

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
July 18, 2006

1. CALL TO ORDER – 5:30 P.M.

Vice Mayor Saucerman called the regular Town Council meeting to order at 5:30 p.m.

2. CLOSED SESSION

Pursuant to Government Code Section 54956.9: Conference with Legal Counsel- Potential Litigation, one case.

3. CONVENE REGULAR COUNCIL MEETING – 6:00 P.M.

The Council convened to the regular meeting at 6:07 p.m.

4. PLEDGE OF ALLEGIANCE

Vice Mayor Saucerman led the pledge of allegiance.

5. ROLL CALL

Council Members Present:

Council Member Bill Dutton
Council Member John Dunbar
Council Member Steven R. Rosa
Vice Mayor Cynthia Saucerman

Staff Members Present:

Kevin Plett, Town Manager
Amy Lyman, Town Attorney
Julie Baldia, Deputy Town Clerk
Bob Tiernan, Planning Director
Kenneth Leary, Community Service Director
Myke Praul, Public Works Director/Town Engineer

6. REPORT OF CLOSED SESSION

Town Manager Plett reported the Council met in Closed Session at 5:30 p.m., and there was no reportable action.

7. ADOPTION OF THE AGENDA

ACTION: It was M/S (Rosa/Dutton) to adopt the agenda. Vote 4-0

8. Public Comment on Matters Not Listed on the Agenda (FIVE MINUTE LIMITATION PER SPEAKER)

Sharon Stensas, mentioned the passing of Randy Bommarito, and memorial services, which will be held in St. Helena. The Council requested a moment of silence for Mr. Bommarito.

9. APPROVAL OF CONSENT CALENDAR

ACTION: It was M/S (Dunbar/Dutton) to adopt Consent Calendar Items 1 through 6. Vote 4-0

1. Approval of Warrants —

- | | | |
|---|--------------------------------|--------------|
| • | Accounts payable check numbers | \$706,247.92 |
| • | Total payroll and benefits | \$109,422.53 |
| • | Total payments for period | \$815,670.45 |

Recommendation: Received and Filed.

2. Approval of Minutes: June 20, 2006 and July 5, 2006.

Recommendation: Approved.

3. Resolution Number 2493-06 Authorizing the filing of a Notice of Completion and accepting the work for the Municipal Well Project (WA-09) by North Bay Construction, Inc., for a total contract amount of \$782,982.96.

Recommendation: Adopted Resolution.

4. Resolution Number 2494-06 Authorizing the filing of a Notice of Completion and accepting the work for the Stamp and Colorized Crosswalks on Washington Street (ST-25) by Blakeley Construction, Inc., for a total contract amount of \$44,297.00.

Recommendation: Adopted Resolution.

5. Resolution Number – 2495-06 Rejecting all bids for the Yount Street and Humboldt Street Curb Bulb-out Improvements Project (ST-25) due to budget considerations.

Recommendation: Adopted Resolution.

10. PUBLIC HEARING – BARDESSONO PROJECT PRELIMINARY AND FINAL MASTER DEVELOPMENT PLAN REVIEW AND AN AMENDMENT TO THE DEVELOPMENT AGREEMENT – 6526 YOUNT STREET (APN'S 036-090-022 & 036-090-023)

Resolution Number 2496-06 Approving Master Development Plan Preliminary and Final Review, Use Permit, and Design Review for a 62 Unit Inn Project; and a Parcel Map for the Planned Development Mixed Use Project at 6526 Yount Street.
Action: Adopted Resolution as amended.

Ordinance Number 368-06 Approving an Amendment to the Development Agreement for the Bardessono Planned Development Mixed Use Project to Permit Limited Public Use of On-Site Inn Facilities and Making Findings.

Action: Introduced Ordinance

Planning Director Bob Tiernan presented the staff report.

Council had the following questions and comments:

- It was questioned and confirmed that as the Heritage Oaks along Hopper Creek are removed, replacement trees will be planted as a condition of approval.
- It was questioned and confirmed that the 92 seat maximum included indoor and outdoor seating.
- Concerns were raised about event parking. It was confirmed that events requiring the use of off-site parking shall be reported to the Town on a quarterly basis for monitoring purposes.
- Condition of approval #79 was questioned “A crosswalk with pedestrian ramp and a bulb out shall be installed on the west side of Yount Street (at Finnell Road intersection), it was stated by staff that it may be put on the North side, or closer to the school.
- It was questioned and confirmed that the finished floor elevations in the new plans have been corrected.
- It was confirmed that amending the development agreement is considered a major amendment and by amending the agreement, they have recalculated impact fees for a new 62 unit inn and the under grounding condition fee will be paid for frontage along Young St.
- It was questioned and confirmed that the developer would take care of all of the underground utilities. It was also confirmed that by charging them under grounding fees does not absolve them from under grounding elsewhere in Town.
- Vice Mayor Saucerman acknowledged letters received from residents unable to attend the meeting concerned with the potential issues:
 - ✓ Flooding
 - ✓ The location of the pool being on the second floor, privacy issues
 - ✓ Visibility of the solar panels
 - ✓ The Heritage Oaks along Hopper Creek
 - ✓ Traffic on Finnell Rd.
 - ✓ Potential Drainage issues
 - ✓ Surface water runoff
 - ✓ Fireplaces
 - ✓ Noise

The public hearing was opened.

Applicant Phil Sherburn had the following comments:

- Mr. Sherburne stated that there be less run off into Hopper Creek than was initially found.
- He stated that they went back and looked at the visual concerns with the solar panels, they concluded that people would only view 9 inches of panel.

- Mr. Sherburne stated that they removed the Administrative offices from the second floor and has relocated the 2200 sq. ft. offices away from the top, and have moved it into the basement.
- Applicant commented on coming to staff and reviewing potential events before hand, he suggested on a semi annual basis, to come to staff with report that required off site parking, so they know what activity is. They have every incentive to manage the potential issue so it is not a problem. . Mr. Sherburne confirmed that the condition says if there is a problem, they are obligated to fix it. He doesn't see the advantage of coming to staff for individual cases (events).

Consultant Ron Mitchell gave architectural, material and landscape presentation.

Don Henfling, stated he would like to see 6-8ft. wide walking path. Expressed concern regarding guest parking, employee parking in residential area, and cars parking outside of the affordable housing parking area onto Yount St. Mr. Henfling felt it will be difficult to resolve parking issues. He is in favor of the idea of bulb outs near the schools, in favor of pedestrian oriented Town. It was stated by Mr. Henfling that the features of these buildings are unusual and cautions council to be sure of what they are going to look like before they are approved.

The public hearing was closed and the item was brought back to staff and applicant for further discussion.

Council Members had the following comments:

- It was questioned and confirmed that the dry creek beds are not intended to be part of the storm drain system.
- It was confirmed by Mr. Mitchell that the heating and cooling pump are silent and uses are energy efficient.
- Roofing materials were questioned and it was stated that they will use a gravel system on the flat roofs.
- It was questioned and confirmed that three Heritage Oak Trees will be preserved and that the applicant will be working with an arborist on the relocation and retention of as many trees as possible.
- Council questioned whether the herb garden would be opened to the public, and it was stated that it will not be, it will be available for viewing, but the area will be fenced to keep animals out.
- It was questioned and confirmed that the height of the roof tops of the restrooms would be 22 feet in height.

The council recessed to a 10 minute break at 8:15 p.m.

The council reconvened at 8:25 p.m.

Phil Sherburne, Applicant addressed three separate issues; impact fees, Yount Street under grounding fees, Finnell Street under grounding fees.

Mr. Sherburne felt very strongly about his willingness to pay the fees of approximately \$92,000 for under grounding from Yount Street to the Hopper Creek, but is not willing to pay the new impact fees based on the new impact fee structure introduced after his initial application.

Myke Praul, Public Works Director stated that it appears that there was a clear intent that the applicant would install underground utilities on Finnell Street.

Kevin Plett, Town Manager discussed the variances of the different impact fees and feels that the public use should be assessed.

The Councils consensus was that the applicant should not have to pay the impact fees established after the DA approval on the inn units, but that the applicant will pay all fees based on the public use of the restaurant and spa. It was decided that the under grounding required more information on the background and status of the under grounding program and would be acted upon at a later date.

It was M/S (Dunbar/Rosa) to adopt *Resolution Number 2496-06* with changes as they relate to the impact fee structure and the under grounding on Yount and Finnell Streets. Vote 4-0

It was M/S (Dunbar/Dutton) to introduce *Ordinance Number 368-06* Approving an Amendment to the Development Agreement for the Bardessono Planned Development Mixed Use Project to Permit Limited Public Use of On-Site Inn Facilities and Making Findings. Vote 4-0

11. PUBLIC HEARING – USE PERMIT – MORGAN LANE REAL ESTATE

6550 WASHINGTON STREET (APN 036-061-015)

Resolution Number 2497-06 Approving Use Permit application 06-UP-09 to establish and conduct real estate services and approving sign review application 06-SR-04 for identification signage at 6550 Washington Street.

Action: Adopted Resolution.

Vice Mayor Saucerman excused herself from the item due to conflict of interest.

Planning Director, Bob Tiernan gave the staff report.

The public hearing was opened.

The public hearing was closed.

Council had the following comments and questions:

- It was questioned and confirmed by the applicant and staff that there would not be excessive posting of flyers, brochures, etc. in front of the office space.

It was M/S (Rosa/Dunbar) Resolution Number 2497-06 Approving Use Permit application 06-UP-09 to establish and conduct real estate services and approving sign review application 06-SR-04 for identification signage at 6550 Washington Street. Vote 3-0.

12. PUBLIC HEARING – PARCEL MAP APPLICATION–1957 YOUNTVILLE CROSS ROAD (APN 036-041-020)

Resolution Number 2489-06 Approving a parcel map for Winiarski property located at 1957 Yountville Cross Road; (APN 036-041-020) to subdivide an existing ±14,250 square foot parcel into three parcels consisting of a ±5,089 square foot parcel, a ±5,124 square foot parcel and a ±4,039 square foot parcel.

Recommendation: Adopt Resolution.

Applicant has requested this item be continued to the August 1, 2006 regular Council meeting.

13. REPORT ON COMMUNITY SERVICES DEPARTMENT PROGRAMS AND ACTIVITIES – WINTER/SPRING 2006.

Report continued the August 1, 2006 Council meeting.

14. FUTURE AGENDA ITEMS

August 1, 2006:

1. 1957 Yountville Cross Road – Parcel Map Application
2. Presentation of Reclaimed Water Project Study
3. Presentation of Water/Sewer Study

Town Manager Plett discussed future agenda items.

15. COUNCIL REPORTS AND COMMENTS

1. Report of Council Member Meeting Attendance:

- a) Affordable Housing Advisory Board (Dunbar/Rosa)
- b) Mosquito Abatement (Rosa)
- c) Other Reports and Comments

Recommendation: Receive and file.

16. STAFF REPORTS

1. Update on Community Swimming Pool Project.

Public Works Director/Town Engineer Myke Praul presented an update to Council on the Community Swimming Pool Project.

17. ADJOURNMENT

1. Next regular Council Meeting – August 1, 2006

The Council adjourned at 10:00 p.m. to the next regularly scheduled meeting of August 1, 2006.

ATTEST:

/s/ Julie Baldia, Acting Town Clerk

Approved by Town Council:

August 1, 2006