



**AGENDA  
MEETING OF THE PLANNING COMMISSION**

**TUESDAY, FEBRUARY 2, 2016**

**PUBLIC SESSION: 6:30 p.m.**

**CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD., CLOVERDALE, CA 95425**

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The Cloverdale Planning Commission welcomes you to its meetings that are typically scheduled for the 1st Tuesday of the month. Your interest and participation are encouraged and appreciated. ***Please silence all pagers, cellular telephones and other communications devices upon entering the meeting.***

**ADDRESSING THE PLANNING COMMISSION:**

When asked to do so by the Chair, those wishing to address the Commission are asked to step up to the podium. Speak directly into the microphone so everyone in the audience can hear your comments and so they'll be recorded into the official record. State your name and City of Residence for the record. Per City Council Policy, three (3) minutes are typically allotted to each speaker. However, the Planning Commission Chair may revise the amount of time allotted. Public comments will normally be received after staff presentations on an agenda item and before the Commission starts deliberations.

***We may disagree, but we will be respectful of one another.***

***All comments will be directed to the issue at hand, and addressed to the Planning Commission.***

***Personal attacks are unacceptable.***

**DISABLED OR SPECIAL NEEDS ACCOMMODATION:** In compliance with the Americans with Disabilities Act, if you need assistance to attend or participate in a meeting, please contact the City Clerk's office at 894-2521. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

**WAIVER WARNING:** If you challenge decisions/directions of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at public hearings(s) described in this Agenda, or in written correspondence delivered to the City of Cloverdale at, or prior to, the public hearing(s).

**OPENING:**

- Call To Order
- Pledge Of Allegiance
- Roll Call
- Agenda Review (changes/deletions)
- Declaration of Conflicts of Interest

**PUBLIC COMMENT PERIOD:**

Under this item, citizens may speak on matters within the Planning Commission’s jurisdiction, which are not on the agenda. The Planning Commission is prohibited under the Public Meeting Law from taking action on matters that are not on the agenda, however, the Commission may take citizen’s input under advisement, direct staff to place the matter on a future agenda for discussion and/or possible action or refer matters to staff for follow-up.

**CONSENT CALENDAR:**

All items under Consent Calendar will be considered together by one action of the Planning Commission unless any Planning Commissioner or member of the public requests that an item be removed and considered separately.

1. **Minutes Review:** January 5, 2016
2. **Request for a 12 month time extension (TM EXT 003-2016) of a previously approved Tentative Subdivision Map for the 221 Live Oak Drive Subdivision of 4.43 acres into 12 single-family residential lots ranging in size from 10,099 square-feet to 25,861 square-feet**

**NON-PUBLIC HEARING ITEMS:**

**PUBLIC HEARING ITEMS:**

**3. Cloverdale Senior Multipurpose Center**

Applicant: Cloverdale Senior Multipurpose Center

Project Location: 311 North Main Street, Cloverdale (APN 001-162-005)

Project Description: Modification to an existing Conditional Use Permit (CUP MOD 001-2016) to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center

Environmental Assessment: Categorically Exempt: Section 15301, CEQA Guidelines- Existing Facilities

**Staff Recommendation:**

That the Planning Commission consider the application and by Resolution approve the requested Modification to an existing Conditional Use Permit (CUP MOD 001-2016), subject to the recommended conditions of approval.





**DRAFT MINUTES  
MEETING OF THE PLANNING COMMISSION**

**TUESDAY, JANUARY 5, 2016**

**PUBLIC SESSION: 6:30 p.m.**

**CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD., CLOVERDALE, CA 95425**

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**OPENING:**

- Call To Order: Commissioner Shanahan called the meeting to order at 6:30.p.m
- Pledge Of Allegiance
- Roll Call: Present- Commissioner Halliday, Chair Shanahan, Vice Chair Domke, Commissioner Enge, Alternate Commissioner Bovee
- Agenda Review (changes/deletions): None
- Declaration of Conflicts of Interest: Commissioner Halliday recused himself due to his personal interest in the airport.

**PUBLIC COMMENT PERIOD:**

Chair Shanahan opened and closed public comment for this period; none were received.

**PUBLIC HEARING ITEMS:**

- 1. Proposed General Plan Amendment, Amendment to the Alexander Valley Resort Specific Plan, Rezoning, and Development Agreement (GPA/SPA/ZA.DA-018-2015) (continued from the December 2, 2015 Planning Commission meeting)**

Interim Community Development Director, Jerry Haag, presented this item. He began by informing those present that potential closure of the airport was not a topic to be discussed at this meeting. He stated the application filed by the Tyris Corporation was the topic of the meeting, adding that any other proposals (such as the Laulima Development project) would not be under consideration at this meeting. He went on to discuss the proposed changes the Tyris Corporation is requesting regarding the approved Alexander Valley Resort Project, which include changing the construction of the golf course to be an optional rather than mandatory item, adding the 12.3 acre parcel of land, previously removed, back into the project and approval of a Development Agreement. Mr. Haag discussed the history of the project and the current request for a General Plan Amendment to change the designation of the 12.3 acres from Business Park zoning to destination commercial zoning. He explained that Tyris is requesting amendments to the Alexander Specific Plan to include the 12.3 acres with the land use category of "resort, mixed use commercial", which would allow light industrial uses as well as selected commercial uses. Mr. Haag shared that Tyris has been looking for a developer since 2009 without success, remarking that to make the project more marketable, Tyris is requesting a development agreement to serve as a legal contract between the City and the future developer to vest or protect development rights. In return for these vested rights, the developer would provide community benefits, including backbone infrastructure such as a large water tank that could also serve other properties near the project, as well as the sharing of the Transient Occupancy Taxes (TOT) between the City and the future project developer. The details of the distribution of the TOT was discussed. Mr. Haag also discussed the proposed Addendum to the Alexander Valley Resort Environmental Impact Report (EIR) certified in 2009 and recommended that the Planning Commission make a recommendation to the City Council to adopt the Addendum. Mr. Haag talked about the commercial businesses proposed on the 12.3 acres site noting that business selected were targeted as to not compete with the current downtown businesses, but support the future resort. Mr. Haag reported that in response to the Native American Tribal consultation, staff contacted the Native American Heritage Commission that responded by sending the names of eight local tribal representatives

whom they recommended be contacted regarding any possible concerns they may have with this specific development project. Staff sent letters to each recommended representative and received two response letters stating they would like consultation. Mr. Haag reported that he sent emails to both regarding a consultation approximately a month ago but has not heard back from either party; therefore, staff is moving forward with the project. Mr. Haag discussed two public communications received from local businesses expressing concerns about the interface between existing industrial businesses and the proposed commercial businesses. He distributed two letters of response from Tyris to these two businesses (attached), which arrived after the agenda packet was sent out. In closing, Mr. Haag recommended that the Commission, by resolution to City Council, recommend that the Council approve the CEQA Addendum, the General Plan Amendment, the Alexander Valley Resort Specific Plan Amendment, the Zoning Ordinance Amendment and the Development Agreement. Mr. Haag explained that per the Commission's request two draft resolutions have been included in the packet for each requested item; one to approve and one to deny depending on Commission's prerogative. Mr. Haag closed his presentation, offering to answer any questions adding that the applicant is in attendance and may wish to discuss the project.

Dan Doporto, Land Use Attorney for Tyris, came to the podium to promote the project explaining the requests before the Commission. He discussed the challenges and lack of success marketing the project, noting the importance of approving the requested amendments for the project.

#### **Public Comments:**

Bruce Reuser, Cloverdale, listed the 27 businesses located on Santana Drive (attached). He stated that he and the City had a clear vision on what they wished to accomplish, which included a golf course to the south, river to the east, industrial to the north and out to the freeway. He discussed the Reuser Industrial Park, commenting that the Park has had continuous growth, even through the recent recession. Mr. Reuser expressed concerns about changing the General Plan and zoning, voicing that he believed the proposed changes would have a negative impact on neighboring businesses. He stated that although he would like to support the sale and development of the land, he requests that the zoning not be changed and alternative be found.

Jim Demartini, Cloverdale, shared that he has been a resident of Cloverdale for 40 years and was a member of the Planning Commission for 6 years and also served as the Chair of the Citizen's General Plan Review Committee when the current General Plan was developed. He remarked that the plan was studied in its entirety from the north end of town to the south end to create an outline for the growth of the City for the next 20 years. Mr. Demartini discussed the economic history of Cloverdale and the fact the industrial parks provides living wage jobs for many Cloverdale workers. He cautioned that if the decision is to amend the General Plan that it be done with great care with consideration for the needs of the entire City.

Bill Schmidt, Cloverdale, stated he is the Vice President of West Coast Professional Door, which has been in business for 4 years and employees 18 staff who work split shifts ranging from 5:00 am to 7:30 pm. He stated that because they pay a living wage several of their employees have been able to purchase homes. He expressed concerns about changes to the zoning that would allow a destination, commercial application which would be using the same streets as the trucks involved in his business. He voiced that it would be unfriendly to operate his trucks in competition with retail traffic. He also requested any changes to the General Plan and zoning be considered carefully with consideration to those already in business in the area.

Steve Nurse, Cloverdale, shared that he was also on the citizen committee mentioned by Jim Demartini and one of the priorities at the time was protecting the downtown businesses. He commented that downtown still has a long way to go and urged the Commission to do nothing that would jeopardize the growth of the downtown business community.

Tom Clark, Cloverdale, shared that he and his wife moved here about 15 years ago from southern CA. He remarked that during his 15 years in Cloverdale, he has watched Bruce Reuser develop his business and praised

him for his environmentally sensitive business and his contributions to the City. He agreed with Mr. Reuser's concerns about the compatibility between industrial and retail commercial use, particularly the volume of truck traffic required for the industrial park and stated he is in favor of retaining the existing zoning and General Plan designation.

Bob Jordan, Cloverdale, stated he has been a Cloverdale resident for 21 years and also served on the Planning Commission for 12 years including the time of the previous Tyris proposal, adding that they were able to come to a positive, mutual approval stage by dealing with the details. He went on to say that the devil is the details and stressed the importance careful crafting. Mr. Jordan commented that the current request amendment is a bit overreaching and needs some finessing to make it work. He expressed concerns about job availability in the community, adding that he would not like to see anything that would be a threat to the vitality of the pedestrian oriented downtown area. Mr. Jordan also agreed that the proposed commercial businesses would be in conflict with industrial use and suggested other entrances to the project property be considered. He recommended the industrial zone be protected and isolated by sound landscaping and distancing. He suggested finding more compatible use neighbors.

Alex Berg, Cloverdale, owner of Cloverdale Tow, which he shared is an interesting business because they are welcomed when a there is a need for their services to tow a car away but when it comes to storing the towed car, no one wants them around. Storage of towed cars has been a challenge due to zoning but thanks to Reuser's Industrial Park, he is able to store cars for the mandated time prior to disposing and provide services 24 hours a day. He voiced concerns about zoning changes and the impact it could have on his business.

Carol Rankin, Cloverdale, shared that she and her brother have a family business in the Reuser Business Park. She discussed the impact of the recession on their business and the need to move their business from Santa Rosa and how accommodating Reuser's were in relocating her business to Cloverdale. She stated while she is for development in Cloverdale, such as the Tyris project, she feels the industrial space needs to be protected and even expanded.

Al King, Cloverdale, Wine Country Homes, expressed appreciation to Reusers for the wonderful job they did on the industrial park, acknowledging the risk they took to develop the park and the jobs they provide. He also expressed concerns about the truck traffic and possible complaints it may bring if this projects moves forward as proposed. He stated that he wishes the best for Tyris and hopes he can get a project going that will be good for everyone.

LaReva Myles, Cloverdale, thanked Bruce Reuser for everything he has done for the City of Cloverdale. She also thanked Tyris Corporations for their efforts and stated she hopes a way can be found to make the project work and meet everyone's needs. She questioned the sharing of the TOT tax. She also asked if the proposed agreement would apply to a future development and obligate them to abide by this agreement and whether the City Attorney has reviewed the agreement. She requested clarification regarding revisions to the addendum. Ms. Myles stated she would like to support a development agreement that would make these parcels attractive to a prospective development company who would help make Cloverdale a destination and provide the economic development the City needs. Mr. Haag responded giving clarification on the revisions, stating that the addendum now supplies more environmental analysis thus making it a more defensible document. He stated that the City Attorney was deeply involved in preparing the development agreement. City Attorney Truxaw responded that a future developer would be bound by this agreement and the agreement would become a vested right for the developer as well.

Mike Nixon, Cloverdale, voiced that there is only so much available land and stressed the importance of planning for the future land uses. He stated that the Reuser's 17 acre Park contributes to creating 200 jobs, pointing out that the 12.3 acres under discussion could also provide more jobs with better salaries if used as industrial. He advised to exercise caution regarding changing the zoning, emphasizing the importance of maintaining control. He discussed the Development Agreement and the TOT taxes, noting that the revenue will not be instant.

Michele Winterbottom, Cloverdale, discussed the TOT tax sharing stating that the agreement would be in place for 21 years. She urged the Commission to really look at the agreement adding that the City is not getting anything out of it. She remarked that it took many years to create the General Plan and Bruce Reuser spent an exorbitant amount of money developing the infrastructure. She stated that the zoning should not be changed. Mr. Haag clarified that the agreement is for 21 calendar quarters rather than 21 years, which would mean approximately 5 years. Dan Doporto, Land Use Attorney for Tyris, confirmed that the agreement is for 5 years, adding the agreement is very complicated and explained the details of the TOT sharing.

Elissa Morrash, Cloverdale, stated that Cloverdale can't afford to do many of things it needs to do and the developer will be assisting with payment for some of these as part of the development project, which will benefit Cloverdale. She commented that zoning is only beneficial if there is a need for that type of zoning, adding that there is not a lot of need right now for industrial use. She said we have a General Plan and an Urban Growth Boundary, which must be looked at but noted these two documents support future mixed use in the community. Ms. Morrash went on to say that Cloverdale made the decision a long time ago that the City does not want sprawl and that means mixed uses and possible conflicts surrounding those mixed uses. She stated this is not always clear or easy and we should not categorically make a decision but rather come up with a compromise that will work, such as buffer zones or alternative entrances to make mixed uses work.

Marilyn Heinen, Cloverdale, shared that she moved here in her retirement because she believed Cloverdale was going to have a golf course, which she understands may not happen now. She stated if she were to buy home in the Tyris project, she would not like to share the road with trucks to access her home or to even shop, noting the commercial and industrial are two very different types of businesses.

George Naill, Cloverdale, stated that trucks are an absolute necessity to life in this country, adding that there is no part of our society that doesn't depend on a truck. He noted that the industrial park creates good jobs, commenting that there seems to be an undercurrent against industry in general. Mr. Naill stated that to have infrastructure, such as sewer, water, highways, there is an industry that supports it and we must support that industry, which includes trucks.

Dan Doporto, Land Use Attorney for Tyris, came to the podium again to discuss the proposed project and address some of the issues presented. He commented how well everyone worked with each other even with opposing views and agreed reasonable minds can differ. He stated there has been and will continue to be cooperation with the Reuser Business Park, adding that Tyris is not anti-industry and will not try to limit truck traffic. He reported that Tyris is willing to modify the project to prevent resort traffic from operating on Santana Drive as to not impair industrial traffic. Mr. Doporto went on to say that he respects and admires Mr. Reuser and what he has accomplished with the business park. He stated that developing the commercial shops in the project will make it a destination area, which will bring people to Cloverdale and will also benefit downtown. He shared the golf course could still be an option, although the current market makes it unlikely. Mr. Doporto closed by offering to answer any questions.

Chair Shanahan and Commissioner Enge enquired about the best way to move forward on the agenda to attend to the item requests. Mr. Haag suggested addressing the bigger issues first that may impact the rest of the items. Commissioner Enge recommended to start with the General Plan Amendments. She thanked the applicant and the community for all the input. She stated that the General Plan was put together over a long period of time to create a vision for the future. She further stated that the plan was put together by past Planning Commissioners and City Council with Community input for the specific focus of creating a walkable downtown area with economical viable businesses. Commissioner Enge commented that changing the General Plan and allowing commercial businesses outside the downtown core would have a detrimental effect on downtown. She voiced that she is not in favor of changing the General Plan and suggested that using a conditional use permit could be another option to look at case by case businesses at a later date and be within the existing General Plan.

Commissioner Domke voiced that he would like to see the project go forward but he has concerns about the proposed zoning change and modification of the General Plan. He compared this to similar project that he was involved with in Healdsburg, saying that it is now going forward without commercial development on the site. He stated Mr. Nixon made a good point regarding the approximately 200 living wage, jobs created by the 17 acres of industrial park, adding that this would not be the case with commercial property. He stated the project does not need the commercial development and he does not feel the General Plan should be changed in any way, adding that it was thoroughly studied in the past.

Alternate Commissioner Bovee thanked the public for all the great comments, which serve to make it easier for him to come to a decision. He acknowledged Tyris Corp and Mr. Reuser for doing a great job trying to compromise but he is opposed to changing the General Plan.

Chair Shanahan stated that he would like to see the project move forward and understands that marketing the property is very important. He shared that he has been on the Commission for a long time and has been a part of developing the General Plan, commenting on the importance of maintaining industrial zoned property. He believes the request is overreaching and will hurt the downtown area and agreed with Commissioner Enge that issuing conditional use permits would be better than changing the General Plan.

Mr. Haag informed the Commission that if they did not approve the changes to the General Plan, technically they could not recommend approval of the other applications because zoning must be consistent with the General Plan. Staff would need to go back and reconfigure the requested amendments to the General Plan. Mr. Haag stated that even if the Commission elected not to approve the General Plan Amendments, the Specific Plan Amendment, the Zoning Ordinance Amendment and the Development Agreement, he would still strongly urge them to approve the Resolution to the Council to approve the CEQA Addendum since it is independent from the General Plan Amendment and governed by different laws.

Commissioner Domke enquired about the possibility of approving a Development Agreement without approving the General Plan Amendments. Mr. Haag responded that could be an option. Commissioner Domke stated that the Commission should consider approving the CEQA Addendum as it is separate from the other Amendments. Mr. Haag advised the Commission that the draft Resolution for the CEQA Addendum is attachment number 10 in the agenda packet.

Chair Shanahan entertained a motion on the Resolution to approve the CEQA Addendum.

Motion was made by Commissioner Domke to approve the Resolution recommending to the City Council the adoption of a CEQA Addendum on approximately 254 acres of land lying east of Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport (APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, 024, -026, -027, -028 & -029), and seconded by Commissioner Enge. The motion passed by roll call vote: (4 ayes - Shanahan, Domke, Enge, Bovee; 0-noes, 1 recused - Halliday).

Mr. Haag suggested voting on the remainder of the Resolution in the order listed in the agenda packet recommending either approval or denial of each item.

Motion was made by Commissioner Enge to approve the resolution recommending to the City Council that a General Plan Amendment on approximately 254 acres of land lying east of the Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport not be approved, and seconded by Commissioner Domke. The motion passed by roll call vote: (4 ayes - Shanahan, Domke, Enge, Bovee; 0-noes, 1 recused - Halliday).

Motion was made by Commissioner Enge to approve the resolution recommending that the City Council not adopt an amendment to the Alexander Valley Resort Specific Plan on approximately 254 acres of land lying east of

the Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport not be approved), and seconded by Commissioner Bovee. The motion passed by roll call vote: (4 ayes - Shanahan, Domke, Enge, Bovee; 0-noes, 1 recused - Halliday).

Motion was made by Commissioner Enge to approve the resolution recommending that the City Council not adopt an ordinance rezoning the 12.3 acre parcel on the southeast corner of Asti Road and Santana Drive from "MP-Industrial Park to SP-1- Specific Plan 1" and make other amendments to Section 18.08.040 of the Zoning Ordinance and recommending the City Council not adopt an ordinance approving a development agreement, and seconded by Commissioner Domke. The motion passed by roll call vote: (4 ayes - Shanahan, Domke, Enge, Bovee; 0-noes, 1 recused - Halliday).

Although the Commission voted against the current development agreement, they wished to go on record as stating in general they definitely support the idea of a future development agreement with revisions.

Mr. Haag thanked the Commission for their good work.

**OTHER BUSINESS:** None

**PLANNING COMMISSION DIRECTION TO STAFF:** None

**ADJOURNMENT:** Chair Shanahan adjourn the meeting at 8:50 p.m. to the next meeting Tuesday, February 2, 2016, at 6:30 p.m., or alternate date as requested, at the Cloverdale Performing Arts Center, 209 N. Cloverdale Blvd., Cloverdale, CA 95425.

These minutes were adopted by the Planning Commission at a regular meeting on February 2, 2016, by voice vote action: -ayes (), -noes, -absent ().

Approved:

Attested:

\_\_\_\_\_  
Mike Shanahan, Chair

\_\_\_\_\_  
Linda Moore, Deputy City Clerk



CITY OF CLOVERDALE  
RECEIVED

JAN 04 2016

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Concord, CA 94520  
925-288-9200 Office  
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tyriscorp.com

December 31, 2015

Bruce Reuser  
Reuser, Inc.  
370 Santana Drive  
Cloverdale, CA 95425

Dear Bruce,

We are taking this opportunity to respond to your December 14, 2015 letter to the City of Cloverdale Planning Commission regarding our application to change the zoning on the 12.3 acres located at the corner of Asti Road and Santana Drive (the "Asti Road Parcel"). Based on our earlier discussions, we had hoped that our proposal addressed the concerns expressed in your October 20, 2015 email comments to the Mayor and the members of the City Council. However, your comments suggest to us that we may have not fully explained our current proposal. Therefore, we would like to take this opportunity to clarify our proposal and to continue to work with you to cooperatively develop our respective properties to their highest and best uses and in the manner that is in both of our best interests.

For 15 years now, both Reuser, Inc. and Tyris have worked cooperatively together to ensure that development of each party's property does not adversely affect the development and operations of the other's property. You will recall that when Tyris purchased the Alexander Valley Resort (AVR) Property in 2001 it was blighted with two contaminated wood waste landfills totaling over 1 million cubic yards, two EPA Superfund sites (from Louisiana Pacific and from Masonite Corp), a designated Brownfield site, an abandoned log mill, and contaminated piles of soil brought in from another Louisiana Pacific location in Sonoma County. All of this contamination was left in Cloverdale by Louisiana Pacific and International Paper when they closed their operations and took their jobs and left town. Today, the AVR Property is fully remediated and suitable for redevelopment with new-job generating uses that are much less likely to pack up and leave. (Please see attached photos) To date, Tyris has spent more than \$24 million to turn the blighted Property into a site that can be re-used to create jobs for Cloverdale, and the vast majority of these expenditures were non-land acquisition costs. These expenditures included approximately \$4.6 million in local payrolls and benefits, \$1.2 million in local property taxes, \$4 million in consulting services and fees to clean up and entitle the Property, and \$550 thousand paid to the City to cover staff and city attorney and city consultant costs and City reports. And Tyris has not asked for or received a single dime of taxpayer money to subsidize the cleanup of the environmental contamination or help develop the currently-proposed AVR project.

Over these years, in the spirit of cooperation, we have granted each other reciprocal easements to allow for development of our respective properties and shared costs for emergency vehicle access improvements and other public improvements. We at Tyris appreciate the manner in which you have developed your property; the Reuser Industrial Park is a good neighbor and an amenity for the entire City of Cloverdale, and its environmentally-friendly practices are a model to be emulated by other business in Cloverdale and beyond. We have always supported, and will continue to support, your efforts to develop your own business and bring jobs to Cloverdale, including the more than 30 jobs offered by your recycling business and the 200 or more jobs in the greater business park. Tyris also seeks to provide employment opportunities in Cloverdale, through the construction of the AVR and associated residential, commercial and industrial developments to the operation of the Resort and other businesses that will locate on the Property. We expect the AVR and associated development to provide several hundred construction jobs and several hundred more permanent jobs, ranging from entry-level positions to career management positions at the resort, spa, restaurants and associated operations to entrepreneurial opportunities on the Asti Road Parcel. Moreover, we expect the AVR development to add millions of dollars in hotel and sales tax and other revenues to the City of Cloverdale in the years and decades ahead. We believe we share your interest, desire and commitment to seeing the City of Cloverdale flourish.

In the continued spirit of cooperation, we would like to clarify our pending development proposal, as your December 14 letter and Facebook post suggests a misunderstanding of some of the facts and details about our proposal.

First, Tyris is the sole owner of the Property and is the sole proponent of the Proposal pending before the City. Tyris does not own Laulima Development LLC (“Laulima”), and Laulima is not an applicant to or part of Tyris’ pending Proposal in any way. Tyris is seeking the requested General Plan, Specific Plan, and Zoning Ordinance amendments to allow for more flexibility in development of the Property (i.e. to make the golf course an optional rather than a required component), and to expand the Specific Plan area to include additional acreage. And, Tyris is not requesting additional housing and Tyris is not requesting closure of the Cloverdale Municipal Airport as part of its Proposal and will not in the future. In fact, the proposed revised Specific Plan references General Plan goals (LU-8, PS-7) and includes its own policies (R1.1, ER1.9, and ALU 1.1 through 1.6) to ensure development compatible with the airport use.

Second, your December 14 letter states that we are requesting that the “zoning on Santana Drive” be changed from “Business Park to Resort Commercial.” This is incorrect. Tyris is requesting a Zoning Ordinance amendment to restore the Asti Road Parcel to the Specific Plan area and to re-zone that parcel consistent with the remainder of the Specific Plan area. You will recall that the Asti Road Parcel was originally part of the Alexander Valley Resort Specific Plan area, but was removed prior to approval of the final Specific Plan for economic reasons. In your October 20 email message to the City Council, you recommended that we preserve the industrial uses on that Parcel, and only allow new uses that the new owners may need. (See attached email message) In response to your concern, we have proposed that the Asti Road Parcel be rezoned as “Resort Mixed Use” to allow all the currently-allowed industrial uses and also allow a limited number of retail and commercial uses compatible with the Resort. We modified our original proposal to specifically conform to your request and the concern you

expressed to the City Council. We hope this clarifies that we are not seeking to rezone the Asti Road Parcel solely for commercial uses, and explains that our proposal is consistent with the General Plan policies referenced in your December 14 letter.

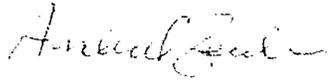
Your December 14 letter also expresses concerns about industrial traffic from your operations becoming a nuisance for potential commercial development on the Asti Road Parcel. As explained above, although our proposal would allow only limited commercial uses on the Asti Road Parcel (such as are compatible with the proposed Resort), consistent with your October 20 comments, our proposal would also continue to allow industrial uses on that Parcel. Because the specific uses to be developed on that Parcel, and their precise locations on the Parcel, will not be known until Precise Development Plans are submitted for such development, it is currently impossible to say what types of uses will be developed on Santana Drive. We note, however, that the City has already prepared an Environmental Impact Report (EIR) for the AVR Project that analyzes the potential traffic impacts of the AVR Project as well as from commercial development on the Asti Road Parcel and identifies appropriate mitigation measures, in the form of traffic infrastructure improvements, to address all possible traffic impacts. In your October 20 comments, you did not mention any concerns about traffic. If you had, we would have been happy to discuss limiting access to the Asti Road Parcel from Santana Drive and Commerce Lane to delivery trucks and tenants of the our respective properties. However, we also note that the City may be unlikely to commit to any traffic restrictions or limitations in the absence of having more specific development plans for the Asti Road Parcel. And as noted above, such specificity will necessarily have to wait until the AVR Property is purchased by the ultimate developer and Precise Development Plans have been submitted for that Parcel.

Finally, in both your October 20 email message and your December 14 letter, you referenced an "agreement" with the City which you've suggested was intended to preserve the Asti Road Parcel for industrial development. As we explained, our proposal does not preclude industrial development on that Parcel. However, we are not aware of any such agreement between you and the City. Last October, when we asked you for a copy of this agreement, you provided us with a copy of an October 13, 1999 "Supplemental Improvement and Reimbursement Agreement Between the City of Cloverdale and Reuser, Inc. and Bruce Reuser, Individually." We have discussed this agreement with the City Attorney and concluded that it does not relate or apply to uses on the Asti Road Parcel. Instead, it simply requires the City to reimburse you and Reuser, Inc. for the costs of various improvements required to construct a sewer line to provide for expansion and for additional future users who might locate in the park. (See attached agreement, Section 2) If there is another agreement between you and the City that controls or applies to development of the Asti Road Parcel, we would certainly appreciate seeing that agreement, and we would cooperate to comply with its terms, because we know that the City would not allow development of that Parcel in a manner that was inconsistent with such an agreement.

In closing, we would like to continue to work together, cooperatively, to develop our property in a manner that does not adversely affect your property or its operations, and at the same time allows our project to move forward. As we've said, we have always strived to be a good neighbor and we want to continue our good working relationship well into the future. To that end, please feel free to contact me directly if you have any concerns about our project. We

would welcome the opportunity to discuss them with you personally and work out solutions that are in your best interests, our best interests, and the best interests of the entire City of Cloverdale. To that end I am available to meet with you by phone or in person this Saturday, Sunday or Monday prior to the Tuesday Planning Commission meeting.

Sincerely



Andrew Zamberlin  
President  
Tyris Corporation

cc: Honorable Members of the City Council  
of the City of Cloverdale  
Honorable Members of the Planning Commission  
of the City of Cloverdale  
Paul Cayler, City Manager  
Jose Sanchez, City Attorney  
Jerry Haag, Interim Planning Director



CITY OF CLOVERDALE  
116-310-047

SANTANA  
116-310-026

SANTANA  
116-310-019

REUSER  
116-310-072

PREMIUM  
L.L.C.  
-005

MALET MASTERS  
116-310-059

REGG  
116-310-058

REUSER  
116-310-058

REUSER  
116-310-030

REUSER  
116-310-069

EPA Superfund Site  
International Paper

AVR 2001

EPA Superfund Site  
Louisiana Pacific

Western Waste Water Council

General Waste Water Landfill with  
Sewerage (Sanitary)

PINOLI  
117-060-057

WERT  
117-050-054

WELTAKER  
117-060-055

ICARIA  
117-060-052

FIELD  
117-070-059



**Alexander Valley Resort  
Sonoma County, CA  
2013**



1220 Diamond Way, Suite 100  
Concord, C.A 94520  
925-288-9200 Office  
925-288-9202 FAX  
tyriscorp.com

January 5, 2016

Honorable Members Of The City Council Of Cloverdale  
Honorable Members Of The Planning Commission Of Cloverdale  
Paul Caylor, City Manager  
Jerry Haag, Interim Planning Director  
Jose Sanchez, City Attorney  
124 N. Cloverdale Blvd.  
Cloverdale, CA 95425

CITY OF CLOVERDALE  
RECEIVED

JAN 05 2016

Dear Council Members, Planning Commission Members, and Staff:

Recently there has been concern expressed by several of the businesses located along Santana Drive with regard to continued access from Santana Drive to the South Cloverdale Boulevard overpass if proposed changes to the Alexander Valley Resort (AVR) project are approved. As the President of Tyris Corporation (Tyris), the owner's representative and manager of the AVR property, I had an extended conversation with Mr. Reuser on January 4<sup>th</sup> where he communicated to me that his, and the other users of the business park, major concern is continued future access to the South Cloverdale overpass from Santana Drive. Given that concern I would like to reiterate Tyris' continuing position.

To be clear, Tyris has never requested and does not support restrictions on the business park tenants' access to the South Cloverdale overpass or any other restrictions on business park traffic traveling south on Asti Road from Santana Drive to the South Cloverdale overpass. Additionally, the City's traffic mitigations measures adopted for the Alexander Valley Resort project do not call for restrictions on the business park tenants' access to the South Cloverdale overpass or otherwise restrict business park traffic traveling south on Asti Road from Santana Drive to the South Cloverdale overpass.

Furthermore, Tyris has no interest in providing general public access to the AVR development from Santana Drive or Commerce Lane, but only wishes to preserve access to the AVR development from those streets for tenants of the AVR development and for deliveries to the AVR development.

Finally, Tyris would be supportive of business park friendly policies that will ensure continued future access and use of the South Cloverdale Overpass to business park traffic provided, however, that access to the AVR development from Asti Road and Old Mill Road as currently proposed be maintained and the current pending approvals not be delayed.

Please feel free to contact me with any questions.

Sincerely,

---



Andrew Zamberlin  
President

cc: Bruce Reuser

1. Soil King
2. Reuser Incorporated
3. Legacy Wines, LLC
4. All N' One Kustom
5. Reuser Properties, LLC
6. Cloverdale Xpress Oil Change
7. CenterSource Systems, LLC
8. CM Supply, LLC
9. Fluzzle Tube
10. Earth Colors Painting
11. West Coast Auto Craft
12. 14 Feet
13. Molyworks
14. West Coast Professional Door
15. Renner Petroleum
16. Midori
17. Giovanni Electric
18. Bill Gordon Cabinets
19. Cloverdale Tow
20. Yepez Plastic Recycling
21. Mountain House Spirits
22. No Limit Fine Wines
23. Valdez Family Winery
24. Dina King
25. Rege Construction
26. Classic Mill and Cabinet
27. Classic Innovations, LLC



AGENDA ITEM No. 2  
City of Cloverdale  
Planning Commission  
*Staff Report*

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<b>Meeting Date:</b>	February 2, 2016
<b>Applicant:</b>	Greg Lucas
<b>Property Owner:</b>	Greg Lucas
<b>Project Location:</b>	221 Live Oak Drive (APN 001-211-019)
<b>Zoning Designation:</b>	Single-Family Residential (R-1)
<b>General Plan Designation:</b>	Low Density Residential (LDR)
<b>Project Description:</b>	Request for a 12 month time extension (TM EXT 003-2016) of a previously approved Tentative Subdivision Map for the 221 Live Oak Drive Subdivision of 4.43 acres into 12 single-family residential lots ranging in size from 10,099 square-feet to 25,861 square-feet.
<b>Environmental Assessment:</b>	The Mitigated Negative Declaration approved on February 7, 2007 is the adequate document for CEQA compliance

---

**A. Staff Recommendation**

That the Planning Commission, by resolution, approve a 12-month time extension (TM EXT 003-2016) to the 221 Live Oak Drive Tentative Subdivision Map, to expire February 7, 2017.

**B. Background**

**Tentative Map**

On February 7, 2007, the Planning Commission approved a Tentative Subdivision Map for a 12 lot subdivision known as the 221 Live Oak Drive Subdivision, which includes approximately 4.43 acres located at the southwest corner of the intersection with Live Oak Drive and Lake Street. The adopted conditions of approval provided that the Tentative Subdivision Map would become null and void two years after the approval date, February 7, 2009.

However, in 2008 with the downturn in the economy, the State passed Senate Bill SB 1185, which provided for an automatic 12-month time extension to all tentative maps that had not expired as of July 15, 2008. This automatic time extension extended the expiration date of the 221 Live Oak Drive Tentative Subdivision Map to February 7, 2010.

Then, on July 15, 2009, the State passed another time extension with Assembly Bill AB 333. With this time extension, all tentative maps that had not expired prior to July 15, 2009 were granted an automatic 24-month time extension. This second automatic time extension extended the expiration date of the 221 Live Oak Drive Tentative Subdivision Map to February 7, 2012.

The State then passed a third time extension with AB 208 on July 13, 2011. This extension provided for another automatic 24-month time extension for all tentative maps that had not expired prior to July 15, 2011. The approval of AB 208 extended the expiration date of the 221 Live Oak Drive Tentative Subdivision Map to February 7, 2014.

Finally, the State passed AB 116 on July 11, 2013, which provided for another automatic 24-month time extension to all tentative maps that had not expired as of July 11, 2013. This fourth time extension extended the expiration date of the 221 Live Oak Drive Tentative Subdivision Map to February 7, 2016.

On January 5, 2016, the property owner submitted the requested 12-month time extension to the 221 Live Oak Drive Tentative Subdivision Map, prior to the expiration date of February 7, 2016.

### **C. Analysis**

#### **Public Notice**

A public notice was not sent for this application because the Cloverdale Municipal Code does not require a public hearing in order to approve a request for a time extension to a previously approved tentative map. The reason for this is because the original approval of the tentative map required a public hearing for which public notices were mailed to all property owners within 300 feet of the project site. Therefore the necessity for a public hearing was satisfied on February 7, 2007, when the Planning Commission approved the Tentative Map at a properly noticed public hearing.

#### **Time Extension**

The Subdivision Map Act (California Government Code Section 66452.6) allows the legislative body (in this case the Planning Commission) to grant time extensions for a tentative map that has not previously expired for a period or periods of time not exceeding six (6) years.

The City's Subdivision Ordinance (Cloverdale Municipal Code Section 17.04.110) states that upon written request, the Planning Commission may grant a 12-month time extension to the original approval date. However, the Planning Commission may also further extend the 12-month time limit, to a period of time not to exceed the maximum set forth by the State above.

This is the first time extension request submitted by the applicant for this subdivision. The time extension is being requested because the property owner is currently working towards completion of the Southcrest Acres Subdivision Improvement Plans and Building Permit process for the single-family homes. The property owner intends to develop the 221 Live Oak Drive Subdivision, but needs more time to first complete the Final Map.

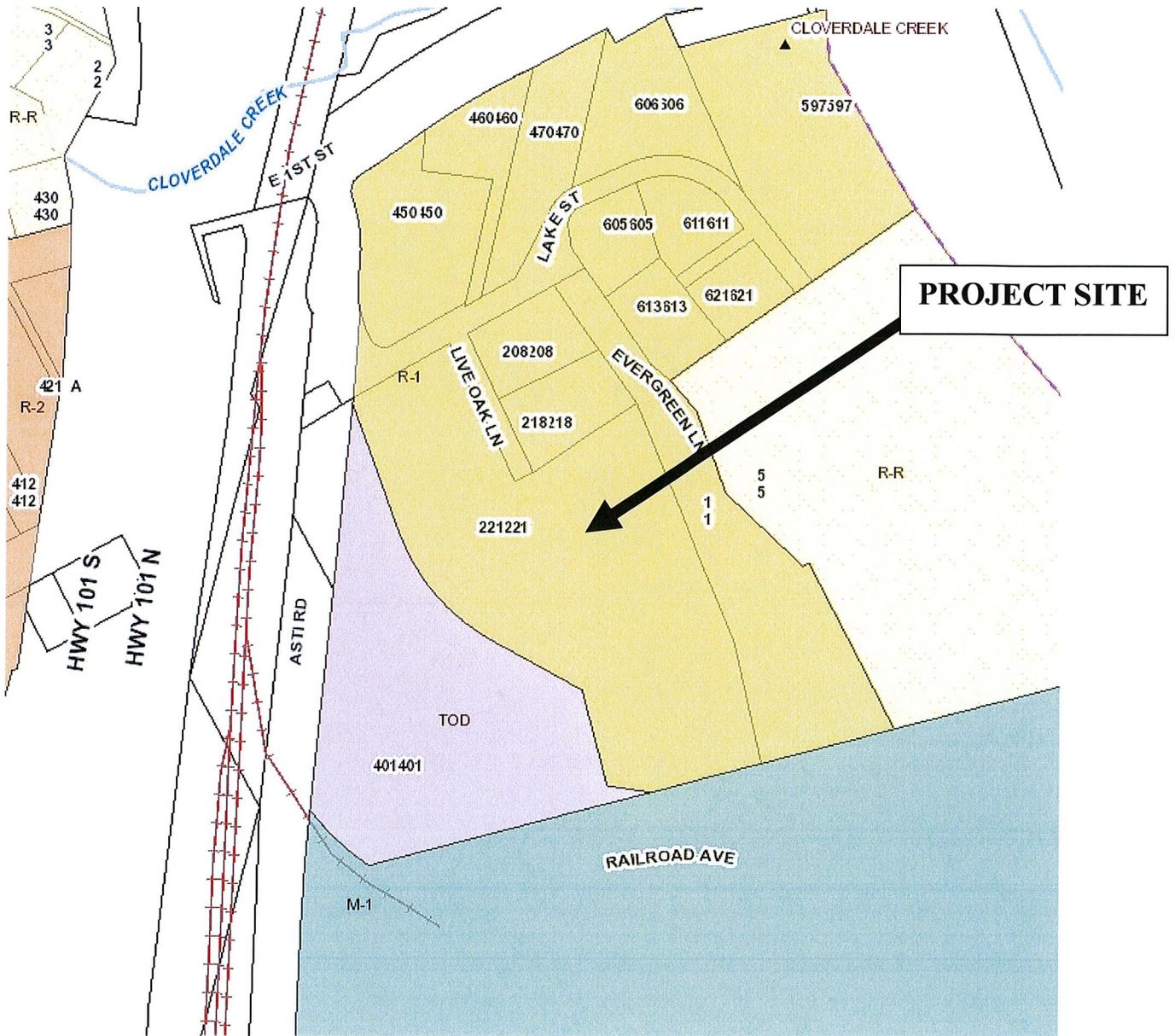
### **D. Staff Recommendation**

In consideration of the applicant's progress in furthering the completion process of the Southcrest Acres Subdivision Improvement Plans and current plan check status of the Building Permits for the single-family homes in the Southcrest Acres Subdivision, staff recommends that the Planning Commission adopt the attached resolution approving this first request for a time extension to the 221 Live Oak Drive Tentative Subdivision Map to expire February 7, 2017.

#### **Attachments**

1. Location Map/City Zoning Map
2. Tentative Map approved on February 7, 2007
3. Draft resolution

**ATTACHMENT 1**  
Location Map/City Zoning Map



**ATTACHMENT 2**  
Approved Tentative Map

City of Cloverdale  
Community Development Department  
Received

1-11-16

# TENTATIVE MAP for BLACKSTONE HOMES

CITY OF CLOVERDALE, SONOMA COUNTY, CALIFORNIA  
**Lands of NIELSEN**

12 LOTS  
APN 001-211-012

### PROJECT DATA

EXISTING USE: RESIDENTIAL-R1  
PROPOSED USE: R1 6000ft<sup>2</sup> MH  
TOTAL NUMBER OF LOTS: 12 LOTS  
MINIMUM LOT SIZE: 10,089 S.F.  
MAXIMUM LOT SIZE: 23,081 S.F.  
AVERAGE LOT SIZE: 10,020 S.F.  
LOTS PER ACRE: 2.71  
TOTAL ACREAGE: 4.43

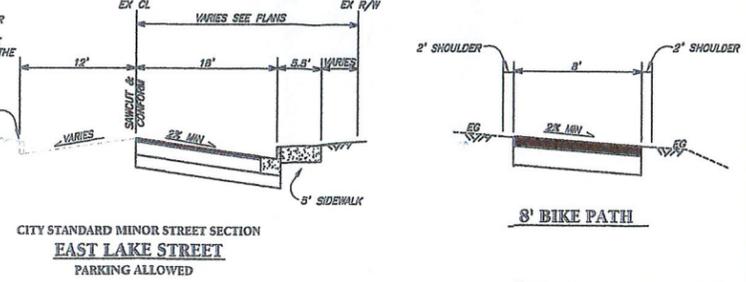
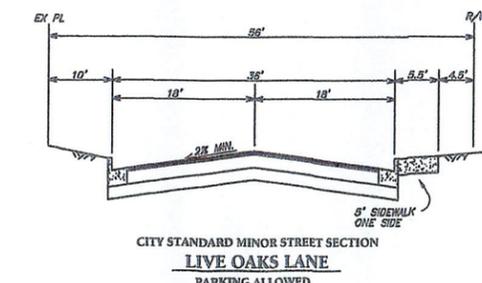
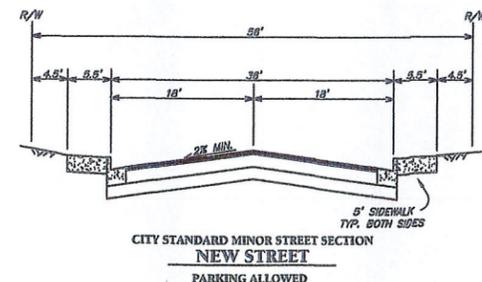


### OWNER'S SIGNATURE

ROY NIELSEN \_\_\_\_\_ DATE \_\_\_\_\_  
ROBERT SCIAINI \_\_\_\_\_ DATE \_\_\_\_\_

### LEGEND / ABBREVIATIONS

- |       |                                       |        |                          |
|-------|---------------------------------------|--------|--------------------------|
| ----- | PROPERTY LINE, LANDS OF NIELSEN et al | APN    | ASSESSOR'S PARCEL NUMBER |
| ----- | NEIGHBORING PROPERTY LINE             | EL     | ELEVATION                |
| ----- | CENTERLINE STRIPPING                  | D.M.   | DOCUMENT NUMBER, S.C.R.  |
| ----- | BUILDING LINE                         | FF     | FINISHED FLOOR           |
| ----- | GRAVEL DRIVEWAY                       | FL     | FLOWLINE                 |
| ----- | EDGE OF PAVING                        | INVT   | INVERT ELEVATION         |
| ----- | CONCRETE CURB & GUTTER                | IP     | IRON PIPE                |
| ----- | A.C. DIKE                             | JP     | JOINT POLE               |
| ----- | SANITARY SEWER LINE & SIZE            | LOAK   | LIVE OAK                 |
| ----- | OVER HEAD WIRES                       | N.T.   | NO TAG                   |
| ----- | EXISTING FENCE LINE (TYPE VARIES)     | SOP    | SURVEY CONTROL POINT     |
| ----- | UNDERGROUND GAS LINE                  | SSMH   | SANITARY SEWER MANHOLE   |
| ----- | DROP LINE OF TREE OR BRUSH LINE       | S.C.R. | SONOMA COUNTY RECORDS    |
| ----- | SURFACE FLOW DIRECTION                | TC     | TOP OF CURB              |
| ----- | STORM DRAIN CULVERT                   | TP     | TELEPHONE POLE           |
| ----- | RAILROAD TRACKS                       | W.OAK  | WHITE OAK                |
| ----- | TREE TO BE REMOVED                    | WM     | WATER METER              |
| ----- |                                       | WV     | WATER VALVE              |



INITIAL DRAWING DATE: APRIL 2006

No.	DATE	DESCRIPTION	BY	APPROVED

GRAPHIC SCALE: 1 inch = 40 ft.

PREPARED FOR:  
**BLACKSTONE HOMES, INC.**  
ATTN: DOUG ANDERSON  
P.O. BOX 6651  
SANTA ROSA, CA 95406

PROJECT DESCRIPTION:  
TENTATIVE MAP  
221 LIVE OAK LANE  
CLOVERDALE, CA 95625  
APN 001-211-012

SHEET DESCRIPTION:  
**TENTATIVE MAP**

DATE: \_\_\_\_\_

PREPARED UNDER THE SUPERVISION OF:  
**Double Thomas & Associates, Inc.**  
LAND SURVEYING, ENGINEERING & MAPPING  
1500 North Main Street, Suite 200, Cloverdale, California 95625  
Branch Office in Windsor and Gebeville

BRADLEY A. THOMAS, PLS 5520  
MY LICENSE EXPIRES 30 SEPT., 2007

SCALE: 1"=40'

DRAWN BY: CBI

CHECKED BY:

FILE No.: 2005-004

SHEET No. 1 OF 1

**ATTACHMENT 3**

**CITY OF CLOVERDALE  
PLANNING COMMISSION  
RESOLUTION NO. 006-2016**

**A RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION APPROVING A 12-MONTH TIME EXTENSION (TM EXT 003-2016) TO THE 221 LIVE OAK DRIVE TENTATIVE SUBDIVISION MAP (APN 001-211-019)**

**WHEREAS**, an application for a 12-month Time Extension (TM EXT 003-2016) to a previously approved Tentative Subdivision Map known as the 221 Live Oak Drive Subdivision, which consists the subdivision of approximately 4.43 acres into 12 single-family residential lots ranging in size from 10,099 square-feet to 25,861, located at 221 Live Oak; and

**WHEREAS**, the site is designated Low Density Residential (LDR) on the City's adopted General Plan Land Use Map and located in the Single-Family Residential (R-1) Zoning District, and the proposal is consistent with the density allowed by the LDR land use designation, and the project is consistent with the R-1 Zoning District, which allows detached single-family residences; and

**WHEREAS**, the Planning Commission approved a Tentative Subdivision Map application for the 221 Live Oak Drive Subdivision on February 7, 2007; and

**WHEREAS**, Cloverdale Municipal Code Section 17.04.110 allows time extensions to approved Tentative Subdivision Maps; and

**WHEREAS**, the requested time extension was considered at a public meeting of the Cloverdale Planning Commission on February 2, 2016, for the purpose of reviewing the application proposing a 12-month Time Extension to the previously approved 221 Live Oak Drive Tentative Subdivision Map and considered all written and verbal communication, including the staff report; and

**WHEREAS**, the applicant and members of the public were present to speak on this matter; and

**WHEREAS**, the Planning Commission finds that the Mitigated Negative Declaration approved for the project on February 7, 2007, remains the adequate document for CEQA compliance; and

**NOW, THEREFORE BE IT RESOLVED** the above recitals are true and correct and incorporated herein by reference; and

**NOW, THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission of the City of Cloverdale does hereby grant a 12-month Time Extension (TM EXT 003-2016) to a previously approved Tentative Subdivision Map known as the 221 Live Oak Drive Subdivision, which consists the subdivision of approximately 4.43 acres into 12 single-family residential lots ranging in size from 10,099 square-feet to 25,861, located at 221 Live Oak Drive, subject to the Conditions of Approval listed below:

**Planning:**

1. A 12-month Time Extension to the previously approved Tentative Subdivision Map known as the 221 Live Oak Drive Subdivision is granted. The new expiration date for the

Tentative Subdivision Map is February 7, 2017. Any deviation from the conditions of approval requires Community Development Department or Planning Commission approval.

2. This approval is subject to appeal within 10 consecutive days from the date of approval.
3. All conditions of this Time Extension to the existing Tentative Subdivision Map are necessary to protect the general health, safety and welfare, and to minimize or eliminate adverse environmental effects of the project. If any condition of this permit is held to be invalid by a court, then the entire permit shall be invalid. The Planning Commission specifically declares that it would not have issued this permit unless all of the conditions herein are
4. All previous conditions of approval shall continue to apply.

\*\*\*\*\*

Resolution No. 006-2016 was duly adopted on this the 2<sup>nd</sup> day of February 2016, by the following roll call vote: (-ayes, -noes)

AYES in favor of:

NOES:

ABSTAIN:

ABSENT:

Approved:

Attested:

\_\_\_\_\_  
Mike Shanahan, Chair

\_\_\_\_\_  
Linda Moore, City Clerk



AGENDA ITEM No. 3  
City of Cloverdale  
Planning Commission  
*Staff Report*

---

<b>Meeting Date:</b>	February 2, 2016
<b>Applicant:</b>	Cloverdale Senior Multipurpose Center
<b>Property Owner:</b>	City of Cloverdale
<b>Project Location:</b>	311 N. Main Street (APN 001-162-005)
<b>Zoning Designation:</b>	Two-Family Residential (R-2)
<b>General Plan Designation:</b>	Medium Density Residential (MDR)
<b>Project Description:</b>	Modification to an existing Conditional Use Permit (CUP MOD 001-2016) to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center.
<b>Environmental Assessment:</b>	Categorically Exempt: Section 15301, CEQA Guidelines – Existing Facilities

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**A. Staff Recommendation**

That the Planning Commission consider the application and by Resolution approve the requested Modification to an existing Conditional Use Permit (CUP MOD 001-2016), subject to the recommended conditions of approval.

**B. Background**

**Existing Conditions**

The site is developed with the Cloverdale Senior Multipurpose Center building, landscaping and related site improvements at 311 N. Main Street. The site contains a parking lot developed with 13 parking spaces including one (1) handicap parking spaces. The parking lot takes access from N. Main Street. Secondary access to the rear of the property and building is provided via the alley that runs between E. Fourth Street and E. Third Street. A loading zone and additional parking for two vehicles is available at the rear of the building off of the alley way.

Adjacent uses are as follows:

- North: Single-Family Residence
- South: Single-Family Residence
- East: Single-Family Residences/Vintage Towers Bed and Breakfast
- West: Multi-Family Residences

**Entitlement History**

In 1993, the City purchased the property at 311 N. Main Street for the purpose of establishing a Senior Center.

On February 3, 1999, the Planning Commission approved a Conditional Use Permit, Design Review and Negative Declaration for the construction and operation of a 4,500-square-foot

Senior Multipurpose Center on the 16,200-square-foot property. One of the conditions of approval for the project limited the hours of operation to 7:00 a.m. through 7:00 p.m., Monday through Friday, and 8:00 a.m. through 5:00 p.m. on Saturday.

In February of 2006, the Planning Commission approved a Modification to the Conditional Use Permit revising the weekday hours of operation to allow for evening meetings (including but not limited to Planning Commission and City Council meetings). In April 2006, the Senior Multipurpose Center was formally designated as the temporary location to hold regular and special Planning Commission meetings until completion of the Cloverdale Performing Arts Center. At the time, when large audiences were anticipated, the City continued to use other venues such as the Citrus Fair for Planning Commission meetings.

### **C. Project Description**

The Cloverdale Senior Multipurpose Center wishes to modify the Conditional Use Permit originally approved by the Planning Commission on February 3, 1999. The modification would expand the hours of operation for the Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year. The maximum number of people anticipated to attend any of these events or courses is 75 people.

The special events would be single day events that start and finish on the same day. Examples of a special event include an anniversary celebration, funeral reception, retirement party, local non-profit meeting or dinner space. These events would be in addition to the normal operations of the Center which include up to four dinners a year put on by the Cloverdale Senior Multipurpose Center itself.

Some of the special educational courses would be single day courses and some would take place one day a week for six-eight weeks. Courses would be offered through the Santa Rosa Junior College Older Adults Program and the Sonoma State University Osher Lifelong Learning Institute. These courses would be offered in addition to the normal operations of the Center which include regularly scheduled classes such as yoga, line dancing, sign language, computers and art currently held Monday through Friday during normal business hours of 9:00 am to 3:30 pm.

### **D. Analysis**

#### **Public Notice**

The Notice of Public Hearing was published in the Cloverdale Reveille and properly posted on January 21, 2016. Notice of the public hearing was also mailed to property owners within 300' of the proposed project on January 21, 2016.

#### **Environmental Review**

The project qualifies for a Class 1 (Section 15301 – Existing Facilities) CEQA exemption because the Cloverdale Senior Multipurpose Center building and parking lot are existing and are not being expanded in any way. Furthermore, the addition of the special events and educational classes are similar to functions that the Center currently provides, and is therefore considered to be a negligible or no expansion of an existing use.

## **General Plan**

The site is designated Medium Density Residential (MDR) on the City's General Plan Land Use Map. The General Plan Land Use Element contains goals, policies and implementation measures which encourage the use of public facilities and development of educational programs.

Goal LU 5 encourages the Cloverdale Unified School District and other educational institutions to identify and provide sites and facilities for a full spectrum of educational opportunities within the City.

Implementation LU 5-1.e encourages educational institutions to open or establish Cloverdale campuses, including college and junior college campuses or satellite programs, private educational and trade schools at all levels, and in-city offices for campuses or programs in the County areas near Cloverdale, including co-located resources meeting a variety of educational needs at shared locations.

Policy LU 6-2 seeks to provide for adequate public facilities and services to meet the needs of the community.

The proposed project is consistent with the goals, policies and implementations measures of the General Plan and the MDR land use designation as it will provide educational courses and continues the use of an existing public facilities building.

## **Zoning**

The site is zoned Two-Family Residential (R-2) on the City's Zoning Map. Public and quasi-public uses, such as churches, clubs, public schools, private schools, vocational schools, public utilities and public buildings are uses that are permitted subject to approval of a Conditional Use Permit in the R-2 Zoning District. The R-2 district around the downtown is intended to conserve the livability and walkability of older residential areas.

Zoning adjacent to the site is as follows:

North:	Two-Family Residential (R-2)
South:	Two-Family Residential (R-2)
East:	Two-Family Residential (R-2)
West:	Two-Family Residential (R-2)

According to Chapter 18.14 (Zoning Ordinance Definitions) of the Zoning Ordinance, the Cloverdale Senior Multipurpose Center is considered a public/quasi-public use for public and private gatherings, and where educational classes are offered for the community. Public/quasi-public uses are permitted in the R-2 Zoning District subject to Conditional Use Permit approval, which the Planning Commission did on February 3, 1999.

As the project does not involve new construction and the site was developed in accordance to the Zoning Ordinance standards at the time, including off-street parking requirements, the project meets the development standards of, and is consistent with, the R-2 Zoning District.

## **Parking**

At the time of the original approval for the Cloverdale Senior Multipurpose Center, concerns were raised regarding potential traffic and parking impacts to the neighborhood that could potentially arise. As a result, the 16, 200 square-foot property was developed with the building located towards the rear to accommodate a parking lot off of N. Main Street with as much off-street parking as possible. The property was developed with 13-off-street parking spaces, including one handicapped parking space, directly accessed via the driveway onto N. Main Street. An alley connecting East Fourth Street with East Third Street runs along the back of the

property providing access to a loading area and two additional off-street parking spaces for a total of 15 off-street parking spaces.

Additionally, the Center was required to enter into a parking agreement that requires the Center to promote walking, carpooling, public transportation and other alternative forms of transportation to and from the Center. The Center still actively promotes these alternatives to driving, and as many of the patrons of the Center are elderly and only drive in the daytime or not at all, many already carpool or use the Cloverdale Shuttle.

A bus stop is located directly in front of the Center on N. Main Street, and although it was not used previously, with the recent changes to the Cloverdale Shuttle's route that took effect January 1, 2016, the Shuttle now makes regular stops in front of the Center. The new Cloverdale Shuttle route and pick up/drop off locations are the result of recent meetings between the Cloverdale City Manager and the Sonoma Transit Authority, as well as outreach made by the Transit Authority to the Kings Valley Senior Living Center and the Cloverdale Senior Multipurpose Center.

Should the City receive any parking complaints from neighbors, Zoning Ordinance Section 18.03.110.F allows the Planning Commission to periodically review any Conditional Use Permit to ensure that it is being operated in a manner consistent with conditions of approval and does not unreasonably interfere with the use and enjoyment of properties in the vicinity. If, after review, the Planning Commission deems there is sufficient evidence to warrant a full examination, a public hearing date shall be set. At the public hearing, the Planning Commission may modify or revoke the permit pursuant to the provisions of Section 18.03.030 (Revocation or Modification of Permits, Licenses or Approvals).

#### **Conditional Approval**

A Modification to the Conditional Use Permit was approved by the Planning Commission in February 2006 to modify the hours of operation and allow for evening meetings in order to accommodate the temporary use of the Center for Planning Commission and City Council meetings. The hours of operation were changed to no earlier than 7am, Monday through Friday, and from 8:00am to 5:00pm on Saturdays.

This proposed modification would

- expand the hours of operation for the Center to 10 pm on some Friday and Saturday evenings,
- allow up to 12 special events per year in addition to the four dinners per year that are currently put on by the Center itself, and
- allow up to 12 special educational courses per year hosted by SRJC and SSU in addition to classes offered by the Center itself, which are currently held Monday through Friday during the normal business hours of 9:00am to 3:30pm.

Zoning Ordinance Section 18.03.110.F.1 allows the applicant an opportunity to request modifications to an approved Conditional Use Permit. Examples of modifications that can be requested include, but are not limited to, changes in conditions of approval, expansions, intensification, location, or hours of operation. The requested modification is required to be processed in the same manner as the original Conditional Use Permit. As the Planning Commission approved the original Conditional Use Permit, the Planning Commission is therefore responsible for reviewing the requested Modification to the Conditional Use Permit.

The requested modification would benefit the City and the greater community at large because it would expand the range of educational opportunities and activities available to seniors, as well as provide another venue within the City for special events. Additionally, allowing the Multipurpose Center an opportunity to host these special events and educational classes is a potential revenue source for the Center.

#### **Compatibility with Adjacent Uses**

The surrounding neighborhood is comprised of a mix of older single-family residences, more recently constructed duplexes and multi-family residences, and a bed and breakfast inn. The building was designed to blend architecturally with the surrounding neighborhood and several mature oak trees were preserved and incorporated into the landscaping plan. The parking agreement appears to have resulted in a minimal amount of traffic impacts to the surrounding neighborhood over the years. Together with the new Cloverdale Shuttle route and stop in front of the Center and the fact that the Center still actively promotes the parking agreement, the introduction of the events and educational classes is not anticipated to contribute to any significant traffic or parking impacts on the surrounding neighborhood.

To address any potential noise issues, a condition of approval has been added which prohibits the use of outdoor amplified music or microphones.

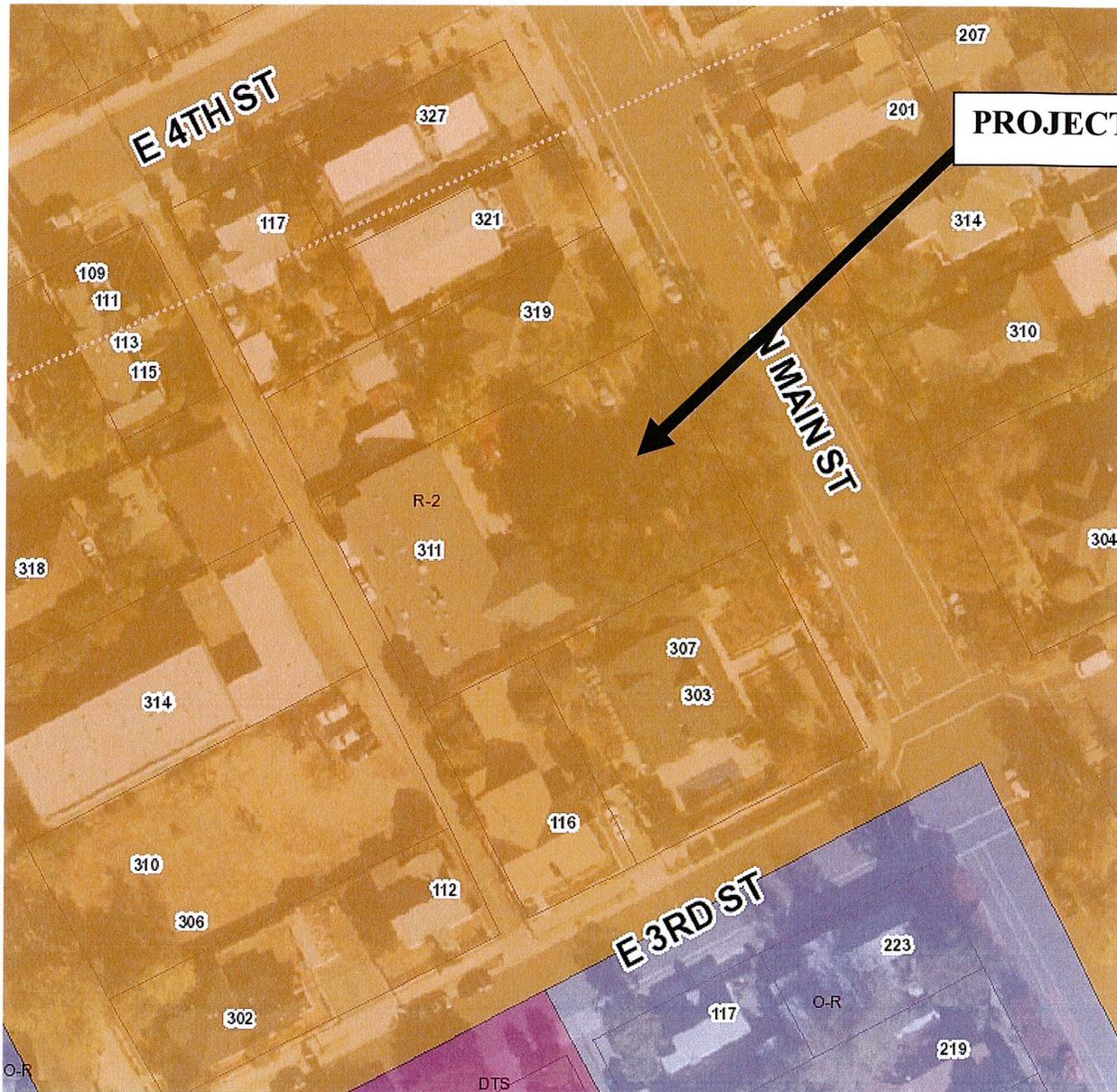
#### **E. Staff Recommendation**

As the requested modification would benefit the City and the greater community at large by expanding the range of educational opportunities and activities available to seniors, staff recommends the Planning Commission adopt the attached resolution which approves a Modification to the existing Conditional Use Permit (CUP MOD 001-2016) to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center at 311 N. Main Street, subject to the recommended conditions of approval.

#### **Attachments**

1. Location Map/City Zoning Map
2. Site Photos
3. Draft Resolution

**ATTACHMENT 1**  
Location Map/City Zoning Map



**ATTACHMENT 2**  
Site Photos



**View from N. Main Street showing bus stop, parking lot and front of building beyond**



**View from the rear alleyway showing additional off-street parking and loading area**

**Attachment 3**

**CITY OF CLOVERDALE  
PLANNING COMMISSION  
RESOLUTION NO. 005-2016**

**A RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION APPROVING A MODIFICATION TO AN EXISTING CONDITIONAL USE PERMIT (CUP MOD 001-2016) TO EXPAND THE HOURS OF OPERATION FOR THE CLOVERDALE SENIOR MULTIPURPOSE CENTER TO 10 PM ON SOME FRIDAY AND SATURDAY EVENINGS, TO ALLOW UP TO 12 SPECIAL EVENTS PER YEAR AND TO ALLOW UP TO 12 SPECIAL EDUCATIONAL COURSES PER YEAR IN ADDITION TO THE NORMAL EVERYDAY OPERATIONS OF THE CENTER LOCATED AT 311 N. MAIN STREET (APN 001-162-005)**

**WHEREAS**, an application for a Modification to an existing Conditional Use Permit was submitted by the Cloverdale Senior Center to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center at 311 N. Main Street; and

**WHEREAS**, the site is designated Medium Density Residential (MDR) on the City's adopted General Plan Land Use Map and located in the Two-Family Residential (R-2) Zoning District, and the proposal is consistent with the MDR land use designation and R-2 Zoning District, which permits public and quasi-public uses such as churches, clubs, lodges, public utilities and public buildings with the approval of a Conditional Use Permit; and

**WHEREAS**, the Planning Commission approved a Conditional Use Permit application for the Cloverdale Senior Center on February 3, 1999; and

**WHEREAS**, Zoning Ordinance Section 18.03.110.F.1 allows modifications to an approved Conditional Use Permit, such as, but not limited to, changes in conditions of approval, expansions, intensification, location, or hours of operation; and

**WHEREAS**, as required by California Government Code Section 65091, the Planning Commission of the City of Cloverdale gave legal notice of a public hearing on the proposed Conditional Use Permit Modification application; and

**WHEREAS**, the Planning Commission held a public hearing on February 2, 2016, for the purpose of reviewing the application proposing a Modification to the Conditional Use Permit and considered all written and verbal communication, including the staff report; and

**WHEREAS**, the applicant and members of the public were present to speak on the application; and

**WHEREAS**, the Planning Commission finds that this project is exempt from the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities, because the Cloverdale Senior Multipurpose Center building and parking lot are existing and are not being expanded in any way. Furthermore, the addition of the special events and educational classes are similar to functions that the Center currently provides, and is therefore considered to be a negligible or no expansion of an existing use. Based on the application materials, existing site improvements, location of the project, none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced categorical exemption for the project; and

**WHEREAS**, the Planning Commission has determined that the findings required for the Modification to the Conditional Use Permit required by Section 18.03.110 of the Zoning Ordinance have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed use is permitted within the subject district pursuant to the provisions of this Section (18.03.110) and complies with all the applicable provisions of this ordinance, the goals, and objectives of the Cloverdale General Plan, and the development policies and standards of the City.

*According to Chapter 18.14 (Zoning Ordinance Definitions) of the Zoning Ordinance, the Cloverdale Senior Multipurpose Center is considered a public/quasi-public use for public and private gatherings and where educational courses and classes are offered to the community. Public/quasi-public uses are permitted in the R-2 Zoning District subject to Conditional Use Permit approval. A Conditional Use Permit was approved by the Planning Commission on February 3, 1999 for the Cloverdale Senior Center. As the project does not involve new construction and the site was developed in accordance to the Zoning Ordinance standards at the time, including off-street parking requirements, the project meets the development standards of, and is consistent with, the R-2 Zoning District.*

*Furthermore, the modification furthers the goals, policies and implementation measures of the General Plan and MDR land use designation as it provides educational courses for the community and continues the use of an existing public facilities building.*

2. The proposed use would not impair the integrity and character of the Zoning District in which it is to be established or located.

*The proposed use is compatible with the Two-Family Residential (R-2) Zoning District as the surrounding neighborhood is comprised of a mix of residential structures with one bed and breakfast inn, and the building was designed to blend architecturally with the surrounding neighborhood. Several mature oak trees were preserved and incorporated into the landscaping plan which helps to buffer the use from the neighborhood. The Center's continuing efforts in enforcing the parking agreement helps to ensure that no impacts or a minimal amount of traffic impacts to the surrounding neighborhood are anticipated.*

*To address any potential noise issues, a condition of approval has been added which prohibits the use of outdoor amplified music or microphones. The project as designed and the conditions of approval ensure the proposed use is compatible with the Two-Family Residential (R-2) Zoning District.*

3. The site is suitable for the type and intensity of use or development that is proposed.

*The site is developed with the Cloverdale Senior Multipurpose Center building, parking lot and related site improvements. The site is zoned for and developed with an existing public building that was designed and is currently being used for similar public/quasi-public uses. Since opening, the City has not received complaints from adjoining neighbors.*

4. There are adequate provisions for water, sanitation and public utilities and services to ensure public health and safety.

*The site is developed with the Cloverdale Senior Multipurpose Center building, parking lot and related site improvements with existing services. Adequate provisions for water, sanitation and public utilities and services exist to ensure public health and safety.*

5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

*The use is located within an existing building that was designed for use by the Senior Center. The modification is not considered to be a significant expansion or intensification of the current use of the building as the Cloverdale Senior Multipurpose Center as similar events and educational classes are currently being put on by the Center. The Senior Center is compatible with surrounding residential uses and the R-2 Zoning District, and the hours of operation are not anticipated to interfere with the surrounding residences. The conditions of approval ensure the proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.*

**NOW, THEREFORE BE IT RESOLVED** the above recitals are true and correct and incorporated herein by reference; and

**NOW, THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission of the City of Cloverdale does hereby grant a Modification to the existing Conditional Use Permit to expand the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center at 311 N. Main Street subject to the Conditions of Approval listed below:

**Planning:**

1. A Modification to the existing Conditional Use Permit approval is granted to allow an expansion of the hours of operation for the Cloverdale Senior Multipurpose Center to 10 pm on some Friday and Saturday evenings, to allow up to 12 special events per year and to allow up to 12 special educational courses per year in addition to the normal operations of the Center at 311 N. Main Street, Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department. The applicant shall adhere to the Conditional Use Permit Modification application materials (CUP MOD 001-2016) and the conditions of approval. Any deviation from the conditions of approval requires Community Development Department or Planning Commission approval.
2. This approval is subject to appeal within 10 consecutive days from the date of approval.
3. All conditions of this Modification to the existing Conditional Use Permit are necessary to protect the general health, safety and welfare, and to minimize or eliminate adverse environmental effects of the project. If any condition of this permit is held to be invalid by a court, then the entire permit shall be invalid. The Planning Commission specifically declares that it would not have issued this permit unless all of the conditions herein are held as valid.
4. This permit shall be subject to revocation or modification by the Planning Commission if the Commission finds that there has been a) noncompliance with any of the foregoing conditions, or b) the Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the

neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Cloverdale Municipal Code.

5. This Modification to the existing Conditional Use Permit (CUP MOD 001-2016) shall expire, and become null and void, two years from the date of approval unless exercised through the commencement of the business operations or a written request for an extension of time is submitted to the Community Development Department prior to the expiration date and an extension is granted by the Planning Commission.
6. The approval of this permit shall be subject to the latest adopted ordinances, resolutions, policies and fees of the City of Cloverdale. Applicant shall be responsible for any and all costs associated with any required special inspections necessary for the project.
7. The use of outdoor amplified music or sound, or the use of a microphone outdoors shall be prohibited.
8. All previous conditions of approval shall continue to apply.

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Resolution No. 005-2016 was duly adopted on this the 2<sup>nd</sup> day of February 2016, by the following roll call vote: (-ayes, -noes)

AYES in favor of:  
NOES:  
ABSTAIN:  
ABSENT:

Approved:

Attested:

\_\_\_\_\_  
Mike Shanahan, Chair

\_\_\_\_\_  
Linda Moore, City Clerk