



**DRAFT MINUTES
MEETING OF THE PLANNING COMMISSION**

TUESDAY, SEPTEMBER 6, 2016

PUBLIC SESSION: 6:30 p.m.

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

OPENING:

- Call to Order: Chair Shanahan called the meeting to order at 6:30 p.m.
- Pledge Of Allegiance
- Roll Call: Present- Commissioner Bialon, Vice Chair Domke, Commissioner Enge, Commissioner Halliday, Chair Shanahan, Alternate Commissioner Bovee and Alternate Commissioner Turner
- Agenda Review (changes/deletions): None
- Declaration of Conflicts of Interest: None

PUBLIC COMMENT PERIOD: None

CONSENT CALENDAR:

1. Minutes Review: August 2, 2016

Action: Motion was made by Vice Chair Domke to approve the Consent Calendar; seconded by Commissioner Bialon. The motion passed by voice vote: 4-Ayes (Commissioner Bialon, Vice Chair Domke, Commissioner Enge, and Chair Shanahan); 0-Noes; 0-Absent; 1-Abstain (Commissioners Halliday)

NON-PUBLIC HEARING ITEMS: None

PUBLIC HEARING ITEMS:

2. Applications and Resolution recommending that City Council direct staff to file the Nu Forest Annexation application with the Sonoma County Local Agency Formation Commission, adopt a Mitigated Negative Declaration for this project and approve the requested General Plan Amendment, Rezoning and M-1 District text amendment Ordinance and a Conditional Use Permit and Major Design Review for the Nu Forest Annexation and Development Project

Meeting Date: September 6, 2016

Applicant: Nu Forest Products, Inc & Other Owners

Project Location: East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels Attachment 1 shows the regional location of the project area and Attachment 2 shows the area in relation to the City of Cloverdale.
APNs 116-260-004, -030, -033, -045, -046 -050 & -055

- Property Owners:**
- Nu Forest Products, Inc. (APNs 116-260-004 & -055)
 - Richard Cerasoli (APN 116-260-033)
 - Charles Schwartzler Trust (APN 116-260-030)
 - Gladys Matovich Trust (APN 116-260-050)
 - M. Poustinchian (APN 116-260-046)
 - Pacific Gas & Electric (PG&E) (APN 116-260-045)

Existing Zoning: (Sonoma County): Light Industrial & Agricultural Residential

General Plan Designations: (City of Cloverdale): (GI) General Industrial, (CF) Conservation Features & (TOD) Transit Oriented Development

Project Description: Proposed General Plan Amendment, Rezoning, Conditional Use Permit/Design Review and Annexation to the City of Cloverdale for an approximate 42.5-acre area lying east of existing City boundaries. The properties all lie within the City of Cloverdale Sphere of Influence and City's Urban Growth Boundary.

Environmental Assessment: An Initial Study/Mitigated Negative Declaration (IS/MND) is recommended for adoption by the City Council with the finding that mitigation measures included in the IS/MND will reduce all potentially significant impacts to a less-than-significant level.

Assistant City Manager/Community Development Director, David Kelley, gave the background on this project and provided a revision to Exhibit 2 to Nu Forest Rezoning Ordinance (attached). He also distributed two emails received after the agenda packet was distributed (attached). The first email was received from Susan Adler opposing the project and a second email from Steve Nurse requesting a public right of way along the river bank and that the facility complies with the Cloverdale "clear skies" regulations. Mr. Kelley introduced Planning Consultant, Jerry Haag, to present the details of the Nu Forest Annexation Application. Mr. Haag discussed the details of the project, the properties proposed for annexation, and the need to amend the General Plan. He suggested that the Planning Commission consider the applications and by Resolution recommend that City Council direct staff to file the Nu Forest Annexation application with the Sonoma County Local Agency Formation Commission, adopt a Mitigated Negative Declaration for this project and approve the requested General Plan Amendment, Rezoning and M-1 District text amendment Ordinance and a Conditional Use Permit and Major Design Review for the Nu Forest Annexation and Development Project subject to conditions set forth.

Mr. Kelley introduced Sharmaine Ege, the representative for Nu Forest and Kurt Kelder from Kelder Engineering, who prepared the plans for the project.

Public Hearing Comment:

Mr. Poustinchian, Cloverdale, questioned if the PG&E substation would be removed from the project. Mr. Kelley responded that he does not anticipate PG&E moving the substation.

Sharmaine Ege, the representative for Nu Forest thanked Mr. Haag for his inclusive report. She shared a pictorial view of the project and discussed the details of the Nu Forest business operations and the business's efforts to be a good neighbor.

Discussion ensued regarding the request and the Nu Forest operation. Commissioner Domke stated he has knowledge of the Nu Forest business operation located in Healdsburg and commented that his experience as a past neighbor to the operation was totally positive. He commented that although the business is located two blocks from the Healdsburg downtown plaza, the business is able to remain innocuous.

Action: Motion was made by Commissioner Halliday to approve Resolution No. 013-2016, recommending that the City Council approve a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (MMRP) for the Nu Forest Annexation and Development Project on approximately 42.5 acres of land (APNs 116-260-004,-030, -033, -045, -046 -050 & -055); seconded by Vice Chair Domke. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Commissioner Bialon to approve Resolution No. 014-2016, recommending the City Council direct staff to file an annexation application for the Nu Forest Products properties and adjacent properties consisting of approximately 42.5 acres of land (APNs 116-260-004,-030, -033, -045, -046 -050 & -055); seconded by Commissioner Enge. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Vice Chair Domke to approve Resolution No. 015-2016, recommending the City Council approve a general plan amendment for four properties on approximately 11.27 acres of land (APNs: 116-260-030, -033, -045 -046 & -050); seconded by Commissioner Enge. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Commissioner Enge to approve Resolution No. 016-2016 (with the revision in Exhibit 2 to the Nu Forest Prezoning Ordinance), recommending the City Council adopt an ordinance rezoning approximately 42.5 acres of land to a combination of "GI-General Industrial", "RR-Rural Residential", and "PI-Public Institutional", and making other amendments to Sections 18.06.040, 18.09 & 18.14 of the Zoning Ordinance, adding regulation for live-work units in the M-1 District (APNs 116-260-004, -030, -033, -045, -046 -050 & -055); seconded by Vice Chair Domke. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

Action: Motion was made by Alternate Commissioner Halliday to approve Resolution No. 017-2016, recommending the City Council approve a Conditional Use Permit and Major Design Review for Nu Forest Products located at 280 Asti Road (APNs 116-260-004 & 055); seconded by Commissioner Eng. The motion passed by roll call vote 5 ayes– (Commissioners Halliday, Commissioner Enge, Commissioner Bialon, Vice Chair Domke, and Chair Shanahan); 0-Noes.

OTHER BUSINESS: None

PLANNER'S REPORT/COMMUNICATIONS: Mr. Kelley announced that he distributed a development status report on the previous Thursday, which provided an overview of current planning activities and projects. He identified the opening of the Dollar General store as a key economic development for the City and encouraged the Commission to visit the site. Mr. Kelley also reported on the progress on the Grocery Outlet Supermarket project.

PLANNING COMMISSION DIRECTION TO STAFF: None

ADJOURNMENT: Chair Shanahan adjourned the meeting at 8:00 p.m. to the next meeting Tuesday, October 4, 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 October 4, 2016, by voice vote: ayes 4 (Vice Chair Domke, Commissioner Bialon, Alternate Commissioner Bovee, and Chair Shanahan) noes -0; recuse- 0; absent-2 (Halliday and Enge).

Approved:

Attested:



Mike Shanahan, Chair



Linda Moore, Deputy City Clerk

Exhibit 2 to Nu Forest Rezoning Ordinance

REVISED-9/6/16

Definitions. Section 18.14.030 is amended as follows to add a definition for “live-work” uses.

“Live-work unit” or “live-work space” means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

“Live-work unit” means a structure or portion of a structure:

- (a) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner’s employee, and that person’s household;
- (b) Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and
- (c) Where the commercial or manufacturing activity conducted takes place subject to a valid business license and applicable zoning permit(s) associated with the premises.

Uses Permitted: Section 18.060.30 is amended by revising Table 18.06.030A, as follows:

“Add Live-Work units as a conditionally permitted use (C) in the M-1 District.”

Development Standards. Section 18.090.200 is hereby amended to include special development standards for live-work land uses.

“Live-work units may be allowed on property zoned as M-1 (General Industrial) subject to the following minimum standards to minimize land use interface impacts. Additional standards may be imposed through the conditional use permit process.

1. ~~Density of Uses. Live-work units shall not exceed a density of 4 dwelling units per net acre for a residential component and a maximum industrial building coverage of up to fifty (50) percent of the lot.~~
1. Maximum Lot Coverage. Maximum Lot Coverage shall be sixty (60) percent of a lot for live-work uses, which shall include both residential and work (industrial) components.

2. **Residential Area Requirements.** A maximum of 50 percent of a live-work total square footage shall be devoted to residential use.
3. **Location of living and working space.** Living and working spaces on individual lots may either be integrated or two separate structures. Proper separation shall be provided as required by the Building Code. Live/Work units containing 2,000 square feet of gross square feet or greater shall have a minimum of two exits as defined by the California Building Code.
4. **Occupancy.** A live-work unit shall be occupied and used by the operator of the business on the site or at least one member of a household shall be the business operator. No portion of a live-work unit shall be rented or sold separately. Up to two persons may be employed within a live-work business who do not live on the site, unless more restrictive requirements are imposed as a condition of the conditional use permit issued pursuant to Section 18.03.110 of the Cloverdale Municipal Code.
5. **Parking.** Parking shall be provided on a live-work site based on the parking requirements in Table 18.11.050-A of the Cloverdale Municipal Code. Parking requirements for uses not specifically set forth in Table 18.11.050-A shall be based upon similar uses, or evidence of actual demand bases on traffic engineering or planning data or as approved through the conditional use permit process.
6. **Building Sizes, Height and Setbacks.** Structures constructed for the purpose of housing live-work occupancies shall conform to all building requirements of the M-1 zoning district.
7. **Required Findings.** Approval of a conditional use permit for a live-work unit shall require the Planning Commission to make the following findings in addition to the normally required findings as set forth in Section 18.03.110 (D) of the Cloverdale Municipal Code.
 - a. The proposed residential use of a property does not detract from the primary industrial use of the property or interrupt the continuity of businesses n an industrial area.

Linda Moore

To: David Kelley
Subject: RE: Opposition to NuForest Property Project

From: Susan Adler
Sent: Thursday, September 01, 2016 5:34 PM
To: David Kelley <dkelley@ci.cloverdale.ca.us>
Subject: Opposition to NuForest Property Project

Dear Planning Commission,

My husband and I are opposed to this project based on the report of potential environmental problems that can only be mitigated such as loss of riparian habitat, noise pollution, traffic congestion and more. From reading this report we base this on givens for the project (traffic), and potential risks or hazards such as spills, landslides etc.

Sincerely,

Susan and Howard Adler
307 Buckeye Circle
Cloverdale, CA 95425



Meeting Date: Applicant: Project Location:

Property Owners:

Existing Zoning:

General Plan Designations:

Project Description:

Environmental Assessment:

AGENDA ITEM No. 2

City of Cloverdale Planning Commission *Staff Report*

September 6, 2016

Nu Forest Products, Inc & Other Owners

East side of Asti Road, south of current City limits, north of the City's Corporation Yard and west of the Russian River. Assessor's Parcels Attachment 1 shows the regional location of the project area and Attachment 2 shows the area in relation to the City of Cloverdale.

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An Initial Study/Mitigated Negative Declaration (IS/MND) is recommended for adoption by the City Council with the finding that mitigation measures included in the IS/MND will reduce all potentially significant impacts to a less- than-significant level.

Linda Moore

Subject: FW: Nu Forest Annexation.

From: Steve Nurse
Sent: Tuesday, September 06, 2016 12:03 PM
To: David Kelley
Subject: Nu Forest Annexation.

Hi David,

I don't think we have met. I am Steve Nurse a long time resident of Cloverdale. I have been heavily involved in the town since coming here in 2001. Citizens Advisory Committee to General Plan, President of Art Alliance, Started Friday Night Live etc etc.

I know I am probably "a day late and a dollar short" but I wanted to comment on the NuForst annexation project.
Just a couple of comments/observations.

- 1) I'd like to suggest a public right of way along the river bank for potential future expansion of the River Walk be included in the agreement and
- 2) Please make sure the facility complies with the Cloverdale "clear sky's" regulations restricting the angle and intrusion of lighting, so we may preserve of night sky.

These may already be included in the agreement and plans, but I wanted to put in my two cents.

Thanks for listening.

Steve Nurse.