



**City of Petaluma, California**  
City Council Chambers  
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Petaluma, CA 94952

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**Planning Commission Minutes**  
**March 26, 2002 – 7:00 PM**

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

\* Chair

Staff: George White, Planning Manager  
Jane Thomson, Code Enforcement Officer  
Phil Boyle, Assistant Planner  
Joan Lamphier, Project Planner  
Anne Windsor, Secretary

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**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** Minutes of March 12, 2002 were approved as amended.  
M/S von Raesfeld/Dargie. 5-1 – Monteschio abstained.

**PUBLIC COMMENT:** John Chaney, 55 Rocca Drive: Commented on Redwood  
Business Park EIR. Need to depend on the City to enforce EIR's.

**DIRECTOR'S REPORT:** None.

**COMMISSIONER'S REPORT:** None.

**CORRESPONDENCE:**

**APPEAL STATEMENT:** Was read.

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

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**OLD BUSINESS:**

**PUBLIC HEARING:**

- I. NESSCO, INC. APPEAL, 110 Baylis Street.**  
**AP Nos: 007-122-003 and 007-122-004**  
**File Nos: CUP 01011, APL01002**  
**Project Planner: Jane Thomson**

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

5  
6 **Note: This item is continued from January 22, 2002.**

7  
8 Jane Thomson presented the staff report.

9  
10 Paul Marangella, Director of Economic Development and Redevelopment. Referred to  
11 Attachment 7 of the Staff Report regarding the critical nature of the property in question  
12 due to the property's location in the Central Petaluma Specific Plan, and along a gateway.

13  
14 Irv Piotrkowski, Legal counsel for the Applicant. Put forth two issues: is of the opinion  
15 that a Conditional Use Permit is not needed for open storage, and contests the need for  
16 conditions #1 (5 year limitation), #4 (fencing), #15 (bike lane) and #16 (bench). Alleged  
17 that no consideration was given to the historical use of the site. Asserted that Nessco was  
18 at the 101 East Washington Street property in 1997, and moved their entire operation to  
19 110 Baylis Street in 1999. Provided Planning Commission [only] with photos, and an  
20 historical account of the use of 101 East Washington Street from the turn of the century.  
21 Believes that substantial evidence exists that open storage has and can be used on this site  
22 and 110 Baylis Street, therefore the use by Nessco, Inc. is legal non-conforming, with no  
23 Conditional Use Permit necessary. Stated that it is unreasonable, unfair, and illegal to  
24 require Nessco to vacate the location after five years. If the business moved entirely  
25 indoors there would be no need for a Conditional Use Permit. Conditions #4, #15 and  
26 #16 are beyond what is required for a minor Conditional Use Permit. Protested the  
27 movement of the fence and installation of a bench was a dedication to public use. Even if  
28 it is determined that a Conditional Use Permit is required, conditions #1, #4, #15 and #16  
29 should not be required.

30  
31 Jane Thomson: Clarified that the required bike line would be entirely in the public  
32 right-of-way; and that it is a standard condition of approval to require front yard setback  
33 landscaping.

34  
35 **Public Comment opened:**

36  
37 Commissioner Barrett: Is there a retail store on the site?

38  
39 Ed Nessinger, 110 Baylis Street: Clarified, no retail sales.

40  
41 **Public Comment closed:**

42  
43 Commissioner von Raesfeld asked for clarification from the City Attorney's office as to  
44 whether this use could be considered a continuation of a pre-existing non-conforming  
45 use, thereby not requiring a new Conditional use Permit.

46  
47 M/S O'Brien, von Raesfeld to continue the Nessco Appeal to May 14, 2002.

1 All in favor:

2  
3 Commissioner O'Brien: Yes  
4 Commissioner Dargie: Yes  
5 Commissioner Monteschio: Yes  
6 Commissioner Glass: Absent  
7 Commissioner Barrett: Yes  
8 Commissioner Vouri: Yes  
9 Commissioner von Raesfeld: Yes

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12  
13 **OLD BUSINESS:**

14 **PUBLIC HEARING:**

15  
16 **II. REDWOOD EMPIRE SPORTSPLEX, 2530 East Washington Street.**

17 **AP No: 136-070-031**

18 **File No: CUP98035**

19 **Project Planner: Phil Boyle**

20  
21 Applicant is requesting approval of a Conditional Use Permit for a sports complex  
22 consisting of six lighted softball fields, batting cages, volleyball courts, and  
23 concession stands. The complex will include a two-story clubhouse with a  
24 restaurant, sports bar, video game room, and second level deck.

25  
26 **Note: This item is continued from February 26, 2002.**

27  
28 Commissioner von Raesfeld recused himself.

29  
30 Phil Boyle presented the staff report.

31  
32 **Public comment opened:**

33  
34 John Mills, 1315 D Street: Wanted to stress how important it is to approve this project  
35 for the City. Parks and Recreation Commission approved as well as the City Council.  
36 Urged the Planning Commission to approve the project this evening.

37  
38 Marty Hronec, Glacier Street: Would like to have a decision from the Planning  
39 Commission this evening.

40  
41 Diane Reilly Torres, Rainer Avenue: In favor of the project. Wanted to know how much  
42 RESA will be paying for water.

43  
44 Marty Hronec: Will be paying the going rate.

45  
46 Jim Carr, Parks & Recreation Director: Referred to other municipalities that have ball  
47 fields near airports and have no reported problems regarding the lights.

1 Elizabeth Reifler, 620 East Washington Street: Represent Juan Colorado and his mother  
2 who reside next to the subject property. Objections that were raised at the previous  
3 meeting still stand.

4  
5 This project would not be a problem if it were not in the urban separator – not consistent  
6 with General Plan – the use is too intense. Objects to the club house being two-stories  
7 and the hours of operation. Adoption of a Mitigated Negative Declaration and an EIR  
8 should be done before the project is approved. Believe it is not consistent with open  
9 space of the General Plan. Project as it stands will take away the character of my client’s  
10 home as it is now. Concerned about her client having to pay for the evidence that a  
11 drawn down test is necessary regarding water levels. Wants a solid fence, the clubhouse  
12 moved and limiting the hours.

13  
14 Juan Colorado, 2454 East Washington: Reiterated issues brought up previously –  
15 property values, water, and a sound barrier.

16  
17 **Public comment closed:**

18  
19 Marty Hronec: Responded to Mr. Colorado’s comments.

20  
21 Commissioner Barrett: Asked Mr. Hronec if he was willing to move the clubhouse.

22  
23 Marty Hronec: Is not willing to move the clubhouse. Draw down test will be done  
24 before construction begins.

25  
26 Juan Colorado: Raised issues regarding the water – would like to have in writing that we  
27 will have water.

28  
29 **Commission discussion:**

30  
31 Commissioner Monteschio: Stated her frustration and would like to see the project move  
32 forward.

33  
34 Commissioner O’Brien: Feel the City has attempted to deal with Mr. Colorado’s issues,  
35 however, the issues seem to change. Would like to see the project move forward.

36  
37 Commissioner Dargie: Thought the issue of the lighting has been dealt with as well as  
38 water for the Colorados. Would like to see the project move forward.

39  
40 Commissioner Vouri: Would like condition that the applicant provides a liaison to the  
41 airport regarding the lighting. Applicant has agreed to put beacons on top of the lights.  
42 Timing of drawn down test is significant – would like a condition that it is done in  
43 August when water is down the most. Do not find language in the lease for the condition  
44 regarding mitigations. If the well is not functioning as measured – not comfortable with  
45 the language. Drawing capabilities of today to be what is measured. Want a number or  
46 percentage that is a trigger point for mitigation by the applicant.

1 Curt Bates: Clarified when the drawn down test is typically done. Sonoma County  
2 standard is October. Do not think it is feasible to come up with a percentage to put into  
3 the Conditions of Approval. *Current capacity of 28,000 gals. Per day would have to be*  
4 *depleted to 750 gals. Per day (750 gals. is required by County Code for a residence).*

5  
6 Mike Moore: Read the lease and referred to the City's outside water resolution.

7  
8 Commissioner O'Brien: Do not think Planning Commission has the authority to make a  
9 Condition of Approval to change the language of the lease.

10  
11 Commissioner Barrett: Main issues traffic, lighting and the urban growth boundary.  
12 Would like to see a condition of approval that the Colorado's water does not have to  
13 decrease to 2 ½ percent to have a drawn down test.

14  
15 M/ Vouri no second, to adopt a Mitigated Negative Declaration with a finding that well  
16 drawn down test be done in August and that the trigger point for mitigation be a loss in  
17 performance of 20% as measured from it's first draw.

18  
19 M/S Dargie/O'Brien to adopt a Mitigated Negative Declaration finding that the project,  
20 with the inclusion of mitigation measures, will not have a significant adverse effect on  
21 the environment and approve the Redwood Empire Sportsplex Conditional Use Permit,  
22 subject to the draft findings and recommended revised conditions of approval.

23  
24 All in favor:

25  
26 Commissioner O'Brien: Yes

27 Commissioner Dargie: Yes

28 Commissioner Monteschio: Yes

29 Commissioner Glass: Absent

30 Commissioner Barrett: No

31 Commissioner Vouri: No

32 Commissioner von Raesfeld: Recused

33  
34  
35 **Findings for Approval of a Mitigated Negative Declaration:**

- 36  
37 1. That based upon the Initial Study, potential impacts resulting from the project  
38 have been identified. Mitigation measures have been proposed and agreed to by  
39 the applicant as a condition of project approval that will reduce potential impacts  
40 to less than significant. In addition, there is no substantial evidence that supports  
41 a fair argument that the project, as conditioned and mitigated, would have a  
42 significant effect on the environment.
- 43  
44 2. That the project does not have the potential to affect wildlife resources as defined  
45 in the State Fish and Game Code, either individually or cumulatively, and is  
46 exempt from Fish and Game filing fees because it is proposed on an existing  
47 developed site surrounded by development with none of the resources as defined  
48 in the Code.

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3. That the project is not located on a site listed on any Hazardous Waste Site List compiled by the State pursuant to Section 65962.5 of the California Government Code.
4. That the Planning Commission reviewed the Initial Study and considered public comments before making a recommendation on the project.
5. That a Mitigation Monitoring Program has been prepared to ensure compliance with the adopted mitigation measures for the proposed use at this location.
6. That the record of proceedings of the decision on the project is available for public review at the City of Petaluma Planning Division, City Hall, 11 English Street, Petaluma, California.

**Findings of Approval for a Conditional Use Permit:**

1. That the project, as conditioned, will conform to the requirements and the intent of the Zoning Ordinance. The proposed use is allowed with the approval of a conditional use permit under Section 5-403 of the Zoning Ordinance, which includes “private recreation areas, uses and facilities of a low impact, predominantly open space nature, including, but not limited to, country clubs, swimming pools, and golf courses.”
2. That the proposed use, as conditioned, will not constitute a nuisance or be detrimental to the public welfare of the community. Traffic, noise and lighting studies assert that the project will not have a significant adverse effect on the environment. The architectural and landscaping plans will be subject to the review and approval by the Site Plan and Architectural Review Committee to ensure that the project will be aesthetically pleasing.
3. That the proposed use, as conditioned, will conform to the requirements and intent of the Section 26-500, Conditional Use Permits, and with Section 20-300, Number of Parking Spaces Required, of the Zoning Ordinance.
4. That the proposed project has complied with the requirements of CEQA through the preparation and adoption of a Mitigated Negative Declaration prepared for this project, which addresses the potential environmental impacts associated with its development, and no further environmental analysis is necessary

**CONDITIONS OF APPROVAL:**

**From the Planning Department**

1. Approval of a Conditional Use Permit is granted to allow construction of a sports complex which includes six lighted softball fields for day and night games, 4 sand volleyball courts, 3 soccer fields (one full size and two smaller fields), a batting

- 1 cage facility, a tot lot and concession stands, bleachers, lighted scoreboards,  
2 picnic area, parking facilities, and a two-story, 8,000 sq. ft. clubhouse. The  
3 clubhouse will include a full service restaurant, bar and banquet facility, pro shop,  
4 and video game room. The operation of the uses shall be in substantial  
5 compliance to those stated in the Applicant's Project Statement revised February  
6 13, 2001. Any significant change in the operation of the uses shall be subject to a  
7 Conditional Use Permit modification.  
8
- 9 2. All mitigation measures adopted in conjunction with the Mitigated Negative  
10 Declaration for the Redwood Empire Sportsplex project are herein incorporated  
11 by reference as conditions of project approval.  
12
- 13 3. The sportsplex shall operate between the hours of 8 a.m. to 11 p.m. daily. *The*  
14 *batting cages shall operate no later than 9 p.m.* Any modification of these hours  
15 shall be subject to the approval of the Director of Parks and Recreation. Special  
16 events shall be allowed per the requirements of the City Zoning Permit process.  
17 To the extent feasible, field lights shall be turned off on fields that are not in use.  
18
- 19 4. *Prior to issuance of a building permit the applicant shall designate in writing to*  
20 *the City of Petaluma Planning Department an individual to act as a liaison to*  
21 *between RESA and the City of Petaluma Municipal Airport to resolve any issues*  
22 *regarding operation of RESA and the airport.*  
23
- 24 5. Prior to issuance of a building permit, the operator of the facility will be required  
25 to meet all of the requirements of the City of Petaluma's Landscape Water  
26 Efficiency Standards.  
27
- 28 6. The operator of the facility will be required to irrigate the fields at night when  
29 demand for water is low.  
30
- 31 7. On field #1 (the field closest to East Washington Street) a "limit flight ball" shall  
32 be used to reduce the chance of balls landing on East Washington Street. The  
33 Director of Parks and Recreation shall approve the type and use of this ball.  
34
- 35 8. Plans submitted for building permit shall include field lights with warning  
36 beacons on top of the light standards to alert pilots.  
37
- 38 9. Plans submitted for building permit shall include a plan sheet, which shall contain  
39 all conditions of approval/mitigation measures for review by the Planning  
40 Division.  
41
- 42 10. All construction activities shall comply with the Uniform Building Code  
43 regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing  
44 walls, bracing parapets, etc.).  
45
- 46 11. All construction and operation activities shall comply with applicable  
47 Performance Standards in the Petaluma Zoning Ordinance and Municipal Code.  
48

- 1 12. All construction equipment powered by internal combustion equipment shall be  
2 properly muffled and maintained to minimize noise. Equipment shall be turned  
3 off when not in use.  
4
- 5 13. Construction maintenance, storage, and staging areas for construction equipment  
6 shall avoid proximity to residential areas to the maximum extent practicable.  
7 Stationary construction equipment, such as compressors, mixers, etc., shall be  
8 placed away from residential areas and/or provided with acoustical shielding.  
9 Quiet construction equipment shall be used when possible.  
10
- 11 14. The applicant shall designate a Project Manager with authority to implement the  
12 mitigation measures who will be responsible for responding to any complaints  
13 from the neighborhood, prior to issuance of a building/grading permit. The  
14 Project Manager shall determine the cause of noise complaints (e.g. starting too  
15 early, faulty muffler, etc.) and shall take prompt action to correct the problem.  
16
- 17 15. Architectural detail, lighting plans, landscaping plans, specifications on parking  
18 lot layout and detailed site plans shall be subject to review and approval by the  
19 Site Plan and Architectural Review Committee prior to issuance of building  
20 permits.  
21
- 22 16. During non-working hours, open trenches and construction hazards within the  
23 public right-of-way shall be provided with signage, flashers, and barricades  
24 approved by the Public Works Department to warn oncoming motorists,  
25 bicyclists, and pedestrians of potential safety hazards.  
26
- 27 17. All road surfaces shall be restored to pre-project conditions after completion of  
28 any project-related utility installation activities. All trench pavement restoration  
29 within existing asphalt streets shall receive a slurry seal.  
30
- 31 18. The project shall be subject to the payment of applicable City Special  
32 Development Fees prior to the issuance of a building permit.  
33
- 34 19. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide and  
35 maintain current emergency contact information on file at the Police Department.  
36
- 37 20. For all construction activities, potential to uncover unknown archaeological  
38 resources exist. Should any artifacts, cultural remains, or potential resources be  
39 encountered during construction activities, work in the area of the find shall cease  
40 and the construction contractor shall notify the Community Development  
41 Director. Archaeological features include artifacts of stone, shell, bone, or other  
42 natural materials. Association with artifacts includes hearths, house floors, and  
43 dumps. Historic artifacts potentially include all by-products of human land use  
44 greater than 50 years of age. Human burials, if encountered, require the  
45 notification of the County Coroner in addition to the monitoring archaeologist.  
46 The City shall consult with qualified cultural resource specialist to evaluate the  
47 find. If the suspected remains are determined to be potentially significant, all  
48 work in the vicinity shall be halted until mitigation measures are incorporated into

- 1 the design, or the removal of the resource has been accomplished in accordance  
2 with recommendations by the archaeologist. The applicant shall comply with all  
3 mitigation recommendations of the archaeologist prior to commencing work in  
4 the vicinity of the archaeological find. The applicant shall be responsible for all  
5 costs associated with consulting a cultural resource specialist and with  
6 implementation of mitigation measures.  
7
- 8 21. The applicant shall be required to obtain all required permits from responsible  
9 agencies and provide proof of compliance to the City prior to issuance of grading  
10 or building permits or approval of improvement plans.  
11
- 12 22. The applicant shall notify all employees, contractors, and agents involved in the  
13 project implementation of the mitigation measures and conditions applicable to  
14 the project and shall ensure compliance with such measures and conditions.  
15 Applicant shall notify all assigns and transfers of the same.  
16
- 17 23. Mitigation measures required during construction shall be listed as conditions on  
18 the building or grading permits and signed by the contractor responsible for  
19 construction.  
20
- 21 24. Within five days of an approval of the Conditional Use Permit, the applicant shall  
22 submit a check in the amount of \$35.00 payable to the Sonoma County Clerk for  
23 the Notice of Determination filing fee.  
24
- 25 25. Trash enclosure screens shall be protected from vehicular movements with  
26 minimum three-foot wide curbed landscape buffers, and shall be designed to  
27 conform with all specifications of the City Trash Enclosure Screen Design  
28 Standards including placing roofs on all new trash enclosures.  
29
- 30 26. The site shall be kept cleared at all times of all garbage and debris. No outdoor  
31 storage shall be permitted without an amendment to this Conditional Use Permit.  
32
- 33 27. At no time shall future business activities exceed Performance Standards specified  
34 in the Uniform Building Code, Section 22-301 of the Petaluma Zoning Ordinance,  
35 and the 1987 City of Petaluma General Plan.  
36
- 37 28. Any signage to be erected shall be subject to staff review and approval. All signs  
38 must be in conformance to Section 21-204 of the Zoning Ordinance.  
39
- 40 29. All exterior light fixtures shall be shown on plans subject to staff review and  
41 approval. All lights attached to the buildings shall provide a soft "wash" of light  
42 against the wall and shall conform to City Performance Standards.  
43
- 44 30. All planting shall be maintained in good growing condition. Such maintenance  
45 shall include, where appropriate, pruning, mowing, weeding, cleaning of debris  
46 and trash, fertilizing and regular watering. Whenever necessary, planting shall be  
47 replaced with other plant materials to insure continued compliance with  
48 applicable landscaping requirements. Required irrigation systems shall be fully

1 maintained in sound operating condition with heads periodically cleaned and  
 2 replaced when missing to insure continued regular watering of landscape areas,  
 3 and health and vitality of landscape materials.  
 4

5 31. This use permit approval may be recalled to the Community Development  
 6 Department for review at any time due to complaints regarding lack of  
 7 compliance with conditions of approval, traffic congestion, noise generation, or  
 8 other adverse operating characteristics. At such time, the Community  
 9 Development Department may add/modify the Conditional Use Permit conditions  
 10 of approval.  
 11

12 32. The applicants/developers shall defend, indemnify and hold harmless the City of  
 13 any of its boards, commissions, agents, officers and employees from any claim,  
 14 action or proceeding against the City, its boards, commissions, agents, officers or  
 15 employees to attack, set aside, void or annul the approval of the project when such  
 16 claim or action is brought within the time period provided for in applicable State  
 17 and/or local statutes. The City shall promptly notify the applicants/ developers of  
 18 any such claim, action or proceeding. The City shall coordinate in the defense.  
 19 Nothing contained in this condition shall prohibit the City from participating in a  
 20 defense of any claim, action, or proceeding if the City bears its own attorney's  
 21 fees and costs, and the City defends the action in good faith.  
 22

23 **From the Bicycle Advisory Committee:**  
 24

25 33. In accordance with the Bicycle Plan and the Petaluma Municipal Code, the  
 26 applicant shall provide the following bicycle/pedestrian facilities shown in the  
 27 table below prior to issuance of a building permit.  
 28

BICYCLE/PEDESTRIAN FACILITY	MINIMUM NUMBER REQUIRED BY BIKE PLAN
Covered Bicycle Parking Spaces	67
Interior Bicycle Parking Spaces	8
Clothes Lockers	10
Showers	2
Picnic Benches	19-adjacent to the club house and the concession stands
Drinking Fountains	6 (one at each field)

29  
 30 34. Prior to Certificate of Occupancy the applicant shall install a Class II bike lane as  
 31 part of the East Washington Street frontage improvements, per City of Petaluma  
 32 standards.  
 33

34 35. Plans submitted for building permit shall include on-site facilities for food storage,  
 35 preparation and eating accessible to all employees.  
 36

37 36. Plans submitted for building permit shall provide appropriate curb cuts throughout  
 38 the development to provide for bicycle access.  
 39

- 1 37. Under no circumstances should any pesticide/herbicide be applied in areas used by  
2 pedestrians/bicyclists anywhere in this project or the surrounding area without  
3 appropriate signage.  
4
- 5 38. This project shall utilize Best Management Practices regarding pesticide/herbicide  
6 use and fully commit to Integrated Pest Management techniques for the protection  
7 of bicyclists and pedestrians.  
8
- 9 39. The owner/lessee shall provide a simple one-page document to the City naming a  
10 designated "transportation coordinator" and describing specific incentives for  
11 employees and customers to walk/bicycle to the facility thereby encouraging  
12 alternatives to driving cars to this facility. Examples include lending bicycles for  
13 short errands, monetary or other rewards for not driving, etc. The City, prior to  
14 issuance of the Certificate of Occupancy, shall receive this documentation.  
15

16 **From the Engineering Division:**

17  
18 **Utilities and Surface Water Management:**

- 19
- 20 40. The Water Resources and Conservation Department is requiring a privately  
21 constructed, owned and operated on-site well for project irrigation purposes until  
22 reclaimed waste water is available. An initial and annual well draw-down test per  
23 Sonoma County standards shall be performed by the applicant to determine  
24 impacts on adjacent wells and submitted to the City of Petaluma for review. The  
25 applicant is responsible for mitigating all water supply impacts to affected  
26 properties per the RESA Lease Agreement.  
27
- 28 41. The City of Petaluma is responsible per item 6 of the lease agreement "Capital  
29 Costs and Improvements" for extending potable water, recycled water, and sewer  
30 services to the project site. The applicant can either 1) install the sewer, water  
31 and recycled water services to the project site at his cost and enter into a  
32 reimbursement agreement or 2) the City can go through the design consultant and  
33 general engineering contractor hiring process. The Engineering Division shall be  
34 contacted upon approval of the conditional use permit application to discuss this  
35 item.  
36
- 37 42. Once recycled water is available for site irrigation purposes, water from the  
38 private well shall not be used for irrigation and the well shall be abandoned at the  
39 applicants expense per Sonoma County standards. The onsite irrigation system  
40 should be designed to meet future wastewater system requirements and shall be  
41 subject to review and approval of the Water Resources and Conservation  
42 Department.  
43
- 44 43. A private storm drain easement shall be obtained for portions of the proposed  
45 storm drain system located on the parcel to the north, adjacent to East Washington  
46 Street (APN: 136-070-021). The easement shall be submitted to the Engineering  
47 Division for review and approval prior to building permit issuance and  
48 improvement plan approval.  
49

1 44. The project shall comply with all federal, state and local storm water quality  
2 requirements. A notice of intent (NOI), storm water pollution prevention plan  
3 (SWPPP) and an interim erosion and sediment control plan shall be submitted to  
4 the Engineering Division for review and approval. Implementation of industry  
5 standard post construction best management practices (BMP's) are required per  
6 the City of Petaluma Community Development Department.

7  
8 45. All onsite utilities shall be privately owned and maintained.

9  
10 46. The storm drain system shall be reviewed and approved by the Sonoma County  
11 Water Agency and the Engineering Division prior to building permit and  
12 improvement plan approval.

13  
14 47. An encroachment permit is required for the portion of proposed storm drain  
15 system located within the public right-of-way.

16  
17 **Frontage Improvements:**

18  
19 48. Frontage improvements along the project parcel frontage shall be installed prior to  
20 issuance of Certificate of Occupancy. Improvements shall consist of, but not be  
21 limited to, half street reconstruction, roadside drainage improvements, bike lane,  
22 separated pedestrian access, landscaping/irrigation, streetlights, East Washington  
23 Street re-channelization/stripping, etc.

24  
25 49. Re-channelization of East Washington Street within and outside of the limits of  
26 the project frontage is required, prior to issuance of Certificate of Occupancy.  
27 Improvements shall consist of, but not be limited to, left turn lane in and left turn  
28 acceleration out taper, right turn out acceleration taper and right turn in  
29 deceleration lane, 12-foot through travel lane(s), transition lanes and a 6-foot wide  
30 bike lane. All striping/channelization shall be subject to the approval of the City  
31 of Petaluma. It is recommended that the applicant's engineer contact the  
32 Engineering Division prior to preparation of any formal striping/channelization  
33 plans to discuss horizontal alignment.

34  
35 50. The project shall be consistent with all requirements of the City of Petaluma  
36 Engineering Department "Traffic Impact Analysis Cottonwood/Ball Park/RESA"  
37 dated March 1992 and the letter from W-Trans Transportation Inc. dated February  
38 23, 2001.

39  
40 51. Project striping/alignment shall be consistent with the existing "Science of the  
41 Souls" project located across E. Washington in the County of Sonoma.

42  
43 **Miscellaneous:**

44  
45 52. The applicant shall submit off-site improvement plans for all off-site construction  
46 work as a separate plan set to the Engineering Division for review and approval.  
47 All improvements shall be installed and accepted by the City prior to issuance of a  
48 certificate of occupancy. An improvement agreement, performance and payment

- 1 bonds as well as general liability and worker's compensation insurance  
2 certificates are required prior to commencement of construction.  
3
- 4 53. All existing overhead utilities located within the project parcel frontage shall be  
5 placed underground prior to Certificate of Occupancy.  
6
- 7 54. A Geotechnical Investigation Report for the project shall be submitted to the  
8 Engineering Division prior to the issuance of a grading permit.  
9
- 10 55. The minimum asphalt thickness for an arterial street is six inches.  
11
- 12 56. The applicant shall address on-site water and sewer services at the building permit  
13 application stage.  
14
- 15 57. The applicant shall submit an erosion and sediment control plan for all on-site and  
16 off-site work prior to issuance of a grading permit.  
17
- 18 58. A separate water meter for domestic and irrigation services is required and shall  
19 be shown on plan submitted for building permit.  
20
- 21 59. The fire service water line shall be capable of delivering a continuous fire flow as  
22 required by the Fire Marshal's office. Provide fire flow calculations to the  
23 Engineering Division at the time of building permit submittal.  
24
- 25 60. Any existing wells not retained and/or subsurface sanitary wastewater disposal  
26 systems shall be removed and/or abandoned per County of Sonoma Department  
27 of Permit and Resource Management standards.  
28

29 **From the Fire Marshal's Office.**  
30

31 The following conditions shall be shown on plans submitted for building permit.  
32

- 33 61. The building(s) shall be protected by an automatic fire sprinkler system as  
34 required by the Uniform Fire Code and shall be provided with central station  
35 alarm monitoring, which will notify the Fire Department in the event of water  
36 flow. In addition, a local alarm shall be provided on the exterior and interior of  
37 the building.  
38
- 39 62. Contractors shall submit to the Fire Marshal's office evidence that the required  
40 fire flow of gpm is available at the proposed structure.  
41
- 42 63. Any building constructed in excess of 150 ft. from a public way, where an  
43 approved 20-ft. driveway cannot be provided, shall be protected with a fire  
44 sprinkler system in accordance with NFPA-13.  
45
- 46 64. Any building, where the furthest portion of an exterior wall is constructed in  
47 excess of 150 ft. from a public way, shall be provided with an unobstructed, 20 ft.  
48 wide, all weather, access road having a vertical clearance of 13 ft. 6 inches.

- 1  
2 65. Required access roads that dead-end shall terminate in an approved emergency  
3 vehicle turn-around.  
4  
5 66. The minimum fire flow for this project is 2500 gpm at 20 pounds per sq. in.  
6 Proof that required fire flow is available shall be supplied to the Fire Marshal  
7 prior to construction.  
8  
9 67. The applicant shall install fire hydrants every 300 linear feet. No structure or fire  
10 department sprinkler connection shall be in excess of 150 ft. from a fire hydrant.  
11  
12 68. Approved emergency exiting is required from all public assembly areas in  
13 accordance with the Uniform Building Code and State Fire Marshal Regulations.  
14  
15 69. The clubhouse shall meet all fire, life, and panic safety requirements in  
16 accordance with State and local codes and ordinances.  
17

18 **From the Police Department:**

- 19  
20 70. The complex shall have private security during large tournaments/events, per item  
21 17, Personnel, of the RESA Lease Agreement.  
22

23 Within fourteen (14) calendar days following the date of a decision of the Planning  
24 Commission (March 26, 2002), the decision may be appealed to the City Council by the  
25 applicant or by any other interested party. If no appeal is made within that time, the  
26 decision shall be final. An appeal shall be addressed to the City Council in writing and  
27 shall be filed with the City Clerk. The appeal shall state specifically the grounds for the  
28 appeal and the relief sought by the appellant. The appeal fee as specified by Resolution  
29 92-251 N.C.S. as adopted by the City Council shall accompany said appeal. Any future  
30 changes to the approved design plans shall require approval by the Community  
31 Development department.  
32

33 In any case where a conditional use permit has not been used within one (1) year after the  
34 date of granting thereof, the permit shall be revoked unless (30) days prior to the one (1)  
35 year expiration date, renewal of the permit for an additional period of not more than one  
36 (1) year shall be approved by the Community Development Department. If after the one  
37 (1) year extension period has expired, a conditional use permit has not been used, then  
38 without further action the permit shall be revoked and be null and void.  
39

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40  
41 **NEW BUSINESS;**  
42 **PUBLIC HEARING;**  
43

44 **III. PETALUMA VILLAGE MARKETPLACE EXPANSION (Factory Outlet**  
45 **Center), 2200 Petaluma Boulevard North.**  
46 **AP Nos: 007-391-009; 048-080-038**  
47 **FILE No: PRE02001**  
48 **Project Planner: Joan Lamphier**

1  
2 The applicant is requesting that the Planning Commission hold a Public Hearing  
3 on the Draft Subsequent Environmental Impact Report (DSEIR) for the proposed  
4 expansion of the Petaluma Village Marketplace (Factory Outlet Center).

5  
6 Mike Moore, Community Development Director: Introduced Joan Lamphier, the Project  
7 Planner for the draft subsequent EIR. Mentioned this hearing was for the subsequent  
8 Draft EIR and not the merits of the project.

9  
10 Joan Lamphier, Project Planner: Presented the staff report.

11  
12 Matt Connolly, Consultant to Chelsea Property Group: Gave some history of Chelsea  
13 Property Group and the proposed project.

14  
15 **Commission questions:**

16  
17 Commissioner Dargie: Asked for greater detail on the detention basin. Also asked if  
18 they were adequate? If there are toxic materials, how are they removed?

19  
20 Betty Andrews, Consultant: Did not have the detail on the size of the basins. Did feel  
21 that they are adequate.

22  
23 Matt Connelly: Addressed the issue of materials being removed from the detention basin.

24  
25 **Public comment opened:**

26  
27 Pat McShane, 34 Myrtle Court: Member of the Payran-McKinnley neighborhood area.  
28 Flooded in 1982. Referred to Ms. Andrews statement that hydrology numbers vary from  
29 test to test. Would like someone to come and speak to the Payran-McKinnley  
30 neighborhood. Referred to traffic model – need to consider all project as opposed to one  
31 at a time.

32  
33 John Cheney, 55 Rocca Drive: Have been flooded before. We are finally looking at a  
34 final flood project – would like to see that in the EIR. Would like to see the new traffic  
35 model run. Referred to a pipe on Corona Road. Do not want the proposed parking lot for  
36 Redwood Technology Center flooding.

37  
38 Stan Gold, King Road: Referred to riparian habitats. This will compete with downtown  
39 business. Have not looked at cumulative effect. Encourage downtown merchants and the  
40 public to comment.

41  
42 Dusty Resneck, 110 Purrington Road, Petaluma Pedestrian & Bicycle Committee:  
43 Committee took a field trip with Matt Connelly to the site. Provided comments to the  
44 Planning Commission. Do not feel it is suitable for development – should be left as open  
45 space for the general public. Referred to Chapter 10 – permanent irreversible change.

46  
47 David Keller, 1327 I Street: Sorry to see this project back again – think the SDEIR is  
48 inadequate. Most of the City did not know that this was taking place. A project of this

1 importance merits the maximum effort to notice the meeting. Hope that this is continued  
2 with enough time to notify downtown merchants. Document is insufficient – a lot of  
3 information missing – zoning; Westside Specific Annexation Plan is needed; need to be  
4 able to access the streets; Option 3 has no map; maps provided are poorly reproduced; no  
5 accounting for failure of mitigation of wetlands. Does not talk about remediation of past  
6 failures; how relating to wildlife corridors; not compliant with CEQA requirements;  
7 access to Corona Road has been ignored in this document; no map regarding the internal  
8 circulation. Applicant is providing 3 options, however, will pick what they want after the  
9 process is complete – project needs to be defined clearly. Wetland survey left out  
10 railroad property. Changed drainage conditions have changed the wetlands – need new  
11 wetland survey. Nothing about cumulative development in the area. On hydrology –  
12 decision is a public policy decision – is this a risk we are willing to take? The answer  
13 should be no. Taxes will go to redevelopment. No details of evacuation plan – no plans  
14 for river access. Water supply – no documentation about how water will be used and  
15 where it will come from. What are sewer loads, gas and electric – what are the usages?  
16 What about solid waste – generation and disposal. Biological impacts – no mapping of  
17 the wetlands – wetlands delineation was done in June and July – should be done now  
18 through May. Only considers 5 special status animals. Surveys for fish species need to  
19 be done during higher flows. Protected species were not considered at all. Setbacks from  
20 the river and creeks – 30 feet is not adequate. River enhancement plans quotes 50 to 100  
21 feet. No planning detail on bridges. New access road going through an Oak Grove  
22 Preservation zone – in direct conflict with the Specific Plan and the General Plan. Water  
23 quality is not addressed. Feel this project has no merits to the city. Propose a central  
24 park.

25  
26 Geoff Cartwright, 56 Rocca Drive: Has not been sufficient notification for this project.  
27 Detention ponds that are in the flow are ineffective. Development is using up the water  
28 supply – will supply be reduced and will we have to pay more? Cumulative effects of  
29 traffic have not been dealt with – traffic effects go beyond the City's limits.

30  
31 M/S Dargie/ von Raesfeld to continue to April 23, 2002.

32  
33 Commissioner Barrett asked for Conditions of Approval for DEIR; Executive Summary  
34 of the DEIR and the River Enhancement Plan.

---

35  
36 **IV. LIAISON REPORTS:**

- 37  
38 • **City Council:** None  
39 • **SPARC:** Approved Whole Foods and Poultry Processing.  
40 • **Petaluma Bicycle Advisory Committee:** Looking for funds for Bike to  
41 Work Week.  
42 • **Tree Advisory Committee**

43  
44  
45 Adjournment: 11:05 PM

46  
47 S:\PC-Planning Commission\Minutes\032602.doc