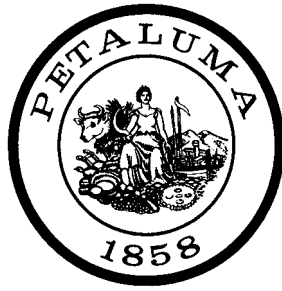


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**City of Petaluma, California**  
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3 **Planning Commission Minutes**  
4 **April 22, 2003 – 7:00 PM**

5

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

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9 \* Chair

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11 Staff: Mike Moore, Community Development Director  
12 George White, Assistant Director, Community Development  
13 Tiffany Robbe, Associate Planner  
14 Anne Windsor, Administrative Secretary

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17 **ROLL CALL:**

18

18 **PLEDGE OF ALLEGIANCE:**

19

19 **APPROVAL OF MINUTES:** Minutes of April 8, 2003 were approved as amended.  
20 M/S Asselmeier/Dargie – 6-0.

21

21 **PUBLIC COMMENT:** None

22

22 **DIRECTOR'S REPORT:** None

23

23 **COMMISSIONER'S REPORT:** None

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24 **CORRESPONDENCE:** Memo from City Manager, Memo from Pamela Tuft.

25

25 **APPEAL STATEMENT:** Was read.

26

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

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29 Public hearing began: @ 7:05

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31 **OLD BUSINESS:**

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33 **I. PETALUMA VILLAGE MARKETPLACE FINAL SUBSEQUENT**  
34 **ENVIRONMENTAL IMPACT REPORT, 2200 Petaluma Blvd. South North**

35

35 AP No(s): 007-391-009 & 035; 007-401-043 & 044; and 048-080-033, 038 &  
36 039

1           **File No(s): REZ02001**  
2           **Planner: Betsi Lewitter**

3  
4           Review and recommendation to City Council of the Petaluma Village  
5           Marketplace Final Subsequent Environmental Impact Report (FSEIR). (Note:  
6           the public comment period for the Draft SEIR ended on February 3, 2003. The  
7           Planning Commission will only review the FSEIR and forward a recommendation  
8           to the City Council).

9  
10          Betsi Lewitter presented the staff report.

11  
12          Commissioner Asselmeier: Asked for a summary of the statement of overriding  
13          considerations would be.

14  
15          Betsi Lewitter: Do not know yet.

16  
17          Chair Barrett: Pg. R-10 – referred to groundwater modification as supplemental source  
18          for water supply. What is major supply?

19  
20          Betty Andrews: Ground water is not main supply – is now Russian River..

21  
22          Public comment opened:

23  
24          David Keller, I Street: Suggested the FSEIR was inadequate – was not responsive to all  
25          the comments, such as the economic and physical impacts to downtown. Additionally,  
26          no response to the need for low income housing. No discussion of the cumulative impact  
27          of this project and other foreseeable projects. Flood information being prepared should  
28          be included – didn't respond to flooding issues. Questioned General Plan consistency.

29  
30          Eileen Morris, 421 1/2 –8<sup>th</sup> Street: Response to Living Wage Coalition opinion  
31          inadequate. Was traffic considered for employees who work here and cannot afford to  
32          live in Petaluma? Look at the cost to the city for social services, etc. in addition to the  
33          revenue that it will generate. Passed out a “Low Income Housing for Everyone” report to  
34          the Commission. To survive in Petaluma you need to make \$21/hr.

35  
36          Hank Flum: Concerns with flooding of the north property, Parcel C. Does the FSEIR  
37          deal with mitigations of flooding – does not show proof.

38  
39          Public comment closed.

40  
41          Commissioner Asselmeier: Asked John Courtney to respond to public comments  
42          regarding flooding of existing structures on Parcel A and additional trips generated by  
43          employees of the mall, physical effects of the development on downtown.

44  
45          John Courtney, Lamphier & Gregory: Focus of the FSEIR was not physical impact of  
46          downtown. Do not know what the retail mix will be at the proposed outlet – would be  
47          too speculative. Referred to letter J in the EIR.

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Betty Andrews: Flood elevations are shown in the FSEIR. Developed new estimates of a 100-year flood elevation through entire project site.

Commissioner Asselmeier: Would mitigations reduce impact to the existing development?

Betty Andrews: Was not focus of the FSEIR to reduce flooding on Parcel A.

Steve Weinberger, W-Trans: Industry standard methodology used – includes trips by customers, deliveries and workers.

Council Member Healy: Referred to Page 9 of the staff report regarding the type of retail proposed for the project. Downtown retail space is generally smaller. If there any information on potential tenants for the outlet?

Brad Stipe, Chelsea Property Group: Cannot be specific on the tenants because the project has not yet been approved. Looking for tenants with a larger space needs than downtown.

Thomas Laugero, Keegan & Coppin: Discussed retail tenants for the outlet versus a downtown retail tenant.

Council Member Healy: Living wage responded to, however is a serious issue - how does commission deal with the housing issue?

Mike Moore: Living wage difficult to deal with from a CEQA standpoint– is speculation because tenants are not known.

Council Member Healy: Is an issue for the community, however, since applicant is not asking for redevelopment funds is difficult. Page 5-12, Table shows FEMA flood elevations, page 326 – refers to zero net fill. Which flood elevations referred to in the FSEIR?

Betty Andrews: City’s no net fill looks at FEMA flood elevations.

Wayne Leach, CSW Stueber-Stroeh: Zero net fill calculations are based on a higher flood level.

Gary Imm: How much higher are floor elevations of the new buildings?

Wayne Leach: 2 ft. above 100-year water surface elevation.

Commissioner Dargie: In 100-year flood, would the bridge to the existing development be under water?

Betty Andrews: Do not know - did not look at for this FSEIR.

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Commissioner Dargie: Will there be a flooding impact, even if minor.

Betty Andrews: Yes

Commissioner Dargie: Was the mitigation imposed storage in the parking lot?

Betty Andrews: Yes – zero net fill to make sure adequate storage of water, based on modeling results – very small change in net effort.

Commissioner Dargie: Re: ingress and egress – how was it determined that 2 access points were sufficient – how much study was done regarding emergency vehicle access?

Steve Weinberger: Was determined two access points would be enough – regarding peak traffic. Emergency access would depend on the design of the bridge.

Chair Barrett: Did EIR address emergency access on the bridges?

Steve Weinberger: Only addressed traffic impacts.

Betsi Lewitter: There is an emergency access from Corona Road at the rear of the property.

Matt Connolly: Corona was built at a higher elevation and the bridge was designed for traffic to pull off on the shoulder.

Commissioner Dargie: Did EIR include traffic impacts regarding reasonable foreseeable projects.

Mike Moore: At the time of the DEIR for Chelsea - CPSP was only in a draft form; no application for the Johnson property; Deer Creek has only come for a preliminary SPARC review. From a CEQA standpoint comparing this project and the CPSP – too speculative at this point. Cumulative analysis looks at build out potential of general plan land use designations.

Commissioner McAllister: Cumulative impact – is that regarding flooding and traffic.

Mike Moore: Yes.

Commissioner McAllister: Re: flooding on the bridges, pg. R13 – what is elevation?

Betty Andrews: Do not have information.

Commissioner McAllister: R-5 – if bridge is not designed – does it delay the environmental review of the bridge?

Betsi Lewitter: Other agencies would impose mitigation measures.

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Commissioner McAllister: Re: general plan consistency – sounds like conformance is a matter of opinion. How does it enhance Petaluma and the downtown – there is a range of opinion – how does this relate to a CEQA approval.

Betsi Lewitter: This is up to the decision makers – is a modification to an already approved project.

Chair Barrett: Approval of Parcel A was contingent on Parcels B & C being consistent with the General Plan.

Commissioner McAllister: Wanted a more balanced presentation on General Plan consistency. Is this in conformance with the River Enhancement Plan?

Betsi Lewitter: A few deviations, however, could be dealt with conditionally when you are reviewing the project.

Commissioner McAllister: Disturbed that the document says the project is in conformance with the River Enhancement Plan. Would a statement of overriding consideration be necessary regarding traffic?

Mike Moore: If impacts are significant and unavoidable, would require statement of overriding consideration.

Commissioner McAllister: Pg. R17 – what is revision on mitigation?

Betty Andrews: Only a single detention basin.

Commissioner Asselmeier: Where does the project stand regarding unfunded mitigation measures – where is the City on funding the necessary traffic improvements.

Mike Moore: In determining adequacy of the EIR – it is up to the commission to determine if impacts are significant and unavoidable if they are not funded. Can discuss or recommend fair share contributions for capital improvement projects.

Commissioner Asselmeier: Asked the status of capital improvements for a cross-town connector.

Mike Moore: The City Council has placed an unspecified crosstown connector on the Capital Improvement Plan.

Commissioner Asselmeier: What if mitigations don't prove out for flooding – what can the City do to protect tenants and customers? Is mitigation open for reassessment?

Mike Moore: City's floodplain development regulations are what applies – these are base on federal standards and we take a step higher. No net fill requirements address this issue.

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Commissioner Imm: Reviewed all of the material. What are parameters of traffic model?

Steve Weinberger: Standard methodology – based on square footage of use or acres of site or number of units if residential. Range varies by size of the center – is usually an average number – range is plus or minus 10%.

Commissioner Imm: Could there be just one large store?

Mike Moore: Yes, theoretically.

Commissioner Imm: Referred to letters from Fish and Game

John Courtney: Responded to all comments.

Chair Barrett: No mitigation for removal of a 16”diameter old oak to build the bridge.

John Courtney: Was not identified as a significant impact.

Commissioner Asselmeier: No additional mitigations added after the comments.

John Courtney: There were some modifications, however, there were no new impacts or mitigations.

Commissioner Asselmeier: If we move forward – are we approving 5 structures – is that subject to revision later.

Mike Moore: Commission has discretion to condition the project. Could be possible through SPARC process to modify. If it was a significant change affecting the PCD, may have to come back to Planning Commission or Council.

Commissioner Asselmeier: Want to know if traffic study was based on maximum densities so if there are changes at a later date, we have considered all the issues.

Mike Moore: If there are significant changes, it could and would be brought back dependent on the changes.

Break @ 9:10

Resumed @ 9:25

Council Member Healy: Issues raised – such as setbacks – would that be a Condition of Approval or mitigation in the EIR.

Mike Moore: Would be a Condition of Approval for the project.

1 Council Member Healy: Believe SEIR is adequate and recommend certification by the  
2 Council.

3  
4 Commissioner Dargie: Questions have been answered – agree document is complete and  
5 recommend certification.

6  
7 Commissioner McAllister: Not satisfied with some of the responses and mitigations. Do  
8 not know where mitigations leave off and conditions of approval take up.

9  
10 Chair Barrett: What about EIR questions that are not project related – lack of  
11 responsiveness to low cost housing and the impact of the project on housing in Petaluma.

12  
13 Mike Moore: EIR is an informational document – not intended to address all of the  
14 issues raised. If document is determined adequate, you can forward a recommendation to  
15 the Council to adopt a living wage.

16  
17 Commissioner Imm: Were questions answered and enough information given - is this  
18 what we are recommending if we recommend certification?

19  
20 Commissioner McAllister: If SEIR is adequate and the project changes, what happens to  
21 the EIR?

22  
23 Mike Moore: If you address impacts, hopefully you will not make the impacts worse.

24  
25 Commissioner Asselmeier: Not 100% comfortable what the project is so SEIR is not  
26 100% on point. Do not want to end up with one massive retail tenant. Do not want to  
27 undermine the CPSP in approving this project. Also, have traffic concerns. Do not know  
28 if this is adequate.

29  
30 Chair Barrett: FSEIR very disappointing – took a minimalist view. Cannot pick and  
31 choose discussion of economic basis.

32  
33 Council Member Healy: Indicated that the Council appreciated the Planning  
34 Commission’s input and hoped that the Commission wouldn’t preempt themselves from  
35 commenting on the project, as they had on recent projects, by not recommending  
36 certification of the FSEIR.

37  
38 Commissioner Asselmeier: Asked if the Planning Commission would review the project  
39 if they did not recommend certification.

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41 George White: Not unless the City Council sent the project back to the Planning  
42 Commission.

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2 M/S Healy/Dargie to forward a recommendation to the Council to certify the FSEIR,  
3 5-1.

4  
5 Council Member Healy: Yes  
6 Commissioner Dargie: Yes  
7 Commissioner McAllister: Yes  
8 Chair Barrett: No  
9 Commissioner von Raesfeld: Absent  
10 Commissioner Asselmeier: Yes  
11 Commissioner Imm: Yes  
12

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13  
14 **NEW BUSINESS;**  
15 **PUBLIC HEARING;**

16  
17 **II. MODIFICATION OF RIVER OAKS/PETALUMA FACTORY OUTLET**  
18 **VILLAGE MASTER PLAN FOR EXPANSION (PETALUMA VILLAGE**  
19 **MARKETPLACE), 2200 Petaluma Blvd. ~~South~~ North**

20 AP No(s): 007-391-009 & 035; 007-401-043 & 044; and 048-080-033, 038 &  
21 039

22 **File No(s): REZ02001**

23 **Planner: Betsi Lewitter**

24  
25 The applicant is requesting approval to amend the previously approved Planned  
26 Community District (PCD) Master Plan Program to expand the existing Petaluma  
27 Village Marketplace on to adjoining parcels to the north and south of the existing  
28 center.  
29

30 Betsi Lewitter presented the staff report.

31  
32 Brad Stipe, Chelsea Property Group: Gave a history of the project and presented the  
33 proposed modifications to the project.

34  
35 Darrell Hebenstreit, Architects Orange: Presented the site plan and elevations of the  
36 project.

37  
38 Phil vanderToolan, Landscape Architect: Presented the landscape plan for the project.  
39

40 Council Member Healy: Do the plans include comments from SPARC in August, 2002  
41 and are you asking approval for retail space on Parcel C.

42  
43 Brad Stipe: Some changes were made as a result of SPARC. Asking approval for  
44 everything.

45  
46 Commissioner McAllister: Suggest visual simulation of the drive by view.  
47

1 M/S Dargie/Asselmeier to continue to May 27, 2003, 6-0.  
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5 **III. FUTURE AGENDA ITEMS.** None  
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8 **IV. LIAISON REPORTS:**  
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- 10       **a. City Council:** Approval for Mary Isaac Center. County-wide task force  
11       on Work Force Housing.  
12       **b. SPARC:** St. Vincent's playground; preliminary review of Basin Street  
13       proposal for the downtown cinema.  
14       **c. Petaluma Bicycle Advisory Committee:** Working on a flyer to improve  
15       paths on Washington Creek; presentation by Bay Area Ridge Council.  
16       **d. Tree Advisory Committee:** Approved maintenance guideline for oak  
17       saplings at Baker Ranch subdivision.  
18

19 Adjournment: 10:52  
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