

**CITY OF CLOVERDALE  
PLANNING COMMISSION  
RESOLUTION NO. 002-2012**

**A RESOLUTION OF THE CITY OF CLOVERDALE PLANNING COMMISSION  
APPROVING A CONDITIONAL USE PERMIT (CUP 031-2011) TO ALLOW A  
SECOND HAND RETAIL THRIFT STORE WITH INCIDENTAL DONATIONS AT 543  
NORTH CLOVERDALE BOULEVARD  
(APN 001-021-020)**

**WHEREAS**, an application for a Conditional Use Permit was submitted by Mark Ihde to allow a second hand retail thrift store with incidental donations operated by Goodwill Industries of Redwood Empire in an existing commercial building located at 543 North Cloverdale Boulevard; and

**WHEREAS**, the Cloverdale Zoning Ordinance allows second hand stores, such as the proposed second hand retail thrift store, in the General Commercial G-C zoning district subject to Conditional Use Permit approval; and

**WHEREAS**, the proposal is consistent with the General Commercial G-C land use designation which is intended for areas around the downtown and provides for community-serving commercial uses that provide normal household retail items, with easy accessibility and convenience; and

**WHEREAS**, as required by California Government Code Section 65090, the Planning Commission of the City of Cloverdale gave legal notice of a public hearing on the proposed Conditional Use Permit application; and

**WHEREAS**, the Planning Commission held a public hearing on January 4, 2012, for the purpose of reviewing the proposed Conditional Use Permit application 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 §15301, Existing Facilities; and

**WHEREAS**, the Planning Commission has determined that the findings required by Section 18.03.050 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 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.

*Second hand stores, including the proposed retail thrift store, are permitted uses in the General Commercial G-C zoning district subject to Conditional Use Permit approval. The proposed use would be located in an existing commercial building; only minor improvements to the building are proposed. Adequate parking exists to accommodate the proposed use. An administrative sign permit will be required for any proposed signage, consistent with the approved Planned Sign Program (SP 1-08). The proposed project complies with the standards and provisions of the Zoning Ordinance. The proposed project furthers the goals and objectives of the General Plan by providing a community-*

*servicing commercial use in the downtown, locating a new business in an otherwise vacant building, and upgrading an existing building.*

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

*The proposed project would provide a community-serving commercial use in the downtown, adjacent to other existing and planned commercial uses, and locate a new business in an otherwise vacant building. Incidental donations would occur within an existing building and would not include any outdoor uses, outdoor display or outdoor storage that could potentially impair the integrity or character of the district. The proposed conditions of approval require security cameras, lighting, signage and site maintenance to ensure the proposed use would be compatible with nearby residential and commercial uses.*

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

*The site is zoned for and developed with an existing commercial building and storage building which was previously the subject of Design Review (DR 33-04, Resolution 20-04). The Design Review approval included several conditions of approval to ensure compatibility with adjacent uses including conditions related to noise decibels, location of trash enclosure, lighting, and fencing. The conditions related to trash enclosure location, lighting, and fencing have been addressed; the condition related to noise decibels applies for the life of the project and requires the property owner to conduct a noise study if noise levels appear to exceed CNEL 65dBA at the westerly property line and if the levels are exceeded, abate the noise source.*

*The site has been historically utilized for commercial purposes and the building was originally designed with the potential to house 1-4 tenants. The proposed use is a type of commercial retail and would not generate different traffic impacts than other retail uses; parking would be adequate for the proposed use. Additionally, the proposed conditions of approval associated with this application including those related to the provision of security cameras, outdoor lighting, trash removal, and chain to block the parking lot after business hours would ensure the proposed use would be compatible with nearby residential and commercial uses.*

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

*The site contains an existing commercial building and storage building with existing services which was previously the subject of Design Review (DR 33-04, Resolution 20-04). The existing improvements are adequate provisions for water, sanitation and public utilities and services 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 site contains an existing commercial building and storage building which was previously the subject of Design Review (DR 33-04, Resolution 20-04). The Design Review approval included several conditions of approval to ensure compatibility with adjacent uses including conditions related to noise decibels, location of trash enclosure, lighting, and fencing. The conditions related to trash enclosure location, lighting, and fencing have been addressed; the condition related to noise decibels applies for the life of*

*the project and requires the property owner to conduct a noise study if noise levels appear to exceed CNEL 65dBA at the westerly property line and if the levels are exceeded, abate the noise source.*

*Locating a new business in an otherwise vacant building would reduce the potential for public nuisances including trespassing, loitering and vandalism. Additionally, the proposed site improvements including lighting, security cameras, and daily site maintenance would address potential impacts related to the proposed use. The conditions of approval will 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** that the Planning Commission of the City of Cloverdale does hereby grant a Conditional Use Permit to allow a second hand retail thrift store with incidental donations operated by Goodwill Industries of Redwood Empire in an existing commercial building located at 543 North Cloverdale Boulevard subject to the conditions listed below:

Planning:

1. Conditional Use Permit approval is granted to allow a second hand retail thrift store with incidental donations within existing buildings located at 543 N. Cloverdale Boulevard, Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department. The Permit does not allow any type of outdoor storage or activity associated with the incidental donations. The applicant shall adhere to the Conditional Use Permit application materials (Permit #031-2011) and the conditions of approval. Any deviation from the conditions of approval requires Planning 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 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 Conditional Use Permit CUP 031-2011 shall expire, and become null and void, two years from the date of approval unless exercised through the commencement of the business 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.
7. Approval is granted to allow operation of a second hand retail thrift store with incidental donations, operated by Goodwill Industries of Redwood Empire, Monday through Saturday from 9 a.m. – 8 p.m. and Sunday from 10 a.m. – 7 p.m. Incidental donations

shall be accepted during regular business hours only and shall only be received and stored inside the building.

8. Signs, in English and Spanish, stating the hours in which donations are accepted and notifying the public that donations at any other time are strictly prohibited shall be installed prior to occupancy. Signage indicating the location of off-site donation centers shall be installed prior to occupancy. The signs shall be maintained and visible to the public at all times.
9. The property shall be kept in a clean and orderly condition. No outdoor uses including outdoor storage, outdoor displays, or dumping is allowed. Site maintenance of the parking lot and street frontages shall occur daily by employees to ensure the property is kept in an orderly condition free of any outdoor storage and trash.
10. "No Dumping" and "No Trespassing" signs with the appropriate penal code shall be installed on the main building and storage building, prior to occupancy.
11. No modifications to the exterior of the building, beyond those minor improvements described in the application materials submitted to the Community Development Department, shall occur without design review approval.
12. A sign permit application shall be submitted and approved by the Community Development Department prior to the installation of any and all signage, pursuant to the design specifications of the Planned Sign Program (SP 1-08).
13. Existing and proposed outdoor lighting shall be designed, directed and shielded in such a manner that direct light does not leave the perimeter of the site and the nighttime sky is preserved and shall conform to the provisions of Zoning Ordinance Section 18.08.170.
14. Trash shall be stored inside the building. No outdoor storage is permitted.
15. All deliveries shall immediately be brought inside the store and shall be made one time per day no more than four to five days per week, during business hours.
16. All trucks associated with the second hand retail thrift store shall utilize N. Cloverdale Boulevard and the portion of Champlain Avenue that abuts the project site, and shall not circulate farther into the adjacent residential neighborhood.

Building:

17. All new construction and/or building modifications shall meet the latest adopted building and fire safety codes. Required building permits shall be obtained prior to construction.

Police:

18. Security cameras and security lighting with motion sensors shall be installed to monitor any after-hours activities to the satisfaction of the Police Department to provide security for the existing commercial building, existing storage building, parking lot and driveway on Champlain Avenue, prior to occupancy.
19. Prior to occupancy, a chain shall be installed and secured at all times during off-business hours across the driveway on Champlain Avenue to prevent vehicles from gaining access to the parking lot and deter after hours dumping.
20. Any parking of delivery trucks shall occur off-street in the existing on-site parking lot.

Fire District:

21. Tenant improvement plans shall be forwarded to the fire protection district for all unimproved areas of the shell building.

22. In the absence of panic hardware, signs stating that the entrance/exit doors shall remain unlocked during business hours shall be installed per 2010 California Fire (CFC) and Building Codes Title 24 parts 1, 2 and 9 criteria.
23. The existing Knox box will need to have current keys for all doors. Please contact the fire agency when the keys are ready to be installed. Make certain that the keys are clearly marked by suite number. Please include a key for the storage building.
24. Fire extinguishers shall be installed per the 2010 CFC criteria.
25. The detached storage building is "existing non-conforming." This building appears to rest within one foot of both the West and South property line. The fire district requests that the West and South interior walls have rated Type X gypsum board installed. We understand that the normal exterior application of drywall will be impractical and will accept two layers of Type X 5/8" gypsum board on West and South walls extending to floor to ceiling including protecting of the shed roof rim joist.
26. The weather cover for the Fire Department connection and backflow valve inhibits access to both the valves and the fire department connection FDC. Please reconfigure the freeze protection blanket to allow for fire department access.
27. The existing fire alarm systems must be tested. The five year fire sprinkler certification must be attached to the fire system riser.

\* \* \* \* \*

Resolution No. 002-2012 was duly adopted on this the 4th day of January, 2012, by the following roll call vote: (5-ayes, 0-noes)

AYES in favor of: Vice Chair Shanahan, Commissioner Morrash, Alternate Commissioner Riefkohl, Commissioner Ziegenhagen, Chair Bagby

NOES: None

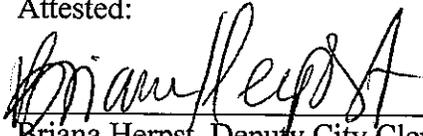
ABSTAIN: None

ABSENT: Commissioner Munselle, Excused Absence

Approved:

  
Melanie Bagby, Chair

Attested:

  
Briana Herpst, Deputy City Clerk