



City of Petaluma, California
City Council Chambers
City Hall, 11 English Street
Petaluma, CA 94952

Telephone 707/778-4301 / Fax 707/778-4498
E-Mail planning@ci.petaluma.ca.us
Web Page <http://www.ci.petaluma.ca.us>

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Planning Commission Minutes
January 13, 2004 – 7:00 PM

Commissioners: *Present:* Asselmeier, Barrett, Dargie, Harris, McAllister, Rose, von Raesfeld

* Chair

Staff: George White, Assistant Director, Community Development
Irene Borba, Senior Planner
Anne Windsor, Administrative Secretary

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: Minutes of December 9, 2003 were approved as amended. M/S von Raesfeld/Asselmeier, 5-0, Barrett and Harris abstained.

PUBLIC COMMENT: None.

DIRECTOR'S REPORT: Information on the 2004 Planners Institute Conference was set at places.

COMMISSIONER'S REPORT: Chair Barrett asked about the moving of the livery stable. George White: The City has requested a report from Basin re: foundation.

CORRESPONDENCE: Mike Harris stated that he read all the materials for Paula Lane, however, it was suggested that he recuse himself due to a possible conflict of interest. Commission requested a copy of the Hillside Combining regulation and hillside calculations – was put at places.

APPEAL STATEMENT: Was read.

LEGAL RECOURSE STATEMENT: Was noted on the agenda.

Public hearing began: @ 7:00

PUBLIC HEARING:

OLD BUSINESS:

1
2 **I. PAULA LANE SUBDIVISION, 431 Paula Lane (corner of Paula Lane and**
3 **Sunset Drive)**
4 **AP No.: 019-080-009 and 019-080-010**
5 **File: ANX01002, GPA01002, PRZ01003, SPC01048 and TSM01003**
6 **Planner: Irene T. Borba**
7

8 Applicant is requesting for a recommendation to the City Council of a proposal for
9 21 residential units on two contiguous parcels outside City limits but within the
10 Urban Growth Boundaries (UGB) totaling 11.22-acres. The proposal requires a
11 General Plan Amendment, Pre-zoning, Tentative Subdivision Map, Annexation,
12 and Adoption of a Mitigated Negative Declaration.
13

14 Continued from November 12, 2003.
15

16 Public hearing opened:
17

18 Katie O'Connor, 594 Paula Lane: Member of PLAN. Support the preservation of this
19 property. Asked to stop the development, want to preserve the open space including
20 wildlife habitat.
21

22 Dirk Atkinson, 1213 West Street: Background in Environmental Engineering – have a
23 long history of construction experience. Came to Petaluma to be in a City and still have a
24 rural atmosphere. There are ways of developing the property to keep the General Plan
25 density, however, we do not need to develop every inch of the property. Traffic will
26 increase, water pressure is still an issue, and quality of life issue. Asked the Commission
27 to vote against the project.
28

29 Betsy Genkel, West Street: Like the open space, wild life, and peacefulness of this
30 property. The proposal for 21 homes is out of character with the existing neighborhood.
31 Traffic, drainage, and water pressure are problems with the neighborhood. The City and
32 the neighborhood will be left with the problems. Please deny the project.
33

34 Joyce Williams, 1308 Sunset Drive: Opposed to the project due to the impact it would
35 have on the neighborhood. Traffic and noise will increase. Our quality of life will be
36 diminished. Asked to deny the project.
37

38 Paul North, 651 Paula Lane: Project will have huge impacts on the neighborhood –
39 traffic will increase as will the speed of cars. Wildlife will be impacted. Asked the
40 Commission to take a look at the property.
41

42 Norma Billing, 240 Paula Lane: Showed three pictures, Bodega and Walnut Victorian
43 home, is now a blank space and a Heritage Home is gone forever. Presented a picture of
44 open land at Sunset & Paula Lane. Gave a history of the property and the homeowners
45 in 1951. Do not think this development is feasible for this area. Do not want more traffic
46 on Paula Lane.
47

1 Sherby Sanborn, Arborist: Hired by the PLAN organization to evaluate trees on the
2 property at this time. Trees on the property are in a natural state, mix of trees and
3 conditions are part of what creates stratification of the habitat for the wildlife. Mix of
4 native and non-native trees, some oaks directly on Paula Lane. Some coast live oaks are
5 probably over 200 years old.

6
7 Kim Fitts, Derek Marshall, Bioconsultant: Hired by PLAN to assess the badger habitat
8 site. Provided a report to the Commission. American badger status – is on the 1998
9 species of concern and special animal list. All impacts are to be considered under CEQA.
10 Counted 25 dens throughout the sight. Noted badger activity on neighboring property.
11 Badgers are using 9 acres of the 11.2 acre site. Nine acres would be removed to develop.
12 Fish & Game sent a letter regarding mitigation of the badger habitat. Would not be
13 suitable for badger habitat if used as open space. Potential significant should be checked
14 on the Initial Study. There would be impact during the construction phase. Development
15 of site would impede movement of badgers throughout the site. This is the only
16 documented badger site in all of western Sonoma county. Project may have an effect that
17 cannot be mitigated to less than significant.

18
19 Sam Vieria-Potter, 20 Paula Lane: Bought the property to have small animals and some
20 land. Neighborhood is very cohesive. Traffic is a consideration – Paula Lane is a very
21 narrow road, children are forced into a ditch when walking. Twenty-one homes would
22 severely impact the neighborhood. Feel as though the neighborhood was not represented.
23 Will the City be there when there are traffic and water problems? Development is way
24 too dense. Would like the property to stay rural residential.

25
26 Cheryl Jern, Paula Lane: Mitigate means to make mild or gentle. There is nothing mild
27 or gentle about this development. Some identified issues are traffic, water pressure,
28 sewage, and drainage. However, how do you mitigate damage to neighborhood spirit?
29 We have over 1,000 signatures opposing the project. Once the property is gone it is gone
30 forever. City should be responsible for this.

31
32 Julian Podbereski, 1100 Shuman Lane: Counselor at Petaluma Junior High, walk or bike
33 Paula Lane frequently. The rural atmosphere invites visitors; setting is different than a
34 park. Creating a high-density urban development would disrupt the urban separator.
35 Current zoning is in the county.

36
37 Susan Kirks, Paula Lane: Will complete the neighborhood's presentation. Reports
38 presented this evening:

- 39 • Wildlife Biologist report
- 40 • Consulting arborist report
- 41 • Review of bird species report
- 42 • Historic resources evaluation from Diane Painter
- 43 • Botanist report from Ms. Rockwood – shows a definitive wetlands delineation.

44
45 Peer review – most of the studies were conducted by Kleinfelder & Associates.
46 Kleinfelder had 3 active projects with Mission Valley Properties at the time - believe this
47 is a conflict of interest.

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Traffic – general plan discusses truck traffic, frequent truck traffic on Paula Lane. Traffic consultant evaluated Paula Lane as a collector street, went to other streets called collector. Traffic would be more appropriate using methodology as a county road.

Memorandum from Mission Valley Property – it is unclear exactly what is referred to as the southern end of the property. Developer’s density may be inaccurate. Zoned for AR-2. Average density would be 5 homes on the 1 ½ parcels. County land with City water is a total of 5 houses. Property is zoned in the county for 2-acre parcel, 1 unit per 2 acres. Environmental constraints need to be considered.

Sewage - installation of the 8-inch sewage main, however, only 200 feet of Paula Lane is City property. Property owners own the easement to the middle of the road – would not grant an easement to the City. County encroachment states it must have permission from homeowners.

Hydrology, drainage and runoff – oppose the plan for the detention pond – will flood onto Mr. Bruce’s property. Do not want to replace a swell that has wetland characteristics. Army Corps of Engineers visited the property and evaluated. Met some criteria and not others. Allowing a detention pond would destroy this area and allow drainage into the ground water, which would be tragic.

Mitigated Negative Declaration, Biological Resources is absent from the Mitigated Negative Declaration. In April 2003 we requested an EIR – believe there will be significant environmental impacts, hydrology, historic resources, traffic. Asked the Commission to list reasons for denial if that is the case.

I have been watching the badger patterns, believe adult females are living on the property. Males are living on the Paula Lane corridor. Would require further study to verify this is happening. Believe every living creature would be starved if the property were developed.

Want to preserve history of the project. Disagree there is no historical significance. Believe Ms. Painter’s report submitted this evening. Context of the report by the developer was not done properly. The Lane was named for the Paula family – is the center piece for chicken and dairy farms in this neighborhood. Believe the property has maintained its integrity – is a centerpiece of Paula Lane corridor. Is very important to preserve this property.

Rollin Bruce, Sunset Lane: Distributed documents from CSW Stuber-Stroeh claiming Sunset Lane as a City Street. Subdivision needs a hammerhead turn around. Referred to pg. 28 of City of Petaluma memo dated November 12, 2003. Letter from Stuber Stroeh regarding Sunset Drive – 7 properties have right-of-way easement. Stuber Stroeh referred back to a 40-ft street width.

Presented a power point presentation regarding drainage of the proposed development site onto his property as well as the runoff from properties on Sunset Drive.

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The proposal is to double the size of Sunset Drive. There will be heavy water flow on my property and Petersen Lane as well. Need to pump the water back up the hill and into the City's storm drain.

Steve Rubardt, 1204 West Street: Want to know how this proposal will benefit the City of Petaluma. Traffic on West Street has already increased.

Chris Schmidt, 1205 West Street: If the City wants to develop rural properties such as ours – put into the General Plan and solve the water and sewer problems or say no to development. Should be done right. Need to have a right-of-way to Bodega and be thinking further down the road. What is the long term costs to the City itself. Does this fit for how Petaluma wants to grow? Incorporate into the General Plan in a way that works for the City.

Scott Brawn, Western Avenue: Have concerns about traffic on Paula Lane and the impacts on safety. Would like a more proactive planning process. Do not want to go after tax dollars and create animosity. Hope that as Petaluma grows, we can incorporate the best that we can do – want to keep what we love about Petaluma as it grows.

Amanda Kvalheim: Presented additional comments from PLAN: additional runoff on Paula Lane, Sonoma County Water Agencies evaluation of property, recommendations from SPARC which have not been incorporated into the proposal.

Public hearing closed:

Break at 9:15

Resumed at 9:30

Marti Buxton: Note on page 2 of response to Healy's memo. Change to suburban. We recognize the emotional tenor of the neighborhood. Do not believe the project is inconsistent with the neighborhood. General Plan designations rural residential, all of properties to West on Paula Lane is suburban. New alternatives of the General Plan have designation of hillside rural, 2 to 4 dwelling units per acre. Is consistent with the direction of the General Plan. We stand behind all of our consultants. The emotion of the neighborhood does not make our studies incorrect. Fish & Game is supportive of the project. Army Corps of Engineers determined that it not a wetland.

Al Cornwell, CSW Stueber Stroeh: Detention basin will maintain the peak flows – detention basin is not built into the ground – will be a dam. The small piece that drains from down Paula Lane and has been addressed.

Marti Buxton: City water will serve the site. Am asking for straight zoning. When and if we are approved for zoning then we will go to SPARC for design approval. When I started with this project, the neighbors made it clear that they wanted no development. Our consulting Arborist could not be here this evening. There are no large oaks that we

1 will cut down, replacing oaks 4 to 1 in the open space. Believe the project is appropriate
2 for the neighborhood. Will meet the needs of the City in their growth.

3
4 Craig Spaulding, City Engineer: It is not unusual to have streets on the fringe – will
5 make an effort to get a determination. I believe we do maintain the street. If the
6 subdivision goes through the street will be widened and will be maintained by the City.

7
8 Commissioner Asselmeier: If Sunset Drive is owned by homeowners, how does this
9 affect the development?

10
11 Craig Spaulding: Acceptance by the City gives the City rights to use of the land.

12
13 Commissioner Asselmeier: Sunset Drive is a right-of-way?

14
15 Craig Spaulding: Feel comfortable that the public can use Sunset Drive - the Annexation
16 map showed it.

17
18 Commissioner Asselmeier: Would appreciate the City Engineer looking into this.

19
20 Commissioner von Raesfeld: Paula Lane south of the project – was the water main put in
21 as a City project?

22
23 Craig Spaulding: Is joint with the county.

24
25 Commissioner Dargie: Drains on Sunset for surface water, where does it go?

26
27 Craig Spaulding: Proposal is to collect the water and take it to the detention pond.

28
29 Chair Barrett: How that would affect the junction box on Mr. Bruce's property?

30
31 Craig Spaulding: If we need this moved or modified PG&E will do that as part of
32 improvement plans. PG&E will do what is best for Mr. Bruce.

33
34 Commissioner Dargie: The bioconsultant stated that the Badger is a special species – the
35 Initial Study says otherwise.

36
37 Anne Flannery: Special animals is a list of every animal in the State includes animals
38 that are being watched. Badger is not currently listed – badger is rare but not of special
39 concern.

40
41 Commissioner Asselmeier: Every January and July there is a new list – the list of July
42 does not show that the badger is being watched. In addition Fish & Game does not treat
43 badger as a special concern?

44
45 Anne Flannery: Mitigation is established by Fish & Game. Fish & Game decides what
46 species can be mitigated. Fish & Game agreed to 3 acres of mitigation.

1 Commissioner Asselmeier: Would the Initial Study be different if badger was species of
2 special concern?

3
4 Anne Flannery: At the outset Fish & Game set what was required.

5
6 Commissioner Asselmeier: Having difficulty reconciling two different opinions of
7 biologist.

8
9 Chair Barrett: Asked who was on board at the time the sight was surveyed by Allan
10 Buckman from Fish & Game?

11
12 George White: If there is confusion by the commission regarding consultant review, give
13 staff direction to clarify the confusion.

14
15 Marti Buxton: Clarified Allan Buckman's assessment of the site and the badgers.

16
17 Chair Barrett: Asked that staff weigh in on this.

18
19 Commissioner McAllister: It appears that badger activity is a lot more extensive than
20 what was previously presented.

21
22 Marti Buxton: Fish & Game does not care about the badger – will not shut down the
23 whole site.

24
25 Anne Flannery: Fish & Game has weighed in – there are lots of dens, however, there
26 may not be a lot of badgers on the site.

27
28 Commissioner McAllister: Have concerns that Fish & Game made their recommendation
29 on a fairly cursory review of the site. Wonder if they would act differently if they had all
30 the information that we have.

31
32 Commissioner Asselmeier: Would like staff to analyze the information and clarify
33 regarding the badger.

34
35 Chair Barrett: The neighbors perhaps may not know the correct procedures, however, it
36 does not negate the information presented.

37
38 Commissioner McAllister: Would like staff to review of all the additional information
39 Wildlife Impact Statement, 2nd opinion on historic resources by Diana Painter.

40
41 Chair Barrett: Would like clarification regarding the detention pond. Mr. Bruce seems to
42 think it will sheath across his property. Mr. Cornwall noted it will not be dug. There was
43 a lot of water for a little bit of rain. How will a dam above grade, keep all the water
44 back?

45
46 Chair Barrett: How will a dam above grade keep all the water back?

47

1 Al Cornwall: Detention basin will take care of the difference in runoff once the property
2 is developed. Can keep the peak flow where it is today.

3
4 Chair Barrett: How does the detention pond not increase the runoff.

5
6 Al Cornwall: Detention basin holds the difference of water so that peak runoff does not
7 increase.

8
9 Commissioner Dargie: This mitigation would moderate peak flow but will the overall
10 amount of water increase?

11
12 Al Cornwall: Total volume of runoff of a developed site will increase. Overall amount
13 of runoff is increased, peak is not increased.

14
15 Commissioner Asselmeier: Can this damage Mr. Bruce's property?

16
17 Al Cornwall: Typically peak is what will make a difference. Mr. Bruce's pictures
18 showed that most of the runoff came off of Sunset Drive.

19
20 Commissioner Asselmeier: Will the development collect the runoff from Sunset Drive.

21
22 Al Cornwall: Will go into a catch basin and then into the detention pond.

23
24 Chair Barrett: Suggested to the Commission identifying issues for discussion:

- 25
- 26 • Density of development
 - 27 • Urban Growth Boundary
 - 28 • General Plan issues
 - 29 • Infrastructure impacts, water pressure, sewer
 - 30 • Traffic, pedestrian safety
 - 31 • Hydrology, runoff issues
 - 32 • Biology, trees and wildlife
 - 33 • Flooding
 - 34 • Neighborhood issues
 - 35 • View shed
 - 36 • Traffic at the end of Sunset Drive
 - 37 • Historic resources as an aspect of the rural landscape

38
39 Commissioner von Raesfeld: Need to have the larger issues discussion first – General
40 Plan and Urban Growth Boundary.

41
42 Commissioner Asselmeier: What is the City's position on the open space designation?

43
44 Chair Barrett: Was not presented tonight as part of the public record

45
46 George White: All new information received this evening, staff will review, analyze and

1 compare to original reports.

2
3 M/S Rose/Dargie to continue to February 2, 2004. 6-0.

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5
6 **II. LIAISON REPORTS:**

7
8 **a. City Council:** None.

9 **b. SPARC:** Continued Kohl's to 1/22/04; Gatti Subdivison was denied
10 because of the town home design; the architecture facing Capri Creek,
11 landscape problems, issues with garbage collection; Way Finding sign
12 program - SPARC approved concept 2B; nomination of a landmark tree
13 on Paula Lane; preliminary review of Dirkheising addition.

14 **c. Petaluma Bicycle Advisory Committee:** Reviewed MMM Business
15 Condos next to Shollenberger Park; Adobe Creek Center.

16 **d. Tree Advisory Committee:** Did not meet in December.

17
18 Chair Barrett: Requested election of officers for next Agenda – liaison changes as well.

19
20 Adjournment: 10:55

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