



City of Petaluma, California
City Council Chambers
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1
2 **Planning Commission Minutes**
3 **December 9, 2003 – 7:00 PM**

4
5 Commissioners: *Present:* Asselmeier, Dargie, Healy, McAllister, Rose, von Raesfeld
6 *Absent:* Barrett

7 * Chair

8
9 Staff: Mike Berman, City Manager
10 George White, Assistant Director, Community Development
11 Betsi Lewitter, Project Planner
12 Anne Windsor, Administrative Secretary
13

14
15 **ROLL CALL:**

16 **PLEDGE OF ALLEGIANCE:**

17 **APPROVAL OF MINUTES:** Minutes of November 25, 2003 were approved as
18 presented. M/S von Raesfeld/Healy.

19 **PUBLIC COMMENT:** None.

20 **DIRECTOR'S REPORT:** The applicant for the Southgate project is requesting a
21 special meeting on December 16th. There was discussion among Commissioner's
22 regarding availability for a special meeting on December 16, 2003. Dargie, Healy, Rose
23 and von Raesfeld were available for a special meeting. Commissioner McAllister was not
24 available. Commissioner Asselmeier: As a commission, we are not doing the public a
25 service to have a meeting this close to the holidays and the materials seem to be in flux –
26 would prefer to reschedule. My schedule would allow, though it is not my first choice,
27 would prefer to move to January 27th.

28 Matt White: Basin Street has been working with the City Manager to locate a new fire
29 station and that parcel would be given to the City.

30 Council Member Healy: The Fire Station is a City priority, suggest we have a meeting.
31 M/S to have a special meeting on December 16, 2003. 4/2, Barrett absent; Dargie, Healy,
32 Rose, von Raesfeld – yes. Asselmeier and McAllister - no.

33 Letter at places that was received from Pomeroy regarding the Caulfield extension.

34 **COMMISSIONER'S REPORT:** None

35 **CORRESPONDENCE:** None.

36 **APPEAL STATEMENT:** Was noted on the agenda.

1 **LEGAL RECOURSE STATEMENT:** Was noted on the agenda.
2

3
4 Public hearing began: @ 7:00
5

6 **PUBLIC HEARING:**

7 **NEW BUSINESS:**
8

9 **CONSENT CALENDAR:**
10

11 Consent Calendar items are typically routine in nature and are considered for approval
12 and/or recommendation by the Planning Commission with a single action. The Planning
13 Commission may remove items from the Consent Calendar for discussion. If members of
14 the public wish to comment on Consent Calendar items, they should do so during “Public
15 Comment.”
16

17 **I. EXTENSION OF CAULFIELD LANE, Caulfield Lane between Lakeville**
18 **Street and Hopper Street**
19 **AP No.: 005-060-031**
20 **City Engineer: Craig Spaulding**
21

22 Request for a recommendation from the Planning Commission to the City Council
23 to approve the Precise Plan Line for the future right-of-way of Caulfield Lane
24 from Lakeville Street to Hopper Street.
25

26 Council Member Healy: Wanted to discuss the item. Is there a need for the City to
27 exhibit Eminent Domain? Would like more information than what was presented.

28 Craig Spaulding: Discussed the extension and right of way with property owner’s
29 engineer and other departments. We believe the City has done due diligence. Mike
30 Haas, former Traffic engineer looked at the alignment and agreed it would work with
31 some striping.

32 Commissioner Asselmeier: Is the property owner agreeable?

33 Craig Spaulding: Yes

34 Public comment opened:

35 David Keller, I Street: CPSP committee was to be notified of any projects within the
36 Central Petaluma Specific Plan. The committee was not noticed on this item. The
37 committee requests that this happen – want to provide comments.

38 Public comment closed:

39 M/S Healy/von Raesfeld that the City Council move forward for the Plan Line of the
40 Caulfield Lane extension. Would like more information on the Plan Line at the time of
41 Council review. 6-0, Barrett absent.
42

1 **OLD BUSINESS:**

2
3 **II. PETALUMA VILLAGE MARKETPLACE, 2200 Petaluma Blvd. North**
4 **AP No.: 007-391-009, 048-080-038**
5 **File: REZ02001**
6 **Planner: Betsi Lewitter**
7

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

13 This item is continued from July 22, 2003, August 26, 2003, September 23, 2003,
14 and October 28, 2003.
15

16 M/S Healy/Asselmeier to reopen public comment. 6-0, Barrett absent.
17

18 Brad Stipe, Chelsea Property Group: Presented changes to the project since the October
19 28, 2003 meeting.
20

- 21 • Parking reduction. Made 30% of the parking compact, which reduced impervious
22 surface. Transferred 40 spaces to Parcel C – the difference between 4.75/1000
23 and 5/1000. Parking was removed from the view corridor.
- 24 • Conform to River Enhancement Plan setbacks. Referred to the River
25 Enhancement Plan, no maximum setback listed. Kept 150' setback and reduced
26 the more sensitive areas to 110'. Have met the City's guidelines for setbacks in
27 the River Enhancement Plan.
- 28 • Parcel B alternatives. This is difficult to do since it needs to be based on tenant
29 criteria. Have shown one configuration for 130,000 sq. ft. of retail.
30 Configuration can change based on the tenant.
- 31 • Parcel C configuration. Also 1 of many different combinations – do not know
32 users.
- 33 • Improving circulation. Makes sense to use the current configuration. Enhanced
34 Village Drive view corridor to provide connection to east-west connection.
- 35 • Hardscape. Was reduced by 64,000 sq. ft. by reducing parking and use of
36 compact spaces.
- 37 • Consider vegetated swales on Parcel C – have already done this.
- 38 • Provide average setback analysis – have provided and are in compliance with the
39 River Enhancement Plan for river and creeks.
- 40 • Describe effect of taking fill from Parcel B to C. Civil Engineer will address this.
- 41 • Stake 100' and 150' river setbacks on Parcel B: Have done this and hope the
42 Commissioners have gone out to see.
43

44 Brad Stipe: Feel we have made adjustments in the last two revisions and the City
45 Manager supports these changes.
46

1 Commissioner von Raesfeld: What is 12' flexible access way?

2

3 Brad Stipe: We left unlabeled, the width and location is tenant driven. Is intended for
4 the trolley.

5

6 Commissioner Asselmeier: Describe plaza area and east west connection.

7

8 Brad Stipe: Will be addressed during SPARC for design details, we envision a large
9 plaza area. Parking has been removed on the east west connector and we enhanced the
10 connection by reducing hard scape and increasing landscaping. North/South connection
11 to look like a road and not a service road.

12

13 Commissioner Asselmeier: Will the trail cross Deer Creek at the end of "dedicated
14 parcel"?

15

16 Brad Stipe: Trail will follow the railroad tracks south of Deer Creek to most southern
17 portion of Parcel B.

18

19 Commissioner Asselmeier: What are sensitivities and will you put in a crossing at Deer
20 Creek?

21

22 Brad Stipe: That portion of trail has very dense growth so cutting a bridge would be
23 difficult since most comments were to respect the sensitivities of the site and there is
24 already a permanent crossing at the northern end of Parcel B.

25

26 Commissioner Asselmeier: What are the greatest changes on Parcel C?

27

28 Brad Stipe: Tenants for Parcel C are more than likely under 65,000 sq. ft. We are talking
29 to people in the 25,000 sq. ft. range.

30

31 Commissioner Rose: Asked what the effect would be for moving fill from the triangular
32 piece on Parcel B to Parcel C.

33

34 Wayne Leach: Approximately 1700 yards will be taken from triangular parcel and used
35 to raise pads on Parcel C. About 7/10th of an acre will be graded. This will be outside of
36 vegetated areas. about 30,000 sq. ft above top of bank and outside the drip line. The
37 deepest cut is 2', which is a small portion.

38

39 Commissioner Rose: This is approximately 30,000 sq. ft.

40

41 Wayne Leach: Correct.

42

43 Commissioner Asselmeier: Is all the earth movement outside the 200' setback on the
44 triangular piece of Parcel B?

45

46

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1 Wayne Leach: Preliminarily it is at least outside of the 150' setback. Grading is allowed
2 within the setbacks.

3

4 Commissioner Rose: Approximately the size of one of the buildings on Parcel C.

5

6 Wayne Leach: Cuts are fairly minimal.

7

8 Commissioner Asselmeier: What restoration is done once the fill is moved?

9

10 Wayne Leach: Hydro seeding to restore to what is out there now. Will be part of
11 footprint of wetland restoration.

12

13 Commissioner Asselmeier: Will this be under the Army Corps permit – that some areas
14 will become wetlands.

15

16 Wayne Leach: Yes

17

18 Commissioner von Raesfeld: Do you anticipate striping and replacing topsoil?

19

20 Wayne Leach: Yes.

21

22 Commissioner McAllister: You put up 2 exhibits which are different than what is in the
23 packet. Could you pass these out? I am confused about the parking calculations – do not
24 think that was in the packet.

25

26 Brad Stipe: Clarified the exhibits in the packet and provided a copy of the alternative
27 plan for Parcel C.

28

29 Commissioner McAllister: Also, I want to understand the intent of the frontage road –
30 does it go beyond the bridge or end at Deer Creek?

31

32 Brad Stipe: It is the connection up to the outlet center. In the General Plan it extends
33 beyond Deer Creek to the southwestern corner of the triangular piece.

34

35 Commissioner McAllister: I did not think roads were intended there.

36

37 Council Member Healy: Can the existing bridge over Deer Creek accommodate the
38 trolley?

39

40 Brad Stipe: Cannot answer at this time due to structural ramifications.

41

42 Council Member Healy: Could Capri Creek structure accommodate the trolley?

43

44 Brad Stipe: Would try to accommodate that.

45

1 Council Member Healy: Might be in competition with an access road. Walked the
2 property and understand the point about the vegetation in the location of Deer Creek
3 where PBAC wanted a crossing.

4
5 Commissioner Asselmeier: Can you give assurance that the east west portion will remain
6 a certain width to be a view corridor. Can this really be a plaza and maintain a particular
7 width? Did not see this in PCD development guidelines.

8
9 Brad Stipe: Can dictate and preserve that there will not be parking in the plaza area.
10 Also, would not have a problem with a minimum width.

11
12 Commissioner Asselmeier: Want staff to weigh in on the minimum width. Can this
13 happen on Parcel C also?

14
15 Brad Stipe: Suggested looking at Page 20 of 41 in Development Agreement.

16
17 Commissioner Asselmeier: You will agree to a minimum width and no parking along
18 side it?

19
20 Brad Stipe: Yes.

21
22 Commissioner Asselmeier: Can we extend this to Parcel C. Can you include a visibility
23 corridor and maintain a minimum width?

24
25 Brad Stipe: Can maintain a minimum width. This is a longer lease tenant and we have
26 no tenants in line yet. Parcel C is much more variable. There can be a separation
27 between two buildings, cannot say what that is right now.

28
29 Commissioner Asselmeier: Since you are not sure what will go in on Parcel C – do you
30 know what the public amenities be on this portion of the site.

31
32 Brad Stipe: Since it will not be a theater, we have not had discussion with other possible
33 tenants. May be retail or a restaurant. Will need to be elevated 5-6 feet, will be a
34 specialized tenant and will have to have some amenities.

35
36 Commissioner Asselmeier: Would make strong recommendation to SPARC to make
37 sure there are similar public amenities as on Parcel B.

38
39 Brad Stipe: Regarding architecture – have removed statement that it should look like
40 outlet stores. Feel this will be up to SPARC – we are asking for a vote tonight.

41
42 Public comment opened:

43
44 David Keller, I Street: Retail leakage study showed this as the last site for retail. No
45 substantiation that it will bring in needed sales tax to the City. There is no accounting for
46 taking away local business. Need to ask for a fiscal impact report. Bridge over Deer
47 Creek was done by Chelsea and is not wide enough for the trolley - need to make it

1 wider for the trolley and pedestrians. Freeway frontage road to Corona was taken out.
2 Not a good site for accessibility. Circulation from Parcel B to C is really obscure. Will
3 be an extra burden to Petaluma Boulevard North. Army Corps has not received a
4 response to the 404 permit; no water budget for the wetlands; runoff from the triangular
5 piece will not be enough for wetlands. On layout of roads – there is an adopted plan line
6 for Rainier – it goes through the restoration portion so this would mean deleting the plan
7 line. On comments regarding vegetated swales, referred to map on pg. 26. Goes directly
8 into the creek – no vegetated swale. Text 5.3.4 also needs to be adjusted. Have never
9 responded to the concerns about new flood elevations. Entrance and pads on Parcel A are
10 not under the new 100-year flood elevations. There was nothing in print as to how this
11 will be addressed – who will accept this liability, the tenants or the City. Elevations
12 jeopardize the City’s liability insurance. No compensation for the loss of parking
13 downtown – need a condition of approval to provide parking downtown. Want
14 information on wetlands. Page 3 of staff report, no improvements to Petaluma Boulevard
15 North. How do people who don’t have cars get there? There is not even a bus stop. We
16 need new retail but not here. Recommend denying the PCD modification

17
18 John Cheney, 55 Rocca Drive: Needs to stay a hay field. We have spent 41 million
19 dollars on flood fix. Will not have another FEMA map until the flood fix is completed.
20 Do not want something approved that will flood downstream neighbors. This is the
21 wrong place for this development.

22
23 Stan Gold: Commission is being asked to accept a situation that cannot be mitigated.
24 There will be a cumulative traffic impact that is not mitigatable. Applicant says we can
25 only go this far and the Planning Commission pushes further. If applicant cannot comply
26 with the General Plan and the River Enhancement Plan, the project should not be done.
27 Is not up to the City to find a way and means to do this project. Need to be consistent
28 with the General Plan and the River Enhancement Plan.

29
30 Matt Connelly: This is a good project for the City of Petaluma. Project is in the
31 redevelopment area. Chelsea is a good company and can attract tourism dollars.
32 Applicant is trying to allow for flexibility; they are only asking for a modification to
33 their existing entitlement. There are a small number of people opposed. The majority of
34 citizens would be in favor. Request that the commission approve this project and move
35 it on to the City Council.

36
37 Maxine Durney, 198 Ely Road: Am here on behalf of the Valley Oaks. They are
38 disappearing all over California. On this property there are oaks that are regenerating.
39 Do not want to remove these trees in favor of Chelsea. Want to go to the site with
40 Chelsea to point out these Valley Oaks. Mitigation of wetlands – almost none that are
41 artificially reproduced are successful.

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43 Public comment closed:

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45 Break @ 8:50.

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47 Resumed @ 9:00.

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Commission Questions:

Commissioner Asselmeier: I have concerns about traffic mitigations. The City does not seem to have a plan in place. What improvements will this applicant have to do other than a traffic light?

Betsi Lewitter: Chelsea property does not actually front on Petaluma Boulevard North.

Commissioner Asselmeier: Do we have a mechanism for requiring improvements? The impact is on Petaluma Boulevard North and we do not have a way of requiring this development to share in improvements. Will there be traffic mitigation fees?

George White: Yes.

Commissioner Asselmeier: Asked for restrictions on the parcel south of Parcel B. What can and cannot happen in the area south of Deer Creek?

George White: The commission can make a recommendation to the City Council.

Commissioner Asselmeier: I would like that property maintained as an amenity.

Council Member Healy: If there was a frontage road to be developed, will it extend beyond Deer Creek?

George White: There is no specific plan for that.

Commissioner McAllister: The restrictions that were outlined by Mike Bierman – can those be incorporated into conditions?

George White: Yes:

Commissioner McAllister: As a result of comments from outside agencies, the project could change.

Betsi Lewitter: The project would not go forward if there were substantial changes.

Commissioner McAllister: What kind of changes would bring it back to the Planning Commission?

George White: It's hard to speculate – usually able to resolve issues in the entitlement process.

Commissioner McAllister: What if there was a comment that made it prohibitive to develop as proposed?

1 George White: If the project is smaller and less intensive, it would not need to come
2 back to the Commission.

3
4 Commissioner Asselmeier: The Conditions of Approval regarding energy – how does
5 this apply to LEED?

6
7 George White: Is not that extensive – would be at the direction of SPARC. We are
8 trying to develop a green building program.

9
10 Commissioner von Raesfeld: Referred to page 1 of the staff report regarding parking on
11 Parcel B – is not reflected in the development code.

12
13 **Commission Discussion:**

14
15 Commissioner Rose: I have concerns regarding removing fill from Parcel B to Parcel C
16 and the creation of wetlands. Zero net fill is not my only concern. The effect on Parcel
17 B will still be substantial. I am not certain that the idea of creating an open space on the
18 triangular portion of Parcel B is a concept that we could qualify. That amount of 30,000
19 sq. ft. of surface area – not probable it will be recreated in a recognizable form.

20
21 Council Member Healy: Can we create a performance standard for wetlands?

22
23 George White: Yes.

24
25 Council Member Healy: We can give direction to staff to come up with wording and
26 compliance.

27
28 George White: Are you suggesting something above and beyond what is in the
29 mitigation monitoring?

30
31 Commissioner Asselmeier: What happens if it does not turn out the way we suggest?

32
33 George White: Work with agencies to ensure it happens. If there is a problem, can come
34 back to the Planning Commission.

35
36 Commissioner Asselmeier: Where will the water come from to make this a viable
37 wetland?

38
39 Commissioner McAllister: I share Commissioner Rose's concern. May not necessarily
40 produce the results we want it to. Do not know how to deal with this issue. Could there
41 be a requirement for an independent group to design this.

42
43 George White: That is why we have a mitigation monitoring program – it would be an
44 independent consultant.

45
46 Commissioner McAllister: Do not think mitigations from Parcel A were entirely
47 successful.

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George White: We can learn from experience. Mitigation works best when it is done by an independent consultant hired by the City.

Commissioner Rose: Council Member Healy made a good suggestion - I think creating a performance standard is a good idea. Proper guidance and surveillance that we put together would provide more promise that we have now.

George White: Is it your direction to craft something prior to City Council.

Council Member Healy: Yes

Commissioner von Raesfeld: Do not want the wetlands to look like an engineering solution.

Issues Identified for discussion:

Parking calculations:

Commissioner McAllister: I am still confused about the parking and what is in this proposal. Attachment C states 4.35/1000, however, the development standards are different. What is the actual count?

Council Member Healy: Parking is driven by creek and river setbacks. The most important aspects of site are protected by setbacks. Need to talk about Creek and River Setback issues first. I have no problem with the parking provided.

Commissioner McAllister: There is very little clearance between Village Drive and parking. There is an extensive amount of paving around Deer Creek. If you accept the setbacks there are some interior issues to be addressed.

Council Member Healy: To what extent is this a Planning Commission issue or a SPARC issue?

George White: You are creating a zoning regulation which is the maximum parking allowed.

Council Member Healy: Do they still need to have SPARC's approval?

George White: Can have conditions of approval that provide direction to SPARC.

Commissioner McAllister: There are some issues with the way the site is being graded. Would not support language that Parcel B and C be the same.

George White: Need to establish a maximum ratio.

1 Commissioner Asselmeier: I support establishing a maximum ratio. Would like to give
2 SPARC some flexibility and would like something conducive to people moving through
3 large parking lots.

4
5 Commissioner Rose: Do think this plan is an improvement. Walking the site to see what
6 100' and 150' setbacks look like, I do think we have come some distance. The most
7 telling piece of evidence was the aerial view. I am ok with SPARC dealing with the
8 details.

9
10 Commissioner von Raesfeld: Regarding setbacks – I think it is best defined in
11 Attachment F – is consistent with what we were asking of the applicant. Am comfortable
12 with this if we stipulate the parking ratio. Total ratio is what we recommend to Council.
13 4.75/1000 is still high, would recommend 4.5/1000 for both parcels B and C.

14
15 Commissioner Asselmeier: Want to develop a consensus that there will not be parking
16 up against the plaza area and recommend other public amenities to SPARC – giving life
17 to visibility corridor.

18
19 Commissioner Dargie: I also want a minimum width established.

20
21 Council Member Healy: We are combining issues – want a minimum width determined
22 that does not have parking – prefer at least 125' without parking or a larger width that
23 would include parking.

24
25 Commissioner Dargie: I want to go back to the parking ratio.

26
27 Commissioner von Raesfeld: Want the maximum parking ratio defined.

28
29 Commissioner McAllister: Would support a reduction in the maximum ratio. Applicant
30 is requesting 5/1000 overall. I support a reduction in that number.

31
32 Commissioner von Raesfeld: I do not want to concede to higher parking ratio for just the
33 3 weeks prior to Christmas that it may be full. Suggest we come up with something to
34 recommend to council.

35
36 It was the consensus of the committee for a parking ratio of 4.5/1000 for Parcel B and C.
37 Forty spaces to be moved from parcel B to C.

38
39 Commissioner Dargie: Is everyone ok with setbacks.

40
41 Commissioner McAllister: I still have a problem with Village Drive, however, that is not
42 relevant to this issue.

43
44 Commissioner von Raesfeld: Want to make sure drainage from the parking lot is not into
45 the river.

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47 George White: Other agencies will weigh in on this.

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Commissioner Asselmeier: If parking is removed along Petaluma Boulevard North – should that action be mitigated by this applicant. If this application impacts other businesses shouldn't this applicant bear some of the responsibility.

George White: You have already endorsed this mitigation measure in the EIR.

Council Member Healy: I am at a loss on how to deal with this.

Commissioner von Raesfeld: Is a mitigation measure that may not be possible. Possibly create a parking structure downtown.

Commissioner Asselmeier: The goal is to put back parking spaces that are removed – is there a fee charged to the applicant that can accomplish this?

Council Member Healy: Is in the redevelopment area – would be a contribution to redevelopment.

Commissioner Asselmeier: Do not think there is a reference to the number of spaces in the EIR. If requiring a contribution of in lieu fees can take care of this, I am in favor.

George White: Would need to be an additional condition.

Commissioner von Raesfeld: Seems unreasonable to ask downtown merchants to give up parking spaces.

Commissioner Rose: Is also related to circulation to the north and a connection to Corona Road. Some mitigation of traffic is also relative to alternative means of access. Are there other conditions that would be appropriate for a connector to Corona Road. Do not know if we could recommend this.

George White: The land you are referring to is in the County.

Commissioner McAllister: Would support compensation to the downtown merchants for loss of parking.

Council Member Healy: There should be some way to replace the parking in the vicinity.

George White: We can craft language that would establish a funding mechanism to compensate for parking that would be removed. Could be similar to in-lieu parking fee for Central Petaluma Specific Plan.

Council Member Healy: Maybe a fair share approach or analysis that would require a contribution at the appropriate time.

Commissioner Asselmeier: I am troubled when there is an impact to the downtown merchants that is dealt with years later. In terms of timing there is a disconnect.

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Council Member Healy: I share the frustration of the need to replace parking. Think the fair share is the best approach.

David Keller: Can be made to lease a parking lot downtown temporarily.

Inclusion of the City Manager’s restrictions.

Committee Member Asselmeier: I suggest we adopt all of the requirements in the October 28, 2003 memo and subsequent amendments.

Commissioner von Raesfeld: Regarding cleaning up the PCD. Preliminary landscape master plan needs to be removed.

George White: Plans need to updated and consistent with one another.

Commissioner Asselmeier: Referred to the exclusion of Walmart on Parcel C – should that be on Parcel B?

Council Member Healy: Need more descriptive language.

Commissioner von Raesfeld: My understanding was that it could not happen on Parcel C.

Commissioner Asselmeier: What about on Parcel B? Is that what our expectation is?

Brad Stipe: From a square footage standpoint, it is prohibited on Parcel B. Language agreed to with the City Manager excludes “discount department stores”.

Commissioner Asselmeier: Do we need a further description of what a discount retail is?

George White: Can have more descriptive language.

Commissioner Asselmeier: Can we expand on it some?

Council Member Healy: The City Manager’s memo covers this.

Conservation Easement on Southermost point of Parcel B.

Commissioner Asselmeier: Want some restrictions and think there should be an endowment. Should not be used to mitigate anything else. Need to be specific on what can be done here, including extension of frontage road – prohibition versus permission of extending the frontage road.

Council Member Healy: Applicant will continue to own this piece. Will have maintenance requirements.

1 George White: It needs to be clear that the applicant is responsible for this piece.

2

3 Commissioner Asselmeier: The City would be required to monitor this?

4

5 George White: City will be compensated for work done for the Mitigation Monitoring
6 Program. I am more interested in language talking about the restrictions.

7

8 Commissioner Asselmeier: Want to see something that the City signs.

9

10 George White: There would be execution of easement prior to building permit.

11

12 Commissioner Asselmeier: Can that come back to this body?

13

14 George White: You can make that recommendation.

15

16 Council Member Healy: Do not want it so restrictive that we cannot put a trolley line
17 through there.

18

19 George White: Does the Commission want to weigh in on the final language returning to
20 the Commission?

21

22 Commissioner Dargie: How can this come back?

23

24 George White: The draft language will come back before the final entitlements.

25

26 Commissioner Asselmeier: Want to see the language and have an opportunity to make
27 comments.

28

29 It was the consensus of the Commission to review the language regarding the easement
30 on the southern most point of Parcel B as well any restrictions prior to the final
31 entitlements.

32

33 **Establish view corridor minimum.**

34

35 Do we want to do this on Parcel C?

36

37 Commissioner von Raesfeld: As long as there is language saying there will be a
38 pedestrian view corridor since we do not know what is going to happen on this Parcel.

39

40 Brad Stipe: Will lock in on a minimum on Parcel B – need flexibility on Parcel C. Can
41 have language for a public amenity at SPARC review.

42

43 George White: Can fold language into the guidelines.

44

45 Commissioner Rose: Want a maximum view corridor instead of just a minimum.

46

47 Commissioner Asselmeier: Refer to SPARC to have as much connectivity as possible.

1
2 Commissioner Rose: The smaller pad footprints on Parcel C are more compatible with
3 Parcel A.

4
5 Commissioner von Raesfeld: If people do get in their cars to go from one parcel to
6 another, we have failed. Want some direction to SPARC on signs or a way to move from
7 parcel to parcel.

8
9 Commissioner McAllister: Changes should not be limited to Parcel B. Need to alter
10 access to Parcel A.

11
12 Council Member Healy: Is a legitimate issue, want staff to make some suggestions to
13 SPARC.

14
15 Commissioner McAllister: Want roadway to transition to Parcel A in a better way.

16
17 Commissioner von Raesfeld: Fire Department would probably agree with you on that.

18
19 **Deer Creek bridge:**

20
21 Council Member Healy: What is being proposed makes more sense than having a
22 crossing at the southern end of Deer Creek.

23
24 Commissioner Asselmeier: Was looking for both connections – to Deer Creek and the
25 Petaluma River. How can the public access and enjoy this area. Want to make a
26 recommendation for a potential crossing at the southern end of triangular piece.

27
28 Council Member Healy: Do not think this can be done without removing several trees.
29 May want to condition that the City can provide access at a later date. Was not included
30 in the environmental review. Do not think this is appropriate at this time.

31
32 Pursuant to Commissioner von Raesfeld’s suggestion, the consensus of the Commission
33 was that the trail should go up the north side of Deer Creek, down the south side of Deer
34 Creek and then along the Petaluma river to the southern property boundary.

35
36 **Indemnity:**

37
38 What are the legal implications if hydrology data is wrong?

39
40 Commissioner von Raesfeld: Do not want the City to be sued on this issue.

41
42 George White: We can explore before going to Council.

43
44 Council Member Healy: Need to consult the City attorney. There is a project in progress
45 where there is not a condition imposed – needs to be addressed on a Citywide policy.

1 Commissioner Asselmeier: Want some kind of financial backing to offset any damages.
2 If this is approved and there is flooding that would put the City in a bad position. Need
3 to do whatever we can do make sure this does not happen.

4
5 Council Member Healy: What is the basis for singling out this project instead of having a
6 policy.

7
8 Commissioner Asselmeier: Need to protect the tenants and the citizens. Want some
9 chunk of money.

10
11 Commissioner Asselmeier: This is already a problem on Parcel A.

12
13 Brad Stipe: The original outlet center was designed to standards at that time.

14
15 Council Member Healy: What are opportunities for tenants to obtain flood insurance?

16
17 Brad Stipe: As far as I know it is available.

18
19 Council Member Healy: Do not think we can condition on this project. Can ask staff and
20 City Attorney to suggest a policy.

21
22 Commissioner Asselmeier: Want assurance and insurance that we can hold someone
23 responsible.

24
25 George White: If there is consensus on this idea, we can consult the City Attorney and
26 make a recommendation to council. It would ultimately be up to the Council.

27
28 It was the consensus of the Commission for staff to “explore” with the City Attorney
29 prior to review.

30
31 Commissioner von Raesfeld: Condition #7 – do not think this is a fair trade for replacing
32 the valley oaks. Possibly twice what is proposed. Would prefer a higher number of trees
33 and smaller plants.

34
35 It was the consensus of the commission to provide 15, 15-gallon trees with monitoring to
36 ensure survival.

37
38 Council Member Healy: Would like staff to sit down with the trolley folks before the
39 Council meeting. Is appropriate to ask staff to weigh in on the implications of this
40 project in light of the retail study. Would like to know major tenants by the time of
41 council meeting.

42
43 Commissioner Asselmeier: Do we want to say more about energy efficiency or the
44 LEED program.

45
46 George White: Right now the only energy efficiency standards are in Title 24 of the
47 Building Code.

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Commissioner von Raesfeld: Santa Rosa suggests that applicants show some green building standards.

Commissioner Rose: Am not confident that we can draft something now for a LEED sensitive design.

George White: You would be asking for a standard that has not been established yet.

Council Member Healy: Do we jump start this with this project?

Commissioner Rose: As a commission, we can discuss where we want to go and discuss with staff. Something to raise awareness is good, however, cannot impose this on this applicant.

Commissioner Asselmeier: Would be in favor of a self assessment.

M/S Healy/Rose to forward a recommendation to Council to approve the PCD amendment per the amended conditions. 3 to 3. Healy, Rose, von Raesfeld in favor. Asselmeier, Dargie and McAllister opposed.

The commission discussed a revote.

Commissioner McAllister – cannot support this extensive of a development at this location.

Commissioner Asselmeier: I have problems with the unfunded traffic mitigations and impacts that are not mitigated, particularly no improvements to Petaluma Boulevard North. The project has been improved and I want conditions to go to the City Council – will not happen without a revised motion.

M/S Healy/Asselmeier to approve the PCD amendment per the amended conditions. Healy, Asselmeier, Rose, von Raesfeld in favor. Dargie, McAllister opposed.

NEW BUSINESS:
PUBLIC HEARING:

III. SOUTHGATE RESIDENTIAL DEVELOPMENT, Frates Road and Lakeville Highway
AP No.: 017-030-022, 017-150-019
File: 03TSM0417CR
Planner: Jayni Allsep

Request for a recommendation to the City Council to adopt a Mitigated Negative Declaration and to approve a 40-acre Planned Unit Development (PUD) which proposes 221 detached single-family homes, a 1.34 acre park and a 3.04 acre

1 parcel to be retained for future affordable housing.

2
3 The applicant requested a continuance for a special meeting on December 16, 2003.

4
5 M/S Healy/Rose to continue to December 16, 2003. 4-2. Dargie, Healy, Rose, von
6 Raesfeld in favor. Asselmeier, McAllister opposed.

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11 **IV. LIAISON REPORTS:**

- 12
13 a. **City Council:** General Plan scenarios will be heard on January 5, 2004.
14 b. **SPARC:** None.
15 c. **Petaluma Bicycle Advisory Committee:** Looked at the Petaluma
16 Boulevard North annexation and the Cal Water project.
17 d. **Tree Advisory Committee:** None.

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20 Adjournment: 11:05
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