



City of Petaluma, California

City Council Chambers

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Planning Commission Minutes

January 22, 2002, 7:00 P.M.

Commissioners: *Present:* Barrett, Dargie, Glass*, Monteschio, O'Brien, von Raesfeld, Vouri

* Chair

Staff: George White, Planning Manager
Jayni Allsep, Project Planner
Kim Gordon, Assistant Planner
Jane Thomson, Code Enforcement Officer
Anne Windsor, Secretary

ROLL CALL:

APPROVAL OF MINUTES: Minutes of January 8, 2002 meeting were approved as amended.

PUBLIC COMMENT: Dennis Teutsher, 220 Black Oak Drive: A big box retail sees Petaluma as one dimensional – proposal does not have a clear purpose. Project undermines flood control effort. What does project mean to neighbors in Penngrove? Project will add to traffic congestion. Does not take into account affordable housing. Do not agree to develop in the flood plain.

Geoff Cartwright, 56 Rocca Drive: Spoke about development in flood plain. \$35 million damages from flooding - \$35 million for channelization of the river. Think it is irresponsible to continue development in flood plain.

Stan Gold, 615 King Road: Concerned about downtown businesses. Big box merchants take away from small downtown businesses.

Diane Reilly Torres, Rainer Avenue: Presented Resolution 88-14 and Resolution 94-287 for the record. Referred to 50/50 split with Redwood Business Park on signalization at Old Redwood Highway and North McDowell Boulevard.

Patricia Tuttle Brown: Added to Bike Committee written comments – feel project is not pedestrian friendly. If requesting two General Plan Amendments, do it for the good of the community.

DIRECTOR'S REPORT: None.

COMMISSIONERS' REPORT: None

CORRESPONDENCE: Memo from Council Member Mike Healy was presented at places; letter from Nessco asking for continuance to March 26, 2002.

APPEAL STATEMENT: Within fourteen (14) calendar days following the date of a decision of the Planning Commission, the decision may be appealed to the City Council by the applicant or by any other interested party. If no appeal is made within that time, the decision shall be final. An appeal shall be addressed to the Council in writing and shall be filed with the City Clerk. Said appeal shall be accompanied by the appeal fee as specified by Resolution 92-251-N.C.S. as adopted by the City Council. The appeal shall state specifically the grounds for the appeal and the relief sought by the appellant.

LEGAL RECOURSE STATEMENT: Persons commenting orally or in writing are advised to raise all pertinent issues at this state of review so that possible solutions may be implemented or adopted at the earliest opportunity. If you challenge the action taken by the City of Petaluma in court, you may be limited to raising only those issues you or someone else raised during the public review process, or in written correspondence delivered to the City at or prior to the conclusion of the public review process.

OLD BUSINESS;

PUBLIC HEARING:

I. REDWOOD TECHNOLOGY CENTER by Basin Street Properties, corner of Old Redwood Highway and North McDowell Boulevard.

AP NOS: 007-411-7, 9, 11, 18 and 19; FILE NOS: GPA00001; REZ00001

Planner: Jayni Allsep

The applicant requests that the Planning Commission hold a Public Hearing on the Draft Environmental Impact Report (DEIR) for the Redwood Technology Center, an office and research & development campus that would include 262,500 gross square feet of office/R&D space and a 7,500 square foot restaurant pad, and forward a recommendation to the City Council on its adequacy. The applicant also requests a recommendation from the Planning Commission for the City Council to approve a proposal that includes a request for a General Plan Amendment to re-designate the 14.4-acre subject property from "Special Commercial" to "Special Industrial/Office Park"; and a rezoning request to replace the existing Highway Commercial (CH) District on Parcel A, and the Light Industrial (ML) District on Parcel B, to Planned Unit Development-PUD.

(continued from January 8, 2002).

Jayni Allsep, Project Planner: Gave an update on Redwood Technology DEIR, reiterated that public comment on the DEIR is closed, tonight the Planning Commission will be commenting on the DEIR.

Betty Andrews, Philip Williams & Associates, Ltd.: Gave a presentation on the MIKE 11 Hydrology Model.

Commission Comments:

Hydrology:

Commissioner Vouri: Felt hydrology was very well analyzed in DEIR. Two areas that I felt were inadequate regarding the hydrology element – I am not comfortable finding the DEIR adequate on a project that does not exist and the flows are “approximations” because the grading plan is yet to be determined for Parcel C (Pacific Theater parcel). There seems to be some kind of financial liability or impact on the City’s emergency services since it is the intent of this project that it flood on purpose and then if there are people working in the offices or parked cars in parking lots, then emergency services would rescue them because the parking lot would be a temporary detention basin. Would like to see a mechanism for the City to be reimbursed.

Commissioner von Raesfeld: Do not have significant comments regarding hydrology. We have to assume consultants were given proper information and direction – the difficulty is that we will not know if they right or wrong until it’s too late. We would have to be sure that this project would have no significant downstream impact.

Commissioner Barrett: I am also concerned about Parcel C and making a decision with just a scenario and not an actual project.

Jayni Allsep: Responded to concerns about Parcel C. When the Redwood Way Retail Center is evaluated under CEQA and if it is found that the assumptions for the development scenario used for the EIR were not correct, those issues will then be addressed during that project’s environmental review process before that project can go forward.

Commissioner Barrett: Referred to pg. 181, second paragraph “the Outlet Mall Expansion Project would by itself increase the flow rate and flood elevations in the Petaluma River”. How would we be looking at that comment in light of this DEIR? Asked about the wetlands.

Betty Andrews: Looked at both projects independently and then combined to see the effect of both together. The effects of the combined projects tracked almost exactly the effect of the Outlet Mall Expansion on its own. As a result the effect on the Petaluma River could be looked at as not being cumulative between the two.

Vin Smith: Responded to Commissioner Barrett’s question about the wetlands. A benefit to creating the wetlands is that we will be detaining water that would otherwise enter the watershed and Willowbrook Creek at a peak flood event.

Commissioner O'Brien: Thought the DEIR did an excellent job on mitigation of hydrology issues. Cumulative effects seem to be further reduced with the scaling back of the Factory Outlet Expansion.

Commission Dargie: Referred to Table 9 on pg. 174, regarding 100 year runoff and then when you go to Table 11, the percentages do not match up. Can you please explain.

Betty Andrews: Table 9 shows the amount of water that would be running off Parcel B just caused by changes on Parcel B. Table 11 shows the flow rate actually passing by the southeast corner of Parcel B at Holm Road which is the beginning of the Holm Road ditch – it's representing a larger runoff.

Commissioner Monteschio: If we continue to pave over our land, make detention ponds, and continue to channelize the water, when and how do our wells get recharged? I would like this to be answered in this DEIR.

Commissioner von Raesfeld: Referred to page 181, groundwater section seems skimpy to me and raises a couple of questions. Section 4A on groundwater reads "the project site represents .1% of the total area of the Petaluma Valley Groundwater basin" and it makes some conclusions from there – is this gross acreage and permeable acreage, ideal recharges vs. non-recharged area?

Commissioner Glass: In the Environment Impact Report it talks about zero net runoff as a Condition of Approval – I think that is absolutely necessary as a mitigation if this does become a project. Zero net fill is absolutely necessary. A paragraph that I found disturbing on Pg. 177, 3rd paragraph – "flood water that would flow through the project site has the potential to strand occupants and flood parked vehicles and would flood Redwood Way making the road impassable. Customer, employee and emergency vehicle ingress and egress would have to follow an alternative route. In some instances flood water could prevent evacuation of the project site." There is no mitigation. As a condition I find that unacceptable. I share Commissioner Vouri's comments when there is flooding to have a funding mechanism for reimbursement to the City for time spent by employees in event of a flood.

Commissioner O'Brien: Regarding flooding and stranding of customers and employees. The Outlet mall has detention ponds and to my knowledge no one has ever been stranded there.

Traffic:

Commissioner O'Brien: Project has been scaled back and applicant is paying traffic mitigation fees. Traffic is a regional problem – this project does not cause the traffic problems the City of Petaluma is experiencing presently.

Commissioner Dargie: Referred to Pg. 75 – asked about details of LOS of D as a benchmark. Study area has to be enlarged to include Penngrove.

Commissioner Monteschio: Analysis of 2006 assumed 101 is 6 lanes and Old Redwood Highway is widened to 4 lanes – very possible that it will not happen. Was Old Redwood Highway analyzed as only 2 lanes? Is there a standard about spacing of traffic lights?

Weinberger: Desirable not to have less than 500 feet.

Commissioner Monteschio: Need to include Penngrove. Would like analysis done on 101 not being widened and Old Redwood Highway as two lanes.

Commissioner Glass: Want to see a game plan for traffic – possible telecommuting, day care on site. Have concerns about formulas being used – if a fast food restaurant goes into Parcel C, want to see CUP. EIR talks about mitigations that should happen – should be shall. Identify how we pay regarding traffic. Traffic is a huge issue – how do we fund improvements – possibly redevelopment fund. Do not see how we can go forward making LOS worse than what already exists. Pg. 89 refers to retail generating more traffic – lacking in identifying how funds will be raised to mitigate traffic issues – specifically to Redwood Highway overpass.

Commissioner Barrett: Statement of intent is not enough. No discussion regarding bus service (pg. 11 Policy 1). Pedestrian connections – where are they coming from? Think this is a fundamental missing link. Bike path is not discussed either. Need to look further out – into Penngrove – heavily impacted area. Funding is critical – not all LOS F is equal. Traffic is weak – sympathize with engineer using old Modeling.

Commissioner Vouri: Avoiding the additional car trips per day – approximately 7,000 cars in one day in one spot. Concur the DEIR is not adequate in analyzing impact regionally. To have consistency with our projects – want to use the traffic model used for the General Plan. Assuming 101 to be 6 lanes is inaccurate. LOS in 1985 General Plan is level C – project mitigation is not in keeping with the General Plan. DEIR lists impacts at various intersections – 2005 without the project is same LOS as now, 2005 plus project LOS goes from B to D. Do not find traffic element adequate in description and mitigations.

Commissioner von Raesfeld: Do not have significant comments that have not already been raised.

Commissioner Glass: Parcel C sent a letter saying traffic fees too high. Concerned and relieved by Memo from Council member Healy.

Commissioner Dargie: Want to clarify that traffic should include Penngrove at Old Redwood and Main and Adobe and Main.

Commissioner Glass: Wanted to include Council Member Healy's memo into public record.

Commissioner von Raesfeld: Incorporate Parcel C into the Final EIR.

Commissioner Vouri: Made the following comments on a variety of issues:

- Population, employment and housing: Did not find EIR adequate in addressing the housing demands put on Petaluma by the project.
- Not adequate analysis on impact of possible blight on downtown business due to big box retail.
- More detailed analysis of water supply as requested by Sonoma County PR&D memo.
- Reiterate comments on groundwater recharge, 0.1 of entire valley – what is amount of annual recharge being removed due to paving?
- Impressed with proposal for wetlands – want to know how to turn dry wetland into wetland.
- Air quality impact – do not condone exceeding threshold of Bay Area Air Quality Mgmt. District – proper mitigation. If mitigation is to decrease traffic – am in agreement. If mitigation is to reduce square footage – do not agree.
- Would like a comp done regarding traffic – use Rhonert Park Home Depot as a traffic example.
- Virtual project – approach may be legal, it is fragmented – have analyzed proposed project, however, I don't know what the project is. Need specifics for Parcel C to make DEIR adequate.

Commissioner Barrett: Concur that we need to know what is proposed on Parcel C. Infrastructure, pg. 16 – purple pipe in addition to what has been suggested. Pg 20 – bothered by air quality because it relates to Parcel C – can make a Condition of Approval that there can be no drive-through fast food.

Commissioner Monteschio: Want analysis on General Plan amendment – will lose major tax dollars – want project to be beneficial to the City. Want mixed use to be looked at on this site.

Commissioner Dargie: Size and massing of buildings – what will project look like on this parcel – community character policies – does it address what may be blocked by the massing of the buildings?

Commissioner O'Brien: Parcel C – more or less impervious surface. Thought for a draft the EIR was very thorough.

Commissioner Glass: Had comments on several areas:

- Pg. 110 regarding water capacity – pg. 119 – concerns regarding water.
- Compliance for parks - pg. 117 – re: parks to population ratio.
- Pg. 122 – nowhere to put additional students – not mitigation I am happy with.
- Pollution – pg. 212 – size of project on parcel C – does not reduce emissions.
- Parcel C traffic generated – uncomfortable signing off when I can't analyze logically.

A motion was made by Commissioner Vouri and seconded by Commissioner Monteschio to bring final EIR back to Planning Commission.

- Commissioner O'Brien: No
- Commissioner Dargie: No
- Commissioner Monteschio: Yes
- Commissioner Glass: Yes
- Commissioner Barrett: Yes
- Commissioner Vouri: Yes
- Commissioner von Raesfeld: Yes

Public hearing opened on project merits:

Diane Reilly Torres, Rainer Avenue: Want Parcel C to be included. Referred to copy of Resolution adopted in 1989 – read excerpt. Do not agree with the merits of the project.

Stan Gold, 615 King Road: Couple of negatives. Need more retail and not more office space – there is a surplus of office space now. If project is office space, we need a housing element as well.

Public hearing closed:

Vin Smith: Gave an overview of the proposed project.

Commission comments:

Commissioner von Raesfeld: Extension of Redwood Way – public or private street?

Vin: 20 feet public and then private.

Commissioner von Raesfeld: Encourage private road? Need a component of project out on the street – define public domain vs. buildings.

Commissioner Vouri: Housing/jobs imbalance in the City. Cannot afford to be doing projects that are high density and not mixed use. Don't understand logic of not putting in housing. Disagree regarding noise issues – street frontage with mixed use/retail and apartments in the interior. Site begs for frontage on North McDowell. Problem with no housing – housing would mitigate some traffic issues. Question economic impact of adding more office space. August 1999 – comments from Ross Parkerson, Chair of Site Plan and Architectural Committee regarding amount of parking pavement on this site. Proposed light rail stop on McDowell – as part of mitigation of traffic that the project could contribute.

Commissioner Barrett: Need to look at what you wanted to do at Southgate and bring it here. Site begs for mixed use.

Commissioner O'Brien: Like the project and think it's an excellent gateway to the northern end of City. Don't see how it will affect downtown. Have not seen theatres flooding.

Commissioner Dargie: No comments outside DEIR.

Commissioner Monteschio: Need to meet requirements of pedestrian and bike committee – path for employees to walk and jog. Glass office buildings on west side facing 101 can potentially be dangerous due to glare. Don't like this look for northern end of Petaluma.

Commissioner Glass: Can traffic be mitigated with a daycare on Parcel C or mixed use?

Vin Smith: Need to address possible glare, redirect traffic to Stubb Road, less parking toward the street, mixed use.

A motion was made by Commissioner Dargie and seconded by Commissioner Monteschio to continue the project to a date uncertain.

All in favor:

- Commissioner O'Brien: Yes
- Commissioner Dargie: Yes
- Commissioner Monteschio: Yes
- Commissioner Glass: Yes
- Commissioner Barrett: Yes
- Commissioner Vouri: Yes
- Commissioner von Raesfeld: Yes

NEW BUSINESS;
PUBLIC HEARING;

II. BRIAN HEIM APPEAL
FILE NO: APL01001
Planner: George White

The appellant requests that the Planning Commission overturn a staff determination regarding accessory dwelling units.
(Continued from January 8, 2002)

Continued to February 12, 2002.

Commissioner Monteschio made a motion and Commissioner Barrett seconded it to continue the Brian Heim appeal to February 12, 2002.

All in favor:

Commissioner O'Brien: Recused himself
Commissioner Dargie: Yes
Commissioner Monteschio: Yes
Commissioner Glass: Yes
Commissioner Barrett: Yes
Commissioner Vouri: Yes
Commissioner vonRaesfeld: Yes

III. THOMAS FAMILY PARCEL MAP, 100 Douglas Street
AP NO. 008-161-007
FILE NO. TPM01004; VAR01001
Planner: Kim Gordon

The applicant is requesting approval of a 2-lot tentative parcel map and a variance from the required lot dimensions and setbacks of the Residential Compact (RC) Zoning District.

Kim Gordon presented the staff report.

Mark Friedman: Presented the proposed project.

Commissioner vonRaesfeld made a motion and Commissioner O'Brien seconded it to approve a 2-lot tentative map and a variance from the required lot dimensions and setbacks of the Residential Compact (RC) Zoning District.

All In favor:

Commissoiner O'Brien: Yes

Commissioner Dargie: No
Commissioner Monteschio: No
Commissioner Glass: Yes
Commissioner Barrett: Yes
Commissioner Vouri: Yes
Commissioner vonRaesfeld: Yes

**IV. NESSCO, INC. APPEAL, 110 Baylis Street.
AP NO.s 007-122-003 and 007-122-004
File No.s CUP #01011, APL #01002
Planner: Jane Thomson**

Appeal of four conditions of the Conditional Use Permit issued to Nessco, Inc. on November 8, 2001 relating to duration of permit (5 years), required installation of fencing and landscaping, required striping of a bike lane, and required installation of a bench.

Applicant requested a continuance to March 26, 2002.

COMMISSION BUSINESS:

V. Discussion of Agenda management, including the possibility of starting meetings earlier (Glass).

VI. LIAISON REPORTS:

- **City Council**
 - **SPARC**
 - **Petaluma Bicycle Advisory Committee**
 - **Tree Advisory Committee**
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VII. FUTURE AGENDA ITEMS.

Adjournment: 11:50