historically in ponds and reintroduce water to the area. That decision
262 is up to Fish & Game and so forth as we at Indian Springs can only propose.

263

264 **Commissioner Creager** requested clarification regarding what water is that, is it that water that
265 has been routed through your system for use?

266

267 **Mr. Merchant's** responded no. What Indian Springs actually has is an overflow pipe. So when
268 the geyser is filling, these tanks then feed the pool and spa. When those tanks are too full, this
269 geyser water then goes into the overflow pipe, and it is that pipe that drops into the pond and then
270 goes back. It has never been touched by anyone. So, it is the historic geyser water that is the
271 excess flow. When the pipes are drilled out, this puts out 300 gallons per minute and one could
272 not possibly use it. So we have this excess flow. Frankly, it is just being wasted. When you
273 consider historically how much geothermal water was flowing, the mobile home park, as well as
274 the former Gliderport property was all spring grounds so there was enormous mineral flow and all
275 that dried up when they put down wells. The only source of water really left to put back on the

276 Gliderport property. Therefore, if you look at the Napa Blue Grass and Popcorn Flower, the only
277 other site would be out at the Geyser off Tubbs Lane. And if you look at the other side of the
278 Tubbs Lane, that field has cat tails where water has historically always flowed and then into the
279 river. It has never been stopped where all that water has been stopped on the Gliderport
280 property. Mr. Merchant, once again offered to provide a copy of the analyses which have all been
281 done.

282
283 Mr. Merchant stated that the residents from the mobile home parks have been invited over for a
284 gathering to share his plans which he believes were well received. The main complaint was dust.
285 Indian Springs wants to excavate this area so they don't have to do this every year. The end
286 result would be low dust and a beautiful view for the residents with a double berm which is
287 growing now.

288
289 **Chairman Manfredi** inquired if Commissioners had any questions of staff.

290
291 **Dieter Deiss**, 3000 Palisades Road, stated that it would be a great opportunity to talk about
292 biking. He stated that he belongs to the Board of the Napa Vine Trail. This trail is proposed
293 ultimately connect the Vallejo valley with Calistoga. It is under the guidance of The Vine Trail
294 Coalition with a 25 member of organizations of the valley. Almost everyone of public life has a
295 seat on the Board and right now the engineering subcommittee is helping Calistoga to prepare an
296 engineering detail of how we connect the Oat Hill Mine parking area via Calistoga along Lincoln
297 Avenue with the Train Depot, then pick up the old right of way, tie into the Dunaweal Class I Bike-
298 way and connect to Bothe Park. If that is achieved, we have in the north end of the valley 3 miles
299 of the forty miles which would be incredibly valuable for us in Calistoga. A double win for tourist
300 and one for us who live here. If there was a way that the Merchants, with the generous
301 opportunities you offer, use that passage way. He offered to sit down with the Merchants to show
302 the engineering details, in which the Vine Trail Coalition will pay 50% of engineering costs. He
303 urged that we take advantage of that. He further stated that as seen in Yountville their Class I
304 bikeway; St. Helena is working with the Vine Trail Coalition to put in 2.2 miles of that trail through
305 St. Helena, eventually everything will be connected. He suggested on behalf of the Vine Trail
306 Coalition that we have an informal get-together to show Mr. Merchant what we have done and see
307 how we can possibly get something exciting done.

308
309 **Chairman Manfredi** addressed Mr. Deiss stating what the Merchant's are proposing for the
310 walkway that is no longer wooden but a crush granite path that would accommodate bikers and
311 walkers. What is your concept and would that fit in with your scheme?

312
313 **Dieter Deiss** doesn't see that as a problem because there are new surfaces today which have a
314 very natural look and still meet the State of California specifications for Class I. We do want it to
315 be a Class I trail.

316
317 **Florence "Edie" Parker**, Calistoga Springs, low man on the totem pole if you look at the upper
318 most block of 8 units, I'm directly opposite it. I have whole 10 feet between the road and my
319 backyard. However, that is not my complaint for today. The first thing I want to correct which is
320 terribly important, and apologize to Mr. Merchant, I'm usually not confrontational and I'm a sweet
321 old lady. She stated that she did not have any opportunity to attend his lovely wine and cheese
322 party. We got an invitation to a wine & cheese party period. It came very late and a number of
323 the residents were already busy. Calistoga Springs has 143 places. Normally, for free drink and

324 food, we can turn out 50 to 60 people. 20 means that we did not think it was important. I asked
325 people who went and they stated that there was some casual talk. There were some maps on the
326 wall. No one paid any attention because it was not formal, official conversation, no presentation,
327 and would requested that it be corrected in the record where it mentioned the residents were
328 consulted. I also noticed that in Mr. Merchant's paper he says throughout the development the
329 mobile home owners will be free to have open dialogue with us regarding any concerns.

330
331 She expressed that there are unusual concerns, you will be surprised. I cannot do anything about
332 that road 10 feet from my home, but the plantings Mr. Merchant started last year have upset a
333 number of the mobile home park residents. When complaints were received from friends about
334 the plantings, I said, you forget his view, you forget what Mr. Merchant and his guests will be
335 looking at which is our little mobile home park. But Mr. Merchant put in olive trees. Mr. Merchant
336 put in an olive tree in my backyard about 2 feet from my fence which everyone assures me, when
337 and if it ever grows up to be a big boy, which will take forever, I'm going to get all the droppings
338 and the olives all over everything that I'm going to have to clean up. You put in Oleanders, which
339 are right next to the fence which are very flammable and they are going to be half Oleanders
340 because some are coming over into my yard. We all know what I can do with the airspace in my
341 yard. The plantings should have been setback but I know Mr. Merchant was thinking of his 10
342 feet and worried about how he could do that.

343
344 The rear of Mount Lincoln we did not know it was prestigious because on my side, the people who
345 dig his mud, is very close to a landslide. I get dirt in my yard because the trees wavery. There is
346 one tree I'm continuously watching because it will come down if they dig anymore.

347
348 Residents are concerned about the dust, the noise, what time the employees and machinery
349 starts in the morning, and all of this can be worked out. She expressed that she is very concerned
350 about the lighting.

351
352 As another concern, based on San Bruno, there are no escape routes for the Mobile Home park if
353 there is a catastrophe. The mobile home park residents have been told, I do not know if Mr.
354 Merchant knows it, or remembers it, or did it, but sometime ago there was a second exit promised
355 on the backside of the Merchant property. I would like you all to think about it because all of
356 Calistoga Springs residents which is 143 units, shares this one skinny road, Champagne Road,
357 with Chateau which is 193 units which all dumps out on Brannan Road. This was in the planning
358 for strategies.

359
360 Ms. Parker continued with identifying concerns about Brannan & Hwy 29 as mobile home park
361 residents walk to the library. The corner of Brannan & Hwy 29 is very hazardous; the Oleanders
362 are seven, eight, nine feet tall and it is a blind corner. When coming from town and turning onto
363 Brannan, that is the main street to the side street. One has to stop because when rounding the
364 corner, grown adults are walking down the middle of this ideally country street probably onto the
365 housing on the corner. It is a blind corner, one cannot see from Hwy 29 going in it very
366 hazardous, and the Oleanders on right on the corner.

367
368 In closing, Ms. Parker stated she will be back and identified that she is one of the activists in the
369 mobile home park. She goes to every council meeting and this was her main speech after living
370 in Calistoga three years. She thanked the Commission for their time in listening to her concerns.

371

372 **Commissioner Creager** stated this is the beginning of a very long public process and expressed
373 gratitude for being here tonight and indicated that this item would be back as that is what these
374 processes are all about, sharing these concerns at the community level. He indicated that the
375 Merchant's will be contacting her and talking to the residents on a formal basis. Starting the
376 project based upon Conceptual Design Review is unheard-of so there will be plenty of time and
377 opportunity for these kinds of discussion and communication.

378
379 **Norma Harnett**, 14 Camellia, Calistoga Springs, my family has lived in Calistoga Springs since its
380 opening, my maternal grandparents also live there, so I'm a third generation Calistoga Springs
381 resident. I have been here for five years. Each spring for the last 36 springs, my family has watch
382 deer bring their fawns down from the mountains to Indian Springs. We have watched blue heron
383 and many hunt and search all through the area. It is a natural wonderland and pleasure to live
384 next door to. It is all gone now. Mr. Merchant has dug up everything from what was left of the
385 original springs, it is all gone. That is a shame and it will be missed. The Staff report says,
386 conceptual development plans reflect thoughtful consideration to the guest experience and to
387 design compatibility for surrounding uses. Further it states, new buildings and improvements
388 have been arranged and spaced in a manner that servers to maintain the site open and natural
389 feel. The uses and vision in the concept plan have been arranged and oriented in a manner that
390 helps minimize the impact to adjacent residential areas; the proposed architecture of new
391 buildings being proposed draw upon exciting site architecture, rural imagery, and architecture
392 found elsewhere is in Calistoga. I find these all very odd statements since there are no two story
393 buildings near the proposed site. The nearest 23 units are single story residential structures. So
394 the report goes to say the more noise sensitive the areas of Calistoga Springs Mobile Home
395 Parks, guest quarters are being proposed and expected, the guest quarters are envisioned to be
396 quiet and peaceful areas that are largely free from noise. To minimize any adverse noise impacts
397 and visual intrusions on the residents, the guest units will be setback 35 to 85 feet from the
398 property line. Furthermore, the applicant has indicated that enhanced landscaping will be
399 installed to further reduce noise and visual impacts.

400
401 She indicated that virtually all of the 23 mobile home units that boarder on this area have their
402 master bedroom in the rear are within ten to thirty feet of the property line. So that means these
403 off-sets are about somewhere between 40 to 50 feet and maybe up to 100 feet from somebody's
404 bedroom. And once again, these are old folks who will be sleeping, who sleep a lot more and
405 most likely to be woken up. While the guest quarters are quieter than an event center, there is no
406 likelihood of them being quiet and peaceful. We are talking about parking lots, six of them with
407 eight spaces in each spot, we are talking about a two-lane road going all the way around the
408 property and traffic going in both directions, we are talking door slamming, luggage being hauled
409 up and down stairs, children hollering at parents, parents hollering at children, car alarms going
410 off, all of this within 30 to 40 feet of where residential bedrooms are. Let's not forget this going to
411 be seven days a week in our backyard. There will be late arriving guests, early departing guests,
412 so we are talking about people moving fairly late at night and fairly early in the morning.
413 Furthermore, that offset, 35 to 85 feet in the staff report is mostly composed of bare asphalt. It is
414 a parking lot and a street. So there is not going to be a lot of noise deadening provided by the
415 space. The remaining 10 feet where the enhanced landscaping is not going to solve our visual
416 and light impact noise impacts. Mr. Merchant and the Indian Springs people have tried and failed
417 for decades to grow anything on that property. There is a large section where the soil is actually
418 is poisonous to plants and nothing grows there. From #14 in the mobile home park to the corner
419 of the property is a dead zone. It all volcanic ash, nothing grows there, nothing at all. If they are

420 going to try and put an enhanced landscaping, it is probably going to have to be very tall wall
421 unless all the dirt is replaced. Those bedrooms are going to be pretty bad. Every night we will
422 have illumination on the loop road, illumination in the six parking lots, illumination on the stairways
423 going up, if you look at the way the building is designed, the entrances to all the units is on the site
424 facing the mobile home park, light on all those door ways, it is going to be fairly bright out there.
425 She would suggest consideration on requiring single story buildings along that loop road. It would
426 be far more of a match to the community and the neighborhood because 143 units are single
427 story. A double story building, let alone six of them, is not going to fit with the neighborhood.
428 Furthermore, she suggested that rather than having the loop road on the fence line and the
429 buildings on the interior, these buildings should go on the property line and the loop road be
430 placed on the interior. This would mitigate both the noise of people going in and out of there their
431 units, driving around, and everything else.

432

433 Finally, Ms. Harnett indicated that she does strongly support Mr. Merchant's right to expand and
434 develop his property. She was not there just be an adversary. I just think it would nice to see a
435 little more consideration for his neighbors and something more in keeping with the neighborhood
436 itself. On the sidewalk issue, fresh gravel, asphalt, we are talking a lot of elder folks who walk up
437 to the grocery store, or even further to do their shopping and back which right now they walk on
438 the asphalt. They do not go down Mr. Merchant's property to stroll along the dirt road because it
439 is much too uneven. A gravel path is not going to be a solution. Either is the wooden path
440 because basically they are unstable and when you are in your eighties you want something firm
441 on under foot. It is way past time for a genuine sidewalk from Brannan Street to the front of Indian
442 Springs. Just for folks to feel safe. Consideration should be given to crosswalks. (i.e., Brannan,
443 Wappo, and Lincoln Avenue intersections). With affordable housing on Brannan Street, there are
444 many children walking from area to their school and many seniors using the same area. Having a
445 crosswalk there would be very helpful.

446

447 **Jim Barnes**, 1710 Michael Way, congratulated Mr. Merchant on a wonderfully designed facility for
448 our town and I would urge Commission to give it the speediest consideration you can. The
449 element combined in here, an event barn, another nice restaurant open to the public, and most
450 especially the wine cave in conjunction with the historic hot water springs will make a fabulous
451 facility and if you can get this through in a timely manner, just in time the recession should be
452 over, we will have this new facility in town to hopefully draw in many more tourists. He urges the
453 Commission to give this project the fast track as you can.

454

455 **Paul Coates**, 1710 Renard, identified that he was working with the Merchant family on this
456 project, and listening to some of the people in the mobile home parks, I know a few of them. Ms.
457 Parker has some legitimate concerns. He acknowledged that one of them is the secondary exit
458 which is very valid. He further acknowledged that this issue has been considered by the
459 Merchant's and would have to be something to talked about because it is affected by the adjacent
460 parcel, not the property where you can get on to the Gliderport property. For emergency
461 purposes something could be worked out that would allow this to happen. He believed that the
462 Merchant's would like to see that happen as well. Landscaping, what has been said is correct, but
463 there are a lot of things to be done to address the soil which there would be a master plan
464 approved by the Commission to address those issues and to screen the buildings. Regarding the
465 walkway out front, this needs to be ADA compliant so the folks with disabilities would be able to
466 go down that path. He indicated that all would be addressed and mandated by the state law. The
467 corner of Brannan and Hwy 29 is definitely an issue because residents take that as a shot-cut to

468 get out to Silverado and turn very quickly. It's a very big concern. He revealed that he was at the
469 function that the mobile home residents were invited. There were pictures there, there were
470 conversations had, it wasn't designed to be blown up as this big formal event. It was an
471 introduction to where they are, what they are doing, and to talk as neighbors. And, as you have
472 mentioned Chairman Manfredi, this is only the first step and there will several hearings to fine tune
473 and mitigate those issues that were spoken tonight.

474
475 **Mr. Merchant** stated that he appreciates the comments on the fire exit. The City, at one time,
476 drew a fire exit where the two mobile home parks meet by the parking area for RV's, which they
477 would strongly consider. The other thing, if there was park created back there, the mobile home
478 park would also have short cut to town as they could walk straight through and not go out on Hwy
479 29 which is a dangerous and long walk. If there was a fire road and a walkway in the middle of
480 the park going into through Gliderport property, they would have short cut straight to town for a
481 much safer and shorter walk, but again, that is up to other agencies.

482
483 **Chairman Manfredi** opened it up to Commission discussion and or comments, questions, and
484 then on page 19 to 20 there are seven questions that we can touch on to help staff and the
485 applicant and get an idea of the Commission's is thinking. Does anyone have a burning issue at
486 the moment that they would like to address. Commission Response: None at this time.

487
488 **Chairman Manfredi** requested the Commission to turn to page 19 of the Staff Report. Briefly,
489 these are comments to the owner and staff as well as other issues of Commission's concern.
490 Starting with issue #1: Are the uses and intensity of development being contemplated appropriate
491 for the subject site?

492
493 **Commissioner Moye** stated what is being proposed doesn't look like it is going to be making a
494 huge difference than what is going on there now other than more people. When Public Works
495 looks at these kinds of projects, they also have other projects like Enchanted Resorts and other
496 projects in the pipeline. He expressed concern whether or not there will be enough water for all
497 these projects coming forward.

498
499 **Director Gallina** responded that annually the Public Works Department prepares a report to the
500 Council regarding the availability of water and wastewater capacity and the last report that was
501 delivered to the Council in 2009 had indicated availability was over 133 acre feet of water. To get
502 to that number, all applicants (Development Agreements, Use Permits, Stand-by Lists, etc) are all
503 considered, so when it comes to projecting out to the future, they try to accommodate that as well.

504
505 **Commissioner Kite** expressed he thinks it is a very nice looking project, an appropriate level of
506 density and there are some comments about the two versus the one story, but in his own opinion,
507 he likes the idea of few, slightly larger building.

508
509 **Chairman Manfredi** said the intensity is fine since this is a large piece of property.

510
511 **Commissioner Creager** indicated that the intensity of the project is fine. But acknowledged that
512 they have heard some design issues that need to be addressed as part of moving the project
513 forward. Some good points were made and a lot of thought has been given the visitor experience
514 but there needs to been more interaction with the Merchant family and their neighbors regarding
515 some of these design issues to see if there are alternatives they can develop.

516

517 **Chairman Manfredi** said the second question is, is the proposal to locate parking along Lincoln
518 Avenue frontage (screened) by existing landscaping acceptable.

519

520 **Commission Kite** asked **Director Gallina** if parking is allowed along Hwy 29 at Cottage Grove.

521

522 **Director Gallina** responded that she wasn't sure if parking was allowed and would check into this
523 issue.

524

525 **Doug Cook, 109 Wappo**, Brannan Cottage Inn, added by saying that he did not believe it is
526 marked as no parking. However, he did state that there is no demand to park there at the present
527 time.

528

529 **Commissioner Creager** indicated that there is a need to address parking. Although he is not an
530 expert on circulation or on parking, he hated to see parking defined projects. He further indicated
531 that he likes to find creative ways around parking. He agreed though that there is a gap between
532 what is proposed under our existing standards, but he doesn't always agree on our existing
533 standards. However, given the assumptions used that all the people attending an event center
534 not providing an additional parking is risky. There is no alternative other than across the street on
535 Lincoln Avenue and not having a safe crossing, even for healthy people is also risky. Therefore,
536 he requested that the applicant to give some serious thought to their circulation and parking and
537 come up with a more convincing argument about how to handle it.

538

539 **Chairman Manfredi** stated he had this outline. First of all, to answer #2, he does not have a
540 problem with it and it behoove the applicant to make this parking lot disappear as much as you
541 can and explained he goes with what people have done before hand. We dealt with the same
542 exact issues with Solage as they did not have sufficient parking. What it comes down to it is if you
543 have events, and you want your place to prosper, then you will need a parking management plan
544 for when these events occur. It has to be presented as a plan for those times when it is factual or
545 you anticipate them.

546

547 **Commissioner Creager** stated he does not have an issue with the proposed parking on Lincoln
548 Avenue frontage with appropriate landscaping.

549

550 **Commissioner Kite** shared that he goes to Solage a great deal and it is so rare that even 25% of
551 that parking lot is used. Once in a while on a Saturday night it is used, but mostly it is empty.

552

553 **Planner MacNab** stated as part of the traffic impact study, the traffic engineer will look at the
554 demand from these uses what is realistically expected, whether is there an opportunity to
555 eliminate spaces or if parking is shorter than we thought. All of these questions will be part of the
556 analysis.

557

558 **Chairman Manfredi** stated issue #3: Proposal to construct an onsite pedestrian path along the
559 sites Lincoln Avenue frontage acceptable in lieu of sidewalk. He stated that he didn't think a lot of
560 time should be spent on this as it will probably change drastically.

561

562 **Commissioner Creager** explained that a Class I bike way accommodates both pedestrians and
563 cyclers. It is a moot point.

564

565 **Commissioner Kite** said if we could find a way of accommodating the resort's needs and the
566 Napa Valley Vine Trail Coalition, everybody's needs should be met.

567

568 **Commissioner Moyer** said he likes that the Merchants are welcoming to have people on their
569 property but asked whether or not this an easement situation if they going to give a sidewalk to
570 the City or to allow the public to just walk on their property.

571

572 **Planner MacNab** explained we would need to talk to the Public Works Director but if it is intended
573 to provide public access as part of a Class I system, we would probably be looking at easement.

574

575 **Chairman Manfredi** stated issue #5: Does the conceptual site plan adequately mitigate potential
576 noise and visual impacts to the adjacent Calistoga Springs Mobile Home Park?

577

578 **Commissioner Creager** responded he believes there is more work to be done.

579

580 **Chairman Manfredi** confirmed it will take a lot of work. The other thing outlined is to have one or
581 two meetings at the Calistoga Springs Mobile Home Park just to get everything out and to make
582 the attempt to cross these bridges.

583

584 **Commissioner Creager** agreed, with appropriate discussion, there will be a solution that will
585 work for everyone.

586

587 **Chairman Manfredi** stated issue #6: Are the number in nature of events being contemplated
588 appropriate for the subject site? Again, He stated that this is a business, if you are not going to
589 have too many and you do not want to have too few; and, hopefully you will not be turning some
590 down.

591

592 **Mr. Merchant** stated what we all want is a full hotel. That is the only thing that makes money for
593 everybody. So, does it have 50%, 60%, 70% or 80% occupancy, we run at 80% occupancy now
594 which is when the hotel is profitable and extremely profitable for the City. What you don't want is
595 the hotel at 50% occupancy. Then you have to build two hotels to get the same revenue. We
596 would hope our project has that level of success. If you go through Indian Springs and look at the
597 tenure of the place, it is not a party place. It tends to be families, couples, quiet, if you go through
598 there now, 40 units in the evening, I doubt you would hear anything going on. People are in their
599 robes, going to the pool, and that's what he wants to continue with this expansion project.

600

601 **Commissioner Creager** requested that when Mr. Merchant does these designs with the
602 community, he needs to put effort into them, make them honest, because that is what actually
603 caused community resistance to project and that eats up more time than official business at the
604 City level. The City gets blamed for a lot of this but actually we have to resolve these issues at
605 the community level and so he encouraged all to do that in a structural and professional way so to
606 engage folks and give their issues serious consideration. He stated that process will speed your
607 project faster than anything the Commission can do.

608

609 **Chairman Manfredi** indicated that Commissioner Creager made very good comment. We talked
610 about having the meetings with neighbors, possible emergency exit, which is a fabulous idea, and
611 improve the safety of the Brannan/Lincoln.

612

613 **Commissioner Creager** shared that this was an extremely exciting project that is very consistent
614 with Calistoga's preferred type of growth and really, really hope Mr. Merchant can put his best foot
615 forward to address these issues because the project has a good start.

616

617 **Chairman Manfredi** thanked everyone for coming, their comments, and hopes the Commission
618 has been helpful and looks forward to the next meeting.

619

620 **Commissioner Coates** resumed his seat on the Commission at 6:57 PM.

621

622 **J. MATTERS INITIATED BY COMMISSIONERS**

623

624 **Commissioner Kite**, in reference to the earlier comments made about a crosswalk at Brannan
625 Street, he asked if there are any children crossing at that point and cutting straight across onto
626 Wappo to get to school. Is there a crossing guard, and if not what is the City/Caltrans planning to
627 do there in the future?

628

629 **Planner MacNab** stated there is nothing there now. The issue has come before the Commission
630 and Public Works, partially related to people crossing to get the market there and Lincoln. Public
631 Works has looked at whether or not some sort of traffic/pedestrian control at that intersection
632 would be appropriate. He stated that he believes Public Works did not find anything at this point
633 that would make them comfortable in terms of if there should be a flashing light or cross walk
634 because it is on a bend and the visibility at the speeds folks travel at is limited. He stated that it is
635 an issue everyone is aware of and with the direction of the Commission this issue will be looked at
636 with the Indian Springs Resort project proposal.

637

638 **Director Gallina** stated with the work done on the Urban Design Plan, specifically with ideas and
639 suggestions related to critical intersections such as Brannan Street and Lincoln Avenue, it was
640 suggested that the City look at special pavement or something similar to demark pedestrian
641 crossings. So with this project, we will be asking the traffic study consultant to help us bring
642 forward recommendations and ideas for improvement.

643

644 **Chairman Manfredi** suggested this issue be brought up during negotiations of the development
645 agreement.

646

647 **Commission Creager** stated we do have one of those flashing speeding sign, but why are we
648 spending money on a street that gets 3 cars an hour versus Lincoln which get 800.

649

650 **Director Gallina** said this will be looked at as the Merchant project moves forward.

651

652 **K. DIRECTOR'S COMMENTS/PROJECT STATUS**

653

654 **Director Gallina** announced we will not need to hold a Planning Commission meeting for October
655 27th, since there are no items scheduled for action. Therefore, she requested that this meeting be
656 adjourned to November 10. She further noted that the October 27 meeting date will be used for a
657 Housing Element Update Advisory Committee meeting as the committee will address written
658 issues that have come forward from the State Department of Housing and Community

659 Development so we can bring forward a Housing Element the State will support and the City will
660 adopt.

661

662 **ADJOURNMENT**

663 There was motion by **Chairman Manfredi**, seconded by **Commissioner Coates** to adjourn to the
664 regular Planning Commission meeting of Wednesday, November 10, 2010, at 5:30 PM. **Motion**
665 **carried: 5-0-0-0.** The meeting adjourned at 7:04 PM.

666

667

668

669

Kathleen Guill

670 Secretary to the Planning Commission