

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2012-\_\_**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT A  
DEVELOPMENT AGREEMENT (DA 2011-01) FOR THE RESORT AT INDIAN  
SPRINGS EXPANSION PROJECT LOCATED AT 1712 LINCOLN AVENUE  
(APN 011-340-019) WITHIN THE “CC-DD”, COMMUNITY COMMERCIAL –  
DESIGN DISTRICT**

---

1           **WHEREAS**, on July 15, 2011, an application was submitted by Paul  
2 Coates, on behalf of Resort at Indian Springs, LLC, requesting a Development  
3 Agreement associated with the approval of a Conditional Use Permit and Design  
4 Review for the expansion of the Resort at Indian Springs by adding 75 guest  
5 rooms (i.e. 9 8-unit bungalows and 3 cottage units), a restaurant, conference  
6 facility (i.e. event building), gym & yoga studio and hotel registration building.  
7 Landscaping, new parking areas, driveways and pedestrian pathways will also be  
8 developed. On and off site water, sewer, recycled water and storm drainage  
9 improvements will be installed to serve the project. The off site improvements will  
10 include the construction of new sewer and storm drain lines across the adjoining  
11 Gliderport property using a subgrade “jack and bore” method. The existing  
12 tennis court, several out buildings, trees, and mud ponds will be demolished  
13 and/or removed from the property to accommodate the expansion. The property  
14 is located at 1712 Lincoln Avenue (APN 011-340-019); and  
15

16           **WHEREAS**, Resort at Indian Springs, LLC and the City of Calistoga have  
17 negotiated and drafted a development agreement for the Project (“Development  
18 Agreement”); and  
19

20           **WHEREAS**, the City Council authorizes the City Manager (or any  
21 successor City officer designated by law) to enter into or approve any additions,  
22 amendments, or other modifications to the Development Agreement agreed to by  
23 Resort at Indian Springs, LLC or its successors and assigns, that he or she  
24 determines, in consultation with the City Attorney, are in the best interests of the  
25 City, provided that any such additions, amendments, or modifications (i) do not  
26 materially increase the liabilities or obligations of the City or materially decrease  
27 the benefits to City, in either case arising under the Development Agreement  
28 and (ii) are necessary or advisable to effectuate the implementation of  
29 the Project, such determination to be conclusively evidenced by the execution  
30 and delivery by the City Manager of the Development Agreement as so added to,  
31 amended or otherwise modified; and  
32

33           **WHEREAS**, an Initial Study/Mitigation Negative Declaration (IS/MND) was  
34 completed in accordance with applicable CEQA Guidelines, and on October 12,  
35 2012, the IS/MND was circulated for public and agency review and comment.  
36 Copies of the IS/MND were made available to the public at the Department of  
37 Planning and Building on October 12, 2012, and the IS/MND was distributed to

38 interested parties and agencies. On October 12, 2012 and October 29, 2012, a  
39 notice of the Planning Commission public hearing of November 14, 2012, to  
40 review the IS/MND was published in the local newspaper; and

41  
42 **WHEREAS**, the Planning Commission recommended adoption of a  
43 Mitigated Negative Declaration (Resolution PC 2012-\_\_) based upon the initial  
44 study prepared for this project finding that the proposed project, as amended by  
45 mitigation measures agreed to by the applicant, would not have a significant  
46 adverse impact on the environment; and

47  
48 **WHEREAS**, adoption of this Development Agreement will not result in  
49 conflicts with any other appropriate ordinance and to the extent such conflict  
50 exists, this resolution is hereby repealed; and

51  
52 **WHEREAS**, the Planning Commission considered this Development  
53 Agreement at its regular meetings on November 14, 2012, and prior to taking  
54 action on the Development Agreement, the Commission received written and oral  
55 reports by the Staff, and received public testimony; and

56  
57 **WHEREAS**, the Planning Commission adopted the following findings:

- 58  
59 1. The City Council duly adopted Ordinance No. 547 enacting  
60 procedures for entering into development agreements.  
61  
62 2. That this Development Agreement is a contract negotiated and  
63 entered into voluntarily between the City of Calistoga, and property  
64 owner and developer (Resort at Indian Springs, LLC) of the Resort  
65 at Indian Springs.  
66  
67 3. That this Development Agreement contains those conditions and  
68 obligations relating to the Project stated in the resolution(s)  
69 approving the Project.  
70  
71 4. That the Project is a project of significance to the community and  
72 upon the community of Calistoga and for that reason a  
73 development agreement is a proper use of the City's authority to  
74 secure the project benefits for the community.  
75

76 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
77 Commission that based on the above findings and the conditions and obligations  
78 contained in the Development Agreement, the Planning Commission  
79 recommends to the City Council adoption of the proposed Development  
80 Agreement with the findings, conditions and obligations contained in the record.  
81

82           **PASSED, APPROVED, AND ADOPTED** on November 14, 2012, by the  
83 following vote of the Calistoga Planning Commission:

84

85 AYES:

86 NOES:

87 ABSTAIN: COATES

88 ABSENT:

89

90

\_\_\_\_\_  
JEFF MANFREDI, Chairman

91

92

93

94 ATTEST: \_\_\_\_\_

95

KENNETH G. MACNAB,

96

Secretary to the Planning Commission