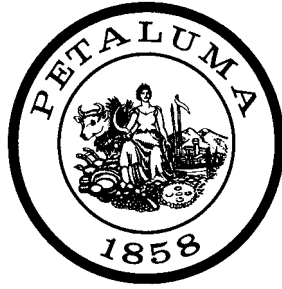


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3 **Planning Commission Minutes**  
4 **July 22, 2003 – 7:00 PM**

5

6 Commissioners: *Present:* Asselmeier, Barrett\*, Dargie, Healy, Imm, McAllister  
7 von Raesfeld

8

9 \* Chair

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11 Staff: George White, Assistant Director, Community Development  
12 Betsi Lewitter, Project Planner  
13 Anne Windsor, Administrative Secretary

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16 **ROLL CALL:**

17

17 **PLEDGE OF ALLEGIANCE:**

18

18 **APPROVAL OF MINUTES:** Minutes of July 8, 2003 were approved as amended.

19

19 M/S McAllister/Imm. Healy and vonRaesfeld abstained.

20

20 **PUBLIC COMMENT:** Diane Reilly Torres, Rainer Avenue: Spoke on behalf of the  
21 PCA – thanked their interns and the Council and Commission for introducing themselves  
22 to the interns.

23

23 Stan Gold, 615 King Road: Spoke about the economic impacts of projects – if Planning  
24 Commission does not have all the information a recommendation cannot be passed on to  
25 the City Council.

26

26 **DIRECTOR'S REPORT:** None

27

27 **COMMISSIONER'S REPORT:** Chair Barrett received information that the City of  
28 Tucson, Arizona has the capability to post renderings of projects on line to be viewed by  
29 the public – felt this would be a good step for Petaluma and asked Mr. Healy to pass on to  
30 the City Council. Discussed the need for a Hillside Ordinance. Commission Imm stated  
31 that he missed the last meeting on the item before the Commission, however, viewed all  
32 the tapes and minutes and feels qualified to participate. Chair Barrett asked for  
33 clarification on a Privileged and Confidential memo from the City Attorney's office.

34

34 **CORRESPONDENCE:** None.

35

35 **APPEAL STATEMENT:** Was read.

36

36 **LEGAL RECOURSE STATEMENT:** Was noted on the agenda.

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2  
3 Public hearing began: @ 7:00  
4

5 **OLD BUSINESS;**  
6 **PUBLIC HEARING;**  
7

8 **I. PETALUMA VILLAGE MARKETPLACE, 2200 Petaluma Blvd. North**  
9 **AP No: 007-391-009, 048-080-038**  
10 **File: REZ02001**  
11 **Planner: Betsi Lewitter**

12 Request for a recommendation to the City Council to approve the Planned  
13 Community District (PCD) amendment for proposed modification of River  
14 Oaks/Petaluma Factory Outlet Village Master Plan, which will apply to  
15 improvements on Parcels B and C.

16 Continued from June 10, 2003.

17 Betsi Lewitter presented the staff report.

18 Brad Stipe, Chelsea Property Group: Attempted to respond to the questions from the last  
19 Planning Commission meeting. Introduced the project team for questions regarding  
20 specific issue.

21 Chair Barrett: Asked to begin with changes to the river walk.

22 Phil Vandertulen: Presented the changes to the river walk on Parcel B.

23 Commissioner Asselmeier: Asked the applicant to address the condition of the bridge,  
24 what physically exists, how the trail will enter and the possibility of the trolley and the  
25 compatibility of the uses.

26 Phil Vandertulen: Showed two locations for crossing the railroad tracks. Referred to  
27 high road, which crosses over the railroad tracks, however, mitigations have not yet been  
28 determined because the use of the trolley has not been determined. Second opportunity  
29 to cross is under the existing bridge way toward the Petaluma River. Trail would be in  
30 the floodplain and secondly would be in the watershed, which would be a concern of Fish  
31 and Game.

32 Commissioner Asselmeier: Asked about the bridge shown at the top of the drawing  
33 presented – what is it made of how do uses come together.

34 Phil Vandertulen: Is a wooden structure and would need some repair to comply with  
35 current codes.

36 Commissioner Asselmeier: Would pedestrians be invited to the area to potentially be  
37 used by the trolley or is that a separate area?

Planning Commission Minutes - July 22, 2003

1 Phil Vandertulen: Would be a separate area – pointed out the pedestrian path and the  
2 potential trolley line – is a separation in grade between the two locations.

3 Council Member Healy: Referred to the inter urban right of way where the trails diverge,  
4 how wide is the easement and how will the applicant deal with informal trails that are  
5 made by pedestrians taking shortcuts.

6 Phil Vandertulen: Due to the topography feels it would be a challenge for the public to  
7 board the creek and cross in other areas.

8 Commissioner Asselmeier: Wetlands on bottom of diagram – are they restored,  
9 enhanced, or existing or a combination of all.

10 Phil Vandertulen: They are proposed as part of the mitigation program to enhance the  
11 area.

12 Commissioner Asselmeier: How many acres are being proposed?

13 Michael Joselyn, Wetlands Research: Placement of the wetlands is to maximize the  
14 watershed and is approximately  $\frac{1}{4}$  of an acre in size. Worked with the landscape  
15 architect to move the pedestrian path toward the trolley tracks and away from the wetland  
16 area.

17 Chair Barrett: How was the  $\frac{1}{4}$  acre arrived at?

18 Michael Joselyn: The mitigation being proposed for the fill of a seasonal wetland on  
19 Parcel C is about  $\frac{3}{10}$  of an acre – several wetlands distributed along the river as  
20 mitigations to provide a 1 to 1 mitigation ratio.

21 Chair Barrett: Thought it was  $1\frac{1}{2}$  to 1 – and Fish & Game can go to 3 to 1 – has Fish &  
22 Game weighed in on this?

23 Michael Joselyn: You are correct it is  $1\frac{1}{2}$  to 1. Regarding the wetland it is a decision  
24 the Army Corps of Engineers and the Regional Water Quality. The 3 to 1 refers to any  
25 riparian habitats that might be disturbed by the project.

26 Commissioner Asselmeier: Referred to Mitigation 6.1.3 which refers to 3 to 1 and 1 to 1  
27 ratios – does the 3 to 1 apply to wetlands and riparian areas?

28 Michael Joselyn: For wetlands the agencies are looking for “no net loss” which  
29 characterizes the existing wetlands. Agencies look at the existing wetland, the proposed  
30 wetland and the timing. Wetlands created for the initial development have been  
31 successful.

32 Chair Barrett: Referred to Mr. Vandertulen’s statement regarding the placement of the  
33 trail away from the wetland in one section of Parcel B and not in another – what is the  
34 thinking?

1 Phil Vandertulen: There is an existing right-of-way to use for trail area and topography  
2 has a lot to do with the trail alignment, and the sensitivity of the creek in that area.

3 Commissioner McAllister: Disappointed with the applicant's responses – hoping for  
4 changes in development proposal in response to comments – “the public is not served  
5 well by the process.” The design issues include maxes out the site – the scale of the  
6 buildings overwhelm the site. Need balance between financial goals and site potential.  
7 SPARC does not want to see in the current form. Planning Commission should weigh in  
8 on site planning – can't be mitigated by SPARC. Project does not respect River  
9 Enhancement Plan 150' setback, project ignores Fish and Game comments – is closer to  
10 Highway 101 than Parcel A. It does not function as a whole – is 3 separate projects, too  
11 much parking. Can solve setback problems by reducing parking - need to have  
12 community gain.

13 Commissioner Asselmeier: Share the same concerns as Commissioner McAllister – want  
14 to go through Chelsea's letter.

15 Commissioner Imm: There is a need for retail in Petaluma – support retail that can  
16 enhance rather than compete with downtown. Development is too intense. Chelsea  
17 provided explanations in their response letter rather than changes to the project.

18 Commissioner Asselmeier: Also have concerns regarding bulk and massing. After all  
19 the Planning Commission comments, project still looks the same – want restrictions on  
20 the square footage – reduce the mass. Also have concerns about building in the  
21 floodplain. Want dedicated open space and break up buildings.

22 Commissioner von Raesfeld: Proposal has not changed – read written comments.  
23 Frustrated with design and processing – the design is uninspired. There is no solution to  
24 constraints, falls short of the community standards. It provides space for large retail –  
25 significant impact can't be mitigated – needs to exceed design standards to warrant  
26 overriding considerations. Have concerns SPARC will not be able to do anything once  
27 the PCD amend is approved – SPARC's hands will be tied – circumvents design review  
28 process.

29 Commissioner Dargie: Reviewed arguments for and against the project – needed retail  
30 and sales tax revenue vs. flooding and harming downtown. Not convinced by anything I  
31 have heard that it's a good place to have retail. Have not heard anyone for the project  
32 other than the movie theater and more retail. No one other than applicant says the project  
33 has merits. There are concerns regarding flooding – CEQA process was followed to the  
34 letter, however; still have concerns regarding adverse affect of flooding in Petaluma.  
35 Traffic will increase through downtown. This type of development must attract freeway  
36 traffic – our infrastructure not adequate to handle additional traffic – would be different if  
37 there was an overpass in the area. Too many questions remaining. Cannot support the  
38 project in its current form.

39 Council Member Healy: Believe there is an approvable project here somewhere.  
40 Flooding and traffic exhaustively analyzed. Petaluma needs additional retail to serve  
41 community. Agree that the project is too massive for the site. How can applicant change

1 design between the Planning Commission and City Council. Have concerns about views  
2 from Highway 101 – visual impact on Parcel B and the river setbacks. Amenities to the  
3 community can be obtained – portions dedicated to public use (remainder piece of Parcel  
4 B. Need to consider how properties on the other side of Petaluma Boulevard North will  
5 interact with development. Need more detail of how trolley will work. Access to  
6 Highway 101 is not ideal for retail without interchange. Auto mall has been successful  
7 and shares similar issues regarding access. Can operate without impacts to downtown –  
8 types of retail will not be in competition. Noted other cities with viable downtowns and  
9 chopping centers close by – share concerns that the applicant needs to have more  
10 meaningful responses to the Planning Commission.

11 Chair Barrett: I am frustrated with the EIR process – Planning Commission was told to  
12 discuss issues at the project level, however, now being told will be dealt with at SPARC.  
13 The project is too big, encroaches on the river and creeks, views. The applicant made no  
14 changes in response to Planning Commission comments. Noted mitigation measures to  
15 reduce bulk and mass. South side of Parcel B should be dedicated as open space.

16 Brad Stipe: The project is tenant driven – do not know tenants until the project approved  
17 – trying to have flexibility until tenants are known and then will design appropriately for  
18 tenants. Comments given were generic – if building are broken up it will hinder  
19 flexibility – out of 40 acres, Chelsea is only developing 25. Parking is equal to tenant  
20 requirements. Project is not in competition with downtown. The hydrology reports were  
21 sensitive to river and creek in the area south of Parcel B. Cannot do smaller stores like  
22 the village because it will be in direct conflict with downtown.

23 Council Member Healy: Wanted to discuss process options – spoke with the City  
24 Manager and project can have an early September council date (9/8). Can work with the  
25 City Manager and give the Planning Commission another opportunity to view the project  
26 after the applicant redesigns. Can also go to SPARC for a preliminary review.

27 Brad Stipe: Chelsea has already gone to preliminary SPARC and was asked why they  
28 were there – too early in the process.

29 Chair Barrett: Noted comments from the preliminary SPARC meeting last August –  
30 similar to the comments of the Planning Commission – no connections between parcels,  
31 too massive, architecture too busy, to Disneyland like.

32 Fred Etzel, Henn, Etzel & Moore: The applicant is trying to get national tenants – tenants  
33 will not talk until the applicant has the entitlement. Cannot design the project per tenant  
34 needs until tenants are known. Not sure how much the commission can advance this  
35 tonight – is evident that it will be a negative vote.

36 Council member Healy: What is the process if pushed back to Planning Commission at  
37 City Council?

38 George White: Chelsea is looking for a specific recommendation from the Planning  
39 Commission. The Planning Commission can recommend denial or approval of modified  
40 project.

1 Chair Barrett: Is the applicant willing to redesign?

2 Commissioner von Raesfeld: Can we make a motion to continue until the applicant has a  
3 more detailed SPARC review – meeting the requirements of what they are supposed to  
4 do.

5 George White: Would be a non action – not recommending for or against – would be no  
6 value in going to City Council.

7 Discussion followed between the commission and the applicant regarding options.

8 Commissioner McAllister: Is still the market driving design rather than the site driving  
9 the design. Do not want to give the applicant complete flexibility – do not want a store  
10 the size of Walmart. If this limits the applicant, that is too bad. Want the overall square  
11 footage reduced.

12 Commissioner Imm: Understand the applicant’s need for flexibility, however, why not  
13 propose 2-3 options with a mix of buildings and lower the mass.

14 Brad Stipe: Appreciate the idea, however, there are too many unknowns. Grading,  
15 parking, river, river walk and hydrology drive the design. Showed the locations of  
16 buildings and why they are pushed close to Highway 101. Story poles are approximately  
17 the same height as outlet mall. Is unsure how to implement rather than approve the PCD  
18 amendment with conditions.

19 Commissioner von Raesfeld: Propose multiple models with a range of square footage for  
20 SPARC and the Planning Commission to look at alternatives.

21 Chair Barrett: Project has changed because there will not be a theater on Parcel C. Some  
22 specific comments provided are that the project is too close to Deer Creek, doesn’t have  
23 150’ setback for the river, too much parking, too close to Highway 101, one large box.  
24 Like Council Member Healy’s suggestion.

25 Council Member Healy: Reviewed the processing options proposed earlier.

26 Brad Stipe: Would prefer the Planning Commission look at the PCD and not the design  
27 and aesthetic review. Want a decision to go to City Council, come back to the Planning  
28 Commission and then to SPARC.

29 Council Member Healy: If City Council approved and then the project came back to the  
30 Planning Commission – if approval what kind of direction would you want from the City  
31 Council for the Planning Commission.

32 Brad Stipe: Criteria based on square footage or site plan.

33 George White: What would you come back to the Planning Commission for?

34 Fred Etzel: Specific site plan design after entitlements from the City Council and secure  
35 tenants.

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1 There was further discussion regarding Chelsea's need for flexibility and the  
2 Commission's desire to have less square footage, less encroachment on the river and the  
3 view corridor from Highway 101.

4 Commissioner von Raesfeld: Suggested eliminating Chapter 5 of the PCD.

5 Brad Stipe: Referred to Section 5.3.4 and the drawings – would be ok.

6 M/S Commissioner von Raesfeld/Council Member Healy to continue until design review  
7 by SPARC and a modification to result in the loss of square footage.

8 George White: Want clarification – SPARC cannot make a final decision. Can do a  
9 preliminary review.

10 Council Member Healy: Can it go to SPARC and come back to the Planning  
11 Commission at a date certain.

12 Fred Etzel: What would be taken to SPARC?

13 Commissioner von Raesfeld: The applicant can make an effort to respond to setbacks,  
14 parking, massing. Present 2-3 scenarios of tenant mixes. Asking to approve a project  
15 and we don't know what it is.

16 Fred Etzel: Would prefer to have a vote and pass it on.

17 Commissioner Asselmeier: We have asked the applicant to reconfigure and present  
18 something better – believe we are at an impasse.

19 Chair Barrett: Suggested a joint SPARC and Planning Commission meeting, however,  
20 the applicant seems uninterested in making changes.

21 Commissioner Dargie: Will we have the option to go through the PCD?

22 George White: Yes.

23 Brad Stipe: The number of tenants and the massing are the issues. Can we modify PCD  
24 – possibly a minimum of 2 tenants, etc. and a reduction of square footage.

25 Commissioner McAllister: Would prefer a site plan like Commissioner Imm suggested  
26 instead of detail of removing elements from the PCD.

27 Council Member Healy: The issues are mainly on Parcel B. Show 2-6 configurations  
28 which can be illustrative.

29 Commissioner von Raesfeld: Present reasonably correct bubble diagrams. Work with  
30 staff and the City Manager and come back drawings and with revision to the PCD.

31 Dates suggested for SPARC, Planning Commission and City Council respectively were  
32 August 14, August 26 and September 15.

- 1 Commissioner McAllister: The river and Highway 101 setbacks are an important issue.
- 2 Chair Barrett: Agree with Commissioner McAllister, however, reducing square footage  
3 would provide for flexibility.
- 4 Council Member Healy: The Highway 101 issue is tied in with the massing. I need to  
5 reread the River Enhancement Plan regarding setbacks.
- 6 Commissioner von Raesfeld: Cannot analyze setback without quality of the design.
- 7 Commissioner Asselmeier: Other issues such as open space dedication need to be  
8 addressed.
- 9 Commissioner Imm: It would be helpful to have a best case, worse case and expected  
10 outcome scenario.
- 11 Chair Barrett: The River Enhancement Plan is a mitigation for floodplain – design  
12 placement can mitigate.
- 13 Brad Stipe: Cannot predict tenants like the outlet center.
- 14 Commissioner von Raesfeld: Suggested for Parcel B, present 3 alternatives with a  
15 minimum of 2 users. Parcel C present 1 alternative with a minimum of 2 users using the  
16 current Parcel C scenario as 1 alternative with 2 users. Do we want the applicant to come  
17 back with modifications to the PCD?
- 18 Brad Stipe: Would modify to reflect tonight’s meeting.
- 19 M/S Dargie/Asselmeier to continue to August 26, 2003 while the applicant works with  
20 staff and the City manager to amend the PCD to reflect tonight’s discussion, reduce the  
21 mass by breaking up the buildings. Alternative scenarios will go to SPARC for a  
22 preliminary review on August 14, 2003. 7-0.

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25 **II. FUTURE AGENDA ITEMS**  
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28 **III. LIAISON REPORTS:**  
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- 30 a. **City Council.** Approved the Downtown Theater District.
- 31 b. **SPARC:** Ridgeview, Lot came back for conditions, approved the Mary  
32 Isaac Center.
- 33 c. **Petaluma Bicycle Advisory Committee:** On July 9<sup>th</sup>, reviewed Sonoma  
34 Marin project; on 6/25 reviewed Neuendorf subdivision and Rockridge  
35 Pointe.
- 36 d. **Tree Advisory Committee:** Discussed the Paula Lane Development

37 **Adjournment:** 10:25 p.m.

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